

«FORTY-EIGHTH LEGISLATIVE DAY»

March 18th, 1935, 11 o'clock, A. M.

Senate met pursuant to adjournment. President Roy F. Corley presiding.

Prayer by the Chaplain, Rev. William E. Matthews.

Roll called.

Members Present—Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

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

Motion prevailed.

The Clerk read the following communication:

COURT OF CHANCERY
OF THE STATE OF DELAWARE

JOSIAH O. WOLCOTT
Chancellor

Chancellor's Chambers
Court House, Wilmington
March 15, 1935

Hon. W. E. Matthews, Jr.
Hon. Howard M. Buckson
State House
Dover, Delaware

Gentlemen:

Following the conference yesterday between yourselves, constituting a Committee representing the Senate and House of Representatives, and myself relating to the subject matter of the Potter Charity referred to in Senate Resolution No. 16, I give you the following information:

On January 11, 1935, I signed an order instructing Mr. Latchum, the Trustee who manages the estate, to turn over to Mr. Emmett H. Raughley, the agent appointed according to the

terms of Col. Potter's will, \$1,500.00 for the purpose of distribution among the poor white citizens of the County, as contemplated by the will. The order directs the agent to make due report of his distribution of the fund. To what extent he has distributed the fund, I do not know. I assume it has not been exhausted and is still in the course of distribution.

I think that if the necessity arises therefor, the conduct of the business of the estate would not be jeopardized if I should order an additional \$500.00 to be applied out of the funds now in hand for relief purposes under the terms of the Potter Will.

The foregoing, I believe, conveys to you the information which on yesterday I told you I would supply.

Very truly yours,

JOSIAH O. WOLCOTT

Mr. Matthews moved that the communication be delivered to the House.

Motion prevailed.

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

Motion prevailed.

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

Senate met at expiration of recess.

On motion of Mr. Walls, Senate Amendment No. 1 to Senate Bill No. 50, entitled:

An Act to amend Chapter 36, Volume 25, Laws of Delaware, entitled "An Act providing for the protection of the public health, and the prevention of fraud and deception, by regulating the weighing, 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."

Mr. Walls offered Senate Amendment No. 1 to Senate Bill No. 50.

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

Upon request the privilege of the floor was given to Captain Hanson.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Walls, Senate Bill No. 50 with Senate Amendment, No. 1, entitled:

An Act to amend Chapter 36, Volume 25, Laws of Delaware, entitled "An Act providing for the protection of the public health, and the prevention of fraud and deception, by regulating the weighing, 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."

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

Mr. Chandler moved that so much be considered the third reading of the bill.

Motion prevailed.

Upon request the privilege of the floor was given to Captain Hanson.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered to the House for concurrence.

On motion for leave, Mr. Chandler introduced Senate Resolution No. 20, entitled:

Appropriating certain money out of the State Treasury to pay part of certain expenses of the Senate of the State of Delaware connected with the present Session thereof.

BE IT RESOLVED by the Senate of the State of Delaware, that the following amounts be and the same are hereby appropriated out of any money in the State Treasury, not otherwise appropriated, on account of printing expenses connected with the present Session thereof, viz:

Milford Chronicle Publishing Co.....\$2,500.00

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Mr. President Pro Tem—16.

NAYS—None.

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

On motion of Mr. Marshall, House Bill No. 207 with Senate Substitute, entitled:

An Act to authorize the Mayor and Council of the City of Milford, Delaware, to borrow One Hundred Twenty-four Thousand Dollars (\$124,000.00) to redeem certain outstanding bonds and various forms of indebtedness of the Mayor and Council of the City of Milford, Delaware.

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

Mr. Marshall moved that so much be considered the third reading of the bill.

Motion prevailed.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Simonton, Senate Bill No. 138, entitled:

An Act to amend the Delaware Liquor Control Act in relation to the receipts and expenditures thereunder by providing for monthly settlement thereof with the State Treasurer; by creating a repayment and contingent fund, and by making an appropriation for the expenses of the Delaware Liquor Commission for each of the two fiscal years ending June 30, 1936 and June 30, 1937.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered to the House for concurrence.

The President announced he is about to sign:

House Substitute for House Bill No. 327.

House Bill No. 328.

On motion of Mr. Ross, Senate Bill No. 177, entitled:

An Act authorizing the refunding of certain Highway Bonds of the State of Delaware by issuing refunding bonds therefor.

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

Mr. Ross moved that so much be considered the third reading of the bill.

Motion prevailed.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Matthews, House Bill No. 140, entitled:

An Act to amend Chapter 216, Volume 27, Laws of Delaware, entitled "An Act amending, revising and consolidating the Charter of the City of New Castle," by authorizing the New Castle County Assessment Board valuations of real estate within the City of New Castle be used for the City Assessment.

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

Mr. Wright moved that so much be considered the third reading of the bill.

Motion prevailed.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered returned to the House.

Mr. J. L. Davis, on behalf of the Committee on Elections, to whom had been referred, House Bill No. 126, entitled:

An Act to amend Chapter 60 of the Revised Code of the State of Delaware, relating to the Second Election District of the Tenth Representative District in Kent County.

Reported the same back to the Senate favorably.

JAMES L. DAVIS
W. M. DAVIS
S. M. D. MARSHALL
C. R. VAN SANT
C. A. NEUGEBAUER

On motion of Mr. Simonton, Senate Bill No. 140, entitled:

An Act to amend An Act allowing and regulating boxing, sparring, and wrestling matches and exhibitions, being Chapter 84 of Volume 37, Laws of Delaware, as amended, and regulating the conduct of such matches, and providing for licenses and license fees.

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

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

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

YEAS—Messrs. Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—13.

NAYS—Messrs. Bancroft, Matthews, McCabe, Neugebauer—4.

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

Ordered to the House for concurrence.

On motion of Mr. Maloney, House Substitute for House Bill No. 89, entitled:

An Act to amend Chapter 90 of the Revised Code of the State of Delaware (1915), relative to the regulation of the hours of employment of females.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—16.

NAYS—Mr. Glenn—1.

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

Ordered returned to the House.

On motion of Mr. Walls, Senate Bill No. 147, entitled:

An Act providing for the appointment of a Deputy Clerk of Peace for Sussex County.

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

Upon request the privilege of the floor was given to Mr. Fred Whitney.

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

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

YEAS—Messrs. Bancroft, Chandler, Davis, J. L.; Davis, W. M.; Marshall, Matthews, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—12.

NAYS—Messrs. Cannon, Frasher, Glenn, McCabe, Neugebauer—5.

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

Ordered to the House for concurrence.

On motion of Mr. Glenn, Senate Bill No. 129, entitled:

An Act to provide for the sale of Two Hundred and Fifty-four (254) shares of the capital stock of the Union National Bank of Wilmington owned by the State.

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

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

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

Members Present—Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered to the House for concurrence.

Mr. Ross, on behalf of the Committee on Miscellaneous, to whom had been referred, House Bill No. 199, entitled:

An Act prescribing an oath to be taken and subscribed by every teacher, instructor or professor in every educational institution in this State that is supported wholly or in part by public funds.

Reported the same back to the Senate favorably.

DONALD P. ROSS
NORRIS N. WRIGHT
L. L. MALONEY
JAS. B. McCABE

Mr. Chandler, on motion for leave, introduced Senate Joint Resolution No. 6, entitled:

Appropriating certain money out of the State Treasury to pay a certain claim against the State.

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

On motion of Mr. Matthews, House Bill No. 116, entitled:

An Act establishing a Wilmington Park Trust Fund Commission.

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

Upon request the privilege of the floor was given to Mr. George N. Davis.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered returned to the House.

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

An Act to amend Chapter 112A of the Revised Code of the State of Delaware, being Chapter 250, Vol. 29, Laws of Delaware as amended, relating to the Court of Common Pleas for New Castle County.

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

Mr. Maloney moved that so much be considered the third reading of the bill.

Motion prevailed.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Wright, Senate Bill No. 100, entitled:

An Act to amend Chapter 44 of the Revised Code of Delaware, relating to the exemption of certain property from taxes or assessment.

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

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

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

YEAS—None.

NAYS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

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

Mr. Simonton moved that the Senate adjourn until 11 o'clock, A. M., March 19, 1935.

Motion prevailed.

«*FORTY-NINTH LEGISLATIVE DAY*»

March 19, 1935, 11 o'clock, A. M.

Senate met pursuant to adjournment. President Pro Tem Maloney presiding.

Prayer by the Chaplain, Rev. W. E. Matthews.

Roll called.

Members Present—Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

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

Motion prevailed.

On motion of Mr. Ross, Senate Joint Resolution No. 5, entitled:

In reference to the publication of American Scenes as depicted by Stanley Arthurs.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered to the House for concurrence.

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

Senate Concurrent Resolution No. 17, entitled:

In reference to the Death of Captain Daniel M. Kelleher.
And returned the same to the Senate.

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

House Joint Resolution No. 6, entitled:

Relating to appropriating certain moneys out of the State Treasury to pay certain claims against the State relative to expenses incurred by the Supreme Court.

And presented the same to the Senate.

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

House Bill No. 233, entitled:

An Act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by public bodies of this State for Public Works Projects.

And presented the same to the Senate.

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

House Bill No. 135, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1915, as amended by Chapter 8 of Volume 35 and Chapter 8 of Volume 38, Laws of Delaware, relating to Delaware Estate Tax.

And presented the same to the Senate.

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

House Bill No. 409, entitled:

An Act appropriating money to the State Board of Pharmacy.

And presented the same to the Senate.

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

House Substitute for House Bill No. 105, entitled:

An Act to amend Chapter 88 of the Revised Code of Delaware (1915) relating to parents and children, as amended by Chapter 183, Volume 32, Laws of Delaware, and further amended by Chapter 251, Volume 36, Laws of Delaware, in order that the Mother's Pension Law comply with the provisions of An Act of the Congress of the United States relating to aid to dependent children, and that the State of Delaware accept the provisions of said Act.

And presented the same to the Senate.

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

House Bill No. 54, entitled:

An Act providing for the licensing of fishing boats; exceptions.

And presented the same to the Senate.

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

House Substitute for House Substitute for House Bill No. 325, entitled:

An Act to amend Chapter 217, Volume 36, Laws of Delaware, relating to landlord and tenant.

And presented the same to the Senate.

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

House Bill No. 134 with House Amendment No. 1, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1915, as amended by Chapter 8 of Volume 37, Laws of Delaware, relating to Inheritance Tax.

And presented the same to the Senate.

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

House Bill No. 241, entitled:

An Act to amend Chapter 74 of the Revised Code of the State of Delaware, relating to the Licensing of Dogs.

And presented the same to the Senate.

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

House Bill No. 235, entitled:

An Act simplifying the procedure for the construction and financing of Public Works Projects by municipalities, enabling municipalities to make and perform contracts with Federal agencies relating to the construction and financing of such projects and conferring additional powers upon municipalities of the State of Delaware.

And presented the same to the Senate.

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

Senate Bill No. 44, entitled:

An Act authorizing the appointment of a warden for Sussex County Jail, defining his powers and duties, and providing for the formulation of Rules and Regulations for said Jail.

And returned the same to the Senate.

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

Senate Bill No. 69, entitled:

An Act to amend 812, Sec. 77, of Chapter 25 of the Revised Code of Delaware, 1915, and providing that a burial permit issued by a local registrar to an undertaker, as provided in said Section, shall be sufficient authority for the interment or other disposition of a dead body anywhere in the State of Delaware, without any additional permit, from any authority of any incorporated city or town in the State.

And returned the same to the Senate.

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

Senate Bill No. 85, entitled:

An Act to amend Chapter 32 of the Revised Code of Delaware, as amended by Chapter 47, Volume 32; Chapter 70, Volume 37, Laws of Delaware, relating to "State Board of Examiners of Undertakers."

And returned the same to the Senate.

On motion of Mr. Ross, House Bill No. 199, entitled:

An Act prescribing an oath to be taken and subscribed by every teacher, instructor or professor in every educational institution in this State that is supported wholly or in part by public funds.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Davis, J. L.; Davis, W. M.; Frasher, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Wright, Mr. President Pro Tem—13.

NAYS—Messrs. Chandler, Glenn, Marshall, Walls—4.

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

Ordered returned to the House.

The President Pro Tem announced he is about to sign:
Senate Concurrent Resolution No. 17.

Mr. Ross, on behalf of the Committee on Miscellaneous, to whom had been referred, House Substitute for House Bill No. 218, entitled:

An Act to amend Chapter 33 of the Revised Code of Delaware, 1915, in reference to the Board of Examiners of Barbers.

Reported the same back to the Senate favorably.

DONALD P. ROSS
NORRIS N. WRIGHT
S. M. D. MARSHALL
JAS. B. McCABE
L. L. MALONEY

Mr. Van Sant, on behalf of the Committee on Finance, to whom had been referred, House Bill No. 214, entitled:

An Act providing for appropriations of certain moneys to the Sinking Fund for the purpose of retiring all bonds issued in the name of and by authority of "The Mayor and Council of Wilmington."

Reported the same back to the Senate favorably.

D. P. ROSS
C. R. VAN SANT
NORRIS N. WRIGHT
L. L. MALONEY
J. ROY CANNON

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

Motion prevailed.

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

Senate met at expiration of recess.

The Chair presented as special order of business, Senate Amendment No. 1 to Senate Bill No. 42 with Senate Substitute, entitled:

An Act to amend Chapter 8 of the Revised Code of Delaware, as amended by Chapter 31, Volume 35, Laws of Delaware, relating to the Public Arms and Defense.

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

Upon request the privilege of the floor was given to Colonel Stover.

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

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

YEAS—Messrs. Chandler, Davis, J. L.; Davis, W. M.; Ross, Van Sant, Walls, Wright, Mr. President Pro Tem—8.

NAYS—Messrs. Bancroft, Cannon, Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Simonton—9.

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

The Chair presented as special order of business, Senate Bill No. 42 with Senate Substitute, entitled:

An Act to amend Chapter 8 of the Revised Code of Delaware, as amended by Chapter 31, Volume 35, Laws of Delaware, relating to the Public Arms and Defense.

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

Upon request the privilege of the floor was given to Colonel Stover.

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

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

YEAS—Messrs. Bancroft, Cannon, Frasher, Glenn, Matthews, McCabe, Neugebauer—7.

NAYS—Messrs. Chandler, Davis, J. L.; Davis, W. M.; Marshall, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—10.

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

Mr. Maloney, on behalf of the Committee on Revised Statutes, to whom had been referred, Senate Substitute for Senate Bill No. 55, entitled:

An Act requiring all owners and operators of Commercial Motor Vehicles operating upon any public street, road or highway in the State of Delaware, to provide security for the protection of the public by bond or insurance policy satisfactory to the Motor Vehicle Commissioner of this State.

Reported the same back to the Senate favorably.

L. L. MALONEY
FRED A. WALLS
W. M. DAVIS
F. C. BANCROFT
C. R. VAN SANT

The Chair presented House Bill No. 54, entitled:

An Act providing for the licensing of fishing boats; exceptions.

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

The Chair presented House Bill No. 241, entitled:

An Act to amend Chapter 74 of the Revised Code of the State of Delaware, relating to the licensing of dogs.

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

The Chair presented House Bill No. 233, entitled:

An Act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by public bodies of this State for Public Works Projects.

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

Mr. Ross moved that Senate Bill No. 42 with Senate Substitute and Senate Amendment No. 1 be restored to the Calendar.

Roll call:

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Matthews, McCabe, Ross, Simon-ton, Van Sant, Walls, Wright, Mr. President Pro Tem—15.

NAYS—Mr. Marshall—1.

Motion prevailed.

The Chair presented House Substitute for House Substitute for House Bill No. 325, entitled:

An Act to amend Chapter 217, Volume 36, Laws of Delaware, relating to landlord and tenant.

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

The Chair presented House Bill No. 135, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1915, as amended by Chapter 8 of Volume 35 and Chapter 8 of Volume 38, Laws of Delaware, relating to Delaware Estate Tax.

Mr. Simonton moved that so much be considered the first reading of the bill.

Motion prevailed.

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

The Chair presented House Bill No. 235, entitled:

An Act simplifying the procedure for the construction and financing of Public Works Projects by municipalities, enabling municipalities to make and perform contracts with Federal agencies, relating to the construction and financing of such projects and conferring additional powers upon municipalities of the State of Delaware.

Mr. Glenn moved that so much be considered the first reading of the bill.

Motion prevailed.

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

The Chair presented House Substitute for House Bill No. 105, entitled:

An Act to amend Chapter 88 of the Revised Code of Delaware (1915) relating to parents and children, as amended by Chapter 183, Volume 32, Laws of Delaware, and further amended by Chapter 251, Volume 36, Laws of Delaware, in order that the Mother's Pension Law comply with the provisions of An Act of the Congress of the United States relating to aid to dependent children, and that the State of Delaware accept the provisions of said Act.

Mr. Neugebauer moved that so much be considered the first reading of the bill.

Motion prevailed.

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

The Chair presented House Bill No. 134 with House Amendment No. 1, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1915, as amended by Chapter 8 of Volume 37, Laws of Delaware, relating to Inheritance Tax.

Mr. Wright moved that so much be considered the first reading of the bill.

Motion prevailed.

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

The Chair presented House Joint Resolution No. 6, entitled:

Relating to 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 Finance.

