

«TWENTY-SEVENTH LEGISLATIVE DAY»

Dover, Delaware, February 15, 1943, 12 o'clock noon

Senate met pursuant to adjournment.

Lieutenant-Governor Isaac J. MacCollum presiding.

Prayer by the Chaplain.

Roll called.

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

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

Motion prevailed.

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

Senate Bill No. 8, entitled:

An Act to provide for the Sale of .94 Units Common Stock and Five (5) Shares of the Common Stock of the Granite City Pig Iron Company, owned by the State of Delaware.

And returned the same to the Senate.

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

Senate Bill No. 9, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, entitled: "State Highway Department," in reference to Educational Campaign on Street and Highway Safety.

And returned the same to the Senate.

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

Senate Bill No. 13, entitled:

An Act to amend Chapter 8 of the Revised Code of Delaware, 1935, by providing for an Acting Adjutant General.

And returned the same to the Senate.

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

Senate Bill No. 15, entitled:

An Act to amend Chapter 81, Volume 43, Laws of Delaware, entitled: "An Act to provide for the Creation, Maintenance, Discipline, Legislation and use of the Delaware State Guard," by changing the Term of Enlistment in the Delaware State Guard.

And returned the same to the Senate.

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

Senate Bill No. 23, entitled:

An Act to amend Chapter 82 of the Revised Code of Delaware, 1935, as amended, relating to Weights and Measures by giving the Power of Arrest to the Regulators of Weights and Measures, and making Misrepresentations as to Quantity in Containers a Misdemeanor and increasing the Penalty for Second Offenses.

And returned the same to the Senate.

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

Senate Bill No. 25, entitled:

An Act to amend 306 Section 51 of Chapter 8 of the Revised Code of Delaware 1935 by providing for the Awarding of Medals to Persons serving in the Military or Naval Forces of the United States of America or the State of Delaware.

And returned the same to the Senate.

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

Senate Bill No. 29, entitled:

An Act authorizing the Disinterring and Reinterring under the Supervision of the Levy Court of Sussex County, of Bodies buried in Public or Private Burying Grounds which have been purchased by the Levy Court of Sussex County for the purposes of constructing an Airport; providing for modifying and relaxing by the State Board of Health of its Regulations and Restrictions relative to the Disinterring and Reinterring of Dead Bodies.

And returned the same to the Senate.

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

Senate Bill No. 58, entitled:

An Act to amend Chapter 104 of Volume 40 of the Laws of Delaware relating to the Public Archives Commission.

And returned the same to the Senate.

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

Senate Bill No. 85, entitled:

An Act changing the Name of the Mothers' Pension Commission.

And returned the same to the Senate.

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

House Joint Resolution No. 2, entitled:

Relating to a National Cemetery in Delaware.

And presented the same to the Senate.

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

House Bill No. 33, entitled:

An Act to amend Chapter 56, as amended, Revised Code of Delaware, 1935, entitled "Registration of Voters" by changing the Time required to give Notice of Appeals.

And presented the same to the Senate.

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

House Bill No. 34, entitled:

An Act to amend Chapter 56, as amended, Revised Code of Delaware, 1935, entitled "Registration of Voters," by providing for a Permanent Record of Election Appeals and providing for the Keeping and Custody thereof, and providing for effect of the determination of an Appeal upon subsequent Appeals presenting the same Issue.

And presented the same to the Senate.

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

House Bill No. 46, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, relating to Motor Vehicles.

And presented the same to the Senate.

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

House Bill No. 72, entitled:

An Act to amend Chapter 71, Revised Code of Delaware, 1935, relating to Free Public Schools by making the President of the University of Delaware, Ex-Officio, a Member of the State Board of Education.

And presented the same to the Senate.



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

House Bill No. 78, entitled:

An Act to amend Chapter 156 of the Revised Code of Delaware, as amended, relating to Fees of Public Officers by increasing the Fee payable to the Register of Wills of New Castle County for Filing Inventory.

And presented the same to the Senate.

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred House Bill No. 99, entitled:

An Act to amend Chapter 55 of the Revised Code of Delaware, 1935, relating to Roads and Bridges, by providing for the Notice required in proceedings to Vacate Public Roads and Bridges.

Reported the same back to the Senate favorably.

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

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

Relating to a National Cemetery in Delaware.

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

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

Motion prevailed.

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

Senate met at expiration of recess.

The Chair presented House Bill No. 33, entitled:

An Act to amend Chapter 56, as amended, Revised Code of Delaware, 1935, entitled "Registration of Voters" by changing the Time required to give Notice of Appeals.

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

The Chair presented House Bill No. 34, entitled:

An Act to amend Chapter 56, as amended, Revised Code of Delaware, 1935, entitled "Registration of Voters," by providing for a Permanent Record of Election Appeals and providing for the Keeping and Custody thereof, and providing for effect of the determination of an Appeal upon subsequent Appeals presenting the same issue.

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

The Chair presented House Bill No. 46, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, relating to Motor Vehicles.

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

The Chair presented House Bill No. 72, entitled:

An Act to amend Chapter 71, Revised Code of Delaware, 1935, relating to Free Public Schools by making the President of the University of Delaware, Ex-Officio, a Member of the State Board of Education.

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

The Chair presented House Bill No. 78, entitled:

An Act to amend Chapter 156 of the Revised Code of Delaware as amended relating to Fees of Public Officers by increasing the Fee payable to the Register of Wills of New Castle County for Filing Inventory.

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

The President Pro Tem announced he is about to sign:

Senate Bill No. 8.  
 Senate Bill No. 9.  
 Senate Bill No. 13.  
 Senate Bill No. 15.  
 Senate Bill No. 23.  
 Senate Bill No. 25.  
 Senate Bill No. 29.  
 Senate Bill No. 58.  
 Senate Bill No. 85.

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred Senate Substitute for Senate Bill No. 130 entitled:

An Act to authorize and direct the Collector of Taxes and County Treasurer of Sussex County to transfer to the General Fund of Sussex County the sum of Seven Thousand Ninety-Two Dollars and Fifty-Four Cents (\$7,02.54) appearing in the Sussex Connty Treasury as "Walter Roach, Treasurer, Sussex County Highway Improvement Refunding Bonds Second Series, 1941," to the credit of said County.

Reported the same back to the Senate favorably.

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

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred Senate Substitute for Senate Bill No. 95, entitled:

An Act to authorize and direct the State Treasurer to transfer to the Current Fund of the Lord Baltimore School District No. 28, a certain sum of money appearing in the State Treasury as the Debt Service Account to the credit of said School District No. 28.

Reported the same back to the Senate favorably.

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

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

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

Reported the same back to the Senate favorably.

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

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred Senate Bill No. 91, entitled:

An Act to amend Chapter 53 of the Revised Code of Delaware, 1935, as amended by Chapter 120, Volume 43, Laws of Delaware, entitled "Salaries of certain County Officers" in relation to the Deputies and Clerks of certain County Offices of Sussex County.

Reported the same back to the Senate favorably.

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

On motion of Mr. Sipple, Senate Amendment No. 1 to Senate Bill No. 83.

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

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

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

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

NAYS—None.

ABSENT—Mr. Edmonds—1.

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

On motion of Mr. Sipple, Senate Bill No. 83 with Senate Amendment No. 1, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware 1935 in relation to the Dredging for Oysters from Natural Oyster Beds.

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

NAYS—None.

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

Ordered to the House for concurrence.

On motion for leave, Mr. Mullin introduced Senate Resolution No. 38, entitled:

#### SENATE RESOLUTION NO. 38

In respect to the Payment for certain Printing.

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

Milford Chronicle Publishing Co., Inc. .... \$1,105.50

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

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

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

Mr. Evans, on behalf of the Committee on Labor, to whom had been referred Senate Bill No. 66, entitled:

An Act to amend Chapter 90, Article 3, of the Revised Code of Delaware, 1935, relating to Child Labor, by changing the Hours of Employment in certain cases.

Reported the same back to the Senate favorably.

JAS. S. EVANS  
GEORKE W. RHODES  
ROBERT H. YERKES  
WM. B. HUSTON  
HARRY H. MULHOLLAND

Mr. Evans, on behalf of the Committee on Accounts, to whom had been referred Senate Substitute for Senate Bill No. 131, entitled:

An Act to authorize and direct the Collector of Taxes and County Treasurer of Sussex County to transfer to the General Fund of Sussex County the sum of Eight Thousand Seven Hundred Eight Dollars and Sixty-Three Cents (\$8,708.63) appearing in the Sussex County Treasury as "Walter Roach, Treasurer, Sussex County Highway Improvement Refunding Bonds, 1941" to the credit of said County.

Reported the same back to the Senate favorably.

J. S. EVANS  
G. P. EDMONDS  
HARRY H. MULHOLLAND  
W. DEANE JOHNSTON  
CHARLES LEE SIPPLE

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

An Act to amend Chapter 46 of the Revised Code of Delaware, 1935, as amended by Chapter 115, Volume 43, Laws of Delaware, entitled "County Comptrollers" in relation to the Deputy Comptroller of Sussex County.

Reported the same back to the Senate favorably.

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

On motion of Mr. Rhodes, Senate Substitute for Senate Bill No. 38, entitled:

An Act to protect the Health and Safety of the Civilian Population during the War Emergency Period.

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

Mr. Rhodes moved the adoption of the Substitute in lieu of the original.

Motion prevailed.

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

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

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

NAYS—None.

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

Ordered to the House for concurrence.

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

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

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

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

An Act regulating the Milk Fat Content of Ice Cream and Ice Cream Mixtures and Compounds.

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

Mr. Edmonds, on motion for leave, introduced Senate Substitute for Senate Bill No. 24, entitled:

An Act establishing a State Building and Grounds Commission and defining its Duties.

Which was given first and second reading, the second by title only, and referred to the Committee on Public Lands, with Senate Bill No. 24.

Mr. Rhodes, on motion for leave, introduced Senate Substitute for Senate Bill No. 123, entitled:

An Act to amend Chapter 65 of the Revised Code of Delaware, 1935, in respect to the Power of Corporations to confer Academic Degrees.

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

Mr. Hitchens, on motion for leave, introduced Senate Substitute for Senate Bill No. 108, entitled:

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

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



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

Motion prevailed.

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Same Day, 4:40 o'clock P. M.

Senate met at expiration of recess.

President Pro Tem Clayton A. Bunting presiding.

On motion for leave, Mr. Johnston moved that Senate Concurrent Resolution No. 7, entitled:

Inviting the Boys' State to be the Guests of the One Hundred and Ninth General Assembly.

Be lifted from the table and placed upon final passage.

Motion prevailed.

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

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

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

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

NAYS—None.

ABSENT—Mr. Attix—1.

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

Ordered to the House for concurrence.

Mr. Yerkes moved that the Senate adjourn until 12 o'clock noon, February 16, 1943.

Motion prevailed.

## \*TWENTY-EIGHTH LEGISLATIVE DAY\*

Dover, Delaware, February 16, 1943, 12 o'clock noon

Senate met pursuant to adjournment.

Lieutenant-Governor Isaac J. MacCollum presiding.

Prayer by the Chaplain.

Roll called.

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

Member Absent—Johnston—1.

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

Motion prevailed.

Mr. Jones, on behalf of the Committee on Agriculture, to whom had been referred Senate Substitute for Senate Bill No. 97, entitled:

An Act regulating the Milk Fat Content of Ice Cream and Ice Cream Mixtures and Compounds.

Reported the same back to the Senate favorably.

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

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred House Bill No. 46, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, relating to Motor Vehicles.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
JAS. S. EVANS  
G. P. EDMONDS  
J. CARL McGUIGAN

Mr. Mulholland, on behalf of the Committee on Private Corporations, to whom had been referred Senate Substitute for Senate Bill No. 129, entitled:

An Act to Limit the Liability of Newspapers for Libel.

Reported the same back to the Senate favorably.

HARRY H. MULHOLLAND  
JOHN R. HITCHENS  
GEORGE W. RHODES  
G. P. EDMONDS  
P. B. MESSICK

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred Senate Substitute for Senate Bill No. 108, entitled:

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

Reported the same back to the Senate favorably.

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

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred House Bill No. 78, entitled:

An Act to amend Chapter 156 of the Revised Code of Delaware as amended relating to Fees of Public Officers by increasing the Fee payable to the Register of Wills of New Castle County for Filing Inventory.

Reported the same back to the Senate favorably.

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

Mr. Hitchens, on behalf of the Committee on Public Lands, to whom had been referred Senate Substitute for Senate Bill No. 24, entitled:

An Act establishing a State Building and Grounds Commission and defining its Duties.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
HARRY H. JONES  
JAS. S. EVANS  
WILLIAM H. AYRES

Mr. Hitchens, on behalf of the Committee on Public Lands, to whom had been referred House Joint Resolution No. 2, entitled:

Relating to a National Cemetery in Delaware.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
HARRY H. JONES  
JAS. S. EVANS  
WILLIAM H. AYRES

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

An Act to amend An Act entitled "An Act relating to National and State Defense, providing for the Establishment of a State Council of Defense and of Local and District Councils of Defense, and prescribing the Powers and Duties thereof," the same being Chapter 285, Volume 43, Laws of Delaware.

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

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

Motion prevailed.

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Same Day, 3:45 o'clock P. M.

Senate met at expiration of recess.

President Pro Tem Clayton A. Bunting presiding.

Mr. Mulholland moved that the Senate go into a Committee of the Whole so that Mr. Frank Lynch, State Bank Commissioner, might explain several Senate Bills.

Motion prevailed.

Mr. Lynch explained Senate Bills Nos. 44, 45, 46 and 47.

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Same Day, Later

Senate met in regular session.

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred Senate Bill No. 44, entitled:

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

Reported the same back to the Senate favorably.

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

Mr. Mulholland, on behalf of the Committee on Banking and Insurance, to whom had been referred Senate Bill No. 45, entitled:

An Act to amend Article 9 of Chapter 66 of the Revised Code of Delaware, 1935, relative to Banks, Savings Societies and Trust Companies" pertaining to the Amount of Capital Stock of Trust Companies.

Reported the same back to the Senate favorably.

HARRY H. MULHOLLAND  
GEORGE W. RHODES  
ROBERT H. YERKES  
G. P. EDMONDS  
WM. B. HUSTON

Mr. Mulholland, on behalf of the Committee on Banking and Insurance, to whom had been referred Senate Bill No. 46, entitled:

An Act to amend Article 3 of Chapter 66 of the Revised Code of Delaware, 1935, relative to Banks, Savings Societies and Trust Companies" pertaining to Examinations by the State Bank Commissioner.

Reported the same back to the Senate favorably.

HARRY H. MULHOLLAND  
GEORGE W. RHODES  
ROBERT H. YERKES  
G. P. EDMONDS  
WM. B. HUSTON

Mr. Mulholland, on behalf of the Committee on Banking and Insurance, to whom had been referred Senate Bill No. 47, entitled:

An Act to amend Article 6 of Chapter 66 of the Revised Code of Delaware, 1935, relative to "Building and Loan Associations," by providing for the Appointment of the State Bank Commissioner as Receiver for Unsound Building and Loan Associations.

Reported the same back to the Senate favorably.

HARRY H. MULHOLLAND  
GEORGE W. RHODES  
ROBERT H. YERKES  
G. P. EDMONDS  
WM. B. HUSTON

On motion of Mr. Evans, Senate Bill No. 41, entitled:

An Act to amend 930. Section 18 of Chapter 27 of the Revised Code of Delaware, 1935, in reference to the Definition of the Practice of Medicine or Surgery and Exceptions.

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

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

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

YEAS—Messrs. Ayres, Edmonds, Evans, Hitchens, Jones, Mulholland, Mullin, Yerkes, Mr. President Pro Tem—9.

NAYS—Messrs. Huston, McDowell, Messick, Rhodes, Sipple—5.

NOT VOTING—Messrs. Attix, McGuigan—2.

ABSENT—Mr. Johnston—1.

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

Ordered to the House for concurrence.

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred Senate Substitute for Senate Bill No. 81 with Senate Amendments Nos. 1 and 2, entitled:

An Act to amend An Act entitled "An Act relating to National and State Defense, providing for the Establishment of a State Council of Defense and of Local and District Councils of Defense, and prescribing the Powers and Duties thereof," the same being Chapter 285, Volume 43, Laws of Delaware.

Reported the same back to the Senate favorably.

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

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

An Act to amend Chapter 55 of the Revised Code of Delaware, 1935, relating to Roads and Bridges, by providing for the Notice required in Proceedings to Vacate Public Roads and Bridges.

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

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

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

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

NAYS—None.

ABSENT—Mr. Johnston—1.

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

Ordered returned to the House.



On motion of Mr. Jones, Senate Bill No. 76, entitled:

An Act to amend Article 1 of Chapter 74 of the Revised Code of Delaware, 1935, relating to Fish, Oysters and Game, by permitting the Sale of Bull Frogs.

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. Nickle.

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

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

YEAS—Messrs. Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Jones, McGuigan, Mulholland, Mullin, Rhodes, Yerkes, Mr. President Pro Tem—13.

