

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. 80, entitled:

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

Which was 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. 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.

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. 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.

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. 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.

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. 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.

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. 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.

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. 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.

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

The Chair presented House Bill No. 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.

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

The Chair presented the following petition:

Dover, Delaware, February 17th, 1943

Dr. Isaac J. MacCollum  
President — Senate  
Dover, Delaware

Dear Mr. President:-

We, the undersigned, members of the Senate of the 109th General Assembly, do hereby request that Senate Bill No. 178, entitled:

“An Act to repeal Chapter 217 of Volume 43, Laws of Delaware, 1941, entitled “An Act creating a Board of Trustees to Manage and Control the Prison, Prison Farm, Court House and Court House 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.”

and which has been referred to a Committee, be reported to the Senate for a decision as to its further disposal.

HARRIS B. McDOWELL, JR.  
J. CARL McGUIGAN  
CHAS. LEE SIPPLE  
WM. B. HUSTON  
WILLIAM H. AYRES  
FRANK ATTIX  
P. B. MESSICK  
JAS. S. EVANS  
ROBERT H. YERKES

Mr. Evans and Mr. Yerkes requested that their names be removed from the petition.

The Chair ruled that the above members had no right to remove their names without the consent of all the signers of the petition.

Mr. Yerkes moved to appeal the decision of the Chair.

On the question, “Shall the Chair be sustained?”

Mr. Yerkes requested that his motion be withdrawn.

Request was granted.

Mr. Ayres moved that Senate Bill No. 178 be given its third and final reading and placed upon passage.

The Chair ruled that action could not be taken on the bill the same day the bill was reported out of committee.

Mr. Yerkes moved that Senate Bill and Senate Substitute for Senate Bill No. 178 be recommitted to Committee on Revised Statutes.

The Chair ruled Mr. Yerkes out of order.

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

Motion prevailed.

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Same Day, Later

Senate met at expiration of recess.

Mr. Yerkes moved that rules be suspended and that Senate Substitute for Senate Bill No. 178 be placed upon final passage.

Motion prevailed.

The Chair presented 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 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, Huston, McDowell, McGuigan, Messick, Sipple—7.

NAYS—Mr. Mullin—1.

NOT VOTING — Messrs. Edmonds, Evans, Hitchens, Johnston, Jones, Mulholland, Rhodes, Yerkes, Mr. President Pro Tem—9.

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

Reasons for not voting:

Mr. Johnston—Not enough study.

Mr. Edmonds—Not enough study.

Mr. Evans—Not enough study.

Messrs. Mulholland and Ayres—Have somebody explain the bill.

Mr. Yerkes—Procedure not right.

Mr. Bunting—Same as Mr. Yerkes.

Mr. McGuigan moved that the Senate adjourn.

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

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

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

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

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

The Chair presented House Amendment No. 1 to 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.

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

Mr. Yerkes moved that the Senate adjourn until 12 o'clock noon, March 4, 1943.

Motion prevailed.

❧FORTIETH LEGISLATIVE DAY❧

Dover, Delaware, March 4, 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—Mr. 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.

The Chair presented a communication from the Lions Club of Brandywine Hundred asking the support of the World Federation Resolution.

The President announced he is about to sign:

Senate Substitute for Senate Bill No. 95.

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

Motion prevailed.

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Same Day, 3:25 o'clock P. M.

Senate met at expiration of recess.

Mr. Yerkes, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred 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.

Reported the same back to the Senate favorably.

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

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

Reported the same back to the Senate favorably.

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

Mr. Evans, on behalf of the Committee on Labor, to whom had been referred 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.

Reported the same back to the Senate favorably.

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

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred 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.

Reported the same back to the Senate favorably.

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

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. 177, entitled:

An Act to amend An Act entitled "An Act prohibiting Architects, Engineers, Contractors, Sub-Contractors, and their Agents from paying out, using or appropriating moneys and funds received for the Erection, Construction, Alteration, Completion and Repair of Building and for additions thereto before first paying in full or pro rata all claims due to Surveyors, Engineers and Persons furnishing labor and material," the same being Chapter 169, Volume 38, Laws of Delaware and Article 8, Chapter 90, of the Revised Code of Delaware, 1935.

And presented the same to the Senate.

The privilege of the floor was extended to Mr. Francis I. duPont to explain Senate Bill No. 3 and Senate Bill No. 104.

Mr. Yerkes, on behalf of the Committee on Revised Statues, to whom had been referred 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.

Reported the same back to the Senate favorably.

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

The Chair presented House Bill No. 177, entitled:

An Act to amend An Act entitled "An Act prohibiting Architects, Engineers, Contractors, Sub-Contractors, and their Agents from paying out, using or appropriating moneys and funds received for the Erection, Construction, Alteration, Completion and Repair of Building and for additions thereto before first paying in full or pro rata all claims due to Surveyors, Engineers and Persons furnishing labor and material," the same being Chapter 169, Volume 38, Laws of Delaware and Article 8, Chapter 90, of the Revised Code of Delaware, 1935.

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

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

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

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

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

Motion prevailed.

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

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

YEAS—Messrs. Attix, Ayres, Edmonds, Evans, Hitchens, 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. 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 therefore, and providing for the Effect of the Determination of an Appeal upon Subsequent Appeals presenting the same Issue.

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.

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. 54, entitled:

An Act to provide for the Creation of Soil Conservation Districts which shall engage in saving the productive power of Delaware farm land by maintaining or improving the fertility of the soil, including farm drainage and the prevention or control of soil erosion; to define the powers and duties of Soil Conservation Districts, and to provide for the Exercise of such

Powers and Duties, including the Authority to Accept Money or other Aid from any Agency of the United States or of the State of Delaware; to establish the State Soil Conservation Commission as the Administrative Head of all Soil Conservation Districts hereafter to be established under the Provisions of this Act, and to define the Powers and Duties of this Commission.

And presented the same to the Senate.

On motion of Mr. Yerkes, 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.

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

Mr. McGuigan moved that action be deferred and that Senate Substitute for Senate Bill No. 84 be the first order of business the next day.

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

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

YEAS—Messrs. Ayres, Edmonds, Evans, Hitchens, Huston, Jones, McDowell, McGuigan, Messick, Sipple—10.

NAYS—Messrs. Mulholland, Mullin, Rhodes, Yerkes, Mr. President Pro Tem—5.

ABSENT—Messrs. Attix, Johnston—2.

So the question was decided in the affirmative and the motion having received the required constitutional majority, passed the Senate, and action on Senate Substitute for Senate Bill No. 84 was deferred.

Mr. Bunting, on motion for leave, introduced Senate Substitute for Senate Bill No. 120, entitled:

An Act creating a Court of Common Pleas for Sussex County.

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



Mr. Johnston, on behalf of the Committee on Education, to whom had been referred 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.

Reported the same back to the Senate favorably.

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

The Chair presented House Bill No. 54, entitled:

An Act to provide for the Creation of Soil Conservation Districts which shall engage in saving the productive power of Delaware farm land by maintaining or improving the fertility of the soil, including farm drainage and the prevention or control of soil erosion; to define the powers and duties of Soil Conservation Districts, and to provide for the Exercise of such Powers and Duties, including the Authority to Accept Money or other Aid from any Agency of the United States or of the State of Delaware; to establish the State Soil Conservation Commission as the Administrative Head of all Soil Conservation Districts hereafter to be established under the Provisions of this Act, and to define the Powers and Duties of this Commission.

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

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

Motion prevailed.

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Same Day, 4:55 o'clock P. M.

Senate met at expiration of recess.

Mr. Bunting, on behalf of the Committee on Miscellaneous, to whom had been referred House Bill No. 137, entitled:

An Act appropriating money to the Public Archives Commission to complete the Kent County Calendar of Probate Records from 1680 A. D. to 1800 A. D.

Reported the same back to the Senate favorably.

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

Mr. Bunting moved that the Senate adjourn until 12 o'clock noon, March 5, 1943.

Motion prevailed.

*✠FORTY-FIRST LEGISLATIVE DAY✠*

Dover, Delaware, March 5, 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, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

Member Absent—Edmonds—1.

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

Motion prevailed.

Mr. 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. 165, entitled:

An Act to amend An Act entitled "An Act to amend Chapter 53 of the Revised Code of Delaware 1935 entitled Salaries of certain County Officers" being Chapter 120, Volume 43, Laws of Delaware, 1941, in relation to the Salaries of the Deputies and Clerks of certain County Offices of New Castle County.

And presented the same to the Senate.

The Chair presented Senate Substitute for Senate Bill No. 84, which had been made the first order of business for March 5, 1943, 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.

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. Evans, Hitchens, Johnston, Jones, Mulholland, Mullin, Rhodes, Yerkes, Mr. President Pro Tem—9.

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

ABSENT—Mr. Edmonds—1.

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

Ordered to the House for concurrence.

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

Senate Bill No. 87, entitled:

An Act making an appropriation to provide for the Erection and Equipment of a Detention Building or Rooms in connection with the State Institution for the Feeble-Minded at Delaware Colony.

And returned 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, 3:35 o'clock P. M.

Senate met at expiration of recess.

The Chair presented a number of communications.

The Chair presented House Bill No. 165, entitled:

An Act to amend An Act entitled "An Act to amend Chapter 53 of the Revised Code of Delaware 1935 entitled Salaries of certain County Officers" being Chapter 120, Volume 43, Laws of Delaware, 1941, in relation to the Salaries of the Deputies and Clerks of certain County Offices of New Castle County.

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

On motion of Mr. Bunting, Senate Bill No. 63, entitled:

An Act authorizing the Levy Court of Sussex County to appropriate monies for the Control of Diseases of Hogs in Sussex County.

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

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

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

YEAS—Messrs. 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 bill having received the required constitutional majority, passed the Senate.

Ordered to the House for concurrence.

On motion of Mr. Jones, 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.

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

Mr. Jones moved that the Senate 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, Ayres, Evans, Hitchens, Huston, Johnston, Jones, McGuigan, Mulholland, Mullin, Rhodes, Yerkes, Mr. President Pro Tem—13.

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

ABSENT—Mr. Edmonds—1.

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

Ordered to the House for concurrence.

On motion of Mr. Yerkes, House Bill No. 137, entitled:

An Act appropriating money to the Public Archives Commission to complete the Kent County Calendar of Probate Records from 1680 A. D. to 1800 A. D.

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

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

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

YEAS — Messrs. Attix, Ayres, Evans, Hitchens, 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 bill having received the required constitutional majority, passed the Senate.

Ordered returned to the House.

On motion of Mr. Yerkes, Senate Bill No. 66 as amended by 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.

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

Mr. Yerkes moved the adoption of House Amendment No. 1 to Senate Bill No. 66.

Motion prevailed.

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

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

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

NAYS—None.

ABSENT—Messrs. Attix, Edmonds—2.

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

Mr. Yerkes was given the privilege of the floor to report on the Joint Committee of the House and Senate on their recent visits to the various Institutions in the State of Delaware.

Mr. Evans moved the report be adopted by the Senate and the members be given a copy and the report be included in the Journal.