The Chair presented House Bill No. 409, entitled:

An Act appropriating money to the State Board of Pharmacy.

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

Mr. Ross, on behalf of the Committee in Miscellaneous, to whom had been referred, House Substitute for House Bill No. 405, entitled:

An Act providing for the appointment of a Harbor Master for the Port of Lewes and the Lewes and Rehoboth Canal, Delaware.

Reported the same back to the Senate favorably.

DONALD P. ROSS
NORRIS N. WRIGHT
JAS. B. McCABE
L. L. MALONEY
S. M. D. MARSHALL

Mr. Ross, on behalf of the Committee on Banking and Insurance, to whom had been referred, House Bill No. 132 with House Amendment No. 1, entitled:

An Act in relation to capital notes and debentures of banks and trust companies and authorizing their issue and sale.

Reported the same back to the Senate favorably.

DONALD P. ROSS
NORRIS N. WRIGHT
W. A. SIMONTON
JAMES L. DAVIS
C. A. NEUGEBAUER

Mr. Ross, on behalf of the Committee on Banking and Insurance, to whom had been referred, House Bill No. 133, entitled:

An Act subrogating to a certain extent and under certain circumstances the Federal Deposit Insurance Corporation to the rights of depositors in closed banks or trust companies.

Reported the same back to the Senate favorably.

DONALD P. ROSS
NORRIS N. WRIGHT
W. A. SIMONTON
JAMES L. DAVIS
C. A. NEUGEBAUER

On motion of Mr. Matthews, Senate Amendment No. 1 to Senate Bill No. 42 with Senate Substitute, entitled:

An Act to amend Chapter 8 of the Revised Code of Delaware, as amended by Chapter 31, Volume 35, Laws of Delaware, relating to the Public Arms and Defense.

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

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

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

YEAS—Messrs. Davis, J. L.; Davis, W. M.; Matthews, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—9.

NAYS—Messrs. Bancroft, Cannon, Chandler, Frasher, Glenn, Marshall, McCabe, Neugebauer—8.

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

On motion of Mr. Matthews, Senate Bill No. 42 with Senate Substitute and Senate Amendment No. 1, entitled:

An Act to amend Chapter 8 of the Revised Code of Delaware, as amended by Chapter 31, Volume 35, Laws of Delaware, relating to the Public Arms and Defense.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—16.

NAYS—Mr. Marshall—1.

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

Ordered to the House for concurrence.

The President Pro Tem announced he is about to sign:

Senate Bill No. 85.

Senate Bill No. 69.

Senate Bill No. 44.

House Bill No. 140.

House Bill No. 116.

House Substitute for House Bill No. 89.

Mr. Walls, on behalf of the Committee on Buildings and Highways, to whom had been referred, Senate Bill No. 103 and Senate Amendment No. 1, entitled:

An Act requiring all owners and operators of Motor Vehicles, other than Commercial Motor Vehicles, used upon any public street, road or highway in the State of Delaware, to provide security for the protection of the public by bond or insurance policy satisfactory to the Motor Vehicle Commissioner in this State.

Reported the same back to the Senate favorably.

FRED A. WALLS
W. E. MATTHEWS, Jr.
S. M. D. MARSHALL

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

An Act imposing a tax upon Commerical Motor Vehicles operated upon the public streets, roads and highways of the State of Delaware and providing for the collection of said tax.

Reported the same back to the Senate favorably.

FRED A. WALLS
W. E. MATTHEWS, Jr.
C. R. VAN SANT
S. M. D. MARSHALL

Mr. Walls, on behalf of the Committee on Buildings and Highways, to whom had been referred, Senate Substitute for Senate Bill No. 70, entitled:

An Act to limit the hours of continuous service of operators of Commercial Motor Vehicles.

Reported the same back to the Senate favorably.

FRED A. WALLS
W. E. MATTHEWS, Jr.
C. R. VAN SANT
S. M. D. MARSHALL

Mr. Wright moved that 500 copies of Senate Substitute for Senate Bill No. 82 be printed, entitled:

An Act imposing a tax upon Commercial Motor Vehicles operated upon the public streets, roads and highways of the State of Delaware and providing for the collection of said tax.

Motion prevailed.

On motion of Mr. Matthews, House Bill No. 25, entitled:

An Act authorizing the Levy Court of New Castle County to sell certain real estate situate in said County.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Matthews, House Bill No. 211, entitled:

An Act to cede to the United States of America certain land along the coast line of Delaware, bordering Delaware Bay in the vicinity of Lewes, Delaware, for the purpose of national defense.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered returned to the House.

Mr. Ross moved that Senate Bill No. 135, entitled:

An Act to amend Chapter 156 of the Revised Code of the State of Delaware, A. D. 1915, relating to the fees of the Register in Chancery.

Be stricken from the Calendar.

Motion prevailed.

Mr. J. L. Davis moved that Senate Bill No. 46, entitled:

An Act authorizing and directing the County Boards of Assessment of the respective Counties in the State of Delaware to reduce the valuation of real estate for assessment purposes.

Be stricken from the Calendar.

Motion prevailed.

On motion of Mr. Matthews, Senate Substitute for Senate Bill No. 66, entitled:

An Act to amend Chapter 160, Volume 32, Laws of Delaware, entitled "An Act to provide for the establishment and maintenance of a general and efficient system of Free Public Schools," approved March 31, A. D. 1921, as heretofore amended.

Mr. Matthews submitted Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 66.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Davis, W. M.; Frasher, Glenn, Matthews, Neugebauer—7.

NAYS—Messrs. Chandler, Davis, J. L.; Marshall, McCabe, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—10.

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

On motion of Mr. Matthews, Senate Bill No. 66 with Senate Substitute, entitled:

An Act to amend Chapter 160, Volume 32, Laws of Delaware, entitled "An Act to provide for the establishment and maintenance of a general and efficient system of Free Public Schools," approved March 31, A. D. 1921, as heretofore amended.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Frasher, Glenn, Matthews, Neugebauer—6.

NAYS—Messrs. Chandler, Davis, J. L.; Davis, W. M.; Marshall, McCabe, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—11.

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

Mr. Van Sant, on behalf of the Committee on Finance, to whom had been referred, Senate Bill No. 163, 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.

Reported the same back to the Senate favorably.

D. P. ROSS
NORRIS N. WRIGHT
J. ROY CANNON
L. L. MALONEY

On motion of Mr. Ross, for Mr. Maloney, House Bill No. 256, entitled:

An Act to amend Chapter 39, Volume 35, Laws of Delaware, entitled "An Act authorizing the Secretary of State to employ a telephone operator."

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Ross, Simonton, Walls, Wright, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered returned to the House.

Mr. Matthews, on behalf of the Committee on Municipal Corporations, to whom had been referred, Senate Bill No. 125, entitled:

An Act to provide a charter for the City of Wilmington, for the creation of a Charter Commission to frame such Charter, for the submission of the Charter so framed to the vote of the Citizens of Wilmington, for the presentation of such Charter for the consideration of the General Assembly of the State of Delaware convening in the year 1937, if the same shall be approved by said citizens, and for the payment of the expenses incident to the accomplishment of the foregoing purposes.

Reported the same back to the Senate favorably.

W. E. MATTHEWS, Jr.
JAMES L. DAVIS
S. M. D. MARSHALL
E. I. GLENN

The Clerk read the following communication at the request of Mr. Glenn:

Public School No. 9, Wilmington, Del.

Ordered filed.

The Clerk read the following communication at the request of Mr. Chandler:

Millsboro Consolidated School.

Ordered filed.

The Clerk read the following communication at the request of Mr. Cannon:

Reliance Grange, P. of H., Reliance, Del.

Ordered filed.

The Clerk read the following communications at the request of Mr. Walls:

Georgetown Special School District.

Executive Committee of Lewes Parent-Teacher Association.

Faculty of Georgetown Public Schools.

Ordered filed.

On motion of Mr. J. L. Davis, House Bill No. 126, entitled:

An Act to amend Chapter 60 of the Revised Code of the State of Delaware, relating to the Second Election District of the Tenth Representative District in Kent County.

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

Mr. Marshall moved that so much be considered the third reading of the bill.

Motion prevailed.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Walls, Senate Bill No. 166, entitled:

An Act to amend An Act entitled "An Act to create a State Real Estate Commission; to register, define, and regulate real estate brokers and real estate salesmen and to provide a penalty for the violation of the provisions hereof, being Chapter 63, Volume 35, Laws of Delaware.

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

Upon request the privilege of the floor was given to Mr. George N. Davis.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered to the House for concurrence.

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

Motion prevailed.

Same Day, Later

Senate met in regular Session.

Mr. Simonton moved that the Senate adjourn until 11 o'clock, A. M., March 20th, 1935.

Motion prevailed.

«FIFTIETH LEGISLATIVE DAY»

March 20th, 1935, 11 o'clock, A. M.

Senate met pursuant to adjournment. President Pro Tem Maloney presiding.

Prayer by the Chaplain, Rev. W. E. Matthews.

Roll called.

Members Present—Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Van Sant, Walls, Wright, Mr. President Pro Tem—16.

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

Moción prevailed.

The Clerk read the following communications:

David W. Harlan School, Wilmington, Del.

Department of Elections for the City of Wilmington.

Ordered filed.

Mr. J. L. Davis, on behalf of the Committee on Elections, to whom had been referred, Senate Bill No. 64, entitled:

An Act to amend Chapter 60 of the Revised Code of the State of Delaware in relation to Election Districts, Boundaries and Polling Places.

Reported the same back to the Senate favorably.

JAMES L. DAVIS
S. M. D. MARSHALL
C. R. VAN SANT
W. M. DAVIS

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

Senate Substitute for House Bill No. 130 with House Amendment No. 1, entitled:

An Act to amend 2385, Section 28 of Chapter 74 of the Revised Code of the State of Delaware, relating to the lawful shooting of Gray Foxes.

And presented the same to the Senate.

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

Senate Bill No. 111, entitled:

An Act to amend Chapter 117, 3874. Section 31 of the Revised Code of the State of Delaware, relating to the filing of Trustee's Accounts.

And returned the same to the Senate.

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

Senate Bill No. 110, entitled:

An Act to amend Chapter 156, 4858. Section 11 of the Revised Code of the State of Delaware, relating to fees which shall be charged by the Register in Chancery in Trustee's Accounts.

And returned the same to the Senate.

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

House Bill No. 177, entitled:

An Act to further amend Chapter 216, Volume 27, Laws of Delaware, entitled "An Act amending, revising and consolidating the charter of the City of New Castle," by changing the penalty on unpaid city taxes.

And presented the same to the Senate.

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

House Substitute for House Bill No. 257, entitled:

An Act to reincorporate the Town of Frederica.

And presented the same to the Senate.

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

Senate Bill No. 105, entitled:

An Act to amend Chapter 156, 4857. Section 10, of the Revised Code of the State of Delaware, relating to fees which shall be charged by the Clerk of Orphans' Court in Guardians' Accounts.

And returned the same to the Senate.

On motion of Mr. Wright, Senate Bill No. 136, entitled:

An Act to amend Chapter 36 of the Revised Code of the State of Delaware (1915) as amended, relating to Public Archives Commission.

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

Mr. Wright moved that so much be considered the third reading of the bill.

Motion prevailed.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Van Sant, Walls, Wright, Mr. President Pro Tem—14.

NAYS—None.

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

Ordered to the House for concurrence.

Mr. Van Sant, on behalf of the Committee on Finance, to whom had been referred, House Bill No. 184, entitled:

An Act appropriating money for the payment of the salary of the Teacher of the School in Indian River Hundred, Sussex County, Delaware, commonly designated as "Nanticoke Indian School."

Reported the same back to the Senate favorably.

C. R. VAN SANT
D. P. ROSS
L. L. MALONEY
NORRIS N. WRIGHT
J. ROY CANNON

The Chair presented House Bill No. 177, entitled:

An Act to further amend Chapter 216, Volume 27, Laws of Delaware, entitled "An Act amending, revising and consolidating the Charter of the City of New Castle," by changing the penalty on unpaid city taxes.

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

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

An Act to reincorporate the Town of Frederica.

Mr. Matthews moved that so much be considered the first reading of the bill.

Motion prevailed.

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

Mr. J. L. Davis, on behalf of the Committee on Elections, to whom had been referred, Senate Bill No. 156, entitled:

An Act to amend Chapter 60 of the Revised Code of 1915 of the State of Delaware by changing the boundaries of the Third Election District of the Tenth Representative District of Sussex County and creating a new Election District in said Representative District.

Reported the same back to the Senate on its merits.

JAMES L. DAVIS
S. M. D. MARSHALL
W. M. DAVIS
C. R. VAN SANT

Mr. Matthews, on behalf of the Committee on Municipal Corporations, to whom had been referred, Senate Bill No. 146, entitled:

An Act to amend An Act entitled "An Act to incorporate the Town of Frankford," being Chapter 438, Volume 22, Laws of Delaware, relating to the Collector of Taxes.

Reported the same back to the Senate favorably.

W. E. MATTHEWS, Jr.
JAMES L. DAVIS
S. M. D. MARSHALL
E. I. GLENN

On motion of Mr. Ross, House Substitute for House Bill No. 218, entitled:

An Act to amend Chapter 33 of the Revised Code of Delaware, 1915, in reference to the Board of Examiners of Barbers.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Van Sant, Walls, Wright, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Ross, House Substitute for House Bill No. 405, entitled:

An Act providing for the appointment of a Harbor Master for the Port of Lewes and the Lewes and Rehoboth Canal, Delaware.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Matthews, McCabe, Neugebauer, Ross, Van Sant, Walls, Wright, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Ross, House Bill No. 132 with House Amendment No. 1, entitled:

An Act in relation to capital notes and debentures of banks and trust companies and authorizing their issue and sale.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Van Sant, Walls, Wright, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Ross, House Bill No. 133, entitled:

An Act subrogating to a certain extent and under certain circumstances the Federal Deposit Insurance Corporation to the rights of depositors in closed banks or trust companies.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Van Sant, Walls, Wright, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered returned to the House.

Mr. W. M. Davis moved that the Senate recess until 2 o'clock, P. M.

Motion prevailed.

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

Senate met at expiration of recess.

JOINT SESSION

Mr. Van Sant moved that the Senate go into Joint Session in pursuance to House Concurrent Resolution No. 22.

Motion prevailed.

Mr. Simon moved that the President Pro Tempore of the Senate preside over the Joint Session.

Motion prevailed.

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

Motion prevailed.

Mr. Van Sant asked for the privilege of the floor for Hon. Christopher L. Ward and Hon. Robert H. Richards.

The request was granted.

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

Motion prevailed.

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

Mr. Van Sant moved that the two Houses do now separate.

Motion prevailed.

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

House Substitute for House Bill No. 360, entitled:

An Act to amend Chapter 31, of Volume 38, Laws of Delaware, in reference to taxation and distribution of gasoline, by increasing the rate of tax per gallon on all Motor Fuel as defined in said Chapter.

And presented the same to the Senate.

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

Senate Bill No. 113 with House Amendment No. 1, entitled:

An Act authorizing and directing the State Highway Department to take over the full management and control of all highways in the State of Delaware now under the management and control of the Levy Courts of the respective Counties.

And presented the same to the Senate.

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

Senate Bill No. 175 with Senate Amendment No. 1, entitled:

An Act to discontinue the levying and collection of taxes in all the Counties of this State, for road purposes, and limiting the total tax rate in said Counties for County purposes.

And returned the same to the Senate.

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

An Act to reincorporate the Town of Frederica.

Reported the same back to the Senate favorably.

W. E. MATTHEWS, Jr.
JAMES L. DAVIS
E. I. GLENN
L. L. MALONEY

Mr. Matthews, on behalf of the Committee on Corporations, Municipal, to whom had been referred, House Bill No. 177, entitled:

An Act to further amend Chapter 216, Volume 27, Laws of Delaware, entitled "An Act amending, revising, and consolidating the Charter of the City of New Castle," by changing the penalty on unpaid city taxes.

Reported the same back to the Senate favorably.

W. E. MATTHEWS, Jr.
E. I. GLENN
JAMES L. DAVIS
L. L. MALONEY

The Chair presented House Amendment No. 1 to Senate Bill No. 113, entitled:

An Act authorizing and directing the State Highway Department to take over the full management and control of all highways in the State of Delaware now under the management and control of the Levy Courts of the respective Counties.

Mr. Van Sant moved that all Rules be suspended and that House Amendment No. 1 to Senate Bill No. 113 be read in order to pass the Senate.

Motion prevailed.

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

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

YEAS—Messrs. Chandler, Davis, J. L.; Davis, W. M.; Marshall, Matthews, Ross, Van Sant, Walls, Wright, Mr. President Pro Tem—10.

NAYS—Messrs. Bancroft, Cannon, Frasher, McCabe, Neugebauer—5.

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

Mr. Walls, on behalf of the Committee on Buildings and Highways, to whom had been referred, Senate Bill No. 144, entitled:

An Act authorizing the Levy Court of Sussex County to build an addition to the Court House of Sussex County.

Reported the same back to the Senate favorably.