NAYS—Messrs. McDowell, Messick, Sipple—3.

ABSENT—Mr. Johnston—1.

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

Ordered to the House for concurrence.

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

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

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

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

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

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

NAYS—None.

ABSENT—Messrs. Huston, Johnston—2.

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

Ordered returned to the House.

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred Senate Substitute for Senate Bill No. 98, entitled:

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

Reported the same back to the Senate favorably.

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

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

Motion prevailed.

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Same Day, 5:55 o'clock P. M.

Senate met at expiration of recess.

Mr. Yerkes moved that Senate Substitute for Senate Bill No. 81 be the first order of business for February 17.

Motion prevailed.

Mr. Yerkes moved that the Senate adjourn until 12 o'clock noon, February 17, 1943.

Motion prevailed.

*✠TWENTY-NINTH LEGISLATIVE DAY✠*

Dover, Delaware, February 17, 1943, 12 o'clock noon

Senate met pursuant to adjournment.

President Pro Tem Clayton A. Bunting presiding.

Prayer by the Chaplain.

Roll called.

Members Present — Attix, Edmonds, Evans, Hitchens, Huston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—15.

Members Absent—Ayres, Johnston—2.

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

Motion prevailed.

The Chair presented a communication from the Levy Court of Sussex County endorsing Senate Bills Nos. 14, 91, 92, 98, 108 and 130; also one from the Delaware Automobile Association endorsing Senate Bill No. 19.

On motion of Mr. Yerkes, Senate Substitute for Senate Bill No. 81, entitled:

An Act to amend An Act entitled "An Act relating to National and State Defense, providing for the Establishment of a State Council of Defense and of Local and District Councils of Defense, and prescribing the Powers and Duties thereof," the same being Chapter 285, Volume 43, Laws of Delaware.

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

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

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

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

NAYS—None.

ABSENT—Messrs. Ayres, Johnston—2.

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

Ordered to the House for concurrence.

Mr. Edmonds, on behalf of the Committee on Municipal Corporations, to whom had been referred Senate Bill No. 143, entitled:

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

Reported the same back to the Senate favorably.

G. P. EDMONDS  
JAS. S. EVANS  
HARRY H. JONES  
JOHN R. HITCHENS

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

Senate Bill No. 14, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, relating to Levy Courts by increasing the Appropriations to each Regularly Organized and Motorized Fire Company in Sussex County.

And returned the same to the Senate.

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

House Bill No. 114, entitled:

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

And presented the same to the Senate.

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

House Bill No. 125, entitled:

An Act providing for the Election of Boards of School Trustees of School Districts and Boards of Education of Special School Districts.

And presented the same to the Senate.

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

Senate Bill No. 8, entitled:

An Act to provide for the Sale of .94 Units Common Stock and Five (5) Shares of the Common Stock of the Granite City Pig Iron Company, owned by the State of Delaware.

Senate Bill No. 9, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, entitled: "State Highway Department," in reference to Educational Campaign on Street and Highway Safety.

Senate Bill No. 13, entitled:

An Act to amend Chapter 8 of the Revised Code of Delaware, 1935, by providing for an Acting Adjutant General.

Senate Bill No. 15, entitled:

An Act to amend Chapter 81, Volume 43, Laws of Delaware, entitled: "An Act to provide for the Creation, Maintenance, Discipline, Legislation and use of the Delaware State Guard," by changing the Term of Enlistment in the Delaware State Guard.

Senate Bill No. 23, entitled:

An Act to amend Chapter 82 of the Revised Code of Delaware, 1935, as amended, relating to Weights and Measures by giving the Power of Arrest to the Regulators of Weights and Measures, and making Misrepresentations as to Quantity in Containers a Misdemeanor and increasing the Penalty for Second Offenses.

Senate Bill No. 25, entitled:

An Act to amend 306 Section 51 of Chapter 8 of the Revised Code of Delaware 1935 by providing for the Awarding of Medals to Persons serving in the Military or Naval Forces of the United States of America or the State of Delaware.

Senate Bill No. 29, entitled:

An Act authorizing the Disinterring and Reinterring under the Supervision of the Levy Court of Sussex County, of Bodies buried in Public or Private Burying Grounds which have been purchased by the Levy Court of Sussex County for the purposes of constructing an Airport; providing for modifying and relaxing by the State Board of Health of its Regulations and Restrictions relative to the Disinterring and Reinterring of Dead Bodies.

HARRY H. MULHOLLAND  
WM. B. HUSTON

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

Senate Bill No. 58, entitled:

An Act to amend Chapter 104 of Volume 40 of the Laws of Delaware relating to the Public Archives Commission.

Senate Bill No. 85, entitled:

An Act changing the Name of the Mothers' Pension Commission.

HARRY H. MULHOLLAND  
WM. B. HUSTON

Mr. Yerkes requested that Senate Bill No. 16 be stricken from the Calendar.

Request granted.

Mr. Yerkes requested that Senate Bill No. 112 be stricken from the Calendar.

Request granted.

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

Motion prevailed.

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Same Day, 3:00 o'clock P. M.

Senate met at expiration of recess.

On motion for leave, Mr. Yerkes introduced Senate Resolution No. 39, entitled:

SENATE RESOLUTION NO. 39

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

BE IT RESOLVED by the Senate of the 109th General Assembly that the State Treasurer be and he hereby is authorized and directed to pay to any attache or employee, who has been duly appointed by resolution of the Senate, upon the order of the President Pro Tem of the Senate, sums on account, from time to time, not to exceed the total of Fifty-five Dollars (\$55.00) to any one person, any such sums so paid shall be charged against the salary of the individual attache or employee to whom such sum or sums are paid, and shall be a part of the expenses of this session of the Senate.

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

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

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

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

The President Pro Tem announced he is about to sign:

Senate Bill No. 14.

House Bill No. 57.

House Bill No. 99.

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

Senate Concurrent Resolution No. 7, entitled:

Inviting the Boys' State to be the Guests of the One Hundred and Ninth General Assembly.

And returned the same to the Senate.

On motion of Mr. Mulholland, Senate Substitute for Senate Bill No. 5, entitled:

An Act to amend An Act known and cited as the "Unemployment Compensation Law," being Chapter 258 of the Laws of Delaware, 1937, as amended, by changing the definition of "Employment Office;" by changing the definition of "Weekly Benefit Amount;" by changing the Duration of Benefits; by providing for a new Basis of Payments to Individuals who have been in the Military Service; by changing the Provisions relating to Disqualification for Benefits; by changing the Requirement for Eligibility for Benefits; by prescribing Special Conditions under which an Employer may receive a Reduced Contribution Rate; by changing the definition of "State Experience Factor;"



by Limiting the Maximum Contribution Rate to Three Percentum; by providing for a Rehiring Credit on Benefit Wages charged to Employers under certain conditions; by providing for Successorship to Adjusted Contribution Rates under certain conditions; by changing the Period of Time to be covered by the Regular Report to the Governor; and by certain changes in the provisions relating to Seasonal Employment.

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

Mr. Mulholland introduced two amendments to Senate Substitute for Senate Bill No. 5.

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

Motion prevailed.

Mr. Mulholland moved the adoption of Senate Amendment No. 2.

Motion prevailed.

Mr. Mulholland moved that Senate Substitute for Senate Bill No. 5 with Senate Amendments Nos. 1 and 2 be adopted in lieu of original Senate Bill No. 5.

Motion prevailed.

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

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

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

NAYS—None.

ABSENT—Messrs. Ayres, Johnston—2.

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

Ordered to the House for concurrence.

On motion of Mr. Edmonds, Senate Substitute for Senate Bill No. 24, entitled:

An Act establishing a State Building and Grounds Commission and defining its Duties.

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

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

Motion prevailed.

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

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

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

NAYS—None.

ABSENT—Messrs. Ayres, Johnston, Sipple—3.

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

Ordered to the House for concurrence.

On motion of Mr. Yerkes, Senate Bill No. 66, entitled:

An Act to amend Chapter 90, Article 3, of the Revised Code of Delaware, 1935, relating to Child Labor; by changing the Hours of Employment in certain cases.

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

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

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

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

NAYS—None.

ABSENT—Messrs. Ayres, Johnston, Sipple—3.

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

Ordered to the House for concurrence.

On motion of Mr. Mullin, Senate Bill No. 73, entitled:

An Act to amend 3592 Section 2 of Chapter 90 of the Revised Code of Delaware 1935 regulating the Hours of Labor of Female Employees.

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

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

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

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

NAYS—None.

ABSENT—Messrs. Ayres, Johnston—2.

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

Ordered to the House for concurrence.

On motion of Mr. Yerkes, Senate Bill No. 91, entitled:

An Act to amend Chapter 53 of the Revised Code of Delaware, 1935, as amended by Chapter 120, Volume 43, Laws of Delaware, entitled "Salaries of certain County Officers" in relation to the Deputies and Clerks of certain County Offices of 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. Whitney.

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

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

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

NAYS—None.

ABSENT—Messrs. Ayres, Johnston—2.

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

Ordered to the House for concurrence.

On motion of Mr. Yerkes, Senate Bill No. 92, entitled:

An Act to amend Chapter 46 of the Revised Code of Delaware, 1935, as amended by Chapter 115, Volume 43, Laws of Delaware, entitled "County Comptrollers" in relation to the Deputy Comptroller of Sussex County.

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

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

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

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

NAYS—None.

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

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

Ordered to the House for concurrence.

On motion of Mr. Yerkes, Senate Substitute for Senate Bill No. 95, entitled:

An Act to authorize and direct the State Treasurer to transfer to the Current Fund of the Lord Baltimore School District No. 28, a certain sum of money appearing in the State Treasury as the Debt Service Account to the credit of said School District No. 28.

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

Mr. Yerkes moved the adoption of Senate Substitute for Senate Bill No. 95.

Motion prevailed.

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

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

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

NAYS—None.

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

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

Ordered to the House for concurrence.

On motion of Mr. Yerkes, Senate Substitute for Senate Bill No. 98, entitled:

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

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

Mr. Yerkes moved the adoption of Senate Substitute for Senate Bill No. 98.

Motion prevailed.

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

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

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

NAYS—None.

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

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

Ordered to the House for concurrence.

On motion of Mr. Yerkes, Senate Substitute for Senate Bill No. 108, entitled:

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

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

Mr. Yerkes moved the adoption of Senate Substitute for Senate Bill No. 108.

Motion prevailed.

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

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

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

NAYS—None.

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

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

Ordered to the House for concurrence.

On motion of Mr. Mulholland, Senate Substitute for Senate Bill No. 97, entitled:

An Act regulating the Milk Fat Content of Ice Cream and Ice Cream Mixtures and Compounds.

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

Mr. Mulholland moved the adoption of Senate Substitute for Senate Bill No. 97.

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

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

YEAS—Messrs. Edmonds, Evans, Hitchens, Huston, Jones, McGuigan, Mulholland, Mullin, Rhodes, Yerkes, Mr. President Pro Tem—11.

NAYS—Messrs. McDowell, Sipple—2.

NOT VOTING—Mr. Messick—1.

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

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

Ordered to the House for concurrence.

On motion of Mr. Yerkes, Senate Substitute for Senate Bill No. 129, entitled:

An Act to limit the Liability of Newspapers for Libel.

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

Mr. Yerkes moved the adoption of Senate Substitute for Senate Bill No. 129.

Motion prevailed.

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

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

YEAS — Messrs. Edmonds, Evans, Hitchens, Jones, McGuigan, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—11.

NAYS—Messrs. Huston, McDowell, Messick—3.

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

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

Ordered to the House for concurrence.

On motion of Mr. Hitchens, Senate Substitute for Senate Bill No. 130, entitled:

An Act to authorize and direct the Collector of Taxes and County Treasurer of Sussex County to transfer to the General Fund of Sussex County the sum of Seven Thousand Ninety-Two Dollars and Fifty-Four Cents (\$7,092.54) appearing in the Sussex County Treasury as "Walter Roach, Treasurer, Sussex County Highway Improvement Refunding Bonds Second Series, 1941," to the credit of said County.

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

Mr. Hitchens moved the adoption of Senate Substitute for Senate Bill No. 130.

Motion prevailed.

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

NAYS—None.

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

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

Ordered to the House for concurrence.

The Chair appointed the following committee to visit Institutions: Messrs. Evans, Ayres, McGuigan, Mulholland, Attix, Yerkes.

On motion of Mr. Hitchens, Senate Substitute for Senate Bill No. 131, entitled:

An Act to authorize and direct the Collector of Taxes and County Treasurer of Sussex County to transfer to the General Fund of Sussex County the sum of Eight Thousand Seven Hundred Eight Dollars and Sixty-Three Cents (\$8,708.63) appearing in the Sussex County Treasury as "Walter Roach, Treasurer, Sussex County Highway Improvement Refunding Bonds, 1941" to the credit of said County.

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

Mr. Hitchens moved the adoption of Senate Substitute for Senate Bill No. 131.

Motion prevailed.

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

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

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

NAYS—None.

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

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

Ordered to the House for concurrence.

On motion of Mr. Hitchens, House Joint Resolution No. 2, entitled:

Relating to a National Cemetery in Delaware.

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

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

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

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

NAYS—None.

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

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

Ordered returned to the House.

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

An Act to amend Chapter 156 of the Revised Code of Delaware as amended relating to Fees of Public Officers by increasing the Fee payable to the Register of Wills of New Castle County for Filing Inventory.

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

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

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

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

NAYS—None.

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

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

Ordered returned to the House.

The Chair presented House Bill No. 114, entitled:

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

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

The Chair presented House Bill No. 125, entitled:

An Act providing for the Election of Boards of School Trustees of School Districts and Boards of Education of Special School Districts.

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

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

Motion prevailed.

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

Senate met at expiration of recess.

On motion for leave, Mr. McDowell introduced Senate Resolution No. 40, entitled:

SENATE RESOLUTION NO. 40

In respect to the Appointment of a Senatorial Committee to Inquire into the Future Policies of State Agencies and Federal Agencies within this State in regards to the Maximum Production of Food Stuffs.

WHEREAS, there is evidence of a possible food shortage in this nation unless the efforts of this nation are directed to the maximum and most efficient production of food; and,

WHEREAS, it is of the utmost importance to the citizens of the State of Delaware as well as the nation and our armed forces that the fertile soil of our State be utilized to its maximum in order to reduce the possibility of a shortage of food in the near future;

NOW, THEREFORE, BE IT RESOLVED, by the Senate, that the President of the Senate appoint a committee composed of six members in this body, three of whom shall be of the majority party and three of whom shall be of the minority party, to be known as "The Senate Committee to Investigate War Production of Food;"

BE IT FURTHER RESOLVED that the aforesaid committee investigate and inquire of all State Agencies, and Federal Agencies within this State, having any connection, advisory or otherwise, with production of food stuffs in this State, and determine what plans, if any, have been formulated by any of these agencies to assure the maximum and efficient production of food; and,

BE IT FURTHER RESOLVED that the committee "The Senate Committee to Investigate War Production of Food" have assigned to it such clerical assistance as may be needed from the clerical staff of this Senate;

BE IT FURTHER RESOLVED that "The Senate Committee to Investigate War Production of Food" be and it is hereby authorized to hold such hearings as the committee shall deem advisable and report to the Senate its findings not later than March 15, 1943, together with such recommendations as it shall deem necessary and proper to assure the maximum and efficient production of food stuffs within the State of Delaware.

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

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

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

Mr. Yerkes moved that House Bill No. 5 be the first order of business on February 18, 1943.

Motion prevailed.

Mr. Yerkes moved that the Senate adjourn until 12 o'clock noon, February 18, 1943.

Motion prevailed.

\*THIRTIETH LEGISLATIVE DAY\*

Dover, Delaware, February 18, 1943, 12 o'clock noon

Senate met pursuant to adjournment.

President Pro Tem Clayton A. Bunting presiding.

Prayer by the Chaplain.

Roll called.

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

Member Abent—Johnston—1.

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

Motion prevailed.

On motion of Mr. Yerkes, House Bill No. 5, entitled:

An Act agreeing to the proposed amendments of Article 5 of the Constitution of the State of Delaware relating to Elections.

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. William J. Storey.

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

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

YEAS—Messrs. Edmonds, Evans, Hitchens, Mulholland, Mullin, Mr. President Pro Tem—6.

NAYS—Messrs. Attix, Ayres, Huston, Jones, McDowell, McGuigan, Messick, Rhodes, Sipple, Yerkes—10.

ABSENT—Mr. Johnston—1.

Messrs. Jones, Rhodes and Yerkes requested that their votes be changed from nay to yea.

Request granted.

Vote now 9 years, 7 nays.

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

The President Pro Tem announced he is about to sign:

Senate Concurrent Resolution No. 7.

House Bill No. 78.

House Joint Resolution No. 2.