Motion prevailed.

The report follows:

## REPORT OF SPECIAL COMMITTEE VISITING STATE INSTITUTIONS

February 24, 25 and 26, 1943

*compiled by*

SENATOR ROBERT H. YERKES

Departing from a custom which had closely been adhered to for a number of years, a joint committee, comprising some 23 members of the House and Senate visited the various State Institutions last week. Hitherto, the tour was made by the entire membership of the Legislature.

We, the committee from the Senate, believe that the smaller group works well. We do, however, recommend that at least another day be added to the time allowed to visit the institutions; for, it is our opinion, three days is too short a time.

### *The Blind Shop*

The inspection tour opened with a visit to the Blind Shop, operated by the Delaware Commission for the Blind, with Dr. Francis Cummings, of Wilmington, in charge. Working in a building that has been condemned as unsafe and a fire hazard by city authorities, Dr. Cummings is doing a wonderful job with the blind unfortunates of this State. Although there are only seven persons now working at the shop, much material is sent out to other blind people residing in the City of Wilmington, and seven former employees of the shop are now successfully working in private industry. This program of placing the blind in private industry was successfully inaugurated by Dr. Cummings a short time ago, and several more of the physically able blind will be placed with private industry in the near future.

### *Brandywine Sanatorium*

From the Blind Shop the group went to Brandywine Sanatorium where Dr. L. D. Phillips, superintendent, and L. Irving Handy, business manager, conducted the tour. There are approximately 130 persons now receiving treatment at the Sanatorium. Needs of the institution were explained by Superintendent Phillips with particular stress being laid on the lack of recreational facilities. Mr. Handy said that in the last couple of years there has been an approximate 30% increase in the cost of operation.



The group noted with interest, that the sanatorium management had stripped all of the windows and glass doors in the institution as a possible precaution against bombing raids.

The members of the committee were shown many of the scientific devices used in combating the white plague, the most interesting of which was the fluroscope. Dr. Phillips stated that the help situation was most acute.

### *Edgewood Sanatorium*

The next stop was Edgewood, the colored tuberculosis sanatorium. Here the group found crowded conditions, with beds placed too close together because of lack of adequate space. Dr. Conwell Banton assisted with the tour and showed the methods used in the deflation of diseased lungs. The committee was joined at Brandywine by Mrs. Julia H. Tallman, vice-president of the State Board of Health, and Dr. Edwin Cameron, both of whom furnished valuable information regarding the needs of both Brandywine and Edgewood.

The committee lunched at the Wilmington Country Club.

### *Ferris Industrial School*

The next stop on the tour was the Ferris Industrial School where we were told by Superintendent Ralph Minker that the largest number of commitments in the history of the institution were made in 1942. In addition to his supervising duties at the institution, Mr. Minker acts as army registrar and related that boys reaching the age of 18 are inducted into the service. Most youths, according to Mr. Minker, seem eager to serve their country and he receives letters daily from youths serving in the armed forces, who are now making good in the army. Here the committee found many of the buildings in a more or less dilapidated exterior condition. The majority of these buildings were over age. However, it was the consensus of opinion that the superintendent, with his repair and paint squads, had done a good job on the interior and the buildings were clean. Because of oil shortage, the committee was told the large laundry was forced to operate three days a week instead of five. However, under capable management, the work is being satisfactorily completed. The committee recommends that the pound, adjacent to the stable, be cleaned up as a sanitation measure.

Approximately 150 youths, between the ages of 10 and 21, are housed in the numerous cottages.

*Workhouse*

Moving on to the Workhouse, the committee was joined by His Excellency Governor Walter W. Bacon. The tour of the Workhouse was conducted by Robert D. Kemp, president of the Board of Trustees, and Warden Elwood H. Wilson. There are 321 prisoners in the Workhouse. Two-thirds of them are colored. Conditions at the Workhouse were good. The building, despite its age, is in excellent condition. The food served is of high grade and the sanitary arrangements were found to be above reproach.

A contract to furnish the U. S. Army Quartermaster Corps with 32,000 shirts had just been secured and several more large government orders are the offering. It was explained to the committee that the Army had requested a sample of a shirt made at the institution and was so pleased with the high grade of workmanship, that it placed the aforementioned order without reservation.

Visiting the women's prison, the committee found there plenty of vacant rooms, there being only 19 women incarcerated there. Sixteen of these are colored and three white. Of the white women, all will be released before the 15th of this month. This building is of modern design and was scrupulously kept.

*Industrial School for Girls*

The first day's tour ended at the Industrial School for Girls at Claymont. Here the tour was conducted by Miss Sara E. D. Sturgis, superintendent. There are approximately 50 girls enrolled. There is no evidence of over-crowding here. In fact, there were several vacant rooms on each floor. The buildings were neat and the girls were being given ample opportunity to learn trades. Many of the girls were preparing to participate in a birthday party and all seemed to be busily employed. This institution has set up a most efficient blackout system which we recommend being adopted by the other State institutions.

*Industrial School for Colored Girls*

Thursday morning the group visited the Industrial School for Colored Girls at Marshallton, where there are 58 girls enrolled. Special attention is being given to each individual girl at this institution and the superintendent, Mrs. Doris Fassitt, is to be complimented on the fine job of rehabilitation she is doing. Speaking to the group as a whole, Mrs. Fassitt told of several case histories and through her untiring efforts many of the girls committed to this institution have been able to gain and regain their position in society. The buildings were neat and the girls were busy.

*University of Delaware*

Arriving at the University of Delaware shortly before noon, the group was taken on a tour of the many buildings comprising the State's University. At Women's College, a group of junior and senior girls aided with the tour, and the members were favorably impressed with the handsome buildings and fine equipment there. While time would not allow a thorough examination of the many buildings comprising Men's College, those examined were meticulously kept and it was the consensus of opinion that nothing is being left undone to fit the young idea to successfully compete in the world of business, science, etc., if he or she takes advantage of the opportunities that are afforded them at the University of Delaware.

Lunch was served at Old College and it was here that Dr. Hullihen, president, explained that 'contrary to newspaper publicity, which has created the erroneous impression that the college is taken over by the Army, there would be no change in other portions of college training aside from the special Army training. Next term the enrollment of men students, according to Dr. Hullihen, is expected to be less than 250. This would mean a loss of 400 students and a loss of \$80,000 in revenue, thus the contract with the Army would assure the college of not running a deficit. Dr. Hullihen said that the General Assembly had, both in the present and in the past, been most generous in appropriations. This, coupled with donations from wealthy citizens in the State, had done much to give the University buildings that are second to none in equipment and design.

Senate Bill 123, which has been introduced before this body by our colleague, Dr. Rhodes, and relative to corporations awarding academic degrees, was explained by Dr. Hullihen, who stated that neither he nor the trustees of the institution had any selfish interests involved, but were merely acting as interested citizens who wish to protect the vital interests of the State. According to Dr. Hullihen, the present General Charter Law gives any three people within the State the right to purchase a charter and give out degrees. At present there has been chartered a University of Dover, an International University of Delaware, and the Sulgrave University of Delaware; all of which are non-existent and were created by unscrupulous individuals as a money-making proposition. Especially odious is the Sulgrave University, which, according to Dr. Hullihen, is selling degrees in England. Dr. Hullihen stated that there is hardly a day passes in which he does not receive some inquiry from abroad asking about these bogus universities which, until the enactment of Senate Bill 123, will continue to award degrees for a price.

Of particular interest was the demonstration of the latest thing in anti-aircraft cannon—a Bofors 40 Millimeter, automatic rapid fire. This gun has been loaned to the University by the Government, and will provide practical training for the men.

### *Delaware State Hospital*

Dr. M. A. Tarumianz met the group at the Delaware State Hospital at Farnhurst and personally conducted the group through the many buildings comprising this vast institution. Approximately 1,250 persons are receiving treatment at the State Hospital. The main and oldest building is extremely overcrowded and, while all is being done to keep the building sanitary, there were noticeable odors of human excrement on the second floor of the building, where badly deteriorated male cases are confined. While the committee realizes the almost unsurmountable difficulties which Dr. Tarumianz is confronted with, we do decommmend that a more adequate system of ventilation be employed. This, coupled with the use of a chemical deororizing agent, would undoubtedly relieve this situation.

The wooden stairway in this building is a decided fire trap and as soon as funds can be made available, should be removed and replaced by metal or some other fire-resistant material. Until such time as this change can be made, they should be barred to the use of all others excepting those unemployed as doctors, nurses, etc., by the superintendent.

The kitchen, one of the largest in any of the State institutions, was scrupulously clean and the food served is of high quality. The operating costs of the institution, considering the high prices now prevailing for food, drugs, coal, and other commodities, is extremely low, being approximately \$1.15 per patient, per day. Dr. Tarumianz is operating the institution under a great handicap, so far as help is concerned, and without the services of 25 conscientious objectors and 4 of their wives would be forced to dispense with several treatments that are now being given to the patients.

Speaking as president of the Council of Executives of State Agencies, Dr. Tarumianz went on record as favoring a 15% salary increase for school teachers, but declared that such an increase, together with the retirement system, should be extended to cover all State employees.

Upon leaving, each member of the visitation committee was presented with a gift by Dr. Tarumianz. The gifts were made by patients in the institution.

*State Welfare Home*

Friday the members of the joint committee visited the State Welfare Home at Smyrna and were conducted through the building by Dr. A. V. Gilliland, superintendent, and George S. Grier, a member of the State Old Age Welfare Commission. There are approximately 371 guests at the home, including many more males than females. At present there are approximately 15 on the waiting list.

This institution is decidedly overcrowded with many of the hallways utilized for sleeping quarters. However, the building is well kept, both within and without, and the larder was well filled with fresh and canned foods. The meals are carefully prepared and the food is plentiful and nourishing. In spite of rising cost of food, drugs, fuel, etc., the low per capita of \$1.02 has been obtained, and through expert management, it has been possible to serve three meals per day at a cost of less than 10¢ per meal.

It was while visiting this institution that the members of the joint committee were really given the opportunity to see how the war has played havoc with the help situation. Here a girl has stepped into the breach and is firing the huge boiler in the institution's power plant. The girl, Miss Margaret Sammons, age 22 years, has successfully filled the position of telephone operator, floor assistant, and file clerk, and has now donned a sweat shirt and dungarees to do a real he-man's job and do it well. Another girl is pinch-hitting for the barber who is now serving in the armed forces and is shaving the men like a professional.

*Delaware State College for Colored Students*

Arriving at the Delaware State College for Colored Students, the committee was greeted by Elwood Melson, chairman of the board, and Dr. Howard Gregg, president of the College. After a visit to the auditorium, where the group was entertained by the choir, Mr. Melson, Dr. Gregg, Dr. W. M. Henry, Dr. O. F. Collins and Ernest V. Keith, Esq., members of the Board of Trustees, explained some of the needs of the institution. The outstanding of these is a new building for dormitory purposes, erection of which would entail the expenditure of approximately \$60,000 to \$75,000, and for which no provision has been made in House Bill No. 8. The committee thinks this is a just need and urges that House Bill No. 8 be amended to include this item. Another need of the institution is a field house. According to

Dr. Gregg, there are approximately 250 students enrolled at the college; 148 in the college proper and 102 in the high school. Twenty-one male students of the college have been inducted into the armed services since Christmas; thirty-one more await the call in the enlisted reserves.