FRED A. WALLS
S. M. D. MARSHALL
W. E. MATTHEWS, Jr.
C. R. VAN SANT

Mr. Marshall, on behalf of the Committee on Public Health, to whom had been referred, Senate Substitute for Senate Bill No. 72, entitled:

An Act to amend Chapter 66 of Volume 33 of the Laws of Delaware entitled "An Act to regulate the practice of Chiropody in the State of Delaware, to provide for the establishment of a State Board of Chiropody Examiners, to define the duties and powers of said Board, to provide for examining and registering of Chiropodists in this State, and to provide penalties for the violation of this Act," relating to the practice of Chiropody.

Reported the same back to the Senate favorably.

S. M. D. MARSHALL
C. R. VAN SANT
D. P. ROSS
FRED A. WALLS
MILTON T. FRASHER

The Chair presented House Substitute for House Bill No. 360, entitled:

An Act to amend Chapter 31, of Volume 38, Laws of Delaware, in reference to taxation and distribution of gasoline, by increasing the rate of tax per gallon on all Motor Fuel as defined in said Chapter.

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

Mr. Van Sant moved that all Rules be suspended and that Senate Bill No. 113 with House Amendment No. 1, entitled:

An Act authorizing and directing the State Highway Department to take over the full management and control of all highways in the State of Delaware now under the management and control of the Levy Courts of the respective Counties.

Be taken up for consideration in order to pass the Senate.

Motion prevailed.

On the question, "Shall the Bill with House Amendment No. 1 pass the Senate?"

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

YEAS—Messrs. Chandler, Davis, J. L.; Davis, W. M.; Marshall, Matthews, Ross, Van Sant, Walls, Wright, Mr. President Pro Tem—10.

NAYS—Messrs. Bancroft, Cannon, Frasher, McCabe, Neugebauer—5.

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

Mr. Van Sant moved that the Senate adjourn until 11 o'clock, A. M., March 21st, 1935.

Motion prevailed.

«FIFTY-FIRST LEGISLATIVE DAY»

March 21, 1935, 11 o'clock, A. M.

Senate met pursuant to adjournment. President Roy F. Corley presiding.

Prayer by the Chaplain, Rev. W. E. Matthews.

Roll called.

Members Present—Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls Wright, Mr. President Pro Tem—17.

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

Motion prevailed.

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

Senate Bill No. 106, entitled:

An Act to amend Chapter 10 of the Revised Code of Delaware (1915), in reference to the printing of the Legislative Journals.

And returned the same to the Senate.

On motion of Mr. Maloney, House Substitute for House Bill No. 189, entitled:

An Act to amend An Act entitled, "An Act to provide a suitable Detention Home for Juveniles for the State of Delaware," being Chapter 228, Volume 33, Laws of Delaware, approved March 27, A. D. 1923.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered returned to the House.

Mr. Chandler moved that Senate Bill No. 33, entitled:

An Act to authorize and direct the State Highway Department of the State of Delaware to take over, manage and supervise certain public roads, highways and bridges in Sussex County.

Be stricken from the Calendar.

Motion prevailed.

Mr. Chandler moved that Senate Bill No. 47, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware (as amended by Chapter 76, Volume 28, Laws of Delaware) in relation to what funds the different classes of road work shall be paid.

Be stricken from the Calendar.

Motion prevailed.

Mr. Matthews moved that Senate Bill No. 15, entitled:

An Act to authorize and direct the State Highway Department of the State of Delaware to take over, manage, and supervise the public roads and highways in Kent County.

Be stricken from the Calendar.

Motion prevailed.

Mr. Van Sant moved that Senate Bill No. 57, entitled:

An Act authorizing and directing the State Treasurer to return to the General Fund from the State Highway Fund a part of the money heretofore paid from the General Fund for the expenses of the Motor Vehicle Department.

Be stricken from the Calendar.

Motion prevailed.

Mr. Van Sant moved that Senate Bill No. 67, entitled:

An Act authorizing and directing the State Tax Department to pay to the State Treasurer, to be credited to the General Fund, a portion of the proceeds of the Franchise Tax as established by Article 8, Chapter 6 of the Revised Code of Delaware, 1915, and collected thereunder, in return for money heretofore paid from the General Fund for the operation and maintenance expense of the State Tax Department.

Be stricken from the Calendar.

Motion prevailed.

On motion of Mr. Van Sant, House Bill No. 184, entitled:

An Act appropriating money for the payment of the salary of the Teacher of the School in Indian River Hundred, Sussex County, Delaware, commonly designated as "Nanticoke Indian School."

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Van Sant, House Bill No. 214, entitled:

An Act providing for appropriations of certain moneys to the Sinking Fund for the purpose of retiring all bonds issued in the name of and by authority of "The Mayor and Council of Wilmington."

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

Upon request the privilege of the floor was given to Mr. J. B. McManus.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered returned to the House.

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

Motion prevailed.

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

Senate met at expiration of recess.

The Chair presented House Bill No. 91, entitled:

An Act to amend An Act entitled "An Act to amend Chapter 101 of the Revised Code of Delaware by providing for the parole of certain prisoners sentenced to be confined in the New Castle County Workhouse."

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

The Chair presented House Amendment No. 1 to House Bill No. 130 with Senate Substitute, entitled:

An Act to amend 2385. Section 28 of Chapter 74 of the Revised Code of the State of Delaware, relating to the lawful shooting of Gray Foxes.

The Amendment was taken up for consideration and read, by paragraphs, in order to pass the Senate.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

The Chair presented Senate Substitute for House Bill No. 130 with House Amendment No. 1, entitled:

An Act to amend 2385. Section 28 of Chapter 74 of the Revised Code of the State of Delaware, relating to the lawful shooting of Gray Foxes.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—16.

NAYS—Mr. Ross—1.

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

Ordered returned to the House.

On motion of Mr. Van Sant, House Bill No. 173 with House Amendment No. 1, entitled:

An Act authorizing the refunding of certain Highway Bonds of the State of Delaware by issuing Refunding Bonds therefor.

The Amendment was taken up for consideration and read, by paragraphs, in order to pass the Senate.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Van Sant, House Bill No. 173, as amended, entitled:

An Act authorizing the refunding of certain Highway Bonds of the State of Delaware by issuing Refunding Bonds therefor.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered returned to the House.

Mr. Maloney, on behalf of the Committee on Revised Statutes, to whom had been referred, Senate Bill No. 152, entitled:

An Act to amend Chapter 108, Volume 36, Laws of Delaware, relating to Employment Bureau.

Reported the same back to the Senate favorably.

L. L. MALONEY
W. M. DAVIS
FRED A. WALLS
C. R. VAN SANT

The President Pro Tem announced he is about to sign:

Senate Bill No. 175.

Senate Bill No. 113.

Senate Bill No. 110.

Senate Bill No. 105.

Senate Bill No. 106.

Senate Bill No. 111.

Mr. Ross, on behalf of the Committee on Miscellaneous, to whom had been referred, House Bill No. 135, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1915, as amended by Chapter 8 of Volume 35 and Chapter 8 of Volume 38, Laws of Delaware, relating to Delaware Estate Tax.

Reported the same back to the Senate favorably.

DONALD P. ROSS
L. L. MALONEY
NORRIS N. WRIGHT
S. M. D. MARSHALL

Mr. Ross, on behalf of the Committee on Miscellaneous, to whom had been referred, House Bill No. 134 with House Amendment, No. 1, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1915, as amended by Chapter 8 of Volume 37, Laws of Delaware, relating to Inheritance Tax.

Reported the same back to the Senate favorably.

DONALD P. ROSS
L. L. MALONEY
NORRIS N. WRIGHT
S. M. D. MARSHALL

Mr. Ross, on behalf of the Committee on Miscellaneous, to whom had been referred, House Substitute for House Bill No. 360, entitled:

An Act to amend Chapter 31, of Volume 38, Laws of Delaware, in reference to taxation and distribution of gasoline, by increasing the rate of tax per gallon on all Motor Fuel as defined in said Chapter.

Reported the same back to the Senate favorably.

DONALD P. ROSS
L. L. MALONEY
NORRIS N. WRIGHT
S. M. D. MARSHALL

Mr. Walls announced that we have present with us the Milton School Children.

The Chair welcomed them.

On motion of Mr. Matthews, Senate Bill No. 64, entitled:

An Act to amend Chapter 60 of the Revised Code of the State of Delaware, in relation to Election Districts, Boundaries and Polling Places.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered to the House for concurrence.

Mr. Ross moved that House Bill No. 77, entitled:

An Act to make valid the Record of Certain Deeds having Defective Acknowledgments.

Be stricken from the Calendar.

Motion prevailed.

Mr. Simonton moved that the Senate adjourn until 11 o'clock, A. M., March 22, 1935.

Motion prevailed.

«FIFTY-SECOND LEGISLATIVE DAY»

March 22nd, 1935, 11 o'clock, A. M.

Senate met pursuant to adjournment. President Roy F. Corley presiding.

Prayer by the Chaplain, Rev. W. E. Matthews.

Roll called.

Members Present—Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

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

Motion prevailed.

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

House Bill No. 156, entitled:

An Act to repeal Chapter 167 of Volume 37, Laws of Delaware entitled "An Act to incorporate the Town of Slaughter Beach."

And presented the same to the Senate.

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

House Substitute for House Bill No. 336, entitled:

An Act relating to the accounts of the State Treasurer and the payment of checks and orders drawn thereon.

And presented the same to the Senate.

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

House Substitute for House Bill No. 226, entitled:

An Act creating a Family Court for New Castle County.

And presented the same to the Senate.

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

House Bill No. 232, entitled:

An Act to protect lien-holders in the advancement of premiums on insurance policies held as collateral to such lien or liens.

And presented the same to the Senate.

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

Senate Bill No. 12, entitled:

An Act to amend Chapter 141, Volume 29, Laws of Delaware, being An Act entitled, "An Act authorizing 'Commissioners of Newport' to borrow money and to issue bonds to secure the payment thereof, for the purpose of establishing water works, or a sewer system, or both, and to control and regulate the same, when so established," by providing that charges or water rentals shall be a lien on real estate.

And returned the same to the Senate.

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

Senate Bill No. 94, entitled:

An Act to amend the Laws of the State of Delaware in relation to the identification of Motor Vehicles, as contained in Chapter 9, Volume 35, and in Chapter 10, Volume 36, and in Chapter 11, Volume 37, and in Chapter 28, Volume 38.

And returned the same to the Senate.

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

Senate Bill No. 95, entitled:

An Act to amend An Act entitled "An Act concerning Motor Vehicles and making uniform the law relating thereto," as amended.

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 107, entitled:

An Act authorizing and directing the Levy Court of Sussex County to refund a certain part of the debt of said County known as "Sussex County Highway Improvement Bonds."

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 109, entitled:

An Act authorizing and directing the Levy Court of Kent County to refund a certain part of the debt of said County known as "Kent County State Aid Road Bonds."

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 108, entitled:

An Act authorizing and directing the Levy Court of Sussex County to refund a certain part of the debt of said County known as "Sussex County Highway Improvement Bonds."

And returned the same to the Senate.

The President announced he is about to sign:

House Bill No. 25.

House Bill No. 126.

House Bill No. 133.

House Bill No. 184.

House Substitute for House Bill No. 189.

House Bill No. 199.

House Bill No. 211.

House Bill No. 214.

House Substitute for House Bill No. 218.

House Bill No. 256.

House Substitute for House Bill No. 405.

The Chair presented House Bill No. 232, entitled:

An Act to protect lien-holders in the advancement of premiums on insurance policies held as collateral to such lien or liens.

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

The Chair presented House Bill No. 156, entitled:

An Act to repeal Chapter 167 of Volume 37, Laws of Delaware entitled "An Act to incorporate the Town of Slaughter Beach."

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

The Chair presented House Substitute for House Bill No. 336, entitled:

An Act relating to the accounts of the State Treasurer and the payment of checks and orders drawn thereon.

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

The Chair presented House Substitute for House Bill No. 226, entitled:

An Act creating a Family Court for New Castle County.

Mr. W. M. Davis moved that so much be considered the first reading of the bill.

Motion prevailed.

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

Mr. Walls, on behalf of the Committee on Buildings and Highways, to whom had been referred, Senate Substitute for Senate Bill No. 157, entitled:

An Act providing for the payment of a portion of the costs by the State Highway Department of the construction of an improved inlet into the Indian Rover and Rehoboth Bays.

Reported the same back to the Senate favorably.

FRED A. WALLS
W. E. MATTHEWS, Jr.
JAMES B. McCABE
S. M. D. MARSHALL

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

Motion prevailed.

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

Senate met at expiration of recess.

On motion of Mr. Simonton, House Bill No. 87, entitled:

An Act to amend 2385. Section 28 of Chapter 74 of the Revised Code of the State of Delaware, relating to the unlawful shooting of fox pursued by dogs.

Mr. Simonton offered Senate Amendment No. 1.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Wright, Mr. President Pro Tem—16.

NAYS—None.

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

On motion of Mr. Simonton, House Bill No. 87 as amended, entitled:

An Act to amend 2385. Section 28 of Chapter 74 of the Revised Code of the State of Delaware, relating to the unlawful shooting of fox pursued by dogs.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Wright, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered to the House for concurrence.

Mr. Van Sant, on behalf of the Committee on Finance, to whom had been referred, Senate Joint Resolution No. 6, entitled:

Appropriating certain money out of the State Treasury to pay a certain claim against the State.

Reported the same back to the Senate favorably.

C. R. VAN SANT
L. L. MALONEY
NORRIS N. WRIGHT
D. P. ROSS
J. ROY CANNON

Mr. Van Sant, on behalf of the Committee on Finance, to whom had been referred, House Joint Resolution No. 6, entitled:

Relating to appropriating certain moneys out of the State Treasury to pay certain claims against the State relative to expenses incurred by the Supreme Court.

Reported the same back to the Senate favorably.

C. R. VAN SANT
L. L. MALONEY
NORRIS N. WRIGHT
D. P. ROSS
J. ROY CANNON

On motion of Mr. Ross, House Substitute for House Bill No. 360, entitled:

An Act to amend Chapter 31, of Volume 38, Laws of Delaware, in reference to taxation and distribution of gasoline, by increasing the rate of tax per gallon on all Motor Fuel as defined in said Chapter.

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

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

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

YEAS—Messrs. Chandler, Davis, J. L.; Davis, W. M.; Marshall, Matthews, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—11.

NAYS—Messrs. Bancroft, Cannon, Frasher, Glenn, McCabe, Neugebauer—6.

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

Ordered returned to the House.

On motion of Mr. Matthews, House Substitute for House Bill No. 257, entitled:

An Act to reincorporate the Town of Frederica.

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

Mr. Matthews moved that so much be considered the third reading of the bill.

Motion prevailed.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Simonton, Walls, Mr. President Pro Tem—14.

NAYS—None.

Ordered returned to the House.

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

Ordered returned to the House.

On motion of Mr. Matthews, House Bill No. 44, entitled:

An Act to amend An Act entitled "An Act changing the name of 'The Town of Dover' to 'The City of Dover' and establishing a charter therefor" by providing a procedure for condemnation of property taken for municipal purposes.

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

Mr. J. L. Davis moved that so much be considered the third reading of the bill.

Motion prevailed.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered returned to the House.

The President Pro Tem announced he is about to sign:

Senate Bill No. 12.

Senate Bill No. 94.

Senate Bill No. 95.

Senate Substitute for Senate Bill No. 107.

Senate Substitute for Senate Bill No. 108.

Senate Substitute for Senate Bill No. 109.

On motion of Mr. Matthews, House Bill No. 110, entitled:

An Act to repeal Chapter 113, Volume 35, Laws of Delaware entitled "An Act authorizing the 'Town of Little Creek' to borrow Three Thousand Dollars (\$3,000) to install an Electric Light System and to issue bonds therefor."

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

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

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

YEAS—Messrs. Bancroft, Cannon, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Matthews, McCabe, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—14.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Matthews, House Bill No. 113, entitled:

An Act authorizing the State Forestry Department to enter into cooperative agreements with the Federal Government or private persons in relation to Forest Lands located in Delaware.

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

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Simonton, Senate Bill No. 72 with Senate Substitute, entitled:

An Act to amend Chapter 66 of Volume 33 of the Laws of Delaware entitled "An Act to regulate the practice of chiropody in the State of Delaware, to provide for the establishment of a State Board of Chiropody Examiners, to define the duties and powers of said board, to provide for examining and registering of Chiropodists in this State, and to provide penalties for the violation of this Act," relating to the practice of Chiropody.

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

Mr. Marshall moved that so much be considered the third reading of the bill.

Motion prevailed.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered to the House for concurrence.

Mr. Ross, on behalf of the Committee on Miscellaneous, to whom had been referred, House Substitute for House Bill No. 105, entitled:

An Act to amend Chapter 88 of the Revised Code of Delaware (1915) relating to parents and children, as amended by Chapter 183, Volume 32, Laws of Delaware, and further amended by Chapter 251, Volume 36, Laws of Delaware, in order that the Mother's Pension Law comply with the provisions of An Act of the Congress of the United States relating to aid to dependent children, and that the State of Delaware accept the provisions of said Act.

Reported the same back to the Senate favorably.

DONALD P. ROSS
NORRIS N. WRIGHT
S. M. D. MARSHALL
L. L. MALONEY
JAS. B. McCABE

On motion for leave, Mr. Chandler introduced Senate Resolution No. 21, entitled:

SENATE RESOLUTION NO. 21

BE IT RESOLVED by the Senate of the State of Delaware that the State Treasurer be and he is hereby authorized and directed to pay, from the General Fund in the State Treasury, to any employee of the Senate who has been duly appointed by Resolution of the Senate, in addition to the amounts heretofore paid, the sum of One Hundred Dollars (\$100.00), which payment shall be a part of the expenses connected with the Session.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Frasher, Glenn, Marshall, Matthews, McCabe, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—14.