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred Senate Bill No. 104, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, relating to the State Highway Department, as amended, by creating a New Article to be known as Article 6 and Seven New Sections thereunder, said New Article to be sub-titled "Freeways" and said Article and said New Sections authorizing the State Highway Department to construct, designate, establish, lay out and regulate all or any portion of any State Highway as a "Freeway."

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
G. P. EDMONDS  
JAS. S. EVANS  
J. CARL McGUIGAN

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

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

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
G. P. EDMONDS  
JAS. S. EVANS  
J. CARL McGUIGAN

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred Senate Bill No. 106, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, relating to Motor Vehicles, in reference to Reckless Driving.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
G. P. EDMONDS  
JAS. S. EVANS  
J. CARL McGUIGAN

On motion for leave, Mr. Yerkes introduced Senate Concurrent Resolution No. 8, entitled:

#### SENATE CONCURRENT RESOLUTION NO. 8

In reference to the Joint Session of the Senate and House of Representatives on February 12, 1943.

WHEREAS the Senate and House of Representatives of the 109th General Assembly had a joint session held on February 12, 1943, to mark the anniversary of the birth of that great American, Abraham Lincoln, and had the great privilege of hearing the interesting and scholarly address of the Reverend Joseph C. Settle; and

WHEREAS this celebration was rendered far more pleasant and enjoyable, not only for the members of the General Assembly, but also for their guests, by the excellent music and songs furnished by the Band of the Caesar Rodney School and by the Glee Club of the State College.

NOW, THEREFORE, BE IT RESOLVED by the Senate of the 109th General Assembly, the House of Representatives concurring therein, that the General Assembly desires to express its great appreciation to the Reverend Joseph C. Settle for his inspiring remarks and its sincere thanks to the Band of the Caesar Rodney School and the Glee Club of the State College for their kindness in making the Lincoln's Birthday celebration an outstanding success.

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



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

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

Ordered to the House for concurrence.

On motion of Mr. Rhodes, Senate Bill No. 34, entitled:

An Act in relation to Investments of Trustees, Guardians and other Fiduciaries and to property taken over by them, being an amendment to Chapter 117 of the Revised Code of the State of Delaware as amended.

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

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

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

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

NAYS—None.

ABSENT—Mr. Johnston—1.

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

Ordered to the House for concurrence.

Mr. Attix, on motion for leave, introduced Senate Substitute for Senate Bill No. 169, entitled:

An Act to amend Chapter 71 of the Revised Code of the State of Delaware, 1935, entitled "Free Public Schools" by providing for the Election of Boards of School Trustees of School Districts and Boards of Education of Special School Districts in Kent and Sussex Counties.

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

Mr. Hitchens, on motion for leave, introduced Senate Substitute for Senate Bill No. 173, entitled:

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

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

Mr. Hitchens, on motion for leave, introduced Senate Substitute for Senate Bill No. 175, entitled:

An Act to authorize and direct the State Treasurer to transfer to the Current Fund of the Georgetown Special School District a certain sum of money appearing in the State Treasury as Debt Service Account to the credit of said School District.

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

On motion of Mr. Mulholland, Senate Bill No. 44, entitled:

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

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

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

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

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

NAYS—None.

ABSENT—Messrs. Ayres, Johnston—2.

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

Ordered to the House for concurrence.

On motion of Mr. Mulholland, Senate Bill No. 45, entitled:

An Act to amend Article 9 of Chapter 66 of the Revised Code of Delaware, 1935, relative to Banks, Savings Societies and Trust Companies" pertaining to the Amount of Capital Stock of 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. Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Johnston—1.

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

Ordered to the House for concurrence.

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

An Act to amend Article 3 of Chapter 66 of the Revised Code of Delaware, 1935, relative to Banks, Savings Societies and Trust Companies" pertaining to Examinations by the State Bank Commissioner.

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

On motion of Mr. Mulholland, Senate Bill No. 47, entitled:

An Act to amend Article 6 of Chapter 66 of the Revised Code of Delaware, 1935, relative to "Building and Loan Associations," by providing for the Appointment of the State Bank Commissioner as Receiver for Unsound Building and Loan Associations.

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

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

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

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

NAYS—None.

ABSENT—Mr. Johnston—1.

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

Ordered to the House for concurrence.

On motion of Mr. Yerkes, House Bill No. 32 with House Amendments Nos. 1 and 2, entitled:

An Act making appropriations for Increases in the Salaries of Employees of the State for the Period beginning April 1, 1943 and ending June 30, 1943 and for the fiscal years beginning July 1, 1943 and July 1, 1944 and ending June 30, 1944 and June 30, 1945 respectively.

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. Truss.

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

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

YEAS — Messrs. Edmonds, Evans, Hitchens, Jones, Mulholland, Mullin, Rhodes, Yerkes, Mr. President Pro Tem—9.

NAYS—Messrs. Attix, Ayres, Huston, McDowell, McGuigan, Messick, Sipple—7.

ABSENT—Mr. Johnston—1.

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

Ordered returned to the House.

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

House Bill No. 138, entitled:

An Act to amend Chapter 60 of the Revised Code of Delaware, 1935, relative to General Elections by dividing the Fourth Representative District of Sussex County into the First Election District of the Fourth Representative District and the Second Election District of the Fourth Representative District and defining the Boundaries thereof.

And presented the same to the Senate.

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

Senate Joint Resolution No. 1, entitled:

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

And returned the same to the Senate.

The Chair presented House Bill No. 138, entitled:

An Act to amend Chapter 60 of the Revised Code of Delaware, 1935, relative to General Elections by dividing the Fourth Representative District of Sussex County into the First Election District of the Fourth Representative District and the Second Election District of the Fourth Representative District and defining the Boundaries thereof.

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

On motion of Mr. Yerkes, House Bill No. 2, entitled:

An Act appropriating money to the Delaware Commission for the Blind for expenses for each of the two Fiscal Years ending June 30, 1944, and June 30, 1945.

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

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

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

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

NAYS—None.

ABSENT—Mr. Johnston—1.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Bill No. 15, entitled:

An Act authorizing the State Treasurer to purchase certain Highway Improvement Bonds and State Aid Bonds issued by the Levy Courts of New Castle, Kent and Sussex Counties and maturing during the Fiscal Biennium ending June 30, 1945.

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

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

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

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

NAYS—None.

ABSENT—Mr. Johnston—1.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Bill No. 16, entitled:

An Act appropriating moneys from the State Treasury for the purpose of paying the interest on certain Highway Improvement Bonds and State Aid Bonds issued by the Levy Courts of New Castle, Kent and Sussex Counties, during the Fiscal Biennium of the State of Delaware ending June 30, 1945.

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

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

Mr. McGuigan asked what vote was required for the passage of House Bill No. 16.

The Chair ruled that House Bill No. 16 required a majority vote.

On motion of Mr. McGuigan, the decision of the Chair was appealed.

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

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

YEAS — Messrs. Edmonds, Evans, Hitchens, Jones, Mulholland, Mullin, Rhodes, Yerkes, Mr. President Pro Tem—9.

NAYS—Messrs. Attix, Ayres, Huston, McDowell, McGuigan, Messick, Sipple—7.

ABSENT—Mr. Johnston—1.

So the question was decided in the affirmative and the motion having received the required constitutional majority, pass the Senate and the Chair was sustained.

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

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

YEAS — Messrs. Edmonds, Evans, Hitchens, Jones, Mulholland, Mullin, Rhodes, Yerkes, Mr. President Pro Tem—9.

NAYS—Messrs. Attix, Ayres, Huston, McDowell, McGuigan, Messick, Sipple—7.

ABSENT—Mr. Johnston—1.

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

Ordered returned to the House.

Mr. Yerkes moved that the Senate adjourn until 12 o'clock noon, February 19, 1943.

Motion prevailed.



❖*THIRTY-FIRST LEGISLATIVE DAY*❖

Dover, Delaware, Friday, February 19, 1943

Senate met pursuant to adjournment.

Mr. Yerkes presiding.

Roll called.

Members Present—Jones, Yerkes—2.

Members Absent—Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Mr. President Pro Tem—15.

There being no quorum present Mr. Yerkes declared the Senate adjourned until Monday, February 22, 1943, at 12 o'clock noon.

*THIRTY-SECOND LEGISLATIVE DAY*

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

Senate met pursuant to adjournment.

Lieutenant-Governor Isaac J. MacCollum presiding.

Prayer by the Chaplain.

Roll called.

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

Members Absent—Attix, Ayres, Johnston—3.

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

Motion prevailed.

The Chair presented a number of communications endorsing the Family Court.

Mr. Yerkes moved that the vote on House Bill No. 5 be reconsidered and that House Bill No. 5 be restored to the Calendar.

Motion prevailed and House Bill No. 5 was restored to the Calendar.

On motion of Mr. Bunting, Senate Bill No. 105, entitled:

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

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. Frederick Whitney.

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

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

YEAS — Messrs. Edmonds, Evans, Hitchens, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Attix, Ayres, Huston, Johnston—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. Yerkes, House Bill No. 46, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, relating to Motor Vehicles.

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

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

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

YEAS — Messrs. Edmonds, Evans, Hitchens, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Attix, Ayres, Huston, Johnston—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 announced he is about to sign:

Senate Joint Resolution No. 1.

House Bill No. 2.

House Bill No. 15.

House Bill No. 16.

Mr. Mulholland, on behalf of the Committee on Banking and Insurance, to whom had been referred Senate Substitute for Senate Bill No. 46, entitled:

An Act to amend Article 3 of Chapter 66 of the Revised Code of Delaware, 1935, relative to Banks, Savings Societies and Trust Companies" pertaining to Examinations by the State Bank Commissioner.

Reported the same back to the Senate favorably.

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

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

Senate Bill No. 20, entitled:

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

And returned the same to the Senate.

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

Senate Bill No. 59, entitled:

An Act to provide for the Disposition of certain Photographed Records in the State of Delaware and for the use of such Photographs or Copies or Enlargements thereof in Evidence.

And returned the same to the Senate.

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

Senate Bill No. 80, entitled:

An Act to amend An Act entitled "An Act relating to National and State Defense, providing for the Establishment of a State Council of Defense and of Local and District Councils of Defense, and prescribing the Powers and Duties thereof," the same being Chapter 285, Volume 43, Laws of Delaware.

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 81, entitled:

An Act to amend An Act entitled "An Act relating to National and State Defense, providing for the Establishment of a State Council of Defense and of Local and District Councils of Defense, and prescribing the Powers and Duties thereof," the same being Chapter 285, Volume 43, Laws of Delaware.

And returned the same to the Senate.

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

House Concurrent Resolution No. 3, entitled:

A Resolution requesting the Senators and Representatives in Congress from Delaware to take action concerning certain dumping grounds in the Delaware River and Bay.

And presented the same to the Senate.

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

House Bill No. 20, entitled:

An Act Appropriating Money for the Burial of Indigent Soldiers, Sailors and Marines.

And presented the same to the Senate.

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

House Bill No. 36, entitled:

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

And presented the same to the Senate.

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

House Substitute for House Bill No. 40, entitled:

An Act authorizing and directing the State Board of Education to provide Transportation for Children attending Public Schools in any Consolidated School District and residing without the Corporate Limits of a Town or City and at a distance of One-Half Mile or more from the Public School; and to provide Transportation to and from School for children living within the Corporate Limits of any Town or City, who are compelled to attend a Public School situated within or less than One-Half Mile from the Corporate Limits of any other Town or City.

And presented the same to the Senate.

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

House Bill No. 42 with House Amendment No. 1, entitled:

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

And presented the same to the Senate.

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

House Substitute for House Bill No. 44, entitled:

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

And presented the same to the Senate.

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

House Bill No. 98, entitled:

An Act to amend Chapter 117 of the Revised Code of Delaware, 1935, by repealing 4412 Sec. 46 thereof as amended by Chapter 226, Volume 43, Laws of Delaware, and 4413 Sec. 47 of said Chapter of said Revised Code, and to provide for Court Reporters, Office Stenographers, and for the Payment of Expenses of the Court of Chancery for the State of Delaware.

And presented the same to the Senate.

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

House Bill No. 270, entitled:

An Act authorizing the State Treasurer to transfer certain Balances in the Accounts of former State Treasurer Fagan H. Simonton to the General Fund of the State of Delaware.

And presented the same to the Senate.

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

House Bill No. 133, entitled:

An Act to amend Chapter 568, Volume 17, Laws of Delaware, entitled "An Act to Incorporate the Town of Magnolia by changing the Time and Date of Whole Annual Election.

And presented the same to the Senate.

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

Motion prevailed.

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

Senate met at expiration of recess.

The Chair appointed the following committee, by authority of Senate Resolution No. 40: Messrs. Ayres, Bunting, Jones, McDowell, Sipple and Yerkes, to inquire into the future policies of Staff Agencies and Federal Agencies within the State in regards to the maximum production of food.

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

Mr. Yerkes moved that the two Houses meet in Joint Session.

Motion prevailed.

### JOINT SESSION

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

Motion prevailed.

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

Motion prevailed.

The Sergeant-at-Arms announced His Excellency, the Honorable Walter W. Bacon, and the Secretary of State, William J. Storey.

The President made the following remarks:

Today a special program has been arranged to commemorate the birth of George Washington, the first President of the United States.

It is just and fitting that we of the General Assembly of Delaware so honor the memory of the Father of our Country.

After which the following program was presented:

Singing of "America," led by Mrs. Mary W. Burton.

Presentation of Liberty Brick from Independence Hall by Dr. Harry V. Mollway to Governor Bacon.

Acceptance of Brick by Governor Bacon.



Songs by Male Glee Club of Nassau-Lewes, Delaware.

Address by E. Paul Burkholder, Kent County Supervisor of Schools.

Solo by James Bell, Telephone Messenger.

Songs by Glee Club.

Mr. Yerkes moved that the Secretaries compare their Journals.

Motion prevailed.

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

Mr. Yerkes moved that the Joint Session dissolve and the two Houses do now separate to meet in their respective Chambers.

Motion prevailed.

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Same Day, Later

Senate met in regular session.

The Chair declared a recess of 5 minutes.

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Same Day, Later

Senate met at expiration of recess.

The President announced he is about to sign:

Senate Bill No. 20.

Senate Bill No. 59.

Senate Substitute for Senate Bill No. 81.

Senate Bill No. 80.

Mr. Johnston, on behalf of the Committee on Education, to whom had been referred Senate Substitute for Senate Bill No. 169, entitled:

An Act to amend Chapter 71 of the Revised Code of the State of Delaware, 1935, entitled "Free Public Schools" by providing for the Election of Boards of School Trustees of School Districts and Boards of Education of Special School Districts in Kent and Sussex Counties.

Reported the same back to the Senate favorably.

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

Mr. Johnston, on behalf of the Committee on Education, to whom had been referred Senate Substitute for Senate Bill No. 173, entitled:

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

Reported the same back to the Senate favorably.

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

On motion for leave, Mr. Mullin introduced Senate Resolution No. 41, entitled:

#### SENATE RESOLUTION NO. 41

In respect to the Payment for certain Printing.

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

Milford Chronicle Publishing Co., Inc. .... \$1,149.90

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

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

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

The President announced he is about to sign:

House Bill No. 32 as amended.

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

A Resolution requesting the Senators and Representatives in Congress from Delaware to take action concerning certain dumping grounds in the Delaware River and Bay.

Mr. Yerkes moved that House Concurrent Resolution No. 3 be tabled.

Motion prevailed.

The Chair presented House Bill No. 20, entitled:

An Act appropriating Money for the Burial of Indigent Soldiers, Sailors and Marines.

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. 36, entitled:

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

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

The Chair presented House Substitute for House Bill No. 40, entitled:

An Act authorizing and directing the State Board of Education to provide Transportation for Children attending Public Schools in any Consolidated School District and residing without the Corporate Limits of a Town or City and at a distance of One-

half Mile or more from the Public School; and to provide Transportation to and from School for children living within the Corporate Limits of any Town or City, who are compelled to attend a Public School situated within or less than One-Half Mile from the Corporate Limits of any other Town or City.

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

The Chair presented House Bill No. 42 with House Amendment No. 1, entitled:

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

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

The Chair presented House Substitute for House Bill No. 44, entitled:

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

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. 98, entitled:

An Act to amend Chapter 117 of the Revised Code of Delaware, 1935, by repealing 4412 Sec. 46 thereof as amended by Chapter 226, Volume 43, Laws of Delaware, and 4413 Sec. 47 of said Chapter of said Revised Code, and to provide for Court Reporters, Office Stenographers, and for the Payment of Expenses of the Court of Chancery for the State of Delaware.

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. 133, entitled:

An Act to amend Chapter 568, Volume 17, Laws of Delaware, entitled "An Act to Incorporate the Town of Magnolia by changing the Time and Date of Whole Annual Election."

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. 270, entitled:

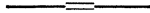
An Act authorizing the State Treasurer to transfer certain Balances in the Accounts of former State Treasurer Fagan H. Simonton to the General Fund of the State of Delaware.

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

### EXECUTIVE SESSION

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

Motion prevailed.



Same Day, Later

Senate met in regular session.