The guildings at the college are well kept and neat, both within and without, and the livestock and chickens are thriving. Since coming to Delaware State College, Dr. Gregg has done much to improve conditions, and last summer and fall, had canned and put away for later consumption 3,200 half-gallon cans of vegetables and fruits. This year, Providence permitting, the doctor hopes to can 6,000 half-gallon jars of produce raised on the farm.

A delicious luncheon was prepared and served by the Home Economics Department of the College.

### *Delaware Colony*

The committee wound up the inspection tour at Delaware Colony where they were met by Howard T. Ennis, Superintendent; J. Edward Goslee and J. B. Waples, members of the Board of Trustees. The buildings at Delaware Colony are extremely well-kept. The morale is high and Superintendent Ennis is apparently doing a splendid job.

Approximately 467 persons are housed in nine buildings. There are three buildings for white males; three for white females; one for colored males; one for colored females and infirmary. The infirmary has an average daily population of about 65. The children are given academic training, occupational and vocational therapy; are given an opportunity to learn trades and many have been discharged and have taken up trades. About 35 children are discharged annually, with about the same number being admitted. The total number of employees at the present time is 80. We were advised that there is a shortage of the regular quota of about 15 employees.

Of especial interest was the fine herd of dairy cows which supply the institution with plenty of rich fresh milk daily. A large herd of swine solves a portion of the meat problem.

The total land area of the institution is nearly 1,100 acres with 450 under direct cultivation. While darkness caught the members before they could visit all the buildings comprising this large institution, the members were unanimous in their opinion that Delaware Colony is being carefully operated by Superintendent Ennis.

*Conclusion*

In conclusion, the members of the Senate, who made the trip, were for the most part pleased with the operations of the State institutions. It is the general opinion, however, that the next visitation be made prior to the passage of the general appropriation bill.

Mr. Bunting moved that the Senate adjourn until 12 o'clock noon, March 8, 1943.

Motion prevailed.

«*FORTY-SECOND LEGISLATIVE DAY*»

Dover, Delaware, March 8, 1943, 12 o'clock noon

Senate met pursuant to adjournment.

Lieutenant-Governor Isaac J. MacCollum presiding.

Prayer by the Chaplain.

Roll called.

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

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

Motion prevailed.

The Chair presented a number of communications.

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred House Bill No. 177, entitled:

An Act to amend An Act entitled "An Act prohibiting Architects, Engineers, Contractors, Sub-Contractors, and their Agents from paying out, using or appropriating moneys and funds received for the Erection, Construction, Alteration, Completion and Repair of Building and for additions thereto before first paying in full or pro rata all claims due to Surveyors, Engineers and Persons furnishing labor and material," the same being Chapter 169, Volume 38, Laws of Delaware and Article 8, Chapter 90, of the Revised Code of Delaware, 1935.

Reported the same back to the Senate favorably.

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



Mr. Yerkes, on behalf of the Committee on Elections, to whom had been referred 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.

Reported the same back to the Senate favorably.

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

The President announced he is about to sign:

Senate Substitute for Senate Bill No. 5 as amended.

Senate Bill No. 87.

Senate Bill No. 66 as amended.

House Bill No. 137.

House Bill No. 34.

House Bill No. 33.

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

Motion prevailed.

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Same Day, 3:25 o'clock P. M.

Senate met at expiration of recess.

Mr. Rhodes, on behalf of the Committee on Temperance, to whom had been referred Senate Bill No. 103, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, in relation to Retaliatory Taxation and Regulation of the Importation, Sale and Transportation of Beer manufactured outside of this State.

Reported the same back to the Senate favorably.

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

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred House Bill No. 165, entitled:

An Act to amend An Act entitled "An Act to amend Chapter 53 of the Revised Code of Delaware 1935 entitled Salaries of certain County Officers" being Chapter 120, Volume 43, Laws of Delaware, 1941, in relation to the Salaries of the Deputies and Clerks of certain County Offices of New Castle County.

Reported the same back to the Senate favorably.

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

Mr. Mulholland, on behalf of the Committee on Private Corporations, to whom had been referred Senate Bill No. 11, entitled:

An Act to amend Chapter 175 of the Revised Code of Delaware, 1935, as amended, entitled Delaware Workmen's Compensation Law, by extending the Provisions for Payments thereunder.

Reported the same back to the Senate favorably with Senate Substitute.

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

Mr. Evans, on behalf of the Committee on Accounts, to whom had been referred Senate Bill No. 139, entitled:

An Act appropriating certain moneys to the Allen Petroleum Corporation for the Payment of a Claim against the State of Delaware.

Reported the same back to the Senate favorably.

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

Mr. Yerkes, on motion for leave, introduced Senate Substitute for Senate Bill No. 228, entitled:

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

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

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

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

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, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Attix, Huston—2.

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

Ordered to the House for concurrence.

On motion of Mr. Evans, 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.

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, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—15.

• NAYS—None.

ABSENT—Messrs. Attix, Huston—2.

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

Ordered to the House for concurrence.

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

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

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

On motion of Mr. Yerkes, 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.

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, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Attix, Huston—2.

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

Ordered returned to the House.

On motion of Mr. Yerkes, 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.

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, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Attix, Huston—2.

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

Ordered returned to the House.

On motion of Mr. Yerkes, 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.

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, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Attix, Huston—2.

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

Ordered returned to the House.

On motion of Mr. Johnston, Senate Substitute for Senate Bill No. 187, entitled:

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

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

Mr. Johnston moved the adoption of the Substitute in lieu of the original bill.

Motion prevailed.

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

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

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

NAYS — Messrs. Ayres, McDowell, McGuigan, Messick, Sipple—5.

ABSENT—Messrs. Attix, Huston—2.

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

Ordered to the House for concurrence.

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

Senate Substitute for Senate Bill No. 38—Approved March 4, 1943.

Senate Substitute for Senate Bill No. 130—Approved March 4, 1943.

Senate Substitute for Senate Bill No. 131—Approved March 4, 1943.

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

Senate Joint Resolution No. 1—Approved February 23, 1943.

Senate Concurrent Resolution No. 1—Approved January 25, 1943.

Senate Concurrent Resolution No. 2—Approved January 25, 1943.

Senate Concurrent Resolution No. 3—Approved January 25, 1943.

Senate Concurrent Resolution No. 4—Approved February 5, 1943.

Senate Concurrent Resolution No. 5—Approved February 5, 1943.

Senate Concurrent Resolution No. 7—Approved March 1, 1943.

Senate Concurrent Resolution No. 8—Approved March 3, 1943.

Mr. Bunting moved that the Senate recess for 10 minutes.

Motion prevailed.

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

Senate met at expiration of recess.

Mr. Mullin, on behalf of the Committee on Judiciary, to whom had been referred 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.

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. Johnston, on behalf of the Committee on Education, to whom had been referred 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.

Reported the same back to the Senate favorably.

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

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

Senate Substitute for Senate Bill No. 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.

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.



Senate Bill No. 87, entitled:

An Act making an appropriation to provide for the Erection and Equipment of a Detention Building or Rooms in connection with the State Institution for the Feeble-Minded at Delaware Colony.

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.

W. DEANE JOHNSTON  
HARRY H. MULHOLLAND

On motion for leave, Mr. Mullin introduced Senate Resolution No. 44, entitled:

#### SENATE RESOLUTION NO. 44

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. . . . . \$1,693.80

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

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

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

On motion for leave, Mr. Yerkes introduced Senate Resolution No. 45, entitled:

#### SENATE RESOLUTION NO. 45

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.

# EXECUTIVE SESSION

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

Motion prevailed.



Same Day, Later

Senate met in regular session at expiration of Executive Session.

Mr. Bunting moved that the Senate adjourn until 12 o'clock noon, March 9, 1943.

Motion prevailed.

*✽FORTY-THIRD LEGISLATIVE DAY✽*

Dover, Delaware, March 9, 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, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

Member Absent—Ayres—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. 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. 55, entitled:

An Act to amend Chapter 165 Revised Code of Delaware, 1935, relating to Motor Vehicles by increasing the Permissible Actual Weight of said 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. 56, entitled:

An Act to amend Chapter 165 Revised Code of Delaware, 1935, relating to Motor Vehicles by changing the Authorized Length of 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. 285, entitled:

An Act to amend Chapter 56, Revised Code of Delaware, 1935, relating to Registration of Voters, by the repeal of 1712. Sec. 7, and by substituting in lieu thereof a new Section to be known as 1712. Section 7.

And presented the same to the Senate.

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

Senate Bill No. 21, entitled:

An Act authorizing the Court of General Sessions or the Court of Oyer and Terminer, of the State of Delaware sitting in and for Sussex County, to re-sentence and transfer to the custody of the Board of Trustees of the Prison, Prison Farm, Courthouse and Courthouse Annex of Sussex County, prisoners committed to, and serving terms in the New Castle County Workhouse, heretofore committed to the custody of the Board of Trustees of the New Castle County Workhouse, by the Court of General Sessions or Court of Oyer and Terminer, of the State of Delaware, sitting in and for Sussex 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 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.

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. 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.

And returned the same to the Senate.

The Chair presented House Bill No. 55, entitled:

An Act to amend Chapter 165 Revised Code of Delaware, 1935, relating to Motor Vehicles by increasing the Permissible Actual Weight of said Motor Vehicles.

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. 56, entitled:

An Act to amend Chapter 165 Revised Code of Delaware, 1935, relating to Motor Vehicles by changing the Authorized Length of Motor Vehicles.

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. 285, entitled:

An Act to amend Chapter 56, Revised Code of Delaware, 1935, relating to Registration of Voters, by the repeal of 1712. Sec. 7, and by substituting in lieu thereof a new Section to be known as 1712. Section 7.

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

Mr. Yerkes, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred Senate Substitute for Senate Bill No. 61, entitled:

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

Reported the same back to the Senate favorably.

ROBERT H. YERKES  
GEORGE W. MULLIN  
W. DEANE JOHNSTON  
JAS. S. EVANS

Mr. Mulholland, on behalf of the Committee on Private Corporations, to whom had been referred 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.

Reported the same back to the Senate favorably.

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

On motion for leave, Mr. Johnston introduced Senate Resolution No. 46, entitled:

#### SENATE RESOLUTION NO. 46

Thanking the Nassau-Lewes Colored Male Glee Club for their part in the Program Celebrating Washington's Birthday.

BE IT RESOLVED by the Senate of the State of Delaware in General Assembly met:

That the Senate does hereby express to the Nassau-Lewes Colored Male Glee Club its sincere thanks for their part in the program celebrating Washington's Birthday on February 22, 1943, at a Joint Session of the Senate and the House of Representatives of the 109th General Assembly.