NAYS—Mr. Davis, W. M.—1.

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

The Clerk read the following communication, at the request of Mr. Marshall:

Petition from Greenwood School.

Ordered filed.

March 22, 1935

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

Senate Bill No. 30—Approved March 13, 1935.

Senate Bill No. 38—Approved March 13, 1935.

Senate Bill No. 44—Approved March 20, 1935.

Senate Bill No. 81—Approved March 13, 1935.

Senate Joint Resolution No. 3—Approved March 20, 1935.

On motion of Mr. Matthews, House Bill No. 177, entitled:

An Act to further amend Chapter 216, Volume 27, Laws of Delaware, entitled "An Act amending, revising and consolidating the Charter of the City of New Castle," by changing the penalty on unpaid city taxes.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Matthews, McCabe, Neugebauer, Simon-ton, Van Sant, Walls, Wright, Mr. President Pro Tem—14.

NAYS—None.

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

Ordered returned to the House.

Mr. Simonton moved that the Senate adjourn until 11 o'clock, A. M., March 25th, 1935.

Motion prevailed.

«FIFTY-THIRD LEGISLATIVE DAY»

March 25th, 1935, 11 o'clock, A. M.

Senate met pursuant to adjournment. President Roy F. Corley presiding.

Prayer by the Chaplain, Rev. W. E. Matthews.

Roll called.

Members Present—Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

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

Motion prevailed.

The Clerk read the following communication:

The Family of Mr. Daniel M. Kelleher.

Ordered filed.

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

House Bill No. 85, entitled:

An Act to amend 2196. Section 5 of Chapter 70 of the Revised Code of the State of Delaware, relating to minors admitted to Reformatory Schools.

And presented the same to the Senate.

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

House Substitute for House Bill No. 258, entitled:

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

And presented the same to the Senate.

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

House Substitute for House Bill No. 270, entitled:

An Act to amend Chapter 189, Volume 37, Laws of Delaware, relating to the guests or inmates of the Old Age Welfare Home.

And presented the same to the Senate.

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

House Bill No. 108, entitled:

An Act to amend Paragraph 2204, Section 13 of Chapter 70 of the Revised Code of the State of Delaware, relating to admission of girls to the Delaware Industrial School for Girls.

And presented the same to the Senate.

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

Senate Bill No. 41, entitled:

An Act to amend Chapter 4 of Volume 39, Laws of Delaware, in reference to appropriating money to Fire Companies in Kent County.

And returned the same to the Senate.

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

Senate Bill No. 61, entitled:

An Act authorizing the Trustees of Grace Methodist Episcopal Church, Inc., of the Town of Millsboro, in Sussex County, Delaware, to disinter and remove from the old and long unused cemetery of said church the bodies now buried therein and reinter said bodies in another cemetery at or near said Town.

And returned the same to the Senate.

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

Senate Bill No. 26 with Senate Amendment and House Amendment, entitled:

An Act with reference to Ditches and Drains in Sussex County.

And presented the same to the Senate.

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

Senate Bill No. 58, entitled:

An Act making it unlawful to advertise places where marriages can be performed.

And returned the same to the Senate.

The President announced he is about to sign:

House Bill No. 132 as amended.

Senate Substitute for House Bill No. 130 as amended.

House Bill No. 173 as amended.

The Chair presented House Substitute for House Bill No. 258, entitled:

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

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

The Chair presented House Substitute for House Bill No. 270, entitled:

An Act to amend Chapter 180, Volume 37, Laws of Delaware, relating to the guests or inmates of the Old Age Welfare Home.

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

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

Motion prevailed.

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

Senate met at the call of the Chair.

The Chair presented House Bill No. 85, entitled:

An Act to amend 2196. Section 5 of Chapter 70 of the Revised Code of the State of Delaware, relating to minors admitted to Reformatory Schools.

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

The Chair presented House Bill No. 108, entitled:

An Act to amend Paragraph 2204. Section 13 of Chapter 70 of the Revised Code of the State of Delaware, relating to admission of girls to the Delaware Industrial School for Girls.

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

The Chair presented House Amendment No. 1 to Senate Bill No. 26 with Senate Amendment, entitled:

An Act with reference to Ditches and Drains in Sussex County.

Mr. Marshall moved that the Amendment be adopted.

Roll call:

YEAS—Messrs. Bancroft, Cannon, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Simonton, Van Sant, Walls, Mr. President Pro Tem—13.

NAYS—None.

So the Amendment was adopted.

The Chair presented Senate Bill No. 26 with Senate Amendment No. 1 and House Amendment No. 1, entitled:

An Act with reference to Ditches and Drains in Sussex County.

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

Upon request the privilege of the floor was given to Mr. Fred Whitney.

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

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

YEAS—Messrs. Bancroft, Cannon, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—14.

NAYS—None.

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

On motion of Mr. Marshall, Senate Bill No. 59 with Senate Substitute, entitled:

An Act to amend Chapter 133, Article 1 of the Revised Code of Delaware (1915) relating to executions, by adding a new Section as follows.

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

Upon request the privilege of the floor was given to Colonel Storey.

Mr. Marshall moved that action be deferred.

Motion prevailed.

The President Pro Tem announced he is about to sign:

Senate Bill No. 61.

Senate Bill No. 41.

House Bill No. 44.

House Bill No. 110.

House Bill No. 113.

House Bill No. 177.

House Substitute for House Bill No. 257.

House Substitute for House Bill No. 360.

Mr. Van Sant, on behalf of the Committee on Finance, to whom had been referred, House Bill No. 128, entitled:

An Act to provide funds for the purchase of necessary equipment and for the maintenance of Mosquito Control Work in the State of Delaware.

Reported the same back to the Senate favorably.

C. R. VAN SANT
NORRIS N. WRIGHT
L. L. MALONEY
J. ROY CANNON
D. P. ROSS

Mr. Van Sant, on behalf of the Committee on Finance, to whom had been referred, House Bill No. 129 with House Amendment No. 1, entitled:

An Act to continue the control and extermination of Mosquitoes in the State of Delaware, in the interests of public health and comfort, and to continue to promote public works projects in cooperation with the director of emergency conservation work, and to provide the moneys necessary for carrying out the projects on behalf of the State of Delaware.

Reported the same back to the Senate favorably.

C. R. VAN SANT
NORRIS N. WRIGHT
L. L. MALONEY
J. ROY CANNON
D. P. ROSS

On motion of Mr. Wright, Senate Bill No. 8, entitled:

An Act appropriating Fifteen Hundred Dollars to be used by Public Archives Commission for the purchase of certain historical papers and documents.

Mr. Wright offered Senate Amendment No. 1.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—16.

NAYS—None.

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

On motion of Mr. Wright, Senate Bill No. 8 with Senate Amendment No. 1, entitled:

An Act appropriating Fifteen Hundred Dollars to be used by Public Archives Commission for the purchase of certain historical papers and documents.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Walls, Wright, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered to the House for concurrence.

Mr. Ross, on behalf of the Committee on Miscellaneous, to whom had been referred, House Substitute for House Bill No. 258, entitled:

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

Reported the same back to the Senate favorably.

DONALD P. ROSS
L. L. MALONEY
S. M. D. MARSHALL
NORRIS N. WRIGHT

On motion of Mr. Walls, Senate Bill No. 149, entitled:

An Act authorizing the Levy Court of Sussex County to borrow on the credit of the County a sum of money not exceeding Four Hundred Thousand Dollars for the purpose of certain County improvements.

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

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

Mr. Marshall moved that action be deferred.

Motion prevailed.

On motion of Mr. Ross, House Bill No. 134 with House Amendment No. 1, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1915, as amended by Chapter 8 of Volume 37, Laws of Delaware, relating to Inheritance Tax.

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

Mr. Ross moved that so much be considered the third reading of the bill.

Motion prevailed.

Upon request the privilege of the floor was given to Mr. Julian Walker.

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

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

YEAS—Messrs. Chandler, Davis, J. L.; Davis, W. M.; Marshall, Matthews, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—11.

NAYS—Messrs. Bancroft, Frasher, Glenn, McCabe, Neugebauer—5.

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

Ordered returned to the House.

On motion of Mr. Ross, House Bill No. 135, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1915, as amended by Chapter 8 of Volume 35 and Chapter 8 of Volume 38, Laws of Delaware, relating to Delaware Estate Tax.

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

Mr. Ross moved that so much be considered the third reading of the bill.

Motion prevailed.

Mr. Ross offered Senate Amendment No. 1.

Mr. Ross moved the adoption of Senate Amendment No. 1.

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

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

YEAS—Messrs. Bancroft, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—16.

NAYS—None.

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

On motion of Mr. Ross, House Bill No. 135 with Senate Amendment No. 1, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1915, as amended by Chapter 8 of Volume 35 and Chapter 8 of Volume 38, Laws of Delaware, relating to Delaware Estate Tax.

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

Upon request the privilege of the floor was given to Mr. Julian Walker.

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

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

YEAS—Messrs. Cannon, Chandler, Davis, J. L.; Davis, W. M.; Marshall, Matthews, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—12.

NAYS—Messrs. Bancroft, Frasher, Glenn, McCabe, Neugebauer—5.

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

Ordered to the House for concurrence.

On motion of Mr. Chandler, Senate Joint Resolution No. 6, entitled:

Appropriating certain money out of the State Treasury to pay a certain claim against the State.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Marshall, Matthews, McCabe, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered to the House for concurrence.

Mr. Maloney, on behalf of the Committee on Revised Statutes, to whom had been referred, House Bill No. 85, entitled:

An Act to amend 2196. Section 5 of Chapter 70 of the Revised Code of the State of Delaware, relating to minors admitted to Reformatory Schools.

Reported the same back to the Senate favorably.

C. R. VAN SANT
L. L. MALONEY
W. M. DAVIS
FRED A. WALLS

Mr. Maloney, on behalf of the Committee on Revised Statutee, to whom had been referred, House Substitute for House Bill No. 270, entitled:

An Act to amend Chapter 180, Volume 37, Laws of Delaware, relating to the guests or inmates of the Old Age Welfare Home.

Reported the same back to the Senate favorably.

L. L. MALONEY
W. M. DAVIS
FRED A. WALLS
C. R. VAN SANT

Mr. Marshall, on behalf of the Committee on Public Health, to whom had been referred, Senate Bill No. 92, entitled:

An Act to amend An Act entitled "An Act to provide for the sterilization of persons mentally defective," being Chapter 62, Volume 33, Laws of Delaware, as amended by Chapters 245 and 246, Volume 36, Laws of Delaware.

Reported the same back to the Senate on its merits.

S. M. D. MARSHALL
C. R. VAN SANT
FRED A. WALLS
D. P. ROSS

On motion of Mr. Chandler, Senate Bill No. 146, entitled:

An Act to amend An Act entitled "An Act to incorporate the Town of Frankford," being Chapter 438, Volume 22, Laws of Delaware, relating to the Collector of Taxes.

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

Upon request the privilege of the floor was given to Mr. Fred Whitney.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Walls, House Bill No. 40, entitled:

An Act to amend the Motor Vehicle Laws of the State of Delaware in relation to Traffic Control.

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

Upon request the privilege of the floor was given to Mr. George N. Davis.

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

Mr. Marshall moved that action be deferred until Colonel Storey can explain.

Motion prevailed.

Mr. Ross, on behalf of the Committee on Banking and Insurance, to whom had been referred, House Bill No. 232, entitled:

An Act to protect lienholders in the advancement of premiums on insurance policies held as collateral to such lien or liens.

Reported the same back to the Senate favorably.

DONALD P. ROSS
NORRIS N. WRIGHT
C. A. NEUGEBAUER
JAMES L. DAVIS
W. A. SIMONTON

Mr. Ross, on behalf of the Committee on Miscellaneous, to whom had been referred, House Bill No. 124, entitled:

An Act to amend Chapter 155 of the Revised Code of the State of Delaware, relating to whipping post.

Reported the same back to the Senate favorably by Substitute.

DONALD P. ROSS
NORRIS N. WRIGHT
S. M. D. MARSHALL
L. L. MALONEY
JAMES B. McCABE

Mr. Ross, on behalf of the Committee on Miscellaneous, to whom had been referred, House Substitute for House Bill No. 336, entitled:

An Act relating to the accounts of the State Treasurer and the payment of checks and orders drawn thereon.

Reported the same back to the Senate favorably.

DONALD P. ROSS
NORRIS N. WRIGHT
S. M. D. MARSHALL
L. L. MALONEY
JAMES B. McCABE

Mr. Ross, on behalf of the Committee on Miscellaneous, to whom had been referred, House Bill No. 233, entitled:

An Act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by public bodiets of this State for Public Works Projects.

Reported the same back to the Senate favorably.

DONALD P. ROSS
NORRIS N. WRIGHT
S. M. D. MARSHALL
L. L. MALONEY
JAMES B. McCABE

Mr. Ross, on behalf of the Committee on Miscellaneous, to whom had been referred, House Substitute for House Substitute for House Bill No. 325, entitled:

An Act to amend Chapter 217, Volume 36, Laws of Delaware, relating to landlord and tenant.

Reported the same back to the Senate favorably.

DONALD P. ROSS
NORRIS N. WRIGHT
S. M. D. MARSHALL
L. L. MALONEY
JAMES B. McCABE

On motion of Mr. Walls, House Bill No. 40, entitled:

An Act to amend the Motor Vehicle Laws of the State of Delaware in relation to Traffic Control.

Upon request the privilege of the floor was given to Colonel Storey.

Mr. Marshall moved that action be deferred.

Motion prevailed.

On motion of Mr. J. L. Davis, Senate Bill No. 59 with Senate Substitute, entitled:

An Act to amend Chapter 133, Article 1 of the Revised Code of Delaware (1915) relating to executions, by adding a new section as follows.

Mr. J. L. Davis offered Senate Substitute for Senate Substitute No. 1.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered to the House for concurrence.

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

An Act to amend Chapter 53 of the Revised Code of Delaware, relating to the salaries of certain County Officers, as amended by Chapters 88, 89, and 90, Volume 29; Chapter 18, Volume 31; and Chapter 83, Volume 32, Laws of Delaware.

Mr. Chandler offered Substitute Bill No. 13.

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

Upon request the privilege of the floor was given to Mr. Fred Whitney.

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

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

YEAS—Messrs. Chandler, Davis, J. L.; Davis, W. M.; Marshall, Matthews, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—11.

NAYS—Messrs. Bancroft, Cannon, Frasher, Glenn, McCabe, Neugebauer—6.

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

Ordered to the House for concurrence.

Mr. Simonton moved that the Senate adjourn until 11 o'clock, A. M., March 26th, 1935.

Motion prevailed.

«FIFTY-FOURTH LEGISLATIVE DAY»

March 26, 1935, 11 o'clock, A. M.

Senate met pursuant to adjournment. President Pro Tem Maloney presiding.

Prayer by the Chaplain, Rev. W. E. Matthews.

Roll called.

Members Present—Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

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

Motion prevailed.

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

Senate Substitute for Senate Bill No. 43 with House Amendment, entitled:

An Act to amend Chapter 131 of the Revised Code of the State of Delaware, relating to the qualifications and exemptions of Jurors.

And presented the same to the Senate.

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

House Substitute for House Bill No. 329, entitled:

An Act to amend Chapter 131 of the Revised Code of Delaware, relating to the drawing of Jurors for the Grand Jury or Petit Jury.

And presented the same to the Senate.

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

House Substitute for House Bill No. 48, entitled:

An Act to amend Chapter 45 of the Revised Code of the State of Delaware (1915), relating to New Castle County by defining the powers and duties of the Receiver of Taxes and County Treasurer of said County.

And presented the same to the Senate.

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

House Bill No. 279, entitled:

An Act to authorize the conveyance of burial lots and plots on cemeteries of this State in trust in perpetuity or for any shorter time.

And presented the same to the Senate.

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

House Bill No. 278, entitled:

An Act to authorize Cemetery Corporations to hold trust funds in perpetuity or for any shorter time, the income of which is to be applied to the care and upkeep of cemeteries or lots therein.

And presented the same to the Senate.

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

House Substitute for Senate Substitute for Senate Bill No. 101, entitled:

An Act to amend An Act approved January 21st, 1935, entitled An Act to relieve the people of New Castle County from the hardships and suffering caused by unemployment, creating and organizing for such purpose a Temporary Emergency Relief Commission, prescribing its powers and duties, providing

the necessary funds therefor, and authorizing the Levy Court of New Castle County to perform work as an independent contractor for the purpose of providing relief hereby contemplated.

And presented the same to the Senate.

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

Senate Substitute for Senate Bill No. 76, entitled:

An Act making it unlawful for any board, bureau, commission or department of the State of Delaware, to employ, or to retain upon its payroll, any person who refuses or neglects to pay any unsecured debt duly contracted for by such person.

And returned the same to the Senate.

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

Senate Bill No. 104, entitled:

An Act to amend An Act entitled "An Act providing for security for the payment of damages caused by the operation of Motor Vehicles."

And returned the same to the Senate.