Mr. Bunting moved that the Senate adjourn until 12 o'clock noon, February 23, 1943.

Motion prevailed.

❖*THIRTY-THIRD LEGISLATIVE DAY*❖

Dover, Delaware, Tuesday, February 23, 1943

Senate met pursuant to adjournment.

Mr. Yerkes presiding.

Roll called.

Members Present—Jones, Yerkes—2.

Members Absent—Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Mr. President Pro Tem—15.

There being no quorum present Mr. Yerkes declared the Senate adjourned until Wednesday, February 24, 1943.

❖*THIRTY-FOURTH LEGISLATIVE DAY*❖

Dover, Delaware, Wednesday, February 24, 1943

Senate met pursuant to adjournment.

Mr. Yerkes presiding.

Roll called.

Members Present—Jones, Yerkes—2.

Members Absent—Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Mr. President Pro Tem—15.

There being no quorum present Mr. Yerkes declared the Senate adjourned until Thursday, February 26, 1943.

The Joint Committee of the General Assembly made their official visit to the following State Institutions:

The Blind Shop.

Brandywine Sanatorium.

Edgewood Sanatorium.

Ferris Industrial School.

New Castle County Workhouse.

Industrial School for White Girls at Claymont.

❖*THIRTY-FIFTH LEGISLATIVE DAY*❖

Dover, Delaware, Thursday, February 25, 1943

Senate met pursuant to adjournment.

Mr. Yerkes presiding.

Roll called.

Members Present—Jones, Yerkes—2.

Members Absent—Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Mr. President Pro Tem—15.

There being no quorum present Mr. Yerkes declared the Senate adjourned until Friday, February 27, 1943.

The Joint Committee of the General Assembly made their official visit to the following State Institutions:

Industrial School for Colored Girls at Marshallton.

University of Delaware.

Delaware State Hospital at Farnhurst.



❖*THIRTY-SIXTH LEGISLATIVE DAY*❖

Dover, Delaware, Friday, February 26, 1943

Senate met pursuant to adjournment.

Mr. Yerkes presiding.

Roll called.

Members Present—Jones, Yerkes—2.

Members Absent—Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Mr. President Pro Tem—15.

There being no quorum present Mr. Yerkes declared the Senate adjourned until Monday, March 1, 1943, at 12 o'clock noon.

The Joint Committee of the General Assembly made their official visit to the following State Institutions:

Welfare Home at Smyrna.

State College for Colored Students.

Delaware Colony at Stockley.

*THIRTY-SEVENTH LEGISLATIVE DAY*

Dover, Delaware, March 1, 1943, 12 o'clock noon

Senate met pursuant to adjournment.

Lieutenant-Governor Isaac J. MacCollum presiding.

Prayer by the Chaplain.

Roll called.

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

Member Absent—Messick—1.

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

Motion prevailed.

Mr. Mullin, on behalf of the Committee on Judiciary, to whom had been referred Senate Bill No. 100, entitled:

An Act agreeing to the proposed amendment of Section 5 Article 2 of the Constitution of the State of Delaware relating to place where the General Assembly shall meet and sit.

Reported the same back to the Senate favorably.

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

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred Senate Bill No. 32, entitled:

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

Reported the same back to the Senate favorably.

ROBERT H. YERKES  
GEO. P. EDMONDS  
HARRY H. JONES  
HARRY H. MULHOLLAND  
FRANK ATTIX

Mr. Bunting, on behalf of the Committee on Miscellaneous, to whom had been referred Senate Bill No. 36, entitled:

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

Reported the same back to the Senate favorably.

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

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

Motion prevailed.

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Same Day, 4:00 o'clock P. M.

Senate met at expiration of recess.

The Secretary of State, being admitted, delivered a message from the Governor to the Senate.

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT

Dover, March 1, 1943

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

Gentlemen:

I transmit to you herewith, for your information, report  
of the State Council of Defense for the period ending December  
21, 1942.

Yours very truly,

WALTER W. BACON  
*Governor*

STATE COUNCIL OF DEFENSE

December 21, 1942

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

Gentlemen:

The State Council of Defense was appointed by Governor  
Richard C. McMullen in September, 1940, following the request  
of officials of the Federal Government.

The Council met and organized in October, 1940, and was  
formally created by an Act of the General Assembly that was  
approved February 26, 1941.

Immediately upon approval of the Act, I re-appointed most  
all of those who had served on the original Council as member of  
the present Council.

Members of the State Council of Defense are:

GOVERNOR WALTER W. BACON  
*General Chairman*

\*JAMES P. TRUSS  
*Assistant to General Chairman*

LT. GOV. I. J. MACCOLLUM	ADJ. GENERAL PAUL RINARD
<i>Vice-Chairman</i>	<i>Vice-Chairman</i>

\*Associate Members.

GERRISH GASSAWAY  
*Executive Vice-Chairman*

DR. GEORGE LEE SCHUSTER  
*Chairman, Agricultural  
Resources and Production*

GEORGE EHINGER  
*Chairman, Aircraft Warning  
Service*

ANDREW J. KAVANAUGH  
*Chairman, Civil Protection*

*New Castle County Coordinator*  
\*RALPH L. MINKER

DR. MEREDITH I. SAMUEL  
*Chairman, Emergency  
Medical Service*

*Kent County Coordinator*  
\*J. WALLACE WOODFORD

EMMETT S. HICKMAN  
*Chairman, Housing, Works  
and Facilities*

*Sussex County Coordinator*  
\*EDWARD C. EVANS

RAY W. HEIM  
*Chairman, Human Resources  
and Skills*

*Women's Division*  
\*MRS. CLARENCE M. DILLON  
*Chairman*

J. WARREN MARSHALL  
*Chairman, Ind. Resources  
and Production*

*Civil Air Patrol*  
\*MAJOR HERMAN MILLER  
*Wing Commander*

HENRY T. CLAUS  
*Chairman, Press and Public  
Relations*

*State Property Officer*  
\*COLONEL E. S. STAYER

HENRY T. BUSH  
*Chairman, Finance*

*State Director O. P. A.*  
\*JAMES L. LUKE  
*Dim-Out Committee*  
\*JUDGE JOHN P. LEFEVRE  
*Chairman*

JOHN J. HARTNETT  
*Chairman, Labor*

*Forest Fire Fighter Service*  
\*W. S. TABER  
*Coordinator*

WILLIAM A. SIMONTON  
*Chairman, Transportation  
and Communication*

*Victory Garden Committee*  
\*MRS. WM. S. DUTTON  
*Chairman*

JACOB L. WARNER  
*Chairman, Disaster, Emer-  
gency and Evacuation*

*Salvage Committee*  
\*J. STUART GROVES  
*Chairman*

At the present time there are nearly 100,000 of our citizens who have enlisted in some phase of Civilian Defense activity.

There are 61 Local Councils that have been organized and are operating in the State—26 in Wilmington and New Castle County, 14 in Kent County and 21 in Sussex County.

Thousands of our citizens to be enabled to render experienced service in an emergency, should it arise, have, at their own expense and on their own time, prepared themselves by taking courses in First Aid, Chemical Warfare, Motor Corp Drivers, Nurses Aides, etc.

### *The Problem*

Preparation for our national defense requires cooperative effort with unity of purpose throughout the country. The nation must have strong military and naval forces, adequately trained and equipped; it must assure the economic, physical and social fitness of the people as a whole; it must refresh and make more firm their loyalty to the national interest by affording opportunity for officials and citizens alike to gain a clear understanding of programs and objectives and give fruitful expression to their desire to serve. Fortunately, a vast network of organized effort, both public and private, has been enlisted to achieve these ends.

### AGRICULTURAL RESOURCES AND PRODUCTION COMMITTEE

DR. GEORGE LEE SCHUSTER, *Chairman*

**FUNCTION:** Includes the conservation and use of land and the crops and livestock it supports; and the growing, marketing and processing of plant and animal products for consumption as food or as raw materials entering into industrial production.

To develop a program for the amplification of essential crops that might be necessary under present or anticipated emergency conditions. To provide for suitable protection of non-essential but economically desirable crops. To study, in cooperation with the War Department and the United States Departments of Commerce and Agriculture, the possible development of essential critical materials.

### *Report*

"The agricultural production of Delaware reached an all-time peak during 1942. The tremendous production of poultry, eggs, milk, hogs, soybeans, truck crops, fruit and home vegetable gardens was achieved in spite of serious shortages of labor and materials. Naturally the favorable weather conditions were extremely important. Even with favorable weather the farmers and their families who labored long hours in the fields deserve special recognition for a difficult and vital job well done.

## II. SPECIFIC ACCOMPLISHMENTS

### A. *Production (Based on October 1 Estimates)*

Product	1942 % increase or decrease over 1941
Hogs .....	+ 15%
Milk .....	+ 3%
Milk cows .....	+ 3%
Eggs .....	+ 8%
Hens .....	+ 5%
Broilers .....	+ 5%
Corn .....	+ 3%
Barley .....	+ 25%
Soybeans for grain .....	+ 50%
Wheat .....	— 8%
Tomatoes for canning .....	+ 8%
Limas for canning .....	+ 5%
Peas .....	same
Sweet Corn .....	+ 10%

### B. *Victory Garden Program*

With the cooperation of all agencies outstanding progress was made in the number of family gardens throughout the state. The Extension Service cooperated with the Defense Council and Agricultural agencies in supplying subject matter information and specialist assistance. More than 5,000 copies of the Delaware garden bulletins were distributed and five timely printed subject matter service letters were sent to more than 3,000 families per issue. The 1,700 home demonstration club members reported canning and storing the following quantities of meats, vegetables and fruits:

Product	Quarts Canned	Product	Bushels Stored
Meats .....	28,900	Fruits .....	10,200
Fruits .....	156,400	Vegetables .....	45,900
Vegetables .....	120,700		
Total . . .	306,000	Total . . . . .	56,100

There were 273 4-H Club members completing garden projects with a total of 211 acres. From these gardens the club members canned 13,359 quarts of vegetables.

### C. *Farm Scrap Harvest*

All organizations in the State cooperated in the Farm Scrap Harvest. As a result of the collection campaign more than 9,000 tons of scrap metal were secured from the farms of the State. The 4-H clubs report the collection of 252.5 tons metal, 67 tons rubber and 27 tons paper.

#### D. *Fire Prevention*

Due to the increased danger of farm fires and resulting loss of critical crops and material, special emphasis was placed on this phase of the work. A wartime Extension folder entitled "Prevent Farm Fires" was prepared, printed and sent to each farm family of the State.

Through the press and radio farmers were advised to reduce fire hazards by taking an inventory of existing hazards and then eliminating them. They were also asked to check on availability of fire-fighting equipment on the farm. The publication provided a convenient list to be used in taking this inventory.

#### E. *Neighborhood Leadership Program*

##### *(Extension Service Volunteers)*

Rapid changes in the agricultural situation as a result of war and the need for increased food and feed in the face of labor and material shortages made it necessary to develop a means of rapid and personal communication. With the cooperation of OCD officials each county was divided into communities with a community leader. Each community was sub-divided into a neighborhood consisting of from 10 to 30 families with a neighborhood leader. It is the responsibility of the Extension Service to keep all community and neighborhood leaders supplied with authentic and timely information on all matters pertaining to agriculture. This information will include rationing, priorities, blackouts, production goals, etc. In case of real emergency, it is possible to inform every farm family within 24 hours.

#### F. *Labor*

The critical shortage of labor in 1942 has made maximum production very difficult. Through the cooperation of the Governor and farm leaders of the State, a migratory labor camp was secured and located at Woodside, Delaware. Although this camp never operated at capacity, 4,780 man-days of labor were furnished farmers in that area.

Through the efforts of the Vocational Agriculture Departments, a corps of high school boys were enlisted to assist in relieving the labor shortage. Six hundred fifty-six individuals volunteered and 281 were placed. Of those placed, 135 were employed on farms, 66 in canneries and 80 in other forms of temporary employment. Although this group of volunteers was used to a limited extent, much credit goes to the Vocational Agricultural Departments for their assistance.



In addition, the Farm Placement Service of the United States Employment Service had a farm placement man in each county. These men assisted farmers in securing labor. The Farm Placement Service faced many difficulties in finding enough satisfactory replacements to supply the demand.

According to a recent survey of 779 farmers in the State, 6.9 per cent of the farm labor was lost to the armed forces while 13.3 per cent went into industry.

#### G. *Investments in War Stamps and Bonds*

The Associate Director of Extension served as chairman of the State Agricultural Committee on the War Savings Staff. County committees of agricultural leaders were appointed in each county to assist the county War Savings Staff chairman in promoting the sale of war stamps and bonds to farmers. Due to the miscellaneous sources of farm income, it is impossible to report specific data on total investments in stamps and bonds by farmers of the State. It is, however, safe to say that a very high percentage of farmers are making regular purchases of stamps and bonds as an investment to use in the post-war period of re-adjustment.

### III. AGRICULTURAL OUTLOOK FOR 1943

Farm people of Delaware and the nation will face the necessity of maintaining an even increasing in the production of food products in 1943 under very unfavorable and challenging circumstances. Labor will be reduced, ceilings will be placed on farm commodities, farm machinery rationed, new machinery production will not be more than 24 per cent of 1940 production as compared to 80 per cent in 1941, farm trucks will be limited in capacity load and mileage, supplies of chemical nitrogen in fertilizer limited, and general ration of commonly called production essentials. Even in face of these difficulties, the Delaware farmer can and will produce to the limit of his capacity and facilities available. He has been and will continue to be one of the most dependable patriots of the nation.

#### CIVIL PROTECTION COMMITTEE

ANDREW J. KAVANAUGH, *Chairman*

**FUNCTION:** Includes the protection of civil liberties, maintenance of law and order, and measures to guard against sabotage and subversive activities, by the legally constituted authorities through the enforcement of law and the exercise of regular and duly established police powers.

Dealing with protective and preventative measures and policies relating to properties essential to national defense; law enforcement problems of national defense; cooperation with Federal, State and local officials in matters relating to espionage, sabotage, violations of neutrality regulations, sedition, propaganda, mob violence, violations of civil liberties, interference generally with effective operation of law enforcement and National Defense program.

### *Report*

"At the present time there are 21 paid State Police Departments in the State with a total personnel of 369 men. These departments have organized and trained 2,158 Auxiliary Policemen in the three counties as follows: New Castle County, 1,452; Kent County, 275; Sussex County, 431, making a total of 2,158 trained Auxiliary Policemen in the State.

"There are 47 Volunteer Fire Companies and one paid Fire Department in the State with a total personnel of 1,933. These fire companies have organized and trained 905 Auxiliary Firemen in the three counties as follows: New Castle County, 677; Kent County, 28; Sussex County, 200, making a total of 905 Auxiliary Firemen in the State.

"In addition to the above specified number of Auxiliary Firemen and Policemen, we have trained, at the request of various manufacturers, owners of public buildings and stores, approximately 200 Auxiliary Policemen and 400 Auxiliary Firemen."

### EMERGENCY MEDICAL SERVICE COMMITTEE

DR. MEREDITH I. SAMUEL, *Chairman*

FUNCTION: Cooperate with medical, relief and other agencies in surveying hospital facilities . . . emergency and regular . . . and creation of relations to render possible immediate concentration and utilization of medical supplies and facilities. To emphasize importance of maintaining and improving standards of health and welfare as aid to defense. To direct activities concerned with nutrition problems.

### *Report*

#### *Personnel of State Officers:*

1. Chief of Emergency Medical Service  
Dr. Meredith I. Samuel
2. Deputy Chief Emergency Medical Service  
Dr. Emil R. Mayerberg

3. Assistant Deputy Chief Emergency Medical Service  
Dr. William Marshall, Jr.
4. Deputy Emergency Medical Service for Wilmington and  
New Castle County  
Dr. James W. Butler
5. Deputy Emergency Medical Service Kent County  
Dr. Henry V. P. Wilson
6. Deputy Emergency Medical Service Sussex County  
Dr. Howard S. Riggan
7. Deputy Nurse  
Mrs. Grace Little
8. Chemical Warfare Officer  
Dr. Edwin Cameron
9. Director, Mortuary Service  
James F. Hearn

Total number of workers—1,019.

*Hospitals:*

Delaware, Wilmington .....	360 beds
Memorial, Wilmington .....	200 beds
St. Francis, Wilmington .....	106 beds
Wilmington General, Wilmington .....	107 beds
Nemours Foundation, Brandywine Hundred .....	100 beds
Delaware State Hospital, Farnhurst .....	100 beds
Welfare Home, Smyrna .....	200 beds
Kent General, Dover .....	67 beds
Milford Hospital, Milford .....	100 beds
Beebe Hospital, Lewes .....	115 beds

*Casualty Stations:*

(Casualty Stations are predetermined locations for the use of Emergency Medical Units in their tactical employment)

In the City of Wilmington there has been established eleven

*Casualty Stations.*

In New Castle County eleven Casualty Stations.

In Kent County two Casualty Stations.

In Sussex County three Casualty Stations.