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

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

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

On motion for leave, Mr. Johnston introduced Senate Concurrent Resolution No. 10, entitled:

#### SENATE CONCURRENT RESOLUTION NO. 10

Thanking E. Paul Burkholder for his part in the Program Celebrating Washington's Birthday.

BE IT RESOLVED by the Senate of the 109th General Assembly, the House of Representatives concurring therein:

That the Senate does hereby express to E. Paul Burkholder its sincere thanks for the excellent address delivered by him before the Joint Session of the Senate and House of Representatives of the 109th General Assembly commemorating Washington's Birthday.

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

Ordered to the House for concurrence.

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

Motion prevailed.

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Same Day, 3:35 o'clock P. M.

Senate met at expiration of recess.

The President announced he is about to sign:

Senate Bill No. 76.

Senate Bill No. 34.

Senate Bill No. 21.

House Bill No. 59.

House Bill No. 72.

House Bill No. 91.

On motion of Mr. Hitchens, 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.



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

Mr. Hitchens moved the Substitute be adopted in lieu of the original bill.

Motion prevailed.

Mr. Hitchens requested the privilege of the floor for Mr. Welch to explain the bill.

Request granted.

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

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

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

NAYS—None.

ABSENT—Messrs. Ayres, Huston—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 Substitute for Senate Bill No. 11, entitled:

An Act to amend Chapter 175 of the Revised Code of Delaware, 1935, as amended, entitled Delaware Workmen's Compensation Law, by extending the Provisions for Payments thereunder.

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

Mr. Yerkes moved the adoption of the Substitute in lieu of the original bill.

Motion prevailed.

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

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

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

NAYS—None.

ABSENT—Messrs. Attix, Ayres—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. 139, entitled:

An Act appropriating certain moneys to the Allen Petroleum Corporation for the payment of a Claim against the State of Delaware.

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

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

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

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

NAYS—None.

ABSENT—Mr. Ayres—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. Johnston asked the privilege of the floor for Mr. George Ayers to explain the program of Boys' State to be held March 19, 1943.

Request granted.

On motion of Mr. Yerkes, 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.

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

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

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

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

NAYS—None.

ABSENT—Mr. Ayres—1.

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

Ordered returned to the House.

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

An Act to amend An Act entitled "An Act prohibiting Architects, Engineers, Contractors, Sub-Contractors, and their Agents from paying out, using or appropriating moneys and funds received for the Erection, Construction, Alteration, Completion and Repair of Building and for Additions thereto before first paying in full or pro rata all claims due to Surveyors, Engineers and Persons furnishing Labor and Material," the same being Chapter 169, Volume 38, Laws of Delaware and Article 8, Chapter 90, of the Revised Code of Delaware, 1935.

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

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

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

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

NAYS—None.

NOT VOTING—Mr. Attix—1.

ABSENT—Mr. Ayres—1.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Bill No. 165, entitled:

An Act to amend An Act entitled "An Act to amend Chapter 53 of the Revised Code of Delaware 1935 entitled "Salaries of certain County Officers" being Chapter 120, Volume 43, Laws of Delaware, 1941, in relation to the Salaries of the Deputies and Clerks of certain County Offices of New Castle County.

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

Mr. Yerkes moved that action be deferred for 24 hours on the bill.

Motion prevailed.

Mr. Rhodes requested that Senate Bill No. 88 be stricken from the Calendar.

Request granted.

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

Motion prevailed.

Same Day, 4:55 o'clock P. M.

Senate met at expiration of recess.

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

An Act for the Conservation and Protection of Lobsters.

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

Mr. Johnston, on motion for leave, introduced Senate Substitute for Senate Bill No. 190, entitled:

An Act authorizing Justices of the Peace in the several Counties to Hear and Impose Penalties in certain Cases of Violation of State Forestry Laws.

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

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. 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.

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.

Senate Bill No. 21, entitled:

An Act authorizing the Court of General Sessions or the Court of Oyer and Terminer, of the State of Delaware sitting in and for Sussex County, to re-sentence and transfer to the custody of the Board of Trustees of the Prison, Prison Farm, Courthouse and Courthouse Annex of Sussex County, prisoners committed to, and serving terms in the New Castle County Work-

house, heretofore committed to the custody of the Board of Trustees of the New Castle County Workhouse, by the Court of General Sessions or Court of Oyer and Terminer, of the State of Delaware, sitting in and for Sussex County.

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

Mr. Bunting moved that the Senate adjourn until 12 o'clock noon, March 10, 1943.

Motion prevailed.

*✦FORTY-FOURTH LEGISLATIVE DAY✦*

Dover, Delaware, March 10, 1943, 12 o'clock noon

Senate met pursuant to adjournment.

Lieutenant-Governor Isaac J. MacCollum presiding.

Prayer by the Chaplain.

Roll called.

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

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

Motion prevailed.

The Chair presented a number of communications.

Mr. Mulholland, on behalf of the Committee on Banking and Insurance, to whom had been referred 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.

Reported the same back to the Senate favorably.

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

Mr. Mulholland, on behalf of the Committee on Banking and Insurance, to whom had been referred 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.

Reported the same back to the Senate favorably.

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

Mr. Mulholland, on behalf of the Committee on Banking and Insurance, to whom had been referred 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.

Reported the same back to the Senate favorably.

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

Mr. Mulholland, on behalf of the Committee on Banking and Insurance, to whom had been referred 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.

Reported the same back to the Senate favorably.

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



Mr. Mulholland, on behalf of the Committee on Banking and Insurance, to whom had been referred 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.

Reported the same back to the Senate favorably.

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

Mr. Mulholland, on behalf of the Committee on Banking and Insurance, to whom had been referred 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.

Reported the same back to the Senate favorably.

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

Mr. Mulholland, on behalf of the Committee on Banking and Insurance, to whom had been referred 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.

Reported the same back to the Senate favorably.

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

Mr. Yerkes, on behalf of the Committee on Elections, to whom had been referred House Bill No. 285, entitled:

An Act to amend Chapter 56, Revised Code of Delaware, 1935, relating to Registration of Voters, by the repeal of 1712. Sec. 77, and by substituting in lieu thereof a new Section to be known as 1712. Section 7.

Reported the same back to the Senate favorably.

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

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.

Mr. Yerkes requested the privilege of the floor for Mr. W. W. Laird, who represented the Presidents and Executives of State Agencies, also for Dr. M. A. Tarumianz, Superintendent of the Delaware State Hospital.

Request granted.

The following report was submitted:

REPORT OF THE  
PRESIDENTS AND EXECUTIVES  
OF ALL  
STATE AGENCIES

March 10th, 1943

To the Honorable Members of the  
One Hundred and Ninth General Assembly  
Gentlemen:

On July 7th, 1941, His Excellency, Walter W. Bacon, called a meeting of Presidents and Executives of all State Agencies. At this meeting the Governor requested all to contribute their best thoughts and energies for creating and preserving good

standards for all agencies and at the same time eliminating duplication and unnecessary work, curtailing all capital improvements and striving for better inter-agency cooperation.

For the first time in the history of the affairs of the State of Delaware such an approach and appeal was made by the Chief Executive, thus giving to all, who are responsible for the welfare of the people an opportunity to work out a plan through which far fetched theories could be eliminated and the application of practical methods could be considered.

At this conference two councils were organized, "The Council of Presidents of all Boards of State Agencies" and "The Council of Executives of all State Agencies."

These Councils met regularly. At the meetings the Executives began the task of understanding each others problems, and helping the individual organization to so conduct its work that it would be of benefit to the whole.

During the first few months the Council considered all its problems on the basis of pre-war conditions, while during the last year the Council considered many problems directly involved with our entry in the war; such as, assisting the community, air raids, problems of evacuation and sanitation, blackouts, lack of sufficient help, increase in salaries and wages, adoption of a minimum and maximum salary scale for all services in all departments of the State, having in view that the salary scale of professional and non-professional State employees should be of such a nature as to compare favorably with that of private organizations, thus preventing disruption of State organizations through competition; establishment of a reasonable retirement plan for all State employees, providing some future security, which will be an inducement for many efficient and good employees to remain at their posts during economic fluctuation, national or international in scope; to establish a special state emergency fund with provisions to meet the present and future critical situation of institutions and agencies created by war, which situation in some instances was quite alarming, since some agencies cannot maintain their services on more than 50% of the standard level; creation of a special commission to establish minimum requirements for all state positions, (post-war procedure), post-war building program and many other problems.

Both Councils studied the above problems very carefully and submitted their report to the Governor for his consideration, approval and presentation of the same in toto or in part to your Honorable Body.

In preparing the post-war building program for our State, the members of the Council of Presidents of all Boards of State Agencies and of the Council of Executives of all State Agencies considered the problem as one composed of many branches closely interwoven. Recognizing the fact that our State has been in need of such a program for the past 15 years, considering also that many organizations of the State have approached the previous State Legislatures with building plans, but with an inadequate technic of approach, the members of both Councils have decided to work together with only one aim, to provide sufficient facilities not only for normal children and adults, but also adequate care of sick, feeble-minded, old, delinquent and severely maladjusted members of our community.

Our extensive post-war program included many new buildings, remodeling of old buildings, additions, etc. This proposed plan required a total sum of \$2,256,000.00.

After many meetings with the Governor, we presented our modified first part of the program which consisted of buildings incorporated in House Bill No. 8. This Bill will not only establish means for satisfactory care of those who are badly in need of such, but also will create opportunity for many of our citizens to find adequate work immediately after the war.

The Bill includes the following buildings for the different State agencies:

For the Delaware State Hospital, a special building for Alcoholics and Drug Addicts without Psychosis, at the cost of \$50,000.00 (this will solve the problem of the forgotten men and women who have no opportunity in this State to be treated and become adjusted); one special building for Epileptics without psychosis, at the cost of \$75,000.00, thus eliminating the commitment of such cases to the Delaware Colony for Feeble-Minded, since epileptics are fundamentally sick people and require hospitalization; one special building for children who require special hospital care for mental illness, at the cost of \$34,000.00; a complete new negro unit which will provide space for 270 male and female colored patients as well as quarters for negro doctors, nurses, attendants and other employees at the cost of \$350,000.00.

For the Delaware State Welfare Home, one building for 150 colored male and female guests and one special building for 60 white female guests. These two buildings will create sufficient space in the main central building to take care of physically ill members of the middle class and indigent who cannot be cared for in general hospitals because of the exorbitant cost. The expenditure of \$175,000.00 is required for the erection of these two buildings.

The Delaware State Welfare Home will also require a sewage disposal plant which will cost \$25,000.00.

For the Delaware Colony for Feeble-Minded, two buildings for 80 boys and girls, at the cost of \$80,000.00, and one building for vocational and occupational shops to accommodate 60% of the school's children, at the cost of \$70,000.00.

For the Brandywine Sanatorium, one building for 20 male employees, at the cost of \$15,000.00.

For the Ferris Industrial School, one building for 40 boys who are now housed in the gymnasium, at the cost of \$35,000.00.