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

Senate Bill No. 147, entitled:

An Act providing for the appointment of a Deputy Clerk of Peace for Sussex County.

And returned the same to the Senate.

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

Senate Bill No. 48, entitled:

An Act to amend the First Paragraph of 3572. Section 137 of Chapter 100 of the Revised Code of Delaware of 1915, relating to betting and wagering upon contest of skill or speed.

And returned the same to the Senate.

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

House Substitute for Senate Bill No. 71, entitled:

An Act to amend Chapter 198, Volume 37, Laws of Delaware, appropriating moneys for education and training of children of the World War Veterans who died while in the service of the Army, Navy or Marine Corps of the United States.

And presented the same to the Senate.

On motion of Mr. Ross, House Substitute for House Bill No. 258, entitled:

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

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

Upon request the privilege of the floor was given to Mr. George N. Davis.

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

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

YEAS—Messrs. Chandler, Davis, J. L.; Davis, W. M.; Marshall, Matthews, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—11.

NAYS—Mr. Frasher—1.

NOT VOTING—Messrs. Bancroft, Cannon, Glenn, McCabe, Neugebauer—5.

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

Ordered returned to the House.

On motion of Mr. Ross, Senate Substitute for House Bill No. 124, entitled:

An Act to amend Chapter 155 of the Revised Code of the State of Delaware, relating to whipping post.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered to the House for concurrence.

The President Pro Tem announced he is about to sign:

Senate Bill No. 26.

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

Motion prevailed.

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

Senate met at expiration of recess.

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

Senate Bill No. 177, entitled:

An Act authorizing the refunding of certain Highway Bonds of the State of Delaware by issuing refunding bonds therefor.

And returned the same to the Senate.

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

Senate Joint Resolution No. 5, entitled:

In reference to the publication of American Scenes as depicted by Stanley Arthurs.

And returned the same to the Senate.

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

Senate Bill No. 176, entitled:

An Act authorizing the Mayor and Council of the Town of Selbyville to borrow money to redeem certain outstanding bonds and issue refunding bonds therefor.

And returned the same to the Senate.

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

Senate Bill No. 138, entitled:

An Act to amend the Delaware Liquor Control Act in relation to the receipts and expenditures thereunder by providing for monthly settlement thereof with the State Treasurer; by creating a repayment and contingent fund, and by making an appropriation for the expenses of the Delaware Liquor Commission for each of the two fiscal years ending June 30, 1936 and June 30, 1937.

And returned the same to the Senate.

On motion of Mr. Ross, House Substitute for House Bill No. 105, entitled:

An Act to amend Chapter 88 of the Revised Code of Delaware (1915) relating to parents and children, as amended by Chapter 183, Volume 32, Laws of Delaware, and further amended by Chapter 251, Volume 36, Laws of Delaware, in order that the Mother's Pension Law comply with the provisions of An Act of the Congress of the United States, relating to aid of dependent children, and that the State of Delaware accept the provisions of said Act.

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

Mr. Ross moved that so much be considered the third reading of the bill.

Motion prevailed.

Upon request the privilege of the floor was given to Mrs. Vera Davis.

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

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

YEAS—Messrs. Bancroft, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Glenn, Senate Bill No. 123, entitled:

An Act to transfer the duty of providing for the collection and disposal of garbage and offal in the City of Wilmington from the Board of Health to the Board of Directors of the Street and Sewer Department thereof, and to provide for the erection, maintenance and operation of City Crematories and garbage disposal plants and for the issuance of bonds for the erection thereof.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Frasher, Glenn, McCabe, Neugebauer—6.

NAYS—Messrs. Chandler, Davis, J. L.; Davis, W. M.; Marshall, Matthews, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—11.

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

On motion of Mr. Glenn, Senate Bill No. 127, entitled:

An Act to amend Chapter 207 of Volume 17 of the Laws of Delaware entitled "An Act to revise and consolidate the statutes relating to the City of Wilmington," as amended, by reducing the personnel of the Board of Health.

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

Mr. Glenn moved that so much be considered the third reading of the bill.

Motion prevailed.

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

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

YEAS — Messrs. Bancroft, Cannon, Frasher, Glenn, McCabe, Neugebauer—6.

NAYS—Messrs. Davis, W. M.; Matthews, Ross, Simonton, Walls, Wright, Mr. President Pro Tem—7.

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

On motion of Mr. Glenn, Senate Bill No. 128, entitled:

An Act to provide for the appointment of the Inspector of Meats of the City of Wilmington, the Milk Inspector of the City of Wilmington and the Vaccine Physicians of the City of Wilmington by the Board of Health thereof.

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

Mr. Glenn moved that so much be considered the third reading of the bill.

Motion prevailed.

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

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

YEAS — Messrs. Bancroft, Cannon, Frasher, Glenn, McCabe, Neugebauer—6.

NAYS—Messrs. Davis, W. M.; Matthews, Ross, Simonton, Walls, Wright, Mr. President Pro Tem—7.

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

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

An Act changing the name of "The Town of Harrington" to "The City of Harrington" and establishing a Charter therefor.

Reported the same back to the Senate favorably.

W. E. MATTHEWS, Jr.
JAMES L. DAVIS
E. I. GLENN
S. M. D. MARSHALL

Mr. Matthews, on behalf of the Committee on Municipal Corporations, to whom had been referred, Senate Substitute for Senate Bill No. 167, entitled:

An Act to amend Chapter 155, Volume 28, of the Laws of Delaware, entitled "An Act to incorporate the Town of Blades."

Reported the same back to the Senate favorably.

W. E. MATTHEWS, Jr.
JAMES L. DAVIS
S. M. D. MARSHALL
E. I. GLENN

Mr. Matthews, on behalf of the Committee on Municipal Corporations, to whom had been referred, Senate Bill No. 145, entitled:

An Act to amend An Act entitled "An Act to reincorporate the Town of Georgetown."

Reported the same back to the Senate favorably.

W. E. MATTHEWS, Jr.
JAMES L. DAVIS
E. I. GLENN
S. M. D. MARSHALL

Mr. Matthews, on behalf of the Committee on Municipal Corporations, to whom had been referred, House Bill No. 235, entitled:

An Act simplifying the procedure for the construction and financing of Public Works Projects by Municipalities, enabling Municipalities to make and perform contracts with Federal Agencies relating to the construction and financing of such projects and conferring additional powers upon municipalities of the State of Delaware.

Reported the same back to the Senate favorably.

W. E. MATTHEWS, Jr.

E. I. GLENN

S. M. D. MARSHALL

Mr. Matthews, on behalf of the Committee on Municipal Corporations, to whom had been referred, House Bill No. 156, entitled:

An Act to repeal Chapter 167 of Volume 37, Laws of Delaware entitled "An Act to incorporate the Town of Slaughter Beach."

Reported the same back to the Senate favorably.

W. E. MATTHEWS, Jr.

JAMES L. DAVIS

E. I. GLENN

S. M. D. MARSHALL

The Chair presented House Bill No. 278, entitled:

An Act to authorize Cemetery Corporations to hold trust funds in perpetuity or for any shorter time, the income of which is to be applied to the care and upkeep of cemeteries or lots therein.

Mr. Ross moved that so much be considered the first reading of the bill.

Motion prevailed.

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

The Chair presented House Bill No. 279, entitled:

An Act to authorize the conveyance of burial lots and plots on cemeteries of this State in trust in perpetuity or for any shorter time.

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

The Chair presented House Substitute for House Bill No. 48, entitled:

An Act to amend Chapter 45 of the Revised Code of the State of Delaware (1915) relating to New Castle County by defining the powers and duties of the Receiver of Taxes and County Treasurer of said County.

Mr. Ross moved that so much be considered the first reading of the bill.

Motion prevailed.

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

The Chair presented House Substitute for Senate Substitute for Senate Bill No. 101, entitled:

An Act in reference to the Administration of Relief in New Castle County.

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

The Chair presented House Substitute for Senate Bill No. 71, entitled:

An Act to amend Chapter 198, Volume 37, Laws of Delaware, appropriating moneys for education and training of children of the World War Veterans who died while in the service of the Army, Navy or Marine Corps of the United States.

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

The Chair presented House Substitute for House Bill No. 329, entitled:

An Act to amend Chapter 131 of the Revised Code of Delaware, relating to the drawing of Jurors for the Grand Jury or Petit Jury.

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

On motion of Mr. Ross, House Substitute for House Substitute for House Bill No. 325, entitled:

An Act to amend Chapter 217, Volume 36, Laws of Delaware, relating to landlord and tenant.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—16.

NAYS—Mr. Neugebauer—1.

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

Ordered returned to the House.

The Chair presented House Amendment to Senate Substitute for Senate Bill No. 43, entitled:

An Act to amend Chapter 131 of the Revised Code of the State of Delaware, relating to the qualification and exemptions of Jurors.

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

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

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

YEAS—Messrs. Cannon, Frasher, Glenn, Neugebauer—4.

NAYS—Messrs. Bancroft, Chandler, Davis, J. L.; Davis, W. M., Marshall, Matthews, McCabe, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—13.

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

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

House Concurrent Resolution No. 23, entitled:

Relative to the General Assembly endorsing and recommending the Hon. Clayton Douglass Buck as a candidate for the office of President of the United States at the next General Election.

And presented the same to the Senate.

The Chair presented House Concurrent Resolution No. 23, entitled:

Relative to the General Assembly endorsing and recommending the Hon. Clayton Douglass Buck as a candidate for the office of President of the United States at the next General Election.

Mr. J. L. Davis moved the adoption of House Concurrent Resolution No. 23.

Roll call:

YEAS—Messrs. Chandler, Davis, J. L.; Davis, W. M.; Marshall, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—10.

NAYS — Messrs. Bancroft, Cannon, Frasher, Glenn, McCabe, Neugebauer—6.

So the Resolution was adopted.

Ordered returned to the House.

Mr. Ross, on behalf of the Committee on Miscellaneous, to whom had been referred, House Substitute for Senate Substitute for Senate Bill No. 101, entitled:

An Act in reference to the Administration of Relief in New Castle County.

Reported the same back to the Senate favorably.

DONALD P. ROSS
NORRIS N. WRIGHT
L. L. MALONEY
S. M. D. MARSHALL
JAS. B. McCABE

Mr. Ross, on behalf of the Committee on Miscellaneous, to whom had been referred, House Substitute for House Bill No. 48, entitled:

An Act to amend Chapter 45 of the Revised Code of the State of Delaware (1915) relating to New Castle County by defining the powers and duties of the Receiver of Taxes and County Treasurer of said County.

Reported the same back to the Senate favorably.

DONALD P. ROSS
NORRIS N. WRIGHT
L. L. MALONEY
S. M. D. MARSHALL
JAMES B. McCABE

The President Pro Tem announced he is about to sign:

Senate Bill No. 48.
Senate Substitute for Senate Bill No. 76.
Senate Bill No. 104.
Senate Bill No. 138.
Senate Bill No. 147.
Senate Bill No. 176.
Senate Bill No. 177.
Senate Joint Resolution No. 5.

On motion of Mr. Ross, House Bill No. 232, entitled:

An Act to protect lien-holders in the advancement of premiums on insurance policies held as collateral to such lien or liens.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Ross, House Bill No. 233, entitled:

An Act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by public bodies of this State for Public Works Projects.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Ross, House Substitute for House Bill No. 336, entitled:

An Act relating to the accounts of the State Treasurer and the payment of checks and orders drawn thereon.

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

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

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

YEAS—Messrs. Bancroft, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered returned to the House.

Mr. Simonton moved that Senate Bill No. 22 be reconsidered.

Motion prevailed.

On motion of Mr. Simonton, Senate Amendment to Senate Bill No. 22, entitled:

An Act making it unlawful to operate a motor vehicle on any public street or highway in this State unless such motor vehicle be equipped with safety glass whenever glass is used in partitions, doors, windows or windshields.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Simonton, Senate Bill No. 22, as amended, entitled:

An Act making it unlawful to operate a motor vehicle on any public street or highway in this State unless such motor vehicle be equipped with safety glass whenever glass is used in partitions, doors, windows or windshields.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Van Sant, House Bill No. 168, entitled:

An Act providing for the digging and cleaning of gutters along State Highways by the State Highway Department.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Van Sant, House Bill No. 128, entitled:

An Act to provide funds for the purchase of necessary equipment and for the maintenance of Mosquito Control Work in the State of Delaware.

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

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

Mr. Neugebauer moved that action be deferred until tomorrow.

Motion prevailed.

Mr. Chandler, on behalf of the Committee on Judiciary, to whom had been referred, House Substitue for House Bill No. 329, entitled:

An Act to amend Chapter 131 of the Revised Code of Delaware, relating to the drawing of Jurors for the Grand Jury or Petit Jury.

Reported the same back to the Senate favorably.

EBE H. CHANDLER
W. E. MATTHEWS, Jr.
JAMES B. McCABE
C. R. VAN SANT
NORRIS N. WRIGHT

On motion of Mr. Walls, House Bill No. 40, entitled:

An Act to amend the Motor Vehicle Laws of the State of Delaware in relation to Traffic Control.

Was taken up for consideration and Senate Amendment No. 1 presented and read by paragraphs in order to pass the Senate.

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

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

YEAS—Messrs. Cannon, Chandler, Davis, J. L.; Frasher, Glenn, Marshall, McCabe, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—13.

NAYS—Messrs. Bancroft, Neugebauer—2.

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

On motion of Mr. Walls, House Bill No. 40 with Senate Amendment No. 1, entitled:

An Act to amend the Motor Vehicle Laws of the State of Delaware in relation to Traffic Control.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, McCabe, Ross, Simonton, Van Sant, Walls, Wright, Mrs. President Pro Tem—15.

NAYS—Mr. Neugebauer—1.

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

Ordered to the House for concurrence.

On motion of Mr. J. L. Davis, House Bill No. 85, entitled:

An Act to amend 2196, Section 5 of Chapter 70 of the Revised Code of the State of Delaware, relating to minors admitted to Reformatory Schools.

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

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

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

YEAS—Messrs. Bancroft, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Van Sant, House Joint Resolution No. 6, entitled:

Relating to appropriating certain moneys out of the State Treasury to pay certain claims against the State relative to expenses incurred by the Supreme Court.

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

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

Mr. Neugebauer moved that action be deferred until tomorrow.

Motion prevailed.

Mr. Simonton moved that the Senate adjourn until 11 o'clock, A. M., March 27, 1935.

Motion prevailed.

«FIFTY-FIFTH LEGISLATIVE DAY»

March 27th, 1935, 11 o'clock, A. M.

Senate met pursuant to adjournment, President Roy F. Corley presiding.

Prayer by the House Chaplain, Rev. W. S. Cantwell.

Roll called.

Members Present—Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Mrashall, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—16.

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

Motion prevailed.

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

House Bill No. 125, entitled:

An Act to provide for the election of Boards of Education and Board of School Trustees.

And presented the same to the Senate.

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

House Bill No. 153, entitled:

An Act to appropriate the sum of Six Hundred and Seventy-one Dollars and Eighty-two Cents (\$671.82) to Pure Oil Company to reimburse it for penalty paid to the State of Delaware on Motor Fuel Taxes.

And presented the same to the Senate.

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

House Substitute for House Bill No. 346, entitled:

An Act in reference to the Levy Court of Kent County, permitting said Levy Court to use \$12,300.72 of a certain fund in the Farmers Bank of the State of Delaware, at Dover, known as "Kent County State Aid Road Bond Sinking Fund" to pay New Castle County Kent County's One-Half Share for the construction of Fleming's Landing Bridge.

And presented the same to the Senate.

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

Senate Bill No. 155 with House Amendment No. 1, entitled:

An Act for better protection against Smallpox.

And returned the same to the Senate.

On motion of Mr. Ross, House Substitute for Senate Substitute for Senate Bill No. 101, entitled:

An Act in reference to the Administration of Relief in New Castle County.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—16.

NAYS—None.

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

The Chair presented House Bill No. 125, entitled:

An Act to provide for the election of Boards of Education and Board of School Trustees.

Mr. Marshall moved that so much be considered the first reading of the bill.

Motion prevailed.

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

On motion of Mr. Ross, House Substitute for House Bill No. 48, entitled:

An Act to amend Chapter 45 of the Revised Code of the State of Delaware (1915) relating to New Castle County by defining the powers and duties of the Receiver of Taxes and County Treasurer of said County.

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

Mr. Ross moved that so much be considered the third reading of the bill.

Motion prevailed.

Upon request the privilege of the floor was given to Mr. Julian B. Walker.

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

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

YEAS—Messrs. Chandler, Davis, J. L.; Davis, W. M.; Frasher, Marshall, McCabe, Ross, Simonton, Van Sant, Walls, Wright—11.

NAYS—None.

NOT VOTING—Messrs. Bancroft, Cannon, Glenn, Neugebauer—4.

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

Ordered returned to the House.

The Chair presented House Bill No. 153, entitled:

An Act to appropriate the sum of Six Hundred and Seventy-one Dollars and Eighty-two Cents (\$671.82) to Pure Oil Company to reimburse it for penalty paid to the State of Delaware on Motor Fuel Taxes.

Mr. Wright moved that so much be considered the first reading of the bill.

Motion prevailed.

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

The Chair presented House Substitute for House Bill No. 346, entitled:

An Act to amend Chapter 43 of the Revised Code of the State of Delaware, 1915, in reference to the Levy Court of Kent County.