### Personnel of the Casualty Station:

Two or more Doctors

Nurses

Nurses Aides

First-Aid Workers

Stretcher Bearers, etc.

Each Casualty Station has a personnel strength of twenty.

### *Emergency Medical Field Units:*

Emergency Medical Field Units, each one consisting of one doctor and one nurse are attached to hospitals and proceed to the scene of an incident only on advice from the Control Center.

### *Ambulance Service in Wilmington:*

We have 24 ambulances and they are driven by members of the Red Cross Motor Corps and are under the direction of the Chief of the Emergency Medical Service.

In the Counties there are three ambulances attached to each Casualty Station and 2 ambulances at each Control Center.

### *Training:*

All members of the Emergency Medical Service have periodic drills to perfect them in their duties in case of an actual emergency.

### *Canteen Service:*

Canteen Service is rendered by the Red Cross under the direction of Chief of Emergency Medical Service.

### *Plasma and Blood Banks:*

Delaware Hospital (by Federal Grant)—360 units frozen plasma (Quota)

Memorial Hospital (by Federal Grant)—200 units frozen plasma (Quota)

Wilmington General .....	40 units dried plasma
St. Francis .....	40 units dried plasma
New Castle Army Air Base .....	10 units dried plasma
Smyrna Welfare Home .....	10 units dried plasma
Kent General .....	50 units dried plasma
Milford Memorial .....	50 units dried plasma
Beebe Hospital .....	50 units dried plasma

In addition to the above, some of the hospitals in Kent and Sussex Counties have a small number of units of frozen plasma.

*Equipment and Supplies:*

Equipment and supplies have been allocated for the State of Delaware by the Federal Government, but to date no supplies or equipment have been received by the Property Officer.

*Injuries to Civilian Defense Workers—*

*Medical and Cash Benefits:*

There has been established by OCD medical care and benefits due to death or injuries sustained by Civilian Defense workers including members of or trainees for the Protective Service of the United States Citizens Defense Corps as well as members of the Civil Air Patrol and Aircraft Warning Service.

## HOUSING, WORKS AND FACILITIES COMMITTEE

EMMETT S. HICKMAN, *Chairman*

**FUNCTION:** To provide temporary housing in the event of evacuation of areas.

Includes provision of housing, particularly for people of low income and for Army and Navy personnel; buildings and structures; works for water supply and sanitation; power production and transmission; highways, airports and other transportation facilities.

To survey existing housing facilities and recommend on any planning of defense housing programs. To coordinate these activities of Federal agencies in order to insure an effective and integrated program. To anticipate housing needs and take steps to avoid housing shortages. To determine whether the construction of additional housing facilities should be undertaken by private enterprise or by public agencies.

### *Report*

"During the term which this committee has been appointed, we have solicited 141 locations and have secured the signature of the owners for 43 properties. These properties will accommodate 7,020 persons. Some of these spaces can be used for all year round services, others only in the summer time.

"Thirty-one properties, rated A-1 to C, will accommodate 4,065 persons. Several of the properties inspected and offered to the committee were located in the zone between State Road, Claymont, Delaware River and Faulk Road. As those properties are in the firing zone set by the War Department, we did not take any of them, but suggested that they could be used by local defense councils for neighborhood use.

"Meetings have been held by the regular committee throughout the year and by the sub-committees, which actually inspect the properties, signs up the owners and solicits properties in general. Almost daily, throughout the term, Mr. Tindall's committee of architects, and Mr. Tindall personally in most cases, has inspected every one of these locations and issued a card showing the exact use to which the property can be made, the number of persons to be accommodated, facilities for sleeping and feeding. This has entailed a tremendous amount of detail work. A sample of the card used is enclosed and copies of these cards are in the hands of Mr. Koester of the City of Wilmington, Red Cross, Mr. Tindall, Miss Mullin of Registration, Mrs. Funk of Canteen, and my office. Lists of these locations are in the hands of the Committee.

"In the test cases of evacuation, we have arranged to have one of our committee members on the ground of the evacuation center and they have stayed throughout the entire period when test evacuees are on or near the premises to which they were allocated.

"Mr. Tindall of this committee attended a meeting in New York for several days in the early part of the year, concerning air raid shelters and evacuation.

"After an investigation of the central part of Wilmington, we believe that there is very little opportunity of shelters, except in some of the large office buildings, and therefore, on April 28, 1942, we addressed a letter to Mayor Albert James of the City of Wilmington suggesting that preliminary plans be drawn for the erection of such shelters, in the event that they would be needed later, our thought being that it would be proper to have these preliminary drawings completed and a list of the materials arranged so that if, as, and when we had to go into such a venture, we would have that much of the detailed work completed. We likewise, submitted this list of proposed locations to Mayor James. This covered the central part of the City and 31 sites.

"Mr. G. Leslie Gooden, who is chairman for Kent County on this Committee, reports that the Town Chairmen were called together at Dover on Tuesday, July 14th, 1942, at which time the problem of housing in that community was discussed. The

meeting was well attended and it is reported that considerable work has been done for housing evacuees and a large number of private homes have been offered, as well as public and semi-public buildings.

"Mr. Elbert N. Carvel, who is chairman for Sussex County on this Committee, reports as follows:

"The main object of the Housing Committee for Sussex County was to provide temporary housing for evacuees from the coast of Delaware in case of invasion or enemy action against the coast. Toward that end I have appointed Housing Chairmen in Laurel, Seaford and Bridgeville. I have been unable to receive any cooperation from Greenwood as yet but I will make an effort between now and December 15th to have a chairman appointed there.

"Chairman C. E. Anderson of Bridgeville has made a complete survey of the housing facilities available and I have a card system of the names and addresses for that area together with the number of people who can be accommodated. Chairman Truitt Tull of Seaford has likewise made a survey of his area and I have a file of cards of the facilities available in that section.

"Chairman Howard Elliott of Laurel has completed about 80% of his survey and we have cards for the housing facilities available in this area and I assure you that this survey will be complete by December 15th. After this program becomes complete, I will be glad to write your further."

#### HUMAN RESOURCES AND SKILLS COMMITTEE

RAY W. HEIM, *Chairman*

FUNCTION: Includes all activities relating to the supply of, and demand for, human energy, professional scientific or technical competence, trade and occupation skill, and the training and rehabilitation necessary to supply, present or anticipated needs.

#### *Report*

"Since July, 1940, public vocational schools have been supporting and conducting training programs to bulwark first the national defense program, and now the nation's war production training program. This nation-wide emergency vocational training has been made possible through the expansion of a well established vocational program developed since the last World War. When the call came for trained men for defense industries, the Delaware Schools were ready with a nucleus of experienced instructors and modern equipment.

"The tremendous demand for war production training in the past year has occupied the waking hours of many Delaware school administrators, vocational teachers, and supervisors. Closely cooperating with them have been numerous Delaware organizations representing education, industry, labor, and government. The record to date indicates that this cooperation has brought tangible results; and the contributions made by these schools to the lives of the men and women trained, to the personnel needs of American industry, to good citizenship, and thus to American democracy, are significant.

"However, the vocational training facilities in the public schools were soon over-taxed. Additional quarters were secured, and schools have sent into the industries skilled instructors to carry on training and upgrading workers on the job. In the beginning, trainees were recruited from the ranks of the unemployed, and later from peace-time occupations where their services were no longer needed. Training has been conducted in 12 rural communities, and in Wilmington. There have been over 13,000 men and women enrolled in emergency training, and the numbers are increasing daily due to the expansion of industry and the need for training. Classes are conducted in Aircraft Riveting, Assembly, Welding, Blueprint Reading, Ship-Welding, Shipfitting, Carpentry, Sheet Metal, Plumbing and Pipefitting, Electrical, Machine Shop, Marine Machinist, Arc and Gas Cutting, Radio and Communication, Foremanship Training, Auto Mechanics, Metalwork, Electricity, Woodwork, Farm Machinery Repair, and Auxiliary Instruction. In all of these occupations, men and women are being trained for instructors and for employment. The entire cost of this training program is borne by the Federal Government.

"All of this emergency program has been carried on *in addition* to the regular program, where nearly 8,000 trainees were given vocational training during the past year in the fields of agriculture, homemaking, distributive occupations, trades and industries, and rehabilitation. These people are all potential workers for employment in the war effort."

#### INDUSTRIAL RESOURCES AND PRODUCTION COMMITTEE

J. WARREN MARSHALL, *Chairman*

**FUNCTIONS** Includes the extraction and processing of minerals, petroleum and other non-agricultural raw materials; manufacturing operations; the development and organization of the necessary facilities for such processing and manufacture, and of power, transportation and distribution facilities incident thereto.



To cooperate with the procurement and procurement planning divisions of Army and Navy and with industrial management to effect the greatest possible utilization of suitable local industrial facilities for the production of essential defense materials. Elimination of bottlenecks in industry. Analysis of plans for the procurement and expediting the development of strategic and critical materials.

### *Report*

"This Committee has given constant and careful attention to the expanding production of war materials in Delaware.

"At the present time, there are 90 establishments in the State engaged in war production. Many of these companies have successfully gone through the period of change-over from civilian production during the past year.

"Increased production with its corresponding requirement for additional workers, has created a serious labor condition in this area. In an effort to relieve this situation, the Committee has encouraged the Training-Within-Industry Program of the War Manpower Commission and voluntary action of manufacturers to eliminate unnecessary movement of workers from one war plant to another.

"Meeting of representatives of manufacturers have been held to discuss the disastrous effect of labor piracy and to take the necessary action to put into effect at each plant the policy of the War Department to eliminate such piracy.

"In the collection of salvage, Delaware stands fourth among the States, in proportion to population. The Industrial Salvage Campaign is organized and from the reports received, it is highly successful.

"The tremendous influx of workers makes the housing situation serious. A large number of additional housing units are required and every effort has been made to supply this housing but, because of inability to secure priority ratings, this matter is not progressing as satisfactorily as might be wished.

"The Delaware Office of the War Production Board is well organized and is cooperating with our producers in securing war contracts and the necessary materials for manufacture.

"In this, our first year of full war activity, the necessary organization changes have been made and it is expected that the continual growth and expansion of war production in the coming year will be accomplished in an orderly manner."

## PRESS AND PUBLIC RELATIONS COMMITTEE

HENRY T. CLAUS, *Chairman*

FUNCTION: To counsel with the Executive Committee on all phases of publicity and public relations. To provide adequate means for the placement of essential publicity. To assist in adding to clear thinking and understanding on the part of the public.

*Report*

"It has been the special duty of the Committee on Press and Public Relations to give the people full information about the activities of the State Council of Defense, the regulations promulgated by the Council and the opportunities open to them for service and cooperation. In pursuit of this duty the Committee has had the helpful and whole-hearted support of available agencies—the daily, Sunday and weekly newspapers, the radio, the moving picture theatres and the outdoor advertising companies. In one way or another the necessary information must have reached every citizen of the State."

## FINANCE COMMITTEE

HENRY T. BUSH, *Chairman*

FUNCTION: To cooperate with the Industrial Mobilization Group so that convenient channels may be established for the provision of fixed and working capital that may be required as an essential incident to defense production. To undertake preliminary investigations of expansions and other capital requirements to assist in determining their necessity and practicability. To assist the government authorities in publicizing and marketing defense or war bond issues of liberty bond character that may be developed for sales to the public.

*Report*

"The committee has cooperated with the Treasury Department Officials and Committee in organization throughout the State for the sale of war bonds and stamps.

"State financial institutions have cooperated by providing capital to plants undertaking war contracts."

## STATE COUNCIL OF DEFENSE

## EXPENDITURES STATEMENT

YEAR ENDED JUNE 30, 1942

## SALARIES:

Stenographers .....	\$ 376.92	
Watchmen .....	448.80	
Transient (moving) .....	1.00	
		<hr/>
Total Salaries .....	\$ 826.72	

## OFFICE EXPENSE:

Telephone and Telegraph .....	\$ 337.42	
Postage .....	152.90	
Freight and Express .....	42.58	
Printing and Stationery .....	576.00	
Typewriter rental and repair ....	48.50	
Miscellaneous .....	26.90	
		<hr/>
Total Office Expense .....	1,184.30	

## OFFICE SUPPLIES:

Brassards .....	\$ 175.14	
Signs .....	9.49	
Deposit on gas masks loaned ....	18.75	
Miscellaneous .....	292.73	
		<hr/>
Total Office Supplies .....	496.11	

TRAVEL AND MEALS .....	\$ 251.04	251.04
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GRAND TOTAL EXPENDITURES .....	\$2,758.17
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## STATE COUNCIL OF DEFENSE

## EXPENDITURES STATEMENT

SIX MONTHS PERIOD JULY 1 TO DECEMBER 31, 1942

## SALARIES:

Administrative .....	\$ 375.00	
Stenographic .....	422.25	
Watchman .....	400.00	
		<hr/>
Total Salaries .....	\$1,197.25	

## OFFICE EXPENSE:

Telephone and Telegraph	\$1,071.76
Postage .....	134.52
Freight and Express ....	11.91
Printing and Stationery .	282.61
Rental Typewriter .....	3.50
Social Security .....	4.53
Bond Insurance .....	10.00
Total Office Expense .....	1,518.83

## OFFICE SUPPLIES:

Maps .....	\$ 1.50
Signs .....	57.18
Brassards .....	236.17
Miscellaneous .....	57.16
Total Office Supplies .....	352.01

TRAVEL AND MEALS ..... 303.81

Total Expenditures for Period.....\$3,371.90

PAID BY COUNTY ..... 255.85

PAID BY CITY ..... 325.86

Total Paid by County and City ..... 581.71

NET EXPENDITURES BY STATE .....\$2,790.19

“Everyone of the thousands of volunteers contributing their time and effort in the activities of the State and Local Defense Councils do so without remuneration.”

## LABOR COMMITTEE

JOHN J. HARTNETT, *Chairman*

FUNCTION: To cooperate with employers, representatives of employees and of governmental agencies in an amplified apprentice and vocational training program to expand our present limited supply of skilled craftsmen whose services will be essential in the present and possible extended emergency. To develop and conduct an effective plan looking toward the distribution of our present limited supply of skilled craftsmen on the general basis of productive need and designed to prevent improper bidding for skilled services. To coordinate employment policies in industries involved in National Defense.

*Report*

"Your committee as a group and individuals, have cooperated with various industries in the recruitment of forces to produce war contracts and has cooperated with Apprentice and Vocational programs, both in the plants and schools."

## TRANSPORTATION AND COMMUNICATION COMMITTEE

WILLIAM A. SIMONTON, *Chairman*

*also War Administration Administrator*

**FUNCTION:** Through liaison facilities with Army and Navy to forecast the extent of military use of transportation and communication facilities in possible future emergencies. To thoroughly survey existing facilities in water, rail, highway and air transportation, and in radio, telegraph, telephone communications. To develop plans for relative uses of these facilities by industry and the public in coordination with the military use. To develop plans for the amplification of present facilities should such expansion seem warranted to protect the probable requirements of future emergencies.

*Report**Staggering of Working Hours:*

"Prior to appointment as War Transportation Chairman, the Chamber of Commerce, Delaware, appointed a Committee to make a study of the rider habits of workers using the mass transportation system of Wilmington, Delaware. Your chairman was Chairman of the Committee on Staggering of Working Hours and subsequent to my appointment as War Transportation Chairman, administered the operation of the staggered hours study in that capacity. The survey was made in cooperation with the Office of Defense Transportation for the purpose of conserving vital war transportation facilities, and the Committee appointed by President Hickman of the Chamber of Commerce, Delaware, represented manufacturers, mercantile interests, employers of large groups of employees located in the central business district, representatives of rail lines, bus companies and State and City officials.

"This survey also included the public school children in Wilmington and vicinity who were users of the local mass transportation system.

"With the vast number of war workers locating in Wilmington and vicinity together with the inauguration of gasoline rationing, the inability of great numbers of users of personal transpor-

tation to obtain tires, complicated further by the lack of being able to secure additional buses and trolley coaches, the situation confronting the operators of our local mass transportation system became an acute problem in the Spring of this year.

"The Committee appointed by President Hickman conducted a survey of the rider habits of 50,000 workers, school children, and employees of the public school system. As a result of this study, recommendations were made to various industrial plants and employers of large groups of employees located in the central business area, suggesting changes in working hours to relieve the peak loads in the A. M. and the P. M. periods.

"The recommended changes were put in effect over a period extending from July to September. The Committee also recommended that the store hours be changed to take effect in September. This program has been adopted.

"As a result of the changes in the working hours, a survey conducted in October, 1942, shows that there was a net improvement of 20% in the morning rush hours and 16% improvement in the afternoon peak hours.

#### *Group Riding:*

"Through the cooperation of the Office of Price Administration, the Highway Traffic Advisory Committee, and the War Transportation Committee, all plants in the State of Delaware having twenty or more employees have been contacted to join in the Group Riding Campaign, the purpose of which was to conserve the use of the private automobile by utilization of its full carrying capacity.