For the Industrial School for Colored Girls, one building for 30 girls at the cost of \$25,000.00 and a sewage disposal plant at the cost of \$3,000.00.

For the University of Delaware—Department of Agriculture, the construction and equipment of a building at the Agriculture Sub-station in Sussex County under the direction of the Board of Trustees of the University of Delaware for the purposes of establishing a poultry unit, at a cost of \$3,000.00; greenhouses, headhouses and ranges at the cost of \$50,000.00 and a poultry laboratory and service building at the cost of \$10,000.00.

The total sum incorporated in the Bill is \$1,000,000.00. However, we are requesting your Honorable Body to consider very seriously an additional building for the State College for Colored Students, for the sum of \$60,000.00 which has not been included in the above Bill.

We are urging you gentlemen to react favorably to the above mentioned House Bill No. 8, thus enabling all State hospitals and institutions to materialize to a certain degree the desire of many members of our community, who are directly or indirectly interested in the welfare of these institutions, and who are well aware of the importance and the necessity of adequate housing of sick, old, delinquent and deficient members of our State.

SIGNED:

Committee of the Council of  
Presidents of all Boards of  
State Agencies—

J. A. FREAR, JR.  
J. E. GOSLEE  
DR. DORSEY LEWIS  
DR. R. F. CORLEY  
W. W. LAIRD, JR.

*President*

SIGNED:

Committees of the Council of  
Executives of all State Agencies—

CHARLES E. GRUBB  
DR. WALTER HULLIHEN  
DR. EDWIN CAMERON  
DR. A. V. GILLILAND  
HOWARD T. ENNIS  
REV. RALPH L. MINKER  
MERTON J. TRAST  
DR. M. A. TARUMIANZ

*President*

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

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

Reported the same back to the Senate favorably.

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

On motion of Mr. Messick, Senate Substitute for Senate Bill No. 61, entitled:

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

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

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

Motion prevailed.

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

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

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

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Evans, Senate Bill No. 103, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, in relation of Retaliatory Taxation and Regulation of the Importation, Sale and Transportation of Beer Manufactured outside of this State.

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

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

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

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

NAYS—None.

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

Ordered to the House for concurrence.

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

An Act appropriating Three Hundred Seven Dollars and Eighty-two Cents (\$307.82) to the Delaware State Board of Dental Examiners to make up certain deficiencies in appropriations for the Fiscal Years ending June 30, 1939 and June 30, 1940.

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

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

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

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

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. McGuigan, Senate Bill No. 28, entitled:

An Act to amend Chapter 165 of the Revised Code of the State of Delaware of 1935, 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. Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Yerkes, 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.

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, Huston, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Mr. President Pro Tem—14.

NAYS—Messrs. Johnston, Jones, Yerkes—3.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House 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.

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

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

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

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

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Bill No. 165, entitled:

An Act to amend An Act entitled "An Act to amend Chapter 53 of the Revised Code of Delaware 1935 entitled Salaries of certain County Officers" being Chapter 120, Volume 43, Laws of Delaware, 1941, in relation to the Salaries of the Deputies and Clerks of certain County Offices of New Castle County.

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

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

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

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

NAYS—None.

ABSENT—Mr. Mullin—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 adjourn until 12 o'clock noon, March 11, 1943.

Motion prevailed.

*«FORTY-FIFTH LEGISLATIVE DAY»*

Dover, Delaware, March 11, 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. 79, entitled:

An Act prohibiting persons receiving Clothing, Goods or Merchandise from any Relief Unit in this State from disposing of the same for Cash or otherwise, and providing Penalty therefor.

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. 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.

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. 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.

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. 119, entitled:

An Act granting Leave of Absence to Employees of the Mayor and Council of Wilmington, and preserving their Right to Priority and Advancement in Certain Cases.

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:

Senate Substitute for Senate Bill No. 30 with House Amendment No. 1, entitled:

An Act to provide for protecting the Beach or Strand opposite the Town of Bethany Beach, in Sussex County, Delaware, from Erosion.

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:

Senate Bill No. 31 with House Amendment No. 1, entitled:

An Act to provide for protecting the Beach or Strand opposite the City of Rehoboth Beach, in Sussex County, Delaware, from Erosion.

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:

Senate Substitute for Senate Bill No. 97 with House Amendment No. 1, entitled:

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

And returned the same to the Senate for concurrence.

The Chair presented House Bill No. 119, entitled:

An Act granting Leave of Absence to Employees of the Mayor and Council of Wilmington, and preserving their Right to Priority and Advancement in Certain Cases.

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

The Chair presented House Amendment No. 1 to Senate Bill No. 30.

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 Amendment No. 1 to Senate Bill No. 31.

Mr. Hitchens moved that House Amendment No. 1 to Senate Bill No. 31 be adopted by the Senate.

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

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

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

NAYS—None.

ABSENT — Messrs. Attix, Ayres, Johnston, McDowell, McGuigan, Messick, Sipple—7.

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

On the question, "Shall Senate Bill No. 31 as amended pass the Senate?"

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

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

NAYS—None.

ABSENT — Messrs. Attix, Ayres, Johnston, McDowell, McGuigan, Messick, Sipple—7.

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

The Chair presented House Amendment No. 1 to Senate Substitute for Senate Bill No. 97.

Mr. Mulholland moved the adoption of the amendment.

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

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

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

NAYS—None.

ABSENT — Messrs. Attix, Ayres, Johnston, McDowell, McGuigan, Messick, Sipple—7.

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

On the question, "Shall Senate Substitute for Senate Bill No. 97 as amended pass the Senate?"

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

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

NAYS—None.

ABSENT — Messrs. Attix, Ayres, Johnston, McDowell, McGuigan, Messick, Sipple—7.

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

The President announced he is about to sign:

House Bill No. 98.

House Bill No. 165.

House Bill No. 177.

House Bill No. 268.

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 President announced he is about to sign:

Senate Bill No. 73.

Senate Substitute for Senate Bill No. 97 with House Amendment No. 1.

Senate Bill No. 79.

Senate Substitute for Senate Bill No. 93.

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred Senate Bill No. 30 with House Amendment No. 1, entitled:

An Act to provide for protecting the Beach or Strand opposite the Town of Bethany Beach, in Sussex County, Delaware, from Erosion.

Reported the same back to the Senate favorably.

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

Mr. Edmonds, on behalf of the Committee on Municipal Corporations, to whom had been referred House Bill No. 119, entitled:

An Act granting Leave of Absence to Employees of the Mayor and Council of Wilmington, and preserving their Right of Priority and Advancement in certain cases.

Reported the same back to the Senate favorably.

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

Mr. Evans, on behalf of the Committee on Labor, to whom had been referred Senate Substitute for Senate Bill No. 228, entitled:

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

Reported the same back to the Senate favorably.

JAMES S. EVANS  
HARRY H. MULHOLLAND  
GEORGE W. RHODES  
ROBERT H. YERKES  
WM. B. HUSTON

On motion of Mr. Bunting, 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.

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

Upon request the privilege of the floor was given to Mr. James M. Tunnell, Jr.



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. Bunting, on motion for leave, introduced Senate Substitute for Senate Bill No. 140, entitled:

An Act to authorize and empower "The Mayor and Council of the Town of Selyville" to have full Power and Authority over any and/or all Buildings deemed to be a Fire Menace and/or structurally unsafe.

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

Mr. Bunting, on motion for leave, introduced Senate Substitute for Senate Bill No. 141, entitled:

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

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

On motion of Mr. Yerkes, House Bill No. 285, entitled:

An Act to amend Chapter 56, Revised Code of Delaware, 1935, relating to Registration of Voters, by the repeal of 1712. Sec. 7, and by Substituting in lieu there of a new Section to be known as 1712. Section 7.

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, Huston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Johnston—1.

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

Ordered returned to the House.

The President announced he is about to sign:

Senate Bill No. 31 with House Amendment No. 1.

Messrs. Messick and Bunting, on motion for leave, introduced Senate Substitute for Senate Bill No. 125, entitled:

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

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

Mr. Bunting moved that rules be suspended and that Senate Bill No. 30 with House Amendment No. 1 be considered for final action.

Motion prevailed.

The Chair presented Senate Bill No. 30 with House Amendment No. 1.

Mr. Bunting moved the adoption of House Amendment No. 1 to Senate Bill No. 30.

On the question, "Shall House Amendment to Senate Bill No. 30 pass the Senate?"

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

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

NAYS—None.

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

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

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

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

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

NAYS—None.

ABSENT—Messrs. Attix, Johnston—2.

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

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

Motion prevailed.

*✠FORTY-SIXTH LEGISLATIVE DAY✠*

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

Senate met pursuant to adjournment.

Mr. Yerkes presiding.

Roll called.

Members Present—Johnston, Jones, Yerkes—3.

Members Absent—Attix, Ayres, Edmond, Evans, Hitchens, Huston, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Mr. President Pro Tem—14.

There being no quorum present Mr. Yerkes declared the Senate adjourned until Monday, March 15, 1943.

«*FORTY-SEVENTH LEGISLATIVE DAY*»

Dover, Delaware, March 15, 1943, 12 o'clock noon.

Senate met pursuant to adjournment.

Lieutenant-Governor Isaac J. MacCollum presiding.

Prayer by the Chaplain.

Roll Call.

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

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

Motion prevailed.

The Chair presented a communication urging the passage of the Family Court Bill.

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. 6, entitled:

Directing the Secretary of State to return Senate Substitute for Senate Bill No. 93 to the House of Representatives.

And presented the same to the Senate.

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

House Substitute for House Bill No. 10, entitled:

An Act making appropriations to the State Highway Department for the Construction and Reconstruction of Roads, Highways and Bridges of the State and for Expenditures incidental thereto and providing conditions under which appropria-

tions are made to the said Department and providing the time when such appropriations shall become effective and the monies from which said appropriations shall be paid.

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. 71, entitled:

An Act to amend Chapter 129, Volume 43, Laws of Delaware, entitled "An Act to amend Chapter 60 of the Revised Code of Delaware, 1935, relating to General Elections, and providing for Two Separate Ballots,—A Presidential and Vice-Presidential Ballot, and a State, County and District Ballot."

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. 112 with House Amendment No. 1, entitled:

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

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. 149, entitled:

An Act relating to the Legal Duty of Parents to support their Minor Children.

And presented the same to the Senate.

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

House Bill No. 300, entitled:

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

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 Concurrent Resolution No. 10, entitled:

Thanking E. Paul Burkholder for his part in the program celebrating Washington's Birthday.

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. 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.

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. 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.

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. 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.

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. 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.

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. 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.

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. 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.

And returned the same to the Senate.



The Chair presented communications from the Legislature of Texas referring to Post-War Economic Planning, New Castle County Industrial Union Council, referring to Absenteeism in Industrial Plants, and Senator James M. Tunnell, referring to his vote on the Teachers Pay Increase Bill.

Mr. Yerkes moved that the communication and resolution received by the Senate from the City of Milford be stricken from the Senate Journal and records.

Motion prevailed.