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

On motion of Mr. Wright, Senate Amendment No. 1 to Senate Bill No. 142, entitled:

An Act to provide for the establishment and maintenance of a general and efficient system of Free Public Schools.

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

Upon request the privilege of the floor was given to Mr. George N. Davis and Mr. John Shilling.

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

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

YEAS—Messrs. Bancroft, Chandler, Davis, J. L.; Davis, W. M.; Glenn, Marshall, Ross, Simonton, Van Sant, Walls, Wright—11.

NAYS—Messrs. Cannon, Frasher, McCabe, Neugebauer—4.

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

On motion of Mr. Wright, Senate Bill No. 142 as amended, entitled:

An Act to provide for the establishment and maintenance of a general and efficient system of Free Public Schools.

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

Mr. Wright moved that so much be considered the third reading of the bill.

Motion prevailed.

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

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

YEAS—Messrs. Bancroft, Chandler, Davis, J. L.; Davis, W. M.; Glenn, Marshall, Ross, Simonton, Van Sant, Walls, Wright—11.

4. NAYS—Messrs. Cannon, Frasher, McCabe, Neugebauer—

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

Ordered to the House for concurrence.

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

Motion prevailed.

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

Senate met at expiration of recess.

Mr. Ross, on behalf of the Committee on Miscellaneous, to whom had been referred, Senate Bill No. 121, entitled:

An Act to promote the State use System of Industries in the Public Welfare Institutions.

Reported the same back to the Senate favorably by Substitute.

DONALD P. ROSS
S. M. D. MARSHALL
L. L. MALONEY
N. N. WRIGHT
JAS. B. McCABE

Mr. Ross, on behalf of the Committee on Miscellaneous, to whom had been referred, House Bill No. 278, entitled:

An Act to authorize Cemetery Corporations to hold trust funds in perpetuity or for any shorter time, the income of which is to be applied to the care and upkeep of cemeteries or lots therein.

Reported the same back to the Senate favorably.

DONALD P. ROSS
S. M. D. MARSHALL
L. L. MALONEY
N. N. WRIGHT
JAS. B. McCABE

Mr. Ross, on behalf of the Committee on Miscellaneous, to whom had been referred, House Bill No. 279, entitled:

An Act to authorize the conveyance of burial lots and plots on cemeteries of this State in trust in perpetuity or for any shorter time.

Reported the same back to the Senate favorably.

DONALD P. ROSS
S. M. D. MARSHALL
L. L. MALONEY
N. N. WRIGHT
JAS. B. McCABE

Mr. Maloney, on behalf of the Committee on Revised Statutes, to whom had been referred, Senate Bill No. 74, entitled:

An Act creating a Court of Common Pleas for Sussex County.

Reported the same back to the Senate favorably.

L. L. MALONEY
FRED A. WALLS
W. M. DAVIS
C. R. VAN SANT

Mr. Maloney, on behalf of the Committee on Revised Statutes, to whom had been referred, House Bill No. 221, entitled:

An Act to amend Chapter 70, Article I of the Revised Code of the State of Delaware, relating to the Ferris Industrial School by creating a Board of Seven Trustees to be appointed by the Governor.

Reported the same back to the Senate on its merits.

L. L. MALONEY
FRED A. WALLS
C. R. VAN SANT
W. M. DAVIS
F. C. BANCROFT

Mr. J. L. Davis moved that Senate Bill No. 153. entitled:

An Act making it unlawful for any Department, Commission, Board, or Agency of the State of Delaware, or of any County, or of any Incorporated City or Town of the State of Delaware, to employ both husband and wife living together, in one family, to be paid out of any public funds.

Be stricken from the Calendar.

Motion prevailed.

The Clerk read the following communication:

TELEGRAM

Seaford, Delaware, March 27, 1935

The Senate of the State of Delaware:

The members of the Wilmington Annual Conference of the Methodist Episcopal Church in session in Seaford, Delaware, earnestly petition your Honorable Body not to pass Senate Bill No. 24.

BISHOP EDWIN H. HUGHES
President

J. RICHARD BICKING
Secretary

Ordered filed.

On motion of Mr. J. L. Davis, House Bill No. 64, entitled:

An Act to amend Chapter 60 of the Revised Code of the State of Delaware, relative to the Seventh Representative District of New Castle County, by creating a new Election District to be known as the Tenth Election District of the Seventh Representative District of New Castle County.

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

Mr. Marshall moved that so much be considered the third reading of the bill.

Motion prevailed.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. J. L. Davis, House Substitute for House Bill No. 265, entitled:

An Act changing the name of the "Town of Harrington" to "The City of Harrington" and establishing a Charter therefor.

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

Mr. Matthews moved that so much be considered the third reading of the bill.

Motion prevailed.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Walls, Senate Bill No. 150, entitled:

An Act authorizing the Levy Court of Sussex County to borrow on the credit of Sussex County a sum of money not exceeding Three Hundred Fifty Thousand Dollars for the purpose of improving the ditches and drains in said County.

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

Upon request the privilege of the floor was given to Mr. Fred Whitney.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Chandler, Senate Bill No. 145, entitled:

An Act to amend An Act entitled "An Act to reincorporate the Town of Georgetown."

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

Mr. Marshall moved that so much be considered the third reading of the bill.

Motion prevailed.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Matthews, House Bill No. 156, entitled:

An Act to repeal Chapter 167 of Volume 37, Laws of Delaware, entitled "An Act to incorporate the Town of Slaughter Beach."

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

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

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

YEAS—Mr. Bancroft—1.

NAYS—Messrs. Cannon, Chandler, Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Mr. President Pro Tem—14.

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

Ordered returned to the House.

On motion of Mr. Cannon, Senate Bill No. 167 with Senate Substitute, entitled:

An Act to amend Chapter 155, Volume 28, of the Laws of Delaware entitled "An Act to incorporate the Town of Blades.

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

Mr. Cannon moved that so much be considered the third reading of the bill.

Motion prevailed.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of leave, Mr. Simonton introduced Senate Concurrent Resolution No. 18, entitled:

In reference to Adjournment Sine Die.

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

THAT, at the hour of four o'clock, P. M., of Wednesday, April 3, A. D. 1935, both Houses of the One Hundred and Fifth General Assembly of the State of Delaware shall adjourn Sine Die.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered to the House for concurrence.

Mr. W. M. Davis moved that the Senate recess until the call of the Chair.

Motion prevailed.

Same Day, 4:45 o'clock, P. M.

Senate met at the call of the Chair.

Mr. Wright moved that Senate Bill No. 151, entitled:

An Act authorizing and directing every Trustee of any Trust Funds to furnish the State Bank Commissioner with certain information in reference to Trust Funds in possession of or under control of such Trustee.

Be stricken from the Calendar.

Motion prevailed.

Mr. Cannon moved that Senate Bill No. 141, entitled:

An Act to amend An Act entitled: "An Act to amend An Act entitled 'An Act to provide for the regulation, control and licensing of horse racing in the State of Delaware, to create a Delaware Racing Commission, and to prescribe its powers and duties, and providing for salaries and expenses therefor, and to provide for the fees to be charged and taxes to be collected for the conduct of horse racing within the State of Delaware and the disposition thereof,' being Chapter 62 of Volume 38, Laws of Delaware," approved February 6, 1935, and providing that the Delaware Racing Commission shall consist of Four Members.

Be stricken from the Calendar.

Motion prevailed.

Mr. Van Sant, on behalf of the Committee on Finance, to whom had been referred, Senate Substitute for Senate Bill No. 132, entitled:

An Act making an appropriation for the erection and equipment of certain buildings at Delaware Colony, and providing for operation and maintenance, and providing for a Sewage Disposal System, Water Supply, and Central Heating System.

Reported the same back to the Senate favorably.

C. R. VAN SANT
D. P. ROSS
NORRIS N. WRIGHT
L. L. MALONEY
J. ROY CANNON

Mr. Van Sant, on behalf of the Committee on Finance, to whom had been referred, Senate Substitute for Senate Bill No. 98, entitled:

An Act making an appropriation to provide funds for the erection and equipment of a kitchen and laundry at the State Welfare Home.

Reported the same back to the Senate favorably.

C. R. VAN SANT
D. P. ROSS
L. L. MALONEY
J. ROY CANNON

Mr. Van Sant, on behalf of the Committee on Finance, to whom had been referred, House Bill No. 409, entitled:

An Act appropriating money to the State Board of Pharmacy.

Reported the same back to the Senate favorably.

C. R. VAN SANT
D. P. ROSS
NORRIS N. WRIGHT
L. L. MALONEY
J. ROY CANNON

Mr. Van Sant, on behalf of the Committee on Finance, to whom had been referred, Senate Bill No. 63 with Senate Amendment No. 1, entitled:

An Act appropriating money to purchase land entirely surrounded by land of the Industrial School for Colored Girls of Delaware.

Reported the same back to the Senate favorably.

C. R. VAN SANT
D. P. ROSS
NORRIS N. WRIGHT
L. L. MALONEY
J. ROY CANNON

Mr. Walls, on behalf of the Committee on Buildings and Highways, to whom had been referred, Senate Substitute for Senate Bill No. 120, entitled:

An Act to amend Chapter 63 of Volume 29, Laws of Delaware, as amended by Chapter 66 of Volume 35, Laws of Delaware, and providing for the payment of interest on refunding bonds issued for the payment and redemption of certain bonds issued by the Levy Courts of New Castle, Kent and Sussex Counties.

Reported the same back to the Senate favorably.

FRED A. WALLS
C. R. VAN SANT
S. M. D. MARSHALL
W. E. MATTHEWS, Jr.
JAS. B. McCABE

Mr. Simonton moved that Senate Bill No. 116, entitled:

An Act to amend An Act entitled "An Act directing the Secretary of State to furnish to members of Judicial and Legislative Departments tags designating the Department with which the holder thereof is connected," being Chapter 16, Volume 37, Laws of Delaware.

Be stricken from the Calendar.

Motion prevailed.

Mr. Simonton moved that the Senate adjourn until 11 o'clock, A. M., March 28, 1935.

Motion prevailed.

FIFTY-SIXTH LEGISLATIVE DAY

March 28, 1935, 11 o'clock, A. M.

Senate met pursuant to adjournment. President Roy F. Corley presiding.

Prayer by the House Chaplain, Rev. W. S. Cantwell.

Roll called.

Members Present—Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

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

Motion prevailed.

The President announced he is about to sign:

House Substitute for Senate Substitute for Senate Bill No. 101.

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

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

Senate met at expiration of recess.

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

House Substitute for House Bill No. 198, entitled:

An Act to create a Milk Control Commission for the State of Delaware and prescribing its powers and duties.

And presented the same to the Senate.

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

House Bill No. 167 with House Amendment, entitled:

An Act to amend Chapter 100, 3594, Section 159, as amended by Chapter 210, Volume 35, Laws of Delaware, in relation to the use of Milk Bottles and other receptacles used in the sale and delivery of Dairy Products.

And presented the same to the Senate.

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

House Substitute for House Bill No. 94, entitled:

An Act making it lawful to give information relating to contraception, and to prescribe contraceptives under certain conditions.

And presented the same to the Senate.

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

House Substitute for House Bill No. 386, entitled:

An Act defining and relating to narcotic drugs and the use thereof, regulating and prohibiting the manufacture, possession, control, sale, prescription, administration, dispensation and compounding thereof, providing penalties for the violation thereof, providing for the commitment of persons addicted to the use thereof, regulating and prohibiting the sale and possession of instruments adapted for the use of narcotic drugs by subcutaneous injection, making uniform the law with reference thereto, and repealing all Acts or parts of Acts inconsistent therewith.

And presented the same to the Senate.

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

House Substitute for House Bill No. 340, entitled:

An Act to amend An Act creating the Court of Common Pleas for Kent County.

And presented the same to the Senate.

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

House Substitute for House Bill No. 338, entitled:

An Act to amend Chapter 262, Volume 37, Laws of Delaware, entitled "An Act creating a Court of Common Pleas for Kent County."

And presented the same to the Senate.

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

House Substitute for House Bill No. 321, entitled:

An Act providing for the division of the Sixth Election District of the Tenth Representative District of New Castle County.

And presented the same to the Senate.

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

House Substitute for House Bill No. 248, entitled:

An Act authorizing and directing the State Highway Department to take over the full management and control of all highways in the State of Delaware now under the management and control of the Levy Courts of the respective Counties.

And presented the same to the Senate.

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

House Substitute for House Bill No. 231, entitled:

An Act relating to the method of payment of taxes by lien-holders; the assignment of the lien for taxes to the lien-holder; and the rights of lien-holder under the assignment of the tax lien and in proceedings of scire facias sur mortgage.

And presented the same to the Senate.

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

House Bill No. 230, entitled:

An Act in relation to the execution and acknowledgment of deeds, powers of attorney, and other instruments of writing for the Home Owners' Loan Corporation and the effect thereof.

And presented the same to the Senate.

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

Senate Concurrent Resolution No. 18, entitled:

In reference to Adjournment Sine Die.

And returned the same to the Senate.

The Chair presented House Substitute for House Bill No. 94, entitled:

An Act making it lawful to give information relating to contraception, and to prescribe contraceptives under certain conditions.

Mr. Glenn moved that so much be considered the first reading of the bill.

Motion prevailed.

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

The Chair presented House Substitute for House Bill No. 198, entitled:

An Act to create a Milk Control Commission for the State of Delaware and prescribing its powers and duties.

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

The Chair presented House Substitute for House Bill No. 248, entitled:

An Act authorizing and directing the State Highway Department to take over the full management and control of all highways in the State of Delaware now under the management and control of the Levy Courts of the respective Counties.

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

The Chair presented House Bill No. 167 with House Amendment, entitled:

An Act to amend Chapter 100, 3594. Section 159, as amended by Chapter 210, Volume 35, Laws of Delaware, in relation to the use of Milk Bottles and other receptacles used in the sale and delivery of Dairy Products.

Mr. W. M. Davis moved that so much be considered the first reading of the bill.

Motion prevailed.

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

The Chair presented House Substitute for House Bill No. 321, entitled:

An Act providing for the division of the Sixth Election District of the Tenth Representative District of New Castle County.

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

The Chair presented House Substitute for House Bill No. 338, entitled:

An Act to amend Chapter 262, Volume 37, Laws of Delaware, entitled "An Act creating a Court of Common Pleas for Kent County."

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

The Chair presented House Substitute for House Bill No. 386, entitled:

An Act defining and relating to narcotic drugs and the use thereof, regulating and prohibiting the manufacture, possession, control, sale, prescription, administration, dispensation and compounding thereof, providing penalties for the violation thereof, providing for the commitment of persons addicted to the use thereof, regulating and prohibiting the sale and possession of instruments adapted for the use of narcotic drugs by subcutaneous injection, making uniform the law with reference thereto, and reeapaling all Acts or parts of Acts inconsistent therewith.

Mr. J. L. Davis moved that so much be considered the first reading of the bill.

Motion prevailed.

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

The Chair presented House Substitute for House Bill No. 340, entitled:

An Act to amend An Act creating the Court of Common Pleas for Kent County.

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

The Chair presented House Bill No. 230, entitled:

An Act in relation to the execution and acknowledgment of deeds, powers of attorney, and other instruments of writing for the Home Owners' Loan Corporation and the effect thereof.

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

The Chair presented House Substitute for House Bill No. 231, entitled:

An Act relating to the method of payment of taxes by lien-holders; the assignment of the lien for taxes to the lien-holder; and the rights of lien-holder under the assignment of the tax lien and in proceedings of scire facias sur mortgage.

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

The President announced he is about to sign:

Senate Concurrent Resolution No. 18.

Mr. Van Sant, on behalf of the Committee on Finance, to whom had been referred, Senate Bill No. 139, entitled:

An Act providing for an annual appropriation to the Wilmington Society of the Fine Arts and authorizing the Governor and the Mayor of Wilmington to act as directors thereof.

Reported the same back to the Senate favorably.

C. R. VAN SANT
NORRIS N. WRIGHT
D. P. ROSS
L. L. MALONEY
J. ROY CANNON

Mr. Van Sant, on behalf of the Committee on Finance, to whom had been referred, House Bill No. 153, entitled:

An Act to appropriate the sum of Six Hundred and Seventy-one Dollars and Eighty-two Cents (\$671.82) to Pure Oil Company to reimburse it for penalty paid to the State of Delaware on Motor Fuel Taxes.

Reported the same back to the Senate favorably.

C. R. VAN SANT
NORRIS N. WRIGHT
D. P. ROSS
L. L. MALONEY
J. ROY CANNON

Mr. Van Sant, on behalf of the Committee on Finance, to whom had been referred, Senate Bill No. 164, entitled:

An Act making an appropriation for the survey of County Government and taxation in the three Counties of Delaware.

Reported the same back to the Senate favorably.

C. R. VAN SANT
NORRIS N. WRIGHT
D. P. ROSS
L. L. MALONEY
J. ROY CANNON

Mr. Chandler, on behalf of the Committee on Judiciary, to whom had been referred, House Bill No. 108, entitled:

An Act to amend Paragraph 2204, Section 13 of Chapter 70 of the Revised Code of the State of Delaware, relating to admission of girls to the Delaware Industrial School for girls.

Reported the same back to the Senate favorably.