"The Office of Price Administration handled those plants working on defense projects and employing one hundred or more. The Highway Traffic Advisory Committee covered all plants in Kent and Sussex Counties regardless of the type of employment and the War Transportation Committee covered all plants in Wilmington and New Castle County employing over twenty persons excepting those war plants that were covered by the Office of Price Administration.

"To assist the workers in forming the Group Riding, maps were prepared together with appropriate cards giving full information as to the address of the car owner and the number of passengers that it was possible to carry. The maps were blocked in Sections and numbered and with this reference, it was possible to form the groups in a uniform manner.

"A recent survey of representative plants in Wilmington and New Castle County show that the private automobiles used in transporting workers is being utilized to over four persons per car on the average."

#### DISASTER, EMERGENCY AND EVACUATION COMMITTEE

R. R. M. CARPENTER, *Chairman*

##### *Report*

"One complete evacuation practice was carried out by having instances reported to the Control Room by Block Wardens. With the cooperation of the Transportation Committee, the Housing Committee, and the Red Cross, as evacuation was made from the selected locations to evacuation centers. The drills were satisfactorily carried out.

"The Red Cross Chapter invited a representative of the North Atlantic Area of the American Red Cross to come to Wilmington and speak on the question of disaster, emergency and evacuation. This representative had spent some time in England and was thoroughly familiar with what had been done there. Members of the State Committee were invited and several attended. He stressed the fact that the chance of a bombing on the east coast of the United States was rather remote, but that preparations should be made for such an event should it ever occur. He went into considerable detail and I think that his visit to Wilmington was warranted and that we all received considerable information of value.

"It is my feeling that we are sufficiently organized to carry out an evacuation, should one be necessary."

#### AIRCRAFT WARNING SERVICE COMMITTEE

GEORGE EHINGER, *Chairman*

##### *Report*

"The organization of the Aircraft Warning Service in Delaware was carried out under the direction of the United States Army Air Force and completed early in July 1941. The first state to be one hundred per cent organized. Less than twenty-four hours after Pearl Harbor was attacked, the entire Air Spotting organization, consisting of sixty-nine posts, swung into action on a twenty-four hour a day basis. The number of Observers now serving in this organization is approximately eight thousand.

"It is a tribute to the personnel of the various Observation Posts that this entire service was established and the equipment provided through the efforts of the Spotters themselves and the communities adjacent to the Observation Posts. Ten thousand dollars has been raised and spent on the building of Observation Post shelters. The installation and rental costs of telephones, as well as heating equipment and fuel, have been provided by the Spotters and nearby communities. Without this initiative, the Aircraft Warning Service would never have functioned effectively.

"The personnel of each Observation Post is under the direction of a Chief Observer and the State is divided into fourteen districts, each with a District Director having supervision over certain designated Posts. In charge of the entire State is the State Civil Director who receives his instructions from the First Fighter Command, United States Army Air Force.

"In addition, the Aircraft Warning Service is responsible for the establishment and operation of the three Warning District Centers of the State located in Wilmington, Dover and Georgetown. These are manned constantly on a twenty-four hour a day basis by a personnel of approximately nine hundred fifty volunteers. These three centers relay to ninety Community Control Centers, vital defense organizations, and military establishments, all warning messages that must be transmitted for the public safety. Without these three Warning District Centers, all civilian defense services would be helpless in the face of an enemy attack since there would be no organized way of notifying our communities of the approach of an enemy.

"Furthermore, back of the Warning District Centers must be the Observation Posts which secure the information upon which the warning messages are based. It is therefore obvious that every effort must be made to maintain the operation of our Observation Posts at as high a level of efficiency as possible if our entire civilian defense setup is to function effectively and if the Air Force is to receive the information necessary to carry out their job of interception."

#### WOMEN'S DIVISION COMMITTEE

MRS. C. M. DILLON, *Chairman*

#### *Report*

"Immediately after the declaration of war December 8, it was decided to open an office for the registration of civilian volunteers for Civilian Defense, and such an office was established in the Municipal Building in Wilmington under the direction of your chairman, who immediately organized a volunteer staff of



ninety women, who served regularly each morning and afternoon. Personnel was supplied for instructional classes in various curricula necessary to intelligent prosecution of defense operation. Traveling groups were organized to visit various plants and training classes. This registration office was operated for two months, volunteer women conducting the registrations by day, and a group of Past Commanders of the American Legion were in charge during the evening. More than 12,000 volunteers were registered. Under direction of your Chairman, similar offices for registration were opened in Newark, New Castle, Dover, Milford and Seaford.

"A carefully-selected group of twenty women were secured for service as an Executive Committee of the Women's Division. The members of this Committee were chosen for their knowledge and experience in the various lines which would be required in defense work, each representing an organized group of women, with the ultimate purpose of service as liaison duty in transmitting to their various groups such information and instructions as were necessary or desirable, and, through them and their organizations, transmit that data throughout all sections of the State, preparing and guiding all activity phases of the program, and receiving and handling calls for information and assistance in various localities. This group included the Presidents and Chairmen of Wartime Activities of the following groups:

State Federation of Women's Clubs,  
 State Federation of Jewish Women,  
 The American Legion Auxiliary, Department of Delaware,  
 Extension Courses, University of Delaware,  
 The Junior League,  
 American Red Cross Volunteer Service,  
 Delaware Citizens Association,  
 Daughters of the American Revolution,  
 American Association of University Women,  
 Catholic Daughters of America,  
 Wilmington City Federation of Women's Clubs and Allied  
 Organization,  
 Walnut Street Y. W. C. A.,  
 American Women's Voluntary Service,  
 Society of Colonial Dames,  
 State Congress of Parents and Teachers,

State Chairman, Women's Committee for Salvage,  
 State Chairman, Women's Division, War Savings Committee,  
 State Chairman, Victory Gardens.

"In December, 1941, representatives from the New York Headquarters of this organization visited this city with a view to organization of a branch here. After many conferences with coordinators and Civilian Defense representatives, this was established and offices opened January 16, 1942, with Mrs. George L. Callery in charge, with a daily staff of twenty women. The roster now contains more than 2,000 women volunteers. It is supported by private subscription.

"Mrs. William H. Dutton was appointed Chairman of Victory Gardens, with a managing committee of ninety volunteers. Full-time service has been given to cooperation with all services necessary to a united front. This Committee reports the establishment and operation of 5,000 gardens throughout the State.

"Delaware was the first State in the Union to establish food banks as an activity of this Committee, the work of which is very modestly mentioned in the report of Mrs. Dutton.

"Women's Cooperation Councils through the State report close cooperation with the men. Your Chairman can only report by observation and comparison. Between 35,000 and 40,000 women in Delaware are engaged in some special war activity.

"Although the matter of Air Raid Spotters is not included in the Civilian Defense program, this office has assisted by recruitment, and now finds it necessary again to help secure workers in this important service.

"Approximately 500 women are on duty in the various control rooms. The Supervisors plan the study and instruction, and bring to their groups information to sustain interest. They also arrange for "incidents" to be reported for practice, and members of the crews trained in proper recording.

"At a recent conference with Chief Air Raid Warden A. J. Kavanaugh, plans were made for organization of a system of fire watchers for the City of Wilmington. Time alone will tell the results of this plan.

"The organization of the Women's Committee heads a State volunteer service easily reached and, so far, more than willing to serve the State and its people. Under this system the work progresses. A program presented by a Regional Office easily may be arranged by key women in each town, the State Chairman directing. Any other plan causes "too many fingers in the pie," and upsets an otherwise fine set-up.

"With a small population, it is necessary to arrange that the same groups are not used repeatedly or exclusively. There has been but one point of contact between State and Regional Office. This centralization must be recognized, or our entire volunteer plan will be disrupted. Right now the program along all lines is suffering; men are leaving for the armed services; both men and women are accepting employment in defense plants, and the ever-increasing shortage of servants and domestic help all tend to keep those who have so faithfully acted, at home.

"In July the Executive Order coming through providing that Civilian Defense furnish volunteers for OPA resulted in the organization of a group of 250 women for "Price Posting Day"—all rationing boards—with no exceptions—have groups of OCD volunteers registering at their offices and, after instruction, completing application forms for applicants. Of these, there are nearly 500 in the State. All volunteer groups, of necessity, face changes of personnel, a complete change being necessary many times.

"The Women's Division sponsored the opening of the first booth for the sale of war stamps and bonds, the revolving fund necessary having been furnished by Mrs. S. M. Dillon, Mrs. Graselli, Col. Charles H. Gant, and the Delaware Citizens Association. This booth now has been transferred to the jurisdiction of the War Savings Committee under Mrs. S. M. Dillon as Chairman of Booths.

"The Executive Committee has had the leaders of every part of the program as guest-speakers at its various meetings, and this has been a power of good for encouragement and stimulation, of cooperation in all phases of war work in each community. It also has aided materially in distribution of work and equalization of effort.

"It is felt that it is most important that work be centralized, and given out with some sense of equal division. Volunteer work in Delaware has been an example due absolutely to the willingness of our women to serve their State, and the firm belief that in this service we may keep Delaware at least a semblance of home in the minds of those who will return from the battle line.

"Your Chairman's personal activities, other than instruction and directional leadership, include monthly visits to C. D. division; the compilation and broadcasting of six scripts of Civilian Defense and war activities; addressing more than 20 meetings in various sections of the State; conducting more than 200 conferences with leaders and chairmen in all women's activities throughout the State; encouraging and giving aid where

necessity arose; this end of her work requiring fifteen trips to various cities and towns. More than 2,000 necessary telephone calls were made, and contacts innumerable with Regional Offices and representatives."

STATE DIRECTOR O. P. A.

JAMES L. LUKE, JR.

*Report*

*Resume of the Rationing Program in Delaware:*

"The rationing program began in Delaware on December 26, 1941, when the Office of Civilian Defense was asked to set up rationing boards in each community in the State where a Civilian Defense unit had been organized. On that same date, Mr. Gassaway, Executive Vice-Chairman, State-Council of Defense, appointed the writer as State Rationing Administrator, to assume the responsibility of this task. At that time there was established 53 boards, comprising three members each; a County Administrator for each county was also appointed. The three appointed were at that time serving as County Coordinators of Civilian Defense. The membership of the boards was recruited through the OCD. This arrangement was in compliance with a direct Executive Order from the President of the United States, and applies throughout the nation.

"Due to the amount of letter-writing and mimeographed instructions necessary to be sent out, and the lack of funds available for clerical help, it was necessary to reduce the number of boards. This was done by combining certain boards with others, bringing the total down to 33. With the aid of the clerical staff of the State Tax Office, who volunteered so generously, the work of rationing in Delaware began to flow smoothly. As the work increases, funds were made available for the employment of clerical help, but not in sufficient amount to completely staff 33 boards. It again became necessary to reduce the number by combining several into one, with the result that throughout the State of Delaware, 11 boards were established and are now functioning as the present War Price and Rationing Boards, with four located in New Castle County, three in Kent, and four in Sussex. The County administrators were eliminated, with one State Rationing Officer assuming their duties; a State Office was established, and the former State Rationing Administrator appointed as State Director, guiding the boards in all forms of the program.

"The first articles to be rationed were tires and tubes, necessitated by the serious shortage of rubber importation. In line has followed, as vital products were necessary for the war effort,

the rationing of automobiles, typewriters, sugar, gasoline, bicycles, rubber footwear, fuel oil, coffee, and very shortly to be rationed, stoves. As the program increased the main boards were requested to appoint panels to ration the different commodities. Also appointed were field representatives, residing in those districts away from the board locations, so that applicants might be assisted in filling out the various forms and having them forwarded to the boards for action, without hardship, by means of travel, etc., to the applicant.

"The personnel for the panels and representatives were all drawn from the OCD. With this increased activity, clerical volunteers were also recruited in the same manner. Today, serving wholeheartedly and generously as to time, the OPA in Delaware has some 430 members (all volunteers) on the various boards, panels and as field representatives, together with an approximate personnel of 400 volunteer clerical assistants, upon whom the boards constantly rely to aid them in the various duties of rationing.

"Confronting us now is the issuance of War Ration Book II, which will be used to secure goods that will be rationed under a new system known as the "point system." It will not replace straight coupon rationing, but will be used for certain new rationing programs. Everyone who has War Ration Book I is eligible for Book II.

"American armed forces fight on more and more battle fronts in continually increasing numbers. Our fighting forces and our Allies must be sent more and more supplies, food and ammunition. We must get along on less—if there is not enough for both civilians and the armed forces. Where there is a shortage of essential commodities for civilians, what we have must be distributed fairly to all. May I take this opportunity to explain how our coupons, issued to the consumer, must flow upstream through the retailer, wholesaler, supplier and manufacturer? Upon receipt of the coupons from the consumer, the retailer, wholesaler, etc., acquires his amount of rationed commodities which flow back into the State of Delaware for a fair distribution to all, which keeps the supply in Delaware adequate for our essential needs. This will also apply to the point system of rationing.

"That is why we ration in these United States—to provide those who are fighting and dying for us, with everything they must have to win; and to assure each of us at home his fair share.

"The task is tremendous and to successfully "Carry On" we must depend upon the volunteers. Our whole program would be a practical impossibility without their help. Our thanks is extended to the OCD for its help and support in our work."

## CIVIL AIR PATROL COMMITTEE

MAJOR HERMAN MILLER, *Wing Commander**Report*

"The Civil Air Patrol is not now engaged in any flying activities.

"We are in the process of completing all our Training Directives.

"Our total personnel to date, including commissioned officers, non-commissioned officers and enlisted members is 210. These include the Wing Staff, the Group Commander, the Squadron Commander and Staff and enlisted personnel."

## STATE PROPERTY OFFICER

COL. E. S. STAYER

*Report*

"Advices from the State Council of Defense are to the effect that property allocations will be made to the following communities:

Bellefonte	Delaware City
Marshallton	Wilmington
Lewes	Seaford
New Castle	Claymont
Newark	Milford

"The following communities are being studied for allocations:

Five Points Sector	Holly Oak Sector
Elsmere Sector	Cranston Heights Sector
Claymont Sector	Dover Sector
Mt. Pleasant Sector	Newport Sector
Minquadale Sector	

"With the setting up of a Mutual Aid fire program, allocations of 29 additional auxiliary units (pumping) with surplus equipment will be made in the State. Five of these units are recommended for New Castle County as follows:

Wilmington Manor	Woodcrest
Christiana	Port Penn
Hockessin	

"Ten of these units are recommended for Kent County:

Hartly	Viola
Magnolia	Harrington
Felton	Houston
Camden and Wyoming	North and South Bowers Beach

with two more to be added.

"Fourteen additional units have been recommended for Sussex County to be distributed on the recommendation of the County Coordinator."

#### DIM-OUT COMMITTEE

JUDGE JOHN P. LEFEVRE, *Chairman*

#### *Report*

"I am pleased to submit a report as to the compliance in the dim-out area of Delaware with the regulations controlling the use of artificial lighting in our two lower counties, as promulgated by the Commanding General of the Second Service Command.

"The regulations were published to the municipal authorities of each of our towns, and were spread by our State Police and the local police authorities, and further published in the local papers. I am pleased to report that the authorities have cooperated in every instance to the extent of their ability, and frequent inspections of the area satisfy me that every community and most individual locations, are now dimmed out to the satisfaction of the military command. This result was obtained largely because of the splendid assistance of the State Police who have been untiring in their efforts to secure this result.

"It is hoped that full compliance with the regulations can be secured without resorting to the imposition of legal penalties on any of our citizens."

#### FOREST FIRE FIGHTER SERVICE COMMITTEE

W. S. TABER, *Coordinator*

#### *Report*

"The Washington Office of the OCD, pursuant to Administrative Order No. 27, requested the State Council to nominate a person as State Coordinator of the OCD Forest Fire Fighter Service.

"My appointment by the State Council was followed by appointment by David P. Godwin, National Coordinator FFFS.

*The Proposed Delaware Plan:*

"Certain basic principles of Forest Fire Fighters Service are apparent. They may be listed as follows:

1. The FFFS is one of several OCD programs stemming from the Facility Security Administration.
2. The FFFS is designed to function as an adjunct to or auxiliary to the established forest protection agency within the State.
3. Inasmuch as OCD is characterized throughout by voluntary service, this principle will be adhered to in the FFFS set-up.
4. The identical pattern of OCD recruitment and organization should be followed in the Forest Fire Fighters Service.

"Plans for development of the recruitment part of the program consist of:

1. An appointment of County Coordinators. These in most cases should be the present County Coordinator OCD.
2. The appointment of Local Coordinators. In many cases it will be found that Local Coordinators of other OCD projects can also take on the recruiting of FFFS members, but where suitable personnel is not available a Forest Fire Warden or registered forest fire crew member should have preference.
3. Teaching and training plans will have to be formulated on the basis of enrollment and other factors. Plans for the groups will likely have to be planned individually.
4. Whether a teaching manual is printed depends on (a) the indicated need for such, and (b) allotment of funds therefor. Such a manual would undoubtedly pay for itself in teaching time and travel expense. Wherever possible, professional teachers will be enlisted for teaching. The Forestry Department fire control personnel will in most cases assist the teachers in carrying on the training exercises.
5. Supplying certified members of the FFFS with fire fighting tools and equipment is not contemplated. We would not have enough tools, nor do we have the funds to buy such. As an alternative and perhaps the better plan, the instructions will stress the use of such hand tools as are ordinarily a part of every household or farm. Such as rakes, shovels, forks, brooms, buckets, and burlap bags, hand axes, and a good jackknife to cut a forked stick or pine bough.