The Chair presented the following communication:

#### CITY OF MILFORD

Milford, Delaware, March 12, 1943

The Honorable  
President of the Senate  
General Assembly  
Dover, Delaware

Dear Mr. President:

At a recent meeting of The Milford City Council, assembled in Special Session, the following motion was proposed, duly seconded and unanimously passed:

"That a letter be written to the President of the Senate of the General Assembly of the State of Delaware, advising the members thereof that Senate Bills No. 150, No. 151, No. 152, No. 153, No. 154, No. 155, No. 156, and No. 157 and referring to the Milford City Charter, were not sponsored by The Milford City Council."

It is to be noted with regret that through an error this matter was first brought to you in the form of a resolution. It was not the desire or intention of the Council to act in that manner. The Legislative Committee begs to recall the Resolution which was out of order.

Very respectfully yours,

THE MILFORD CITY COUNCIL

A. E. HUMES, *Secretary*

THE LEGISLATIVE COMMITTEE

E. C. EVANS, *Mayor*  
J. B. POORE  
FRANK R. GRIER

Mr. Edmonds, on behalf of the Committee on Municipal Corporations, to whom had been referred Senate Substitute for Senate Bill No. 140, entitled:

An Act to authorize and empower "The Mayor and Council of the Town of Selbyville" to have full Power and Authority over any and/or all Buildings deemed to be a Fire Menace and/or structurally unsafe.

Reported the same back to the Senate favorably.

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

Mr. Edmonds, on behalf of the Committee on Municipal Corporations, to whom had been referred Senate Substitute for Senate Bill No. 141, entitled:

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

Reported the same back to the Senate favorably.

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

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred House Bill No. 55, entitled:

An Act to amend Chapter 165 Revised Code of Delaware, 1935, relating to Motor Vehicles by increasing the Permissible Actual Weight of said Motor Vehicles.

Reported the same back to the Senate favorably.

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

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred House Bill No. 56, entitled:

An Act to amend Chapter 165 Revised Code of Delaware, 1935, relating to Motor Vehicles by changing the Authorized Length of Motor Vehicles.

Reported the same back to the Senate favorably.

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

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

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

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

On motion of Mr. Evans, House Concurrent Resolution No. 6, entitled:

Directing the Secretary of State to return Senate Substitute for Senate Bill No. 93 to the House of Representatives.

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

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

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

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

NAYS—None.

ABSENT — Messrs. Attix, Huston, McDowell, Messick, Mulholland, Sipple—6.

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.

The President announced he is about to sign:  
Senate Bill No. 30 with House Amendment No. 1.

The President announced he is about to sign:  
Senate Substitute for Senate Bill No. 19.  
Senate Bill No. 45.

Senate Substitute for Senate Bill No. 46.

Senate Bill No. 47.

Senate Bill No. 91.

Senate Bill No. 92.

Senate Concurrent Resolution No. 10.

House Bill No. 76.

House Bill No. 285.

House Concurrent Resolution No. 6.

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

Motion prevailed.

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

Senate met at expiration of recess.

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

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

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. 71, entitled:

An Act to amend Chapter 129, Volume 43, Laws of Delaware, entitled "An Act to amend Chapter 60 of the Revised Code of Delaware, 1935, relating to General Elections, and providing for Two Separate Ballots,—A Presidential and Vice-Presidential Ballot, and a State, County and District Ballot."

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

The Chair presented House Substitute for House Bill No. 149, entitled:

An Act relating to the Legal Duty of Parents to support their Minor Children.

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. 300, entitled:

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

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

The Chair presented House Substitute for House Bill No. 10, entitled:

An Act making appropriations to the State Highway Department for the Construction and Reconstruction of Roads, Highways and Bridges of the State and for Expenditures incidental thereto and providing conditions under which appropriations are made to the said Department and providing the time when such appropriations shall become effective and the monies from which said appropriations shall be paid.

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

The Chair presented House Substitute for House Bill No. 112 with House Amendment No. 1, entitled:

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

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

On motion for leave, Mr. Mullin introduced Senate Resolution No. 47, entitled:

#### SENATE RESOLUTION NO. 47

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. . . . . \$1,693.76

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

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

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

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

Motion prevailed.

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Same Day, 4:25 o'clock P. M.

Senate met at expiration of recess.

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

Motion prevailed.

*«FORTY-EIGHTH LEGISLATIVE DAY»*

Dover, Delaware, March 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, 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 the following report from the State Athletic Commission:

March 15, 1943

Honorable Members of the One Hundred and Ninth  
General Assembly of the State of Delaware

Gentlemen:

We submit for your consideration the following biennial report together with our recommendations for needed changes and amendments to the present Act allowing and regulating boxing, sparring and wrestling matches and exhibitions; establishing a State Athletic Commission, and prescribing penalties.

Following is a detailed report of activities for the last two calendar years:

## 1941

No. of Permits Issued .....	19
No. of Licenses Issued .....	111
No. of Wrestling Exhibitions .....	5
No. of Wrestling Bouts .....	23
No. of Wrestlers Competing .....	48
No. of Professional Boxing Exhibitions .....	14
No. of Professional Boxing Bouts .....	75
No. of Professional Boxers Competing .....	150
Total Attendance, All Exhibitions .....	22,027
Total Gross Receipts .....	\$18,596.00
Total State Tax .....	\$929.80
Total Licenses, Fines, Permits, etc. ....	\$545.50
Total Expenses .....	\$981.39

## 1942

No. of Permits Issued .....	15
No. of Licenses Issued .....	53
No. of Amateur Boxing Exhibitions .....	7
No. of Amateur Boxing Bouts .....	53
No. of Amateur Boxers Competing .....	106
No. of Wrestling Exhibitions .....	1
No. of Wrestling Bouts .....	4
No. of Wrestlers Competing .....	8
No. of Professional Boxing Exhibitions .....	7
No. of Professional Boxing Bouts .....	37
No. of Professional Boxers Competing .....	74
Total Attendance, All Exhibitions .....	18,744
Total Gross Receipts .....	\$20,822.23
Total State Tax .....	\$1,041.11
Total Licenses, Fine, Permits, etc. ....	\$302.00
Total Expenses .....	\$1,376.04

Respectfully submitted,

STATE ATHLETIC COMMISSION

J. EDWARD SCHELL  
JAMES L. LUKE, JR.  
MAC SUMNER MULLIN



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. 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.

And returned the same to the Senate for concurrence.

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

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

Reported the same back to the Senate favorably.

GEORGE W. MULLIN  
HARRY H. JONES  
JOHN R. HITCHENS  
J. S. EVANS

Mr. Mullin, on behalf of the Committee on Judiciary, to whom had been referred House Substitute for House Bill No. 149, entitled:

An Act relating to the Legal Duty of Parents to Support their Minor Children.

Reported the same back to the Senate favorably.

GEORGE W. MULLIN  
HARRY H. JONES  
JOHN R. HITCHENS  
JAS. S. EVANS

Mr. Mullin, on behalf of the Committee on Judiciary, to whom had been referred House Bill No. 300, entitled:

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

Reported the same back to the Senate favorably.

GEORGE W. MULLIN  
HARRY H. JONES  
JOHN R. HITCHENS  
JAS. S. EVANS

Mr. Rhodes, on motion for leave, introduced Senate Substitute for 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.

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

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

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

Mr. Jones, on motion for leave, introduced Senate Substitute for Senate Bill No. 208, entitled:

An Act to amend Chapter 90 of the Revised Code of Delaware, 1935, in reference to Female Employees, by allowing Longer Hours of Work during the War Emergency; and providing for the Return to Regulations now in Force.

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

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. 10, entitled:

Thanking E. Paul Burkholder for his part in the program celebrating Washington's Birthday.

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.

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.

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.

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.

Senate Bill No. 30 with House Amendment No. 1, entitled:

An Act to provide for protecting the Beach or Strand opposite the Town of Bethany Beach, in Sussex County, Delaware, from Erosion.

W. DEANNE JOHNSTON  
HARRY H. MULHOLLAND

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

Senate Substitute for Senate Bill No. 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.

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 Requirments, for the duration of the present war and for six months after the termination thereof.

W. DEANNE JOHNSTON  
HARRY H. MULHOLLAND

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. 79, entitled:

An Act prohibiting persons receiving Clothing, Goods or Merchandise from any Relief Unit in this State from disposing of the same for Cash or otherwise, and providing Penalty therefor.

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.

Senate Substitute for Senate Bill No. 93, entitled:

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

Senate Bill No. 31 with House Amendment No. 1, entitled:

An Act to provide for protecting the Beach or Strand opposite the City of Rehoboth Beach, in Sussex County, Delaware, from Erosion.

Senate Substitute for Senate Bill No. 97 with House Amendment No. 1, entitled:

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

W. DEANNE JOHNSTON  
HARRY H. MULHOLLAND

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

Motion prevailed.

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

Senate met at expiration of recess.

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

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

Reported the same back to the Senate favorably.

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

Mr. Jones, on behalf of the Committee on Agriculture, to whom had been referred House Bill No. 54, entitled:

An Act to provide for the Creation of Soil Conservation Districts which shall engage in saving the productive power of Delaware farm land by maintaining or improving the fertility of the soil, including farm drainage and the prevention or control of soil erosion; to define the powers and duties of Soil Conservation Districts, and to provide for the Exercise of such Powers and Duties, including the Authority to Accept Money or other Aid from any Agency of the United States or of the State of Delaware; to establish the State Soil Conservation Commission as the Administrative Head of all Soil Conservation Districts hereafter to be established under the Provisions of this Act, and to define the Powers and Duties of this Commission.

Reported the same back to the Senate on its merits.

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

Mr. Evans, on behalf of the Committee on Labor, to whom had been referred Senate Substitute for Senate Bill No. 208, entitled:

An Act to amend Chapter 90 of the Revised Code of Delaware, 1935, in reference to Female Employees, by allowing Longer Hours of Work during the War Emergency; and providing for the Return to Regulations now in Force.

Reported the same back to the Senate favorably.

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

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

Senate Substitute for Senate Bill No. 5 as amended—Approved March 12, 1943.

Senate Bill No. 31 with House Amendment—Approved March 12, 1943.

Senate Bill No. 73—Approved March 12, 1943.

Senate Bill No. 79—Approved March 12, 1943.

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

Senate Bill No. 66 as amended—Approved March 9, 1943.

Senate Bill No. 87—Approved March 9, 1943.

Senate Substitute for Senate Bill No. 95—Approved March 9, 1943.

Senate Bill No. 21—Approved March 10, 1943.

Senate Bill No. 34—Approved March 10, 1943.

Senate Bill No. 76—Approved March 10, 1943.

The Chair declared that the Senate recess for 10 minutes.

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

Senate met at expiration of recess.

Mr. Steward was granted the privilege of the floor to explain Marine Fisheries, concerning the Striped Bass Bill.

On motion of Mr. Yerkes, Senate Bill No. 36 with Senate Amendment No. 1 and Senate Amendment No. 2, entitled:

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

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

Mr. Yerkes moved that Senate Amendment No. 1 to Senate Bill No. 36 be adopted.