EBE H. CHANDLER
JAMES B. McCABE
C. R. VAN SANT
NORRIS N. WRIGHT
W. E. MATTHEWS, Jr.

On motion for leave, Mr. Marshall introduced Senate Concurrent Resolution No. 19, entitled:

Relative to a Joint Session on Truck Traffic and Taxation.

Mr. Marshall moved its adoption.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neuegebauer, Ross, Simonton, Van Sant, Walls, Mr. President Pro Tem—16.

NAYS—None.

NOT VOTING—Mr. Wright—1.

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

Ordered to the House for concurrence.

On motion of Mr. J. L. Davis, Senate Bill No. 165, entitled:

An Act authorizing and directing the Governor to appoint a Jail Warden and Deputy Jail Warden for Kent County, Delaware.

Mr. J. L. Davis offered Senate Substitute, entitled:

An Act authorizing and directing the Governor to appoint a Board of Trustees of the Kent County Jail and providing for the selection of a warden and deputy warden by said Board of Trustees.

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

Upon request the privilege of the floor was given to Mr. George N. Davis.

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

Mr. J. L. Davis moved that action be deferred until Monday.

Motion prevailed.

On motion of Mr. W. M. Davis, Senate Substitute for Senate Bill No. 121, entitled:

An Act to promote the State use System of Industries in the Public Welfare Institutions.

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

Upon request the privilege of the floor was given to Mr. George N. Davis.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Ross, House Bill No. 278, entitled:

An Act to authorize Cemetery Corporations to hold trust funds in perpetuity or for any shorter time, the income of which is to be applied to the care and upkeep of cemeteries or lots therein.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Ross, House Bill No. 279, entitled:

An Act to authorize the conveyance of burial lots and plots on cemeteries of this State in trust in perpetuity or for any shorter time.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered returned to the House.

Mr. Ross, on behalf of the Committee on Miscellaneous, to whom had been referred, House Substitute for House Bill No. 248, entitled:

An Act authorizing, empowering and directing the Levy Courts of the respective Counties in the State of Delaware to transfer and deliver to the State Highway Department all road machinery, tools and equipment of their respective Counties.

Reported the same back to the Senate favorably.

DONALD P. ROSS
NORRIS N. WRIGHT
S. M. D. MARSHALL
L. L. MALONEY

Mr. J. L. Davis, on behalf of the Committee on Elections, to whom had been referred, House Substitute for House Bill No. 321, entitled:

An Act providing for the division of the Sixth Election District of the Tenth Representative District of New Castle County.

Reported the same back to the Senate favorably.

JAMES L. DAVIS
S. M. D. MARSHALL
W. M. DAVIS
C. R. VAN SANT

On motion of Mr. Van Sant, House Bill No. 409, entitled:

An Act appropriating money to the State Board of Pharmacy.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Chandler, House Substitute for House Bill No. 329, entitled:

An Act to amend Chapter 131 of the Revised Code of Delaware, relating to the drawing of Jurors for the Grand Jury or Petit Jury.

Mr. Chandler offered Senate Substitute for House Substitute for House Bill No. 329.

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

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

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

YEAS—Messrs. Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Ross, Simonton, Van Sant, Walls, Mr. President Pro Tem—14.

NAYS—Messrs. Bancroft, Neugebauer—2.

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

Ordered to the House for concurrence.

Mr. Simonton moved that the Senate adjourn until 11 o'clock, A. M., March 29, 1935.

Motion prevailed.

«FIFTY-SEVENTH LEGISLATIVE DAY»

March 29th, 1935, 11 o'clock, A. M.

Senate met pursuant to adjournment. President Roy F. Corley presiding.

Prayer by the House Chaplain, Rev. W. S. Cantwell.

Roll called.

Members Present—Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

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

Motion prevailed.

Mr. Ross, on behalf of the Committee on Miscellaneous, to whom had been referred, House Bill No. 230, entitled:

An Act in relation to the execution and acknowledgment of deeds, powers of attorney, and other instruments of writing for the Home Owners' Loan Corporation and the effect thereof.

Reported the same back to the Senate favorably.

DONALD P. ROSS
S. M. D. MARSHALL
N. N. WRIGHT
L. L. MALONEY
JAMES B. McCABE

Mr. Ross, on behalf of the Committee on Miscellaneous, to whom had been referred, House Substitute for House Bill No. 231, entitled:

An Act relating to the method of payment of taxes by lien-holders; the assignment of the lien for taxes to the lien-holder; and the rights of lien-holder under the assignment of the tax lien and in proceedings of scire facias sur mortgage.

Reported the same back to the Senate favorably.

DONALD P. ROSS
S. M. D. MARSHALL
N. N. WRIGHT
L. L. MALONEY
JAMES B. McCABE

Mr. Ross, on behalf of the Committee on Miscellaneous, to whom had been referred, House Substitute for House Bill No. 94, entitled:

An Act making it lawful to give information relating to contraception, and to prescribe contraceptives under certain conditions.

Reported the same back to the Senate favorably.

S. M. D. MARSHALL
D. P. ROSS
N. N. WRIGHT
L. L. MALONEY
JAMES B. McCABE

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

House Bill No. 137, entitled:

An Act requiring non-resident junk dealers doing a business in the State of Delaware to secure a license therefor.

And presented the same to the Senate.

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

House Substitute for House Bill No. 115, entitled:

An Act to provide for erecting and equipping an additional building, or additional buildings, and for the repair of existing buildings at the Brandywine Sanitorium, and to authorize the issuance of bonds of the State of Delaware to obtain funds therefor.

And presented the same to the Senate.

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

House Bill No. 10, entitled:

An Act to amend Chapter 44, Revised code of Delaware, by exempting from assessment and taxation property of corporations organized for the purpose of medical or dental aid or education.

And presented the same to the Senate.

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

House Substitute for House Bill No. 309, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1915, in reference to licenses of merchants.

And presented the same to the Senate.

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

House Substitute for House Bill No. 310, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1915, in reference to occupation licenses.

And presented the same to the Senate.

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

House Substitute for House Bill No. 308, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1915, in reference to licenses of manufacturers.

And presented the same to the Senate.

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

House Substitute for House Bill No. 302 with House Amendment No. 1, entitled:

An Act making appropriation for the School Budget for the School Years beginning respectively July 1, 1935 and July 1, 1936, and ending respectively June 30, 1936 and June 30, 1937.

And presented the same to the Senate.

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

House Bill No. 181, entitled:

An Act relating to the acquiring of a legal settlement in the State of Delaware.

And presented the same to the Senate.

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

House Substitute for House Bill No. 148, entitled:

An Act making an appropriation to the State College for Colored Students for the reconstruction, extension and improvement of the sewage disposal plant, and for the necessary repairs to the water supply tank at said institution.

And presented the same to the Senate.

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

House Substitute for House Bill No. 364, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware, relating to Franchise Taxes.

And presented the same to the Senate.

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

House Bill No. 138, entitled:

An Act to provide for a license fee for non-resident dealers and buyers of muskrat hides.

And presented the same to the Senate.

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

House Substitute for House Bill No. 335, entitled:

An Act authorizing "The Town of Smyrna" to borrow One Hundred and Forty-seven Thousand Dollars (\$147,000) and to issue bonds therefor, for the purpose of redeeming and refunding certain outstanding bonds of "The Town of Smyrna."

And presented the same to the Senate.

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

House Substitute for House Bill No. 332, 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."

And presented the same to the Senate.

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

House Concurrent Resolution No. 25, entitled:

Relative to the introduction of new business.

And presented the same to the Senate.

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

House Concurrent Resolution No. 24, entitled:

Relative to the President Pro Tempore of the Senate and the Speaker of the House of Representatives to constitute a Committee on behalf of the General Assembly to present the Hon. Clayton Douglass Buck, Governor of the State of Delaware, a desk and chair.

And presented the same to the Senate.

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

Senate Bill No. 75, entitled:

An Act to amend Chapter 203, Volume 35, Laws of Delaware, being "An Act to reincorporate the Town of Millsboro," by amending Section 24 of said Chapter 203, Volume 25, Laws of Delaware, by amending the provisions as to the abatement and additions to taxes, if paid on or before certain dates.

And returned the same to the Senate.

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

Senate Bill No. 79, entitled:

An Act to authorize the State Board of Education to create new High School Districts.

And returned the same to the Senate.

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

Senate Bill No. 140, entitled:

An Act to amend An Act allowing and regulating boxing, sparring, and wrestling matches and exhibitions, being Chapter 84 of Volume 37, Laws of Delaware, as amended, and regulating the conduct of such matches, and providing for licenses and license fees.

And returned the same to the Senate.

On motion of Mr. Glenn, Senate Substitute for Senate Bill No. 126, entitled:

An Act to amend Chapter 207 of Volume 17 of the Laws of Delaware, entitled "An Act to revise and consolidate the statutes relating to the City of Wilmington," as amended, and to amend Chapter 119 of Volume 28 of the Laws of Delaware entitled "An Act providing for the collection of taxes for the City of Wilmington," as amended, by providing when certain officers of the Mayor and Council of Wilmington shall be elected and appointed.

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

Mr. Glenn moved that so much be considered as the third reading of the bill.

Motion prevailed.

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

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

YEAS—Messrs. Bancroft, Cannon, Frasher, Glenn, McCabe, Neugebauer—6.

NAYS—Messrs. Davis, J. L.; Davis, W. M.; Marshall, Matthews, Ross, Simonton, Van Sant, Walls, Wright—9.

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

Mr. Marshall, on behalf of the Committee on Public Health, to whom had been referred, House Bill No. 167 with House Amendment, No. 167, entitled:

An Act to amend Chapter 100, 3594. Section 159, as amended by Chapter 210, Volume 35, Laws of Delaware, in relation to the use of Milk Bottles and other receptacles used in the sale and delivery of Dairy Products.

Reported the same back to the Senate favorably.

C. R. VAN SANT
D. P. ROSS
MILTON T. FRASHER
S. M. D. MARSHALL
FRED A. WALLS

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

Motion prevailed.

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

Senate met at expiration of recess.

The President announced he is about to sign:

House Substitute for House Bill No. 48.
House Bill No. 64.
House Bill No. 85.
House Bill No. 87 with Senate Amendment.
House Substitute for House Bill No. 105.
House Bill No. 168.
House Bill No. 232.
House Bill No. 233.
House Substitute for House Bill No. 258.
House Substitute for House Bill No. 265.
House Substitute for House Bill No. 336.
House Concurrent Resolution No. 23.

The Chair presented House Substitute for House Bill No. 310, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1915, in reference to occupation licenses.

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

March 28, 1935

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

Senate Bill No. 10—Approved March 22, 1935.

Senate Bill No. 48—Approved March 27, 1935.

Senate Bill No. 69—Approved March 27, 1935.

Senate Bill No. 94—Approved March 22, 1935.

Senate Bill No. 95—Approved March 22, 1935.

Senate Bill No. 106—Approved March 22, 1935.

Senate Bill No. 104—Approved March 27, 1935.

Senate Concurrent Resolution No. 16—Approved March 22, 1935.

Senate Concurrent Resolution No. 17—Approved March 27, 1935.

The Chair presented House Substitute for House Bill No. 308, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1915, in reference to licenses of manufacturers.

Mr. Maloney moved that so much be considered the first reading of the bill.

Motion prevailed.

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

The Chair presented House Substitute for House Bill No. 309, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1915, in reference to licenses of merchants.

Mr. Ross moved that so much be considered the first reading of the bill.

Motion prevailed.

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

The Chair presented House Bill No. 137, entitled:

An Act requiring non-resident junk dealers doing a business in the State of Delaware to secure a license therefor.

Mr. Wright moved that so much be considered the first reading of the bill.

Motion prevailed.

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

The Chair presented House Substitute for House Bill No. 115, entitled:

An Act to provide for erecting and equipping an additional building, or additional buildings, and for the repair of existing buildings at the Brandywine Sanitorium, and to authorize the issuance of bonds of the State of Delaware to obtain funds therefor.

Mr. Wright moved that so much be considered the first reading of the bill.

Motion prevailed.

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

The Chair presented House Substitute for House Bill No. 148, entitled:

An Act making an appropriation to the State College for Colored Students for the reconstruction, extension and improvement of the sewage disposal plant, and for the necessary repairs to the water supply tank at said institution.

Mr. W. M. Davis moved that so much be considered the first reading of the bill.

Motion prevailed.

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

The Chair presented House Substitute for House Bill No. 302 with House Amendment No. 1, entitled:

An Act making appropriation for the School Budget for the School Years beginning respectively July 1, 1935 and July 1, 1936, and ending respectively June 30, 1936 and June 30, 1937.

Mr. Chandler moved that so much be considered the first reading of the bill.

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

Motion prevailed.

The Chair presented House Substitute for House Bill No. 335, entitled:

An Act authorizing "The Town of Smyrna" to borrow One Hundred and Forty-seven Thousand Dollars (\$147,000) and to issue bonds therefor, for the purpose of redeeming and refunding certain outstanding bonds of "The Town of Smyrna."

Mr. Matthews moved that so much be considered the first reading of the bill.

Motion prevailed.

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

The Chair presented House Substitute for House Bill No. 332, 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."

Mr. Matthews moved that so much be considered the first reading of the bill.

Motion prevailed.

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

The Chair presented House Bill No. 10, entitled:

An Act to amend Chapter 44, Revised Code of Delaware, by exempting from assessment and taxation property of corporations organized for the purpose of medical or dental aid or education.

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

The Chair presented House Bill No. 181, entitled:

An Act relating to the acquiring of a legal settlement in the State of Delaware.

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

The Chair presented House Bill No. 138, entitled:

An Act to provide for a license fee for non-resident dealers and buyers of muskrat hides.

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

The Chair presented House Substitute for House Bill No. 364, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware relating to Franchise Taxes.

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

The Chair presented House Concurrent Resolution No. 24, entitled:

Relative to the President Pro Tempore of the Senate and the Speaker of the House of Representatives to constitute a Committee on behalf of the General Assembly to present the Hon. Clayton Douglass Buck, Governor of the State of Delaware, a desk chair.

Mr. Maloney moved the adoption of House Concurrent Resolution No. 24.

Roll call:

YEAS—Messrs. Bancroft, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—15.

NAYS—None.

Motion prevailed.

Ordered returned to the House.

Mr. Ross, on behalf of the Committee on Miscellaneous, to whom had been referred, House Substitute for House Bill No. 310, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1915, in reference to occupation licenses.

Reported the same back to the Senate favorably.

DONALD P. ROSS
L. L. MALONEY
S. M. D. MARSHALL
NORRIS N. WRIGHT
JAMES B. McCABE

Mr. Ross, on behalf of the Committee on Miscellaneous, to whom had been referred, House Substitute for House Bill No. 309, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1915, in reference to licenses of merchants.

Reported the same back to the Senate favorably.

D. P. ROSS
L. L. MALONEY
S. M. D. MARSHALL
NORRIS N. WRIGHT
JAMES B. McCABE

Mr. Ross, on behalf of the Committee on Miscellaneous, to whom had been referred, House Substitute for House Bill No. 308, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1915, in reference to licenses of manufacturers.

Reported the same back to the Senate favorably.

DONALD P. ROSS
L. L. MALONEY
S. M. D. MARSHALL
NORRIS N. WRIGHT
JAS. B. McCABE

The Chair presented House Concurrent Resolution No. 25, entitled:

Relative to the introduction of new business.

Mr. Maloney moved that House Concurrent Resolution No. 25 be adopted:

Roll call:

YEAS—Messrs. Bancroft, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Matthews, McCabe, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—13.

NAYS—Mr. Neugebauer—1.

Motion prevailed.

Ordered returned to the House.

Mr. Walls, on behalf of the Committee on Buildings and Highways, to whom had been referred, House Substitute for House Bill No. 346, entitled:

An Act in reference to the Levy Court of Kent County permitting said Levy Court to use \$12,300.72 of a certain fund in the Farmers Bank of the State of Delaware, at Dover, known as "Kent County State Aid Road Bond Sinking Fund" to pay New Castle County Kent County's one-half share for the construction of Fleming's Landing Bridge.

Reported the same back to the Senate favorably.

FRED A. WALLS
S. M. D. MARSHALL
C. R. VAN SANT
JAMES B. McCABE
W. E. MATTHEWS, Jr.

Mr. Walls, on behalf of the Committee on Agriculture, to whom had been referred Senate Amendment to House Bill No. 208, entitled:

An Act providing for the testing of Accredited Herds of Cattle for Tuberculosis.

Reported the same back to the Senate favorably.

FRED A. WALLS
EBE H. CHANDLER
L. L. MALONEY
W. E. MATTHEWS, Jr.
J. ROY CANNON

Mr. Van Sant, on behalf of the Committee on Finance, to whom had been referred, House Substitute for House Bill No. 302 with House Amendment, entitled:

An Act making appropriation for the School Budget for the School Years beginnings respectively July 1, 1935 and July 1, 1936, and ending respectively June 30, 1936 and June 30, 1937.

Reported the same back to the Senate favorably.

C. R. VAN SANT
NORRIS N. WRIGHT
L. L. MALONEY
D. P. ROSS

Mr. Van Sant, on behalf of the Committee on Finance, to whom had been referred, House Substitute for House Bill No. 115, entitled:

An Act to provide for erecting and equipping an additional building, or additional buildings, and for the repair of existing buildings at the Brandywine Sanatorium, and to authorize the issuance of bonds of the State of Delaware to obtain funds therefor.