6. Heavy duty forest fire fighting equipment is housed at the Headquarters of the Redden State Forest and a 250-man cache of tools is being built up there. This constitutes a reserve for extreme emergencies. When the need arises for items of this reserve it will be manned by skeleton crews of regular forest fire control personnel supported by auxiliary forces of FFFS."

#### VICTORY GARDEN COMMITTEE

MRS. WILLIAM S. DUTTON, *Chairman*

#### *Report*

"Delaware realized early that food is as important to victory as bullets; that every pound and peck raised in home gardens would release that much more of the country's regular food supply for the boys at the front; that putting idle ground to work for defense would help to conserve rubber and gasoline, provide recreation, and improve health.

"The Victory Garden Program also presented the opportunity to beautify home surroundings, help in the fight against ragweed, which causes millions of cases of hay fever every summer; and to supply some agricultural education to many who knew nothing about gardening.

"Every public-spirited organization in the State was asked to sponsor and supervise at least one Victory Garden Project, to be worked either by its own members or by facilities in the community, or by both.

"The plan was simple and direct and based one hundred per cent on volunteer service. People having idle ground were asked to lend it to gardeners. Those having large gardens were urged to share them with others. Backyard lots were turned into vegetable patches.

"But there was to be no needless plowing up of lawns, parks, and beauty spots—a mistake of the first World War. Only soil worth cultivating, as shown by tests, was to be put to work. Seeds, fertilizers, tools, insecticides, effort were to be conserved by intelligent supervision and instruction. A big aim was to prevent waste of anything, and save disappointments.

"A Garden Center was set up in Wilmington, under the direction of the State Chairman of Victory Gardens, to dispense information and literature on how to garden, and where necessary to aid people in obtaining seeds, tools, and fertilizers. Then similar Garden Centers were organized in each county, with branches in each community. The Centers answered thousands

of questions by telephone, more thousands in personal interviews. They kept good gardening advice immediately available to anybody who desired it.

"Classes were conducted for gardeners, new and old. The teachers were experts in soils, seeds, nutrition, fertilizers, pest control, and canning. They were supplied chiefly by the Agricultural Extension Service of the University of Delaware, the Wilmington Branch of the National Association of Gardeners, and Garden Club members. These organizations rendered splendid service throughout the Victory Garden Campaign.

"Through newspaper and radio publicity, lectures, and personal missionary work, the program was directed to the schools, 4-H Clubs, Girl Scouts, Boy Scouts, the Future Farmers of America, as well as to the average home owner or renter with a small backyard. Even apartment dwellers were urged to have gardens if land could be obtained at a small rental.

"After the plans were complete and gardens well underway, supervisors went on the job to see that the gardens were cared for, that Johnny didn't forget the gardens to go fishing, that each crop was picked at the proper time, and if feasible a second crop planted. In Delaware, many vegetable crops will give two seasons if followed in succession.

"Gardeners were urged to conserve their surplusses by canning, pickling and drying, or by proper winter storage. As an inducement to grow bigger and better vegetables and flowers, it was promised that Victory Garden Harvest shows would be held in the fall at which the best would be exhibited. Prizes were offered to stimulate competition.

"As a result, five Victory Garden Harvest Shows were held in the State in September and October. A small admission charge was made to each show and the proceeds were donated to the Army and Navy Emergency Relief Societies. Literally thousands of exhibits of fine vegetables and flowers were proof that the Victory Garden campaign was a success. A Certificate of Merit for outstanding work agriculturally was awarded by the Governor of the State in each county. In every instance, the winners were young gardeners with little or no previous experience.

"As an outgrowth of the campaign, a second program has been launched in Delaware to establish emergency Food Banks at centers designated as evacuation points in the event of enemy air raids, invasion or natural disaster. Thousands of quarts of surplus Victory Garden products have been canned and are being placed in these banks for emergency use under the direction of the Red Cross Canteen Service.

"It is expected that the work done this year will be an invaluable foundation for next year's Victory Garden Program, when food grown at home will become doubly important because of the increasing seriousness of the farm labor problem and the greater need of the war, coupled with an acute transportation problem.

"Next year's program is well underway with the thought in mind that the greatest impetus to come in the future must be from gardeners who are now under 17 years of age."

#### SALVAGE COMMITTEE

J. STUART GROVES, *Chairman*

#### *Report*

"For September and October, the following tonnages were produced:

School Program .....	3,122,000 pounds	
Farm Scrap Harvest		
Program .....	6,064,000 pounds	TOTAL
Automobile Graveyards ....	4,400,000 pounds	31,034,000 lbs.
City of Wilmington Rail		or
Removal .....	4,448,000 pounds	15,517 tons
Industrial Salvage .....	13,000,000 pounds	

"This does not include scrap sold direct to scrap dealers by individual citizens. The General Salvage poundage is only that collected by the Farm Scrap Harvest, City Collection and the School Program during September and October.

"The Street Rail Removal in Wilmington netted General Salvage 3,900 tons and has been completed. The streets have not been fully paved, but we hope that this will be finished within the next few weeks.

"Each county in the State of Delaware received a U. S. War Production pennant for producing over 100 pounds per capita during this two-month period.

"General Salvage has been working in conjunction with the American Legion in getting old jalopies from back of homes, garages and gasoline stations. During the past month, over 100 of these jalopies have been scrapped as a result of this program. This netted about 200 tons of scrap.

"The tin can collection was started in July and is improving each month.

"The Silk and Nylon Hosiery Collection through all retail establishments seems to be progressing fairly well. The cooperation of the Chamber of Commerce and the Delaware Retailer's Council has helped materially.

"Compiling actual poundage figures for General Salvage is a very difficult thing, as a great deal of scrap is sold direct to junk dealers. Much of our scrap goes to Pennsylvania and Maryland dealers also. However, our dealers in Delaware have purchased enough to put us over our quota."

#### DELAWARE STATE GUARD

PAUL RINARD, *Adjutant General*

#### *Report*

"In conformity with legislation passed for the 1941 Session of the Delaware State Assembly, the Adjutant General of the State was directed by the Governor to form the Delaware State Guard, a military organization to supplant the National Guard of the State of Delaware, all of which had been previously called into the Federal Service.

"The Delaware State Guard has accordingly been organized with two companies of Infantry in the City of Wilmington; a company in the Town of New Castle; a company at Middletown, Delaware; a company at Dover, Delaware; and a company at Milford, Delaware.

"Ordnance and military equipment, other than uniforms, were furnished upon requisition by the Federal Government at the initial organization of the Guard. The State from emergency funds appropriated for that purpose uniformed the officers and the men of the various companies. This uniform has since been augmented by additional clothing issued by the Federal Government comparatively recently.

"The total strength of the Guard is approximately 450 men and 20 officers. It has been efficiently trained under the direction of Colonel J. Paul Heinel, the Commanding Officer, who has adapted their training to that recommended by the Commanding General of the Second Service Command.

"A number of our officers have attended the Tactical School for State Guard officers at Hackettstown, New Jersey, which is conducted under the direct supervision of Army Officers of the

Second Service Command. We confidently believe that our State Guard is as ably trained and as well equipped as any of our neighboring states, and, although priorities have prevented the securing of some equipment, we feel that anything that is lacking at this time will shortly be furnished, and that the State may rest secure in the knowledge that it has a competent organization equipped to any emergency that it may be called upon to meet."

## KENT COUNTY

J. WALLACE WOODFORD, *Coordinator*

### *Report*

"The County is divided into thirteen defense areas centering around Defense Councils of the larger towns. I am enclosing a list showing their locations with names of the chairmen. Maps have been made of the entire county, and in most cases individual houses have been located thereon in the rural sections.

"In Kent County we have participated in all of the State tests and blackouts and have had a number locally. In practically all of these tests we have worked out incidents necessitating the functioning of all of our various units. Reports show that our County organizations carry out these incidents with a fair measure of success. First aid, chemical warfare and auxiliary police classes have been held through the County and have been well attended. We have also held a number of public meetings for the purpose of acquainting the general public with civilian defense operations.

"Civilian Defense officials and members of the organization throughout the County have been very cooperative and have shown whole-hearted devotion to their duties. Our most serious handicap is the lack of an adequate alarm system in the rural sections."

## RURAL NEW CASTLE COUNTY

RALPH L. MINKER, *Coordinator*

### *Report*

"Rural New Castle County citizens threw themselves wholeheartedly into the task of developing an adequate defense organization. The county was divided into twenty-four sectors each of which is known as a Defense Council with a Commander in charge of all the defense activities in his sector. The philosophy underlying this plan was to make each territory as nearly self-sufficient as possible.

"The various services needed for a complete Civilian Defense organization have been enlisted and trained. The organization numbers approximately eighty-five hundred men and women, boys and girls. Volunteer fire companies, State police, school teachers and chemists have given unstintingly of their services in training personnel. Suffice it to say that this County is ready for any emergency that might develop."

## SUSSEX COUNTY

EDWARD C. EVANS, *Coordinator*

### *Report*

"Sussex County in the short space of one year has accomplished what was unbelievable only a short while ago. A complete Civilian Defense organization has been completed and is the outstanding active organization of the entire county.

"Over ten thousand men, women and teen age boys are active in some branch of this organization. The rest of the county's population is engaged in helping those actively interested in seeing that the many rules and regulations imposed are obeyed.

"Twenty-two separate councils have been organized throughout the county and each has its own complete personnel from warden to control center. All operate as separate units and are ready at an instant's notice to answer the call either in their own locality or to travel many miles to aid a stricken neighbor and yet be prepared to carry on in their own town should aid to another locality be required.

"Many hours have been spent by competent instructors, teaching the various units in the many towns the many courses required in order that the members may be properly qualified and be eligible to carry the proper identifications awarded to those who pass.

"A central control center is located in Georgetown and all tests are dispatched from there to the local control centers in the county. This central control is manned twenty-four hours a day and all local control centers are so arranged that calls to them are immediately answered. Some are located in Police Stations; others are in private homes, but above all they are ready at an instant's notice to receive the calls dispatched.

"Two handicaps have been with us throughout the entire year. One, the lack of proper equipment for actual emergency; the other, the lack of an adequate system of warning for our rural localities. The equipment situation has, however, been eased somewhat within the last month with the coming of O. C. D. allotments to some of the critical areas. This however, is not sufficient for the full twenty-two councils.

"We are now about to complete and will be ready at the next call with a rocket rural signal system that will cover every home outside municipal areas.

"Many blackout and daylight alerts have been held throughout the county during the year—many individual ones in the various towns, together with surprise ones arranged without knowledge to any member of the individual council affected and carried out by the Coordinator. In every case the town tested showed that it was on its toes and ready to go at an instant's notice. Many county-wide blackouts have also been held in addition to one from Dusk to Dawn, in which the entire county participated to the last man.

"While there is much still to be done, and our organization is not perfect, I feel that everything has been done that is possible to do, taking everything into consideration. One thing in particular that stands out prominently even though there has been no emergency, and we hope there never will be is, that the spirit of activity has never waned but continues to grow as the months pass."

#### COMMITTEE ON CONSERVATION OF CULTURAL RESOURCES

LEON DEVALINGER, JR., *Chairman*

#### *Report*

"This Committee is organized with a number of persons having in their care valuable State, county and municipal records, paintings, and other material, and made surveys and recommendations for the preservation of the cultural resources within the State in the event of enemy bombing, fires, etc."

Respectfully submitted,

WALTER W. BACON

*Governor*

ATTEST:

GERRISH GASSAWAY

*Executive Vice-Chairman*

On motion for leave, Mr. Mullin introduced Senate Resolution No. 42, entitled:

### SENATE RESOLUTION NO. 42

In respect to the Payment for certain Printing.

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

Milford Chronicle Publish Co., Inc. . . . . \$374.26

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

NAYS—None.

ABSENT—Mr. Messick—1.

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

On motion for leave, Mr. Bunting introduced Senate Concurrent Resolution No. 9, entitled:

### SENATE CONCURRENT RESOLUTION NO. 9

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

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

Wilmington Country Club . . . . . \$57.50



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

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

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

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

NAYS—Mr. McGuigan—1.

ABSENT—Mr. Messick—1.

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

Ordered to the House for concurrence.

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

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

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

On motion for leave, Mr. Yerkes introduced Senate Resolution No. 43, entitled:

#### SENATE RESOLUTION NO. 43

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

BE IT RESOLVED by the Senate of the 109th General Assembly that the State Treasurer be and he hereby is authorized and directed to pay to any attache or employee, who has been duly appointed by resolution of the Senate, upon the order of the President Pro Tem of the Senate, sums on account, from time to time, not to exceed the total of Fifty-five Dollars (\$55.00) to any one person, any such sums so paid shall be charged against the salary of the individual attache or employee to whom such sum or sums are paid, and shall be a part of the expenses of this session of the Senate.

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

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

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

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

Mr. Ayres, on motion for leave, introduced Senate Substitute for Senate Bill No. 178, entitled:

An Act to repeal An Act entitled "An Act creating a Board of Trustees to Manage and Control the Prison, Prison Farm, Courthouse and Courthouse Annex of Sussex County: providing for the Appointment of Members of the Board, their Terms of Office, Qualifications and Expenses, their Powers and Duties; providing for the Payment of the Expense of such Management and Control by the Levy Court of Sussex County; providing for the Custody, Care, Control, Labor and Compensation of Prisoners in said Prison; and providing for a System of Bookkeeping and Inventory of Property," being Chapter 217, Volume 43, Laws of Delaware, 1941, and conferring upon the Levy Court of Sussex County the Jurisdiction, Powers and Duties heretofore exercised by and vested in the Board of Trustees of Sussex County.

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

Mr. Rhodes, on behalf of the Committee on Public Health, to whom had been referred House Bill No. 20, entitled:

An Act appropriating money for the Burial of Indigent Soldiers, Sailors and Marines.

Reported the same back to the Senate favorably.

GEORGE W. RHODES  
JAS. S. EVANS  
JOHN R. HITCHENS  
J. CARL McGUIGAN  
W. DEANE JOHNSTON

Mr. Evans, on behalf of the Committee on Accounts, to whom had been referred House Bill No. 270, entitled:

An Act authorizing the State Treasurer to transfer certain balances in the Accounts of former State Treasurer Fagan H. Simonton to the General Fund of the State of Delaware.

Reported the same back to the Senate favorably.

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

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

Motion prevailed.

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

Senate met at expiration of recess.

On motion of Mr. Mulholland, Senate Substitute for Senate Bill No. 46, entitled:

An Act to amend Article 3 of Chapter 66 of the Revised Code of Delaware, 1935, relative to Banks, Savings Societies and Trust Companies" pertaining to Examinations by the State Bank Commissioner.

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

Mr. Mulholland moved the substitute be adopted in lieu of the original.

Motion prevailed.

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

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

YEAS — Messrs. Edmonds, Evans, Hitchens, Johnston, Jones, Mullin, Rhodes, Yerkes, Mr. President Pro Tem—9.

NAYS—Messrs. Ayres, McDowell, McGuigan, Mulholland, Sipple—5.

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

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

Ordered to the House for concurrence.

On motion of Mr. Yerkes, Senate Bill No. 49, entitled:

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

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 Dr. Cameron.

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

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

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

NAYS—None.

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

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

Ordered to the House for concurrence.

On motion of Mr. Rhodes, Senate Bill No. 96, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, relating to Motor Vehicles, as amended by Chapter 244, Laws of Delaware, 1941, by providing for the Cancellation of the Title to a Motor Vehicle to be Registered in another State, the return of the Number Plates thereof and the Fee to be paid for such Plates.

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

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

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

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

NAYS—None.

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

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

Ordered to the House for concurrence.

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

Senate Bill No. 14, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, relating to Levy Courts by Increasing the Appropriations to each Regularly Organized and Motorized Fire Company in Sussex County.

Senate Concurrent Resolution No. 7, entitled:

Inviting the Boys' State to be the Guests of the One Hundred and Ninth General Assembly.

Senate Joint Resolution No. 1, entitled:

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

Senate Bill No. 59, entitled:

An Act to provide for the Disposition of certain Photographed Records in the State of Delaware and for the use of such Photographs or Copies or Enlargements thereof in Evidence.

Senate Bill No. 20, entitled:

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

Senate Bill No. 80, entitled:

An Act to amend An Act entitled "An Act relating to National and State Defense, providing for the Establishment of a State Council of Defense and of Local and District Councils of Defense, and prescribing the Powers and Duties thereof," the same being Chapter 285, Volume 43, Laws of Delaware.