On the question, "Shall the Amendment 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, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—17.

NAYS—None.

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

Mr. Yerkes moved that Senate Amendment No. 2 to Senate Bill No. 36 be adopted.

On the question, "Shall the Amendment 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, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—17.

NAYS—None.

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

On 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, Jones, McDowell, McGuigan, Hessick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—Mr. Johnston—1.

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.

Mr. Attix requested that Senate Bill No. 167 be stricken from the Calendar.

Request granted.

On motion of Mr. Yerkes, House Bill No. 55, entitled:

An Act to amend Chapter 165 Revised Code of Delaware, 1935, relating to Motor Vehicles by increasing the Permissible Actual Weight of said 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. Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered returned to the House.



On motion of Mr. Yerkes, House Bill No. 56, entitled:

An Act to amend Chapter 165 Revised Code of Delaware, 1935, relating to Motor Vehicles by changing the Authorized Length of 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. Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered returned to the House.

Mr. Yerkes, on motion for leave, introduced Senate Substitute for Senate Bill No. 18, entitled:

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

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

On motion for leave, Mr. Yerkes introduced Senate Resolution No. 48, entitled:

#### SENATE RESOLUTION NO. 48

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 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.

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

Motion prevailed.

*✠FORTY-NINTH LEGISLATIVE DAY✠*

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

Senate met pursuant to adjournment.

Lieutenant-Governor Isaac J. MacCollum presiding.

Prayer by the Chaplain.

Roll called.

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

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

Motion prevailed.

The Chair presented a communication from The Y's Men's Club of Wilmington endorsing the Family Court Bill.

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred House Substitute for House Bill No. 10, entitled:

An Act making appropriations to the State Highway Department for the Construction and Reconstruction of Roads, Highways and Bridges of the State and for Expenditures incidental thereto and providing conditions under which appropriations are made to the said Department and providing the time when such Appropriations shall become effective and the monies from which said appropriations shall be paid.

Reported the same back to the Senate favorably.

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

Mr. Johnston, on behalf of the Committee on Education, to whom had been referred Senate Substitute for Senate Bill No. 18, entitled:

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

Reported the same back to the Senate favorably.

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

Mr. Yerkes, on behalf of the Committee on Elections, to whom had been referred House Bill No. 71, entitled:

An Act to amend Chapter 129, Volume 43, Laws of Delaware, entitled "An Act to amend Chapter 60 of the Revised Code of Delaware, 1935, relating to General Elections, and providing for Two Separate Ballots,—A Presidential and Vice-Presidential Ballot, and a State, County and District Ballot."

Reported the same back to the Senate favorably.

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

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

Senate Concurrent Resolution No. 9, entitled:

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

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. 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.

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. 77, entitled:

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

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. 92, entitled:

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

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. 104 with House Amendment No. 1, entitled:

An Act to amend Chapter 33, Sec. 9, 625, Sec. 58 of the Revised Code, relating to Commercial Feeding Stuffs.

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. 118, entitled:

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

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. 128, entitled:

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

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. 160, entitled:

An Act authorizing the Rosehill-Minquadale School District No. 47 New Castle County to Borrow Money and Issue Bonds therefore for the Construction of Additional Facilities at the Minquadale School.

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. 200, entitled:

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

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, 3:15 o'clock P. M.

Senate met at expiration of recess.

The Chair presented House Bill No. 77, entitled:

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

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. 104 with House Amendment No. 1, entitled:

An Act to amend Chapter 33, Sec. 9, 625, Sec. 58 of the Revised Code, relating to Commercial Feeding Stuffs.

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

The Chair presented House Bill No. 92, entitled:

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

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

The Chair presented House Bill No. 118, entitled:

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

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 Substitute for House Bill No. 128, entitled:

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

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

The Chair presented House Substitute for House Bill No. 160, entitled:

An Act authorizing the Rosehill-Minquadale School District No. 47 New Castle County to Borrow Money and Issue Bonds therefore for the Construction of Additional Facilities at the Minquadale School.

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

The Chair presented House Substitute for House Bill No. 200, entitled:

An Act to amend Chapter 60 of the Revised Code of Delaware, 1935, relative to General Elections, by dividing the Third Election District of the Tenth Representative District into the Third and Fourth Election District of the Tenth 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.

The President announced he is about to sign:

Senate Substitute for Senate Bill No. 173.

Senate Concurrent Resolution No. 9.

House Bill No. 55.

House Bill No. 56.

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

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

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

Mr. Mulholland moved that House Substitute for Senate Bill No. 44 be adopted in lieu of the original.

Motion prevailed.



Upon request the privilege of the floor was given to Mr. Frank Lynch.

On the question, "Shall the Bill as substituted 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.

On motion of Mr. Jones, Senate Substitute for Senate Bill No. 208, entitled:

An Act to amend Chapter 90 of the Revised Code of Delaware, 1935, in reference to Female Employees, by allowing Longer Hours of Work during the War Emergency; and providing for the Return to Regulations now in Force.

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

Mr. Jones moved the adoption of the Substitute in lieu of the original bill.

Motion prevailed.

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

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

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

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Yerkes, House Substitute for House Bill No. 149, entitled:

An Act relating to the Legal Duty of Parents to Support their Minor Children.

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

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

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

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

NAYS—None.

ABSENT—Mr. Mulholland—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. 300, entitled:

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

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

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

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

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

NAYS—None.

ABSENT—Mr. Mulholland—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. Ayres, on motion for leave, introduced Senate Substitute for Senate Bill No. 177, entitled:

An Act to amend Chapter 217 of Volume 43, Laws of Delaware, 1941, 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 Expenses 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."

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

Mr. Yerkes, on motion for leave, introduced Senate Substitute for 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.

Mr. Yerkes moved the adoption of Senate Substitute for House Bill No. 125.

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

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

YEAS—Messrs. Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—12.

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

ABSENT—Mr. Mulholland—1.

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

Mr. McGuigan explained his vote by saying: "No, until such time as New Castle County was included in the bill."

On motion of Mr. Yerkes, Senate Substitute for 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.

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. Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—12.

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

ABSENT—Mr. Mulholland—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 for concurrence.

Mr. Rhodes requested the privilege of the floor for Dr. Cameron to explain Senate Substitute for Senate Bill No. 72.

Request granted.

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

Senate Bill No. 105, entitled:

An Act to amend Chapter 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.

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. 41 with House Amendment No. 1, entitled:

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

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. 122, entitled:

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

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. 123, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, as amended, relating to "Alcoholic Liquor, Wines and Beer," in reference to Applications for Licenses.

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. 126, entitled:

An Act making appropriation to the State Highway Department for the Acquisition of Rights of Way for the Construction and Reconstruction of the Roads, Highways and Bridges of the State and for Expenditures incidental thereto.

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. 181, entitled:

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

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. 187, entitled:

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

And presented the same to the Senate.

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

Motion prevailed.

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Same Day, 5:15 o'clock P. M.

Senate met at expiration of recess.

Mr. Hitchens, on motion for leave, introduced Senate Substitute for Senate Bill No. 174, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, by creating a Motor Vehicle Commission to Manage and Control the Motor Vehicle Department of the State of Delaware in place of the State Highway Department; providing for the Appointment of Members of the Commission, their Terms of Office, Qualifications and Expenses, their Powers and Duties; providing for Payment of the Expenses of such Management and Control.

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

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

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

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

Mr. Jones, on motion for leave, introduced Senate Substitute for Senate Bill No. 224, entitled:

An Act proposing an amendment to Article II of the Constitution of the State of Delaware relating to the Legislature.

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

Mr. Edmonds, on motion for leave, introduced Senate Substitute for Senate Bill No. 214, entitled:

An Act for the Conservation and Protection of Soft Shell and Peeler Crabs.

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

Mr. Edmonds, on motion for leave, introduced Senate Amendments Nos. 1 and 2 to 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.

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

Motion prevailed.

❖FIFTIETH LEGISLATIVE DAY❖

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

Senate met pursuant to adjournment.

Lieutenant-Governor Isaac J. MacCollum presiding.

Prayer by the Chaplain.

Roll called.

Members Present—Edmond, 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 communication from the Draper Canning Company asking the defeat of House Bill No. 128, also a letter from the War Manpower Commission regarding the same Bill.

Mr. Mulholland, on behalf of the Committee on Private Corporations, to whom had been referred Senate Substitute for 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.

Reported the same back to the Senate favorably.

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



Mr. Yerkes, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred Senate Substitute for Senate Bill No. 60, entitled:

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

Reported the same back to the Senate on its merits.

ROBERT H. YERKES  
GEORGE W. MULLIN  
J. S. EVANS

The President announced he is about to sign:

Senate Bill No. 105.

House Substitute for Senate Bill No. 44.

The Chair presented House Bill No. 41 with House Amendment No. 1, entitled:

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

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

The Chair presented House Bill No. 122, entitled:

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

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. 123, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, as amended, relating to "Alcoholic Liquor, Wines and Beer," in reference to Applications for Licenses.

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. 126, entitled:

An Act making appropriation to the State Highway Department for the Acquisition of Rights of Way for the Construction and Reconstruction of the Roads, Highways and Bridges of the State and for Expenditures incidental thereto.

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

The Chair presented House Substitute for House Bill No. 181, entitled:

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

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

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

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

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

Mr. Jones, on motion for leave, introduced Senate Substitute for Senate Bill No. 207, entitled:

An Act creating a State Police Commission to Manage and Control the State Police of the State of Delaware in place of State Highway Department; providing for the Appointment of Members of the Commission, their Term of Office, Qualifications and Expenses, their Powers and Duties; providing for the Payment of the Expenses of such Management and Control.

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

Mr. Mulholland, on behalf of the Committee on Banking and Insurance, to whom had been referred House Bill No. 118, entitled:

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

Reported the same back to the Senate favorably.

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

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.

On motion for leave, Mr. Bunting introduced Senate Resolution No. 49, entitled:

#### SENATE RESOLUTION NO. 49

In reference to Amending Senate Rules.

BE IT RESOLVED by the Senate of the 109th General Assembly of the State of Delaware that Rule 21 of the Rules of the Senate be and it is hereby amended by striking out and repealing all of the said Rule 21 and substituting in lieu thereof a new rule to be styled Rule 21, as follows:

"Rule 21. A motion shall be in order at any time to amend or substitute a title to any bill providing it does not change the subject matter of said bill."

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

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

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

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. Huston, McDowell, McGuigan, Messick, Sipple—5.

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.

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

An Act to amend Chapter 129, Volume 43, Laws of Delaware, entitled "An Act to amend Chapter 60 of the Revised Code of Delaware, 1935, relating to General Elections, and providing for Two Separate Ballots,—A Presidential and Vice-Presidential Ballot, and a State, County and District Ballot."

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. Wm. J. Storey, Secretary of State.

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. Huston, McDowell, McGuigan, Messick, Sipple—5.

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.