Reported the same back to the Senate favorably.

C. R. VAN SANT
NORRIS N. WRIGHT
L. L. MALONEY
D. P. ROSS

Mr. Van Sant, on behalf of the Committee on Finance, to whom had been referred, House Substitue for House Bill No. 148, entitled:

An Act making an appropriation to the State College for Colored Students for the reconstruction, extension and improvement of the sewage disposal plant, and for the necessary repairs to the water supply tank at said institution.

Reported the same back to the Senate favorably.

C. R. VAN SANT
NORRIS N. WRIGHT
L. L. MALONEY
D. P. ROSS

Mr. Simonton, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred, Senate Bill No. 28, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1915, in reference to Fishing Licenses for Non-Residents.

Reported the same back to the Senate favorably.

W. A. SIMONTON
NORRIS N. WRIGHT
D. P. ROSS
JAMES L. DAVIS

Mr. Simonton, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred, Senate Bill No. 133, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, in reference to crabs.

Reported the same back to the Senate favorably.

W. A. SIMONTON
NORRIS N. WRIGHT
D. P. ROSS
JAMES L. DAVIS

Mr. Simonton, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred, House Substitute for House Bill No. 117, entitled:

An Act relative to taking of oysters from Indian River Bay, Rehoboth Bay and Assawoman Bay in the State of Delaware.

Reported the same back to the Senate favorably.

W. A. SIMONTON
NORRIS N. WRIGHT
D. P. ROSS
JAMES L. DAVIS

Mr. Simonton, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred, House Bill No. 147, entitled:

An Act to amend Chapter 74 of the Revised Code of the State of Delaware, relating to the Hunting of Foxes on ground covered with snow.

Reported the same back to the Senate favorably.

W. A. SIMONTON
NORRIS N. WRIGHT
D. P. ROSS
JAMES L. DAVIS

Mr. Simonton, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred, House Bill No. 391, entitled:

An Act to amend Chapter 74 of the Revised Code of the State of Delaware, as amended, by repealing 2493. Section 136, in relation to the catching of Snappers in Sussex County.

Reported the same back to the Senate favorably.

W. A. SIMONTON
NORRIS N. WRIGHT
D. P. ROSS
JAMES L. DAVIS

Mr. Simonton, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred, Senate Amendment to House Bill No. 82, entitled:

An Act to regulate Sturgeon Fishing.

Reported the same back to the Senate favorably.

W. A. SIMONTON
NORRIS N. WRIGHT
D. P. ROSS
JAMES L. DAVIS

Mr. Simonton, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred, House Bill No. 36, entitled:

An Act providing for the licensing of non-resident masters of fishing boats or vessels engaged in the business of carrying fishing parties for hire.

Reported the same back to the Senate favorably.

W. A. SIMONTON
NORRIS N. WRIGHT
D. P. ROSS
JAMES L. DAVIS

Mr. Simonton, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred, House Bill No. 54, entitled:

An Act providing for the licensing of fishing boats; exceptions.

Reported the same back to the Senate favorably.

W. A. SIMONTON
NORRIS N. WRIGHT
D. P. ROSS
JAMES L. DAVIS

Mr. Marshall, on behalf of the Committee on Public Health, to whom had been referred, House Substitute for House Bill No. 198, entitled:

An Act to create a Milk Control Commission for the State of Delaware and prescribing its powers and duties.

Reported the same back to the Senate favorably.

S. M. D. MARSHALL
MILTON T. FRASHER
C. R. VAN SANT
D. P. ROSS
FRED A. WALLS

Mr. Marshall, on behalf of the Committee on Public Health, to whom had been referred, House Substitute for House Bill No. 386, entitled:

An Act defining and relating to narcotic drugs and the use thereof, regulating and prohibiting the manufacture, possession, control, sale, prescription, administration, dispensation and compounding thereof, providing penalties for the violation thereof, providing for the commitment of persons addicted to the use thereof, regulating and prohibiting the sale and possession of instruments adapted for the use of narcotic drugs by subcutaneous injection, making uniform the law with reference thereto, and repealing all Acts or parts of Acts inconsistent therewith.

Reported the same back to the Senate favorably.

S. M. D. MARSHALL
FRED A. WALLS
D. P. ROSS
C. R. VAN SANT
MILTON T. FRASHER

Mr. Van Sant moved that all Rules be suspended and that House Substitue for House Bill No. 302 with House Amendment No. 1, entitled:

An Act making appropriation for the School Budget for the School Years beginning respectively July 1, 1935 and July 1, 1936, and ending respectively June 30, 1936 and June 30, 1937.

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

Motion prevailed.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered returned to the House.

Mr. Chandler, on behalf of the Committee on Judiciary, to whom had been referred, House Substitute for House Bill No. 226, entitled:

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

Reported the same back to the Senate favorably.

EBE H. CHANDLER
C. R. VAN SANT
W. E. MATTHEWS, Jr.
NORRIS N. WRIGHT

Mr. Chandler, on behalf of the Committee on Judiciary, to whom had been referred, House Substitute for House Bill No. 338, entitled:

An Act to amend Chapter 262, Volume 37, Laws of Delaware, entitled "An Act creating a Court of Common Pleas for Kent County.

Reported the same back to the Senate favorably.

EBE H. CHANDLER
C. R. VAN SANT
W. E. MATTHEWS, Jr.
NORRIS N. WRIGHT

Mr. Chandler, on behalf of the Committee on Judiciary, to whom had been referred, House Substitute for House Bill No. 340, entitled:

An Act to amend An Act creating the Court of Common Pleas for Kent County.

Reported the same back to the Senate favorably.

EBE H. CHANDLER
C. R. VAN SANT
W. E. MATTHEWS, Jr.
NORRIS N. WRIGHT

The President announced he is about to sign:

Senate Bill No. 79.

Senate Bill No. 140.

Senate Bill No. 75.

Mr. Matthews, on behalf of the Committee on Corporations, Municipal, to whom had been referred, House Substitute for House Bill No. 332, 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."

Reported the same back to the Senate favorably.

W. E. MATTHEWS, Jr.
JAMES L. DAVIS
S. M. D. MARSHALL
L. L. MALONEY
E. I. GLENN

Mr. Matthews, on behalf of the Committee on Corporations, Municipal, to whom had been referred, House Substitute for House Bill No. 335, entitled:

An Act authorizing "The Town of Smyrna" to borrow One Hundred and Forty-seven Thousand Dollars (\$147,000) and to issue bonds therefor, for the purpose of redeeming and refunding certain outstanding bonds of "The Town of Smyrna."

Reported the same back to the Senate favorably.

W. E. MATTHEWS, Jr.
JAMES L. DAVIS
S. M. D. MARSHALL
L. L. MALONEY
E. I. GLENN

Mr. Ross, on behalf of the Committee on Miscellaneous, to whom had been referred, House Bill No. 137, entitled:

An Act requiring non-resident junk dealers doing a business in the State of Delaware to secure a license therefor.

Reported the same back to the Senate favorably.

DONALD P. ROSS
NORRIS N. WRIGHT
S. M. D. MARSHALL

Mr. Marshall, on behalf of the Committee on Public Health, to whom had been referred, House Bill No. 10, entitled:

An Act to amend Chapter 44, Revised Code of Delaware, by exempting from assessment and taxation property of corporations organized for the purposes of medical or dental aid or education.

Reported the same back to the Senate favorably.

S. M. D. MARSHALL
D. P. ROSS
FRED A. WALLS

On motion of Mr. Ross, House Substitute for House Bill No. 248, entitled:

An Act authorizing and directing the State Highway Department to take over the full management and control of all highways in the State of Delaware now under the management and control of the Levy Courts of the respective counties.

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

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

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

YEAS—Messrs. Chandler, Davis, J. L.; Davis, W. M.; Marshall, Matthews, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—11.

NAYS — Messrs. Bancraft, Cannon, Frasher, Glenn, McCabe, Neugebauer—6.

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

Ordered returned to the House.

Mr. Maloney, on behalf of the Committee on Revised Statutes, to whom had been referred, House Substitute for House Bill No. 364, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware relating to Franchise Taxes.

Reported the same back to the Senate favorably.

L. L. MALONEY
C. R. VAN SANT
W. M. DAVIS
FRED A. WALLS

Mr. Maloney, on behalf of the Committee on Revised Statutes, to whom had been referred, House Bill No. 181, entitled:

An Act relating to the acquiring of a legal settlement in the State of Delaware.

Reported the same back to the Senate favorably.

L. L. MALONEY
C. R. VAN SANT
W. M. DAVIS
FRED A. WALLS

On motion of Mr. Matthews, House Bill No. 235, entitled:

An Act simplifying the procedure for the construction and financing of Public Works Projects by municipalities, enabling municipalities to make and perform contracts with Federal agencies relating to the construction and financing of such projects and conferring additional powers upon municipalities of the State of Delaware.

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

Mr. Matthews moved that so much be considered the third reading of the bill.

Motion prevailed.

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered returned to the House.

Mr. Simonton, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred, Senate Substitute for Senate Bill No. 77, entitled:

An Act authorizing the Fish and Game Commission to permit the erection of blinds on property of the State of Delaware for use in hunting.

Reported the same back to the Senate favorably.

W. A. SIMONTON
D. P. ROSS
NORRIS N. WRIGHT
JAMES L. DAVIS
J. ROY CANNON

Mr. Simonton, on behalf of the Committee on Private Corporations, to whom had been referred, Senate Substitute for Senate Bill No. 2, entitled:

An Act authorizing loans and investments by banks, savings banks, trust companies, insurance companies, and building and loan associations, in loans, mortgages, debentures and securities issued pursuant to the provisions of An Act of Congress known as the National Housing Act, approved by the President of the United States, June 27, 1934.

Reported the same back to the Senate favorably.

W. A. SIMONTON
W. M. DAVIS
EBE H. CHANDLER
S. M. D. MARSHALL
C. A. NEUGEBAUER

On motion of Mr. Chandler, House Bill No. 108, entitled:

An Act to amend Paragraph 2204, Section 13 of Chapter 70 of the Revised Code of the State of Delaware, relating to admission of girls to the Delaware Industrial School for Girls.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Wright, Senate Substitute for Senate Bill No. 102, entitled:

An Act appropriating certain moneys for the purpose of enabling the University of Delaware to compile and publish a check list of Official Delaware Documents from the beginning of the State Government to the year 1935.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Chandler, Davis, J. L.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Maloney, House Bill No. 75, entitled:

An Act to amend 4716 and 4717 of the Revised Code of Delaware, being Sections 20 and 21 of Chapter 149, as amended by Chapter 216, Volume 32, Laws of Delaware, relating to Robbery.

Mr. Maloney offered Senate Amendment No. 1.

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

Upon request the privilege of the floor was given to Mr. George N. Davis.

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

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

YEAS—Messrs. Bancroft, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—15.

NAYS—None.

NOT VOTING—Mr. Cannon—1.

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

On motion of Mr. Maloney, House Bill No. 75 with Senate Amendment, entitled:

An Act to amend 4716 and 4717 of the Revised Code of Delaware, being Sections 20 and 21 of Chapter 149, as amended by Chapter 216, Volume 32, Laws of Delaware, relating to Robbery.

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

Upon request the privilege of the floor was given to Mr. George N. Davis.

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

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

YEAS—Messrs. Bancroft, Cannon, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Wright, Senate Bill No. 93, entitled:

An Act authorizing the Governor to appoint Special Constables for the Delaware State Hospital at Farnhurst.

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

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

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

YEAS—Messrs. Bancroft, Cannon, Frasher—3.

NAYS—Messrs. Chandler, Davis, J. L.; Davis, W. M.; Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—14.

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

On motion of Mr. Marshall, Senate Bill No. 92, entitled:

An Act to amend An Act entitled "An Act to provide for the Sterilization of Persons Mentally Defective," being Chapter 62, Volume 33, Laws of Delaware, as amended by Chapters 245 and 246, Volume 36, Laws of Delaware.

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

Upon request the privilege of the floor was given to Mr. George N. Davis.

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

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

YEAS—Messrs. Chandler, Davis, J. L.; Davis, W. M.; Marshall, Matthews, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—11.

NAYS—Messrs. Bancroft, Frasher, Glenn, Neugebauer—4.

NOT VOTING—Messrs. Cannon, McCabe—2.

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

Ordered to the House for concurrence.

On motion of Mr. Wright, Senate Bill No. 91, entitled:

An Act to amend Chapter 86, of the Revised Code of 1915 of the State of Delaware, relating to Divorce, and especially Causes for Divorce a Vinculo Matrimonii.

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

Upon request the privilege of the floor was given to Mr. George N. Davis.

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

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

YEAS—Messrs. Chandler, Davis, J. L.; Marshall, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—9.

NAYS—Messrs. Bancroft, Cannon, Frasher, Glenn, Matthews, McCabe, Neugebauer—7.

NOT VOTING—Mr. Davis, W. M.—1.

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

Ordered to the House for concurrence.

Mr. Cannon requested the privilege of the floor for former ex-Senator Green.

The request was granted.

Mr. Simonton moved that the Senate adjourn until 10 o'clock, A. M., April 1st, 1935.

Motion prevailed.

«FIFTY-EIGHTH LEGISLATIVE DAY»

April 1st, 1935, 11 o'clock, A. M.

Senate met pursuant to adjournment, President Roy F. Corley presiding.

Prayer by the Chaplain, Rev. W. E. Matthews.

Roll called.

Members Present—Bancroft, Cannon, Chandler, Davis, J. L.; Davis, W. M.; Frasher, Glenn, Marshall, Matthews, McCabe, Neugebauer, Ross, Simonton, Van Sant, Walls, Wright, Mr. President Pro Tem—17.

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

Motion prevailed.

On motion for leave, Mr. W. M. Davis introduced Senate Resolution No. 22, entitled:

WHEREAS, The Wm. W. Fahey, No. 491, American Legion of Kennett Square, Pennsylvania, is going to present its Sixth Annual Legion Pageant at Longwood Gardens on June 20, 21, and 22, 1935; and

WHEREAS, They have selected as the subject for this year's production "Historic Delaware," which is an honor to our State; and

WHEREAS, They have cordially invited the Senate to attend their Pageant in a body on Friday night, June 21, 1935, as guests of the American Legion; and

WHEREAS, In appreciation of this cordial invitation from our neighboring State it is our desire to accept same; therefore be it

RESOLVED that the Senate of the 105th General Assembly of the State of Delaware accept the kind invitation of Wm. W. Fahey Post No. 491, American Legion, Kennett Square, Pa., and attend in a body on Friday evening, June 21, 1935.

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

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

Mr. W. M. Davis moved its adoption.

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

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

Senate Bill No. 122 with House Amendment No. 1, entitled:

An Act to provide a portion of the revenue necessary for the construction, reconstruction, and maintenance of the Public Highways of the State, by imposing a tax on motor fuels as herein defined, to be collected and paid by distributors as herein defined, with certain rights to refunds as herein set forth, regulating the sale of such fuels, providing for the reports of sales of such fuels, for the collection of said tax by the State Highway Department, and the disposition of the revenue derived therefrom.

And presented the same to the Senate.

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

Senate Bill No. 8 with Senate Amendment No. 1, entitled:

An Act appropriating Fifteen Hundred Dollars to be used by Public Archives Commission for the purchase of certain historical papers and documents.

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 60 with House Amendment No. 1, entitled:

An Act to amend Chapter 112A of the Revised Code of the State of Delaware, being Chapter 250, Volume 29, Laws of Delaware, as amended, relating to the Court of Common Pleas for New Castle County.

And presented the same to the Senate.

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

Senate Bill No. 115, entitled:

An Act to amend Chapter 121 of the Revised Code of the State of Delaware, relating to Justices' jurisdiction in Civil Cases for debt.

And returned the same to the Senate.

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

House Bill No. 410, entitled:

An Act to amend An Act entitled "An Act making appropriation for the expenses of the State Government for each of the two fiscal years ending June 30, 1936 and June 30, 1937," approved March 25, 1935.

And presented the same to the Senate.

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

House Bill No. 135 with Senate Amendment No. 1 and House Amendment No. 1, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1915, as amended by Chapter 8 of Volume 35 and Chapter 8 of Volume 38, Laws of Delaware, relating to Delaware Estate Tax.

And presented the same to the Senate.

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

House Substitute for House Bill No. 311 with House Amendments Nos. 1, 2, 3 and 4, entitled:

An Act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; providing for appeals to certain courts by applicants and licensees; and providing penalties.

And presented the same to the Senate.

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

House Substitute for House Bill No. 353, entitled:

An Act to amend Chapter 31 of the Revised Code of the State of Delaware, as amended, relating to the Delaware State Board of Examiners in Optometry.

And presented the same to the Senate.

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

House Substitute for House Bill No. 296, entitled:

An Act to amend 4858. Section 11, of Chapter 156 of the Revised Code of Delaware relating to the fees to be charged by the Register in Chancery.

And presented the same to the Senate.

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

House Substitute for House Bill No. 352, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, as amended, relating to State Revenue.

And presented the same to the Senate.

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

House Bill No. 247, entitled:

An Act appropriating money for repairs to State Buildings in Dover, Delaware.

And presented the same to the Senate.

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

House Substitute for House Bill No. 234, entitled:

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

And presented the same to the Senate.