Senate Substitute for Senate Bill No. 81, entitled:

An Act to amend An Act entitled "An Act relating to National and State Defense, providing for the Establishment of a State Council of Defense and of Local and District Councils of Defense, and prescribing the Powers and Duties thereof," the same being Chapter 285, Volume 43, Laws of Delaware.

Mr. Bunting moved that the Senate adjourn until 12 o'clock noon, March 2, 1943.

Motion prevailed.

❖THIRTY-EIGHTH LEGISLATIVE DAY❖

Dover, Delaware, March 2, 1943, 12 o'clock noon

Senate met pursuant to adjournment.

Lieutenant-Governor Isaac J. MacCollum presiding.

Prayer by the Chaplain.

Roll called.

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

Member Absent—Huston—1.

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

Motion prevailed.

The Chair presented a number of communication requesting favorable action on House Bill No. 47.

Mr. Mulholland, on behalf of the Committee on Banking and Insurance, to whom had been referred Senate Joint Resolution No. 3, entitled:

Authorizing the appointment of a commission to recommend a revision of the Banking Laws of the State of Delaware and appropriating money for its expenses.

Reported the same back to the Senate favorably.

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

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

Senate Substitute for Senate Bill No. 130, entitled:

An Act to authorize and direct the Collector of Taxes and County Treasurer of Sussex County to transfer to the General Fund of Sussex County the sum of Seven Thousand Ninety-Two Dollars and Fifty-Four Cents (\$7,025.54) appearing in the Sussex County Treasury as "Walter Roach, Treasurer, Sussex County Highway Improvement Refunding Bonds Second Series, 1941," to the credit of said County.

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 131, entitled:

An Act to authorize and direct the Collector of Taxes and County Treasurer of Sussex County to transfer to the General Fund of Sussex County the sum of Eight Thousand Seven Hundred Eight Dollars and Sixty-Three Cents (\$8,708.63) appearing in the Sussex County Treasury as "Walter Roach, Treasurer, Sussex County Highway Improvement Refunding Bonds, 1941" to the credit of said County.

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 38, entitled:

An Act to protect the Health and Safety of the Civilian Population during the War Emergency Period.

And returned the same to the Senate.

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

Senate Concurrent Resolution No. 8, entitled:

In reference to the Joint Session of the Senate and House of Representatives on February 12, 1943.

And returned the same to the Senate.



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

House Bill No. 59, entitled:

An Act regulating the Catching and Taking of Oysters from Broadkill River and its Tributaries by Regulating the Size and Amount of Oysters taken, and Fixing a Tax on the Amount Caught.

And presented the same to the Senate.

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

House Bill No. 76, entitled:

An Act to provide for protecting the Beach or Strand opposite and near the Town of Slaughter Beach, in Sussex County, Delaware, from Erosion.

And presented the same to the Senate.

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

House Bill No. 53, entitled:

An Act to amend Chapter 158, Volume 36, Laws of Delaware entitled: An Act changing the Name of the Town of Dover to the City of Dover and establishing a Charter therefor by making Water Rents a Lien on the Property where the Water Supply is used.

And presented the same to the Senate.

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

House Bill No. 91, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, relative to Fish, Oysters and Game; by extending the Season for Catching and Killing Muskrats on Embanking Meadow or Marsh in New Castle County to April 1st, 1943.

And presented the same to the Senate.

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

House Substitute for Senate Bill No. 12, entitled:

An Act to amend Chapter 142 of the Revised Code of Delaware, 1935, relating to Landlord and Tenant, by allowing Outgoing Tenant to remove Top Fodder.

And returned the same to the Senate for concurrence.

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

House Substitute for House Bill No. 25 with House Amendment No. 1, entitled:

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

And presented the same to the Senate.

President Pro Tem Clayton A. Bunting presiding.

Mr. Johnston thanked the Senate for the flowers he received during his recent illness.

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

Motion prevailed.

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

Senate met at expiration of recess.

Lieutenant-Governor Isaac J. MacCollum presiding.

The President announced he is about to sign:

Senate Substitute for Senate Bill No. 131.

Senate Substitute for Senate Bill No. 38.

Senate Substitute for Senate Bill No. 130.

Senate Concurrent Resolution No. 8.

House Bill No. 46.

The Chair presented House Substitute for House Bill No. 25 with House Amendment No. 1, entitled:

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

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

The Chair presented House Bill No. 53, entitled:

An Act to amend Chapter 158, Volume 36, Laws of Delaware entitled: An Act changing the Name of the Town of Dover to the City of Dover and establishing a Charter therefor by making Water Rents a Lien on the Property where the Water Supply is used.

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. 59, entitled:

An Act regulating the Catching and Taking of Oysters from Broadkill River and its Tributaries by Regulating the Size and Amount of Oysters taken, and Fixing a Tax on the Amount Caught.

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. 76, entitled:

An Act to provide for protecting the Beach or Strand opposite and near the Town of Slaughter Beach, in Sussex County, Delaware, from Erosion.

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

The Chair presented House Bill No. 91, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, relative to Fish, Oysters and Game; by extending the Season for Catching and Killing Muskrats on Embanking Meadow or Marsh in New Castle County to April 1st, 1943.

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 Senate Bill No. 12, entitled:

An Act to amend Chapter 142 of the Revised Code of Delaware, 1935, relating to Landlord and Tenant, by allowing Outgoing Tenant to remove Top Fodder.

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

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

An Act to amend An Act known and cited as the "Unemployment Compensation Law," being Chapter 258 of the Laws of Delaware, 1937, as amended, by changing certain of the Administration Provisions thereof.

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

Mr. Yerkes, on behalf of the Committee on Elections, to whom had been referred House Bill No. 33, entitled:

An Act to amend Chapter 56, as amended, Revised Code of Delaware, 1935, entitled "Registration of Voters" by changing the Time required to give Notice of Appeals.

Reported the same back to the Senate favorably.

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

Mr. Yerkes, on behalf of the Committee on Elections, to whom had been referred House Bill No. 34, entitled:

An Act to amend Chapter 56, as amended, Revised Code of Delaware, 1935, entitled "Registration of Voters," by providing for a Permanent Record of Election Appeals and providing for the Keeping and Custody thereof, and providing for the effect of the Determination of an Appeal upon Subsequent Appeals presenting the same issue.

Reported the same back to the Senate favorably.

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

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred Senate Bill No. 99, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, relating to Motor Vehicles, in reference to Limitations on Overtaking and Passing.

Reported the same back to the Senate favorably.

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

The Chair recognized a delegation from the Lord Baltimore School.

On motion of Mr. Yerkes, House Bill No. 20, entitled:

An Act appropriating money for the Burial of Indigent Soldiers, Sailors and Marines.

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

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

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

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

NAYS—None.

ABSENT—Mr. Huston—1.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Bill No. 270, entitled:

An Act authorizing the State Treasurer to transfer certain balances in the Accounts of former State Treasurer Fagan H. Simonton to the General Fund of the State 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. Whitney.

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

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

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

NAYS—None.

ABSENT—Mr. Huston—1.

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

Ordered returned to the House.

Mr. Bunting moved that the Senate retire from Regular Session and meet in Executive Session.

Motion prevailed.

## EXECUTIVE SESSION

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Same Day, Later

Senate met in Regular Session at expiration of the Executive Session.

Mr. Bunting moved that the Senate adjourn until 12 o'clock noon, March 3, 1943.

Motion prevailed.

*THIRTY-NINTH LEGISLATIVE DAY*

Dover, Delaware, March 3, 1943, 12 o'clock noon

Senate met pursuant to adjournment.

Lieutenant-Governor Isaac J. MacCollum presiding.

Prayer by the Chaplain.

Roll called.

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

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

Motion prevailed.

The Chair presented several communications favoring the passage of the resolution favoring World Federation.

Mr. Mullin, on behalf of the Committee on Judiciary, to whom had been referred Senate Substitute for Senate Bill No. 84, entitled:

An Act to amend An Act known and cited as the "Unemployment Compensation Law," being Chapter 258 of the Laws of Delaware, 1937, as amended, by changing certain of the Administrative Provisions thereof.

Reported the same back to the Senate favorably.

GEORGE W. MULLIN  
HARRY H. JONES  
JOHN R. HITCHENS  
JAS. S. EVANS

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

Senate Concurrent Resolution No. 8, entitled:

In reference to the Joint Session of the Senate and House of Representatives on February 12, 1943.

Senate Substitute for Senate Bill No. 38, entitled:

An Act to protect the Health and Safety of the Civilian Population during the War Emergency Period.

Senate Substitute for Senate Bill No. 130, entitled:

An Act to authorize and direct the Collector of Taxes and County Treasurer of Sussex County to transfer to the General Fund of Sussex County the sum of Seven Thousand Ninety-Two Dollars and Fifty-Four Cents (\$7,092.54) appearing in the Sussex County Treasury as "Walter Roach, Treasurer, Sussex County Highway Improvement Refunding Bonds Second Series, 1941," to the credit of said County.

Senate Substitute for Senate Bill No. 131, entitled:

An Act to authorize and direct the Collector of Taxes and County Treasurer of Sussex County to transfer to the General Fund of Sussex County the sum of Eight Thousand Seven Hundred Eight Dollars and Sixty-Three Cents (\$8,708.63) appearing in the Sussex County Treasury as "Walter Roach, Treasurer, Sussex County Highway Improvement Refunding Bonds, 1941" to the credit of said County.

W. DEANE JOHNSTON

WM. B. HUSTON

HARRY H. MULHOLLAND

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

Senate Bill No. 14—Approved February 23, 1943.

Senate Bill No. 20—Approved February 23, 1943.

Senate Bill No. 80—Approved February 23, 1943.

Senate Bill No. 81—Approved February 23, 1943.

Senate Bill No. 59—Approved March 1, 1943.



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

Senate Bill No. 23—Approved February 19, 1943.

Senate Bill No. 13—Approved February 19, 1943.

Senate Bill No. 9—Approved February 19, 1943.

Senate Bill No. 85—Approved February 19, 1943.

Senate Bill No. 58—Approved February 19, 1943.

Senate Bill No. 8—Approved February 19, 1943.

Senate Bill No. 29—Approved February 19, 1943.

Senate Bill No. 25—Approved February 19, 1943.

Senate Bill No. 15—Approved February 19, 1943.

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

Motion prevailed.

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

Senate met at expiration of recess.

The Chair announced the following Committee in accordance with Senate Concurrent Resolution No. 7: Messrs. Bunting, Yerkes, Messick, McGuigan.

Mr. Edmonds, on behalf of the Committee on Municipal Corporation, to whom had been referred House Bill No. 53, entitled:

An Act to amend Chapter 158, Volume 36, Laws of Delaware entitled, An Act changing the Name of the Town of Dover to the City of Dover and establishing a Charter therefor by making Water Rents a Lien on the Property where the water supply is used.

Reported the same back to the Senate favorably.

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

Mr. Mulholland, on behalf of the Committee on Private Corporations, to whom had been referred Senate Substitute for Senate Bill No. 57, entitled:

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

Reported the same back to the Senate favorably.

HARRY H. MULHOLLAND  
JOHN R. HITCHENS  
GEORGE W. RHODES  
G. P. EDMONDS  
P. B. MESSICK

Mr. Mulholland, on behalf of the Committee on Private Corporations, to whom had been referred Senate Bill No. 86, entitled:

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

Reported the same back to the Senate favorably.

HARRY H. MULHOLLAND  
JOHN R. HITCHENS  
GEORGE W. RHODES  
G. P. EDMONDS  
P. B. MESSICK

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred House Substitute for House Bill No. 25 with House Amendment No. 1, entitled:

An Act proposing an amendment to Article VIII of the Constitution of the State of Delaware relating to the borrowing of money or the creation of debt by or on behalf of the State of Delaware.

Reported the same back to the Senate favorably.

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

Mr. Jones, on behalf of the Committee on Agriculture, to whom had been referred House Substitute for Senate Bill No. 12, entitled:

An Act to amend Chapter 142 of the Revised Code of Delaware, 1935, relating to Landlord and Tenant, by allowing Outgoing Tenant to remove Top Fodder.

Reported the same back to the Senate favorably.

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

Mr. Jones, on motion for leave, introduced Senate Substitute for Senate Bill No. 19, entitled:

An Act granting certain Emergency War Powers to the State Highway Department with respect to the Elimination of the Front Number Plates assigned to a Motor Vehicle and permitting the State Highway Department to waive Motor Vehicle Inspections and to make Rules and Regulations in respect to Inspection Requirements, for the duration of the present war and for six months after the termination thereof.

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

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred Senate Bill No. 128, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, relating to Motor Vehicles, in reference to Instruction Permits.

Reported the same back to the Senate favorably.

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

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred House Bill No. 76, entitled:

An Act to provide for protecting the Beach or Strand opposite and near the Town of Slaughter Beach, in Sussex County, Delaware, from Erosion.

Reported the same back to the Senate favorably.

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

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

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

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

Mr. Evans moved that action on Senate Bill No. 93 be deferred.

Motion prevailed.

On motion of Mr. Mulholland, Senate Bill No. 99, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, relating to Motor Vehicles, in reference to Limitations on Overtaking and Passing.

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

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

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

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

NAYS—None.

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

Ordered to the House for concurrence.

The President announced he is about to sign:

House Bill No. 20.

House Bill No. 270.

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

Senate Substitute for Senate Bill No. 5, with Senate Amendments Nos. 1 and 2, entitled:

An Act to amend An Act known and cited as the "Unemployment Compensation Law," being Chapter 258 of the Laws of Delaware, 1937, as amended, by changing the definition of "Employment Office;" by changing the definition of "Weekly Benefit Amount;" by changing the Duration of Benefits; by providing for a new Basis of Payments to Individuals who have been in the Military Service; by changing the Provisions relating to Disqualification for Benefits; by changing the Requirement for Eligibility for Benefits; by prescribing Special Conditions under which an Employer may receive a Reduced Contribution Rate; by changing the definition of "State Experience Factor;" by Limiting the Maximum Contribution Rate to Three Percentum; by providing for a Rehiring Credit on Benefit Wages charged to Employers under certain conditions; by providing for Successorship to Adjusted Contribution Rates under certain conditions; by changing the Period of Time to be covered by the Regular Report to the Governor; and by certain changes in the provisions relating to Seasonal Employment.

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 95, entitled:

An Act to authorize and direct the State Treasurer to transfer to the Current Fund of the Lord Baltimore School District No. 28, a certain sum of money appearing in the State Treasury as the Debt Service Account to the credit of said School District No. 28.

And returned the same to the Senate.

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

Senate Bill No. 66 with House Amendment No. 1, entitled:

An Act to amend Chapter 90, Article 3, of the Revised Code of Delaware, 1935, relating to Child Labor; by changing the Hours of Employment in certain cases.

And returned the same to the Senate for concurrence.

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

House Bill No. 268, entitled:

An Act to amend Article 1 of Chapter 60, Revised Code of Delaware, 1935, relating to General Elections by the repeal of 1845, Section 36, and by substituting in lieu thereof a new Section to be known as 1845, Section 36.

And presented the same to the Senate.

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

House Bill No. 137, entitled:

An Act appropriating money to the Public Archives Commission to complete the Kent County Calander of Probate Records from 1680 A. D. to 1800 A. D.

And presented the same to the Senate.

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

House Bill No. 85, entitled:

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

And presented the same to the Senate.

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

House Bill No. 80, entitled:

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

And presented the same to the Senate.

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

House Bill No. 81, entitled:

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

And presented the same to the Senate.

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

House Bill No. 82, entitled:

An Act to amend Article 4 of Chapter 6 of the Revised Code of Delaware, 1935, relative to State Revenue," pertaining to the Assessment and Taxation of Savings Banks and Savings Societies not having Capital Stock.

And presented the same to the Senate.

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

House Bill No. 83, entitled:

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

And presented the same to the Senate.

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

House Bill No. 84, entitled:

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

And presented the same to the Senate.

On motion of Mr. Bunting, Senate Bill No. 106, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, relating to Motor Vehicles, in reference to Reckless Driving.

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

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

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

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

YEAS — Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McGuigan, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—13.

NAYS—Mr. Messick—1.

NOT VOTING—Messrs. Attix, Ayres, McDowell—3.

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

Ordered to the House for concurrence.

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

Motion prevailed.



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

Senate met at expiration of recess.

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

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

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

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

NAYS—Messrs. Attix, Ayres, Huston, McDowell, McGuigan, Messick, Sipple—7.

So the question was decided in the affirmative and the motion having received the required constitutional majority, passed the Senate, and the Senate recessed for 5 minutes.

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Same Day, 5:05 o'clock P. M.

Senate met at expiration of recess.

On motion of Mr. Yerkes, House Bill No. 33, entitled:

An Act to amend Chapter 56, as amended, Revised Code of Delaware, 1935, entitled "Registration of Voters" by changing the Time required to give Notice of Appeals.

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

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

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

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

NAYS—None.

ABSENT — Messrs. Attix, Ayres, Huston, McDowell, McGuigan, Messick, Sipple—7.