Mr. Mulholland, on behalf of the Committee on Banking and Insurance, to whom had been referred Senate Bill No. 78, entitled:

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

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. Yerkes, House Substitute for House Bill No. 10, entitled:

An Act making appropriations to the State Highway Department for the Construction and Reconstruction of Roads, Highways and Bridges of the State and for Expenditures incidental thereto and providing conditions under which appropriation are made to the said Department and providing the time when such appropriations shall become effective and the monies from which said appropriations shall be paid.

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

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

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.

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred House Bill No. 126, entitled:

An Act making appropriation to the State Highway Department for the Acquisition of Rights of Way for the Construction and Reconstruction of the Roads, Highways and Bridges of the State and for Expenditures incidental thereto.

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 Substitute for House Bill No. 187, entitled:

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

Reported the same back to the Senate favorably.

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

On motion of Mr. Yerkes, Senate Substitute for Senate Bill No. 18, entitled:

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

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, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—13.

NAYS—Mr. McDowell—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 for leave, Mr. Bunting introduced Senate Concurrent Resolution No. 11, entitled:

#### SENATE CONCURRENT RESOLUTION NO. 11

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

BE IT RESOLVED by the Senate of the 109th General Assembly, the House of Representative concurring therein, that at the close of the Legislative Day, March 25, 1943, both Houses of this General Assembly shall adjourn until Monday, April 5, 1943, at eleven o'clock A. M.

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

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

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 to the House for concurrence.

On motion for leave, Mr. Bunting introduced Senate Concurrent Resolution No. 12, entitled:

#### SENATE CONCURRENT RESOLUTION NO. 12

In reference to Adjournment Sine Die.

BE IT RESOLVED by the Senate of the 109th General Assembly of the State of Delaware, the House of Representatives concurring therein, that at the close of the 60th Legislative Day of the 109th General Assembly of the State of Delaware both Houses of this General Assembly shall adjourn sine die.

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

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

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

YEAS—Messrs. 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 to the House for concurrence.



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

Motion prevailed.

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Same Day, 5:05 o'clock P. M.

Senate met at expiration of recess.

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred Senate Bill No. 77, entitled:

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

Reported the same back to the Senate favorably.

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

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

Senate Bill No. 26, entitled:

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

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. 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.

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. 61, entitled:

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

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. 68, entitled:

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

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. 135, entitled:

An Act appropriating certain Moneys out of the State Treasury to pay the Expenses of the Publication of an additional Volume of Unpublished Decisions of Josiah O. Wolcott, late Chancellor 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 Substitute for House Bill No. 139, entitled:

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

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. 150, entitled:

An Act to authorize the State Highway Department to repair damages to the property of Crystal Fount Lodge No. 10, I. O. O. F., Inc., caused by grading of State Armory Property at Milford.

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. 174, entitled:

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

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. 169, entitled:

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

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. 189, entitled:

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

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. 190, entitled:

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

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. 250, entitled:

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

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. 240, entitled:

An Act to permit Voting by Persons not present at the Polling Places, under Certain Circumstances and Conditions.

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. 251, entitled:

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

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. 299, entitled:

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

And presented the same to the Senate.

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

Motion prevailed.

❖FIFTY-FIRST LEGISLATIVE DAY❖

Dover, Delaware, March 19, 1943, 12 o'clock noon

Senate met pursuant to adjournment.

Lieutenant-Governor Isaac J. MacCollum presiding.

Prayer by the Chaplain.

Roll called.

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

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

Motion prevailed.

The Chair presented a number of communications.

Roll call of the Boys' State Members of the Senate.

The following is the roster of the State Officers, General Assembly, and Boys' State:

DEPARTMENT OF DELAWARE  
AMERICAN LEGION

ROSTER OF STATE OFFICERS, GENERAL ASSEMBLY  
AND BOYS' STATE

STATE OFFICERS

Office	Name	Sponsoring	School
Governor	Walter W. Bacon	Raymond Rust	Georgetown
Lieutenant-Governor	Isaac J. MacCollum	William Boyd, Jr.	Caesar Rodney
Secretary of State	William J. Storey	William Gordy	Laurel
Attorney General	Clair J. Killoran	Ernest Wilson	Friends School
State Treasurer	John S. Isaacs	Joseph Geoghegan	Delaware City
State Auditor	J. Morris Harrington	Irvin Quillen	Lord Baltimore
Insurance Commissioner	William J. Swain	William Derrickson	Harrington

## MEMBERS OF THE SENATE

Senator	Sponsoring	School
James S. Evans	Harry Temple	Brown Vocational
J. Carl McGuigan	William M. McGovern	Salesianum
George P. Edmonds	Francis Pollard	New Castle
George W. Mullin	William Frederick	Friends School
George W. Rhodes	Wayne Pollari	Newark
Paul B. Messick	Harry Sadoff	Middletown
Harris B. McDowell, Jr.	Thomas Smith	Tower Hill
William Deanne Johnston	Kirby Metz	Dover
Frank Attix	George Wright	Smyrna
Harry H. Jones	Ray Maston	Harrington
Charles L. Sipple	Marshall J. Frazier	Felton
Robert H. Yerkes	William Cavanagh	Milford
Harry H. Mulholland	William Newnom	Greenwood
William B. Huston	William Willis	Seaford
William H. Ayres	Randall Godwin	Selbyville
Clayton A. Bunting	Stanton Adkins	Millsboro
John R. Hitchens	Robert Adkins	Delmar

## MEMBERS OF THE HOUSE OF REPRESENTATIVES

Representative	Sponsoring	School
Albert B. Husbands	Arthur Koffenberger	P. S. duPont
W. Roy Willits	Charles Tyrowski	Brown Vocational
Ralph S. Keenan	William Hughes	Friends School
Francis Q. Lemon	C. Robert McAteer	Salesianum
James M. Maloney	Edward Laskoris	Wilmington
Raymond B. Phillips	John Gallaher	Claymont
Samuel B. Bird	Donald Wilkie	A. I. duPont
Benjamin E. Hicks	Robert Taylor	Conrad
Clarence E. McVey	William F. Dawson	Archmere
James R. Quigley	Joseph Quigley	New Castle
Herman H. Leasure	Edson Detjen	Newark
George R. Clark	William Morrow	Delaware City
Edward L. Pleasanton	Eugene Bullen	Middletown
Frank A. Lawson	Richard Rose	Sanford Prep
James C. Reynolds, Jr.	David Rayner	Tower Hill
Harry E. Manlove	John Wood	Smyrna
Willard E. Barcus	Robert Marine	Dover
Carl A. Hurd	Henry Dukes	John B. Moore
Howard F. Schweitzer	Hilliard Palmer	Lewes
Benjamin F. Johnson	Richard Long	Lord Baltimore
Marion Frasher	Richard Tikiob	Rehoboth
Robert Maris Pyott	James Spence	Caesar Rodney
Thomas E. Moore	Robert Kelley	Felton
Fred S. Bailey	Ormond Hobbs	Harrington
George A. Swain	William Counselman	Milford
Henry D. Cook	Drexel O. Chaffinch	Greenwood

## MEMBERS OF THE HOUSE OF REPRESENTATIVES

*(continued)*

Representative	Sponsoring	School
Martin Uhler	Victor Lewis	Bridgeville
Edward S. West	John Malarkey	Seaford
Martin W. Johnson, Jr.	Goldsbury Revel	Laurel
William A. Easom	Gilbert Workman	Delmar
William J. Rose	Vernon Baker	Millsboro
Roland F. Scott	Louis Simpler	Selbyville
Harvey H. Lawson	Norris L. Bunting	J. M. Clayton
C. Linden McIlvaine	William Lambden	Georgetown
Edward Millman	James White	Milton

The President announced he is about to sign:

Senate Substitute for Senate Bill No. 61.

Senate Bill No. 26.

Senate Bill No. 68.

Senate Bill No. 32.

House Substitute for House Bill No. 10.

House Bill No. 71.

House Bill No. 149.

House Bill No. 300.

The Chair presented House Bill No. 135, entitled:

An Act appropriating certain Moneys out of the State Treasury to pay the Expenses of the Publication of an additional Volume of Unpublished Decisions of Josiah O. Wolcott, late Chancellor of the State of Delaware.

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

The Chair presented House Substitute for House Bill No. 139, entitled:

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



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

The Chair presented House Substitute for House Bill No. 150, entitled:

An Act to authorize the State Highway Department to repair damages to the property of Crystal Fount Lodge No. 10, I. O. O. F., Inc., caused by grading of State Armory Property at Milford.

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. 169, entitled:

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

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. 174, entitled:

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

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. 189, entitled:

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

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. 190, entitled:

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

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

The Chair presented House Substitute for House Bill No. 240, entitled:

An Act to permit Voting by Persons not present at the Polling Places, under Certain Circumstances and Conditions.

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

The Chair presented House Bill No. 250, entitled:

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

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. 251, entitled:

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

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

The Chair presented House Substitute for House Bill No. 299, entitled:

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

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

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

Senate Concurrent Resolution No. 11, entitled:

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

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. 12, entitled:

In reference to Adjournment Sine Die.

And returned the same to the Senate.

On motion for leave, Mr. Johnston introduced Senate Concurrent Resolution No. 13, entitled:

#### SENATE CONCURRENT RESOLUTION NO. 13

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

BE IT RESOLVED by the Senate of the 109th General Assembly, the House of Representatives concurring therein, that both Houses of the General Assembly shall meet in Joint Session in the Senate Chamber at 2:30 P. M. on Friday, March 19, 1943, for the purpose of hearing the message of the Governor of the State of Delaware and of the Governor of the Boys' State.

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

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

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

Ordered to the House for concurrence.

Mr. Bunting, on behalf of the Committee on Miscellaneous, to whom had been referred House Substitute for House Bill No. 181, entitled:

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

Reported the same back to the Senate favorably.

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

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

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

Reported the same back to the Senate favorably.

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

Mr. Johnston, on motion for leave, introduced Senate Substitute for Senate Bill No. 191, entitled:

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

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

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

House Substitute for Senate Substitute for Senate Bill No. 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.

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. 201, entitled:

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

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. 227, entitled:

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

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. 247, entitled:

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

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. 265, entitled:

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

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. 269, entitled:

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

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. 286, entitled:

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

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 President announced he is about to sign:

Senate Concurrent Resolution No. 12.

Senate Concurrent Resolution No. 11.

On motion of Mr. Mulholland, 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.

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

Mr. Rhodes moved that action be deferred until Monday.

Motion prevailed.

On motion of Mr. Mulholland, 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.

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

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Mulholland, 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.

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

NAYS—None.

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

Ordered returned to the House.

Mr. McGuigan, on motion for leave, introduced Senate Substitute for Senate Bill No. 135, entitled:

An Act to appropriate certain monies to the State Board of Education for the Education of Handicapped Children.

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

The Chair presented House Substitute for House Bill No. 201, entitled:

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

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. 227, entitled:

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

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. 247, entitled:

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

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

The Chair presented House Substitute for House Bill No. 265, entitled:

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

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. 269, entitled:

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

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

The Chair presented House Substitute for House Bill No. 286, entitled:

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

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