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# STATE OF DELAWARE



## JOURNAL OF THE STATE SENATE

### AT A SESSION OF THE GENERAL ASSEMBLY

CONVENED AND HELD AT DOVER ON TUESDAY, THE FIFTH DAY  
OF JANUARY, IN THE YEAR OF OUR LORD ONE THOUSAND  
NINE HUNDRED AND FORTY-THREE, AND OF THE  
INDEPENDENCE OF THE UNITED STATES THE  
ONE HUNDRED AND SIXTY-SEVENTH

# 1943

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1943

# OFFICERS AND MEMBERS STATE SENATE

PRESIDENT  
ISAAC J. MacCOLLUM

PRESIDENT PRO TEM  
CLAYTON A. BUNTING

SECRETARY OF THE SENATE  
VERA G. DAVIS

ASSISTANT SECRETARY  
CALVIN H. BALL

SECRETARY TO THE PRESIDENT PRO TEM  
FREDERICK P. WHITNEY

READING CLERKS  
WILLIAM F. WILGUS, JR.  
HARRY C. NICKLE

BILL CLERK  
MARY W. BURTON

ASSISTANT BILL CLERK  
MABEL DYER

PAGE  
HARRY C. BURTON

TELEPHONE MESSENGERS  
JAMES BELL  
JAMES D. PRATTIS

DOCUMENT CLERK  
WILLIAM H. BOOKHAMMER

ASSISTANT DOCUMENT CLERK  
HARRY LEPORE

CLOAK ROOM ATTENDANT  
JOSEPH LAWS

CHAPLAIN  
REV. OTIS W. REED

MAIL CLERK  
WILLIAM LOPER

STENOGRAPHERS  
MARGARET D. TOMLINSON  
MILDRED VINCENT  
RUTH KELLER

MESSENGER  
MARSHALL BELL

SERGEANT-AT-ARMS  
LEWIS COLMARY

ASSISTANT SERGEANTS-AT-ARMS  
JAMES W. CANNON, JR.  
MARVEL CAMPBELL

ATTORNEYS  
ROBERT H. RICHARDS, JR.  
MELVIN HOPKINS  
CALEB WRIGHT

ATTORNEY'S MESSENGER  
JOHN E. DAVIDSON

## MEMBERS OF THE SENATE AND THEIR POST OFFICE ADDRESSES

### NEW CASTLE COUNTY—WILMINGTON

#### District

- 1 JAMES S. EVANS.....2403 West 18th Street, Wilmington
- 2 J. CARL McGUIGAN.....1413 Maple Street, Wilmington

### RURAL NEW CASTLE COUNTY

- 3 GEORGE P. EDMONDS....duPont Road, Westover Hills, Wilmington
- 4 GEORGE W. MULLIN.....Marshallton
- 5 GEORGE W. RHODES.....Newark
- 6 PAUL B. MESSICK.....Middletown
- 7 HARRIS B. McDOWELL, JR.....Middletown

### KENT COUNTY

- 1 WILLIAM DEANNE JOHNSTON.....Dover
- 2 FRANK ATTIX.....Kenton
- 3 HARRY H. JONES.....Magnolia
- 4 CHARLES L. SIPPLE.....Felton
- 5 ROBERT H. YERKES.....Houston

### SUSSEX COUNTY

- 1 HARRY H. MULHOLLAND.....Milford
- 2 WILLIAM B. HUSTON.....Seaford
- 3 WILLIAM H. AYRES.....Millsboro
- 4 CLAYTON A. BUNTING.....Selbyville
- 5 JOHN R. HITCHENS.....Georgetown



# JOURNAL

## OF THE

# STATE SENATE

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✧*FIRST LEGISLATIVE DAY*✧

Dover, Delaware, January 5, 1943

The Senate convened in Regular Session on Tuesday, January 5th at 12 o'clock noon.

Lieutenant-Governor Isaac J. MacCollum presiding.

Prayer by Reverend Otis W. Reed.

On motion of Mr. Bunting, George W. Mullin was appointed Temporary Secretary of the Senate.

Mr. George W. Mullin was seated.

The Temporary Secretary called the roll of the members, they having been previously sworn in on January 7, 1941, who answered as follows:

Members Present—Attix, Bunting, Messick, Mullin, Sipple—5.

Members Absent—Huston, McGuigan—2.

Mr. Bunting moved that the Presiding Officer appoint a committee of two to notify the judges that the Senate is ready to receive the certificates of election of the Senators-elect.

Motion prevailed.

The certificates of election were received by the Lieutenant-Governor, Isaac J. MacCollum, and the Senators sworn in:

THE STATE OF DELAWARE }  
NEW CASTLE COUNTY } ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and forty-two, for New Castle County, according to the Constitution and Laws of the State of Delaware, James S. Evans was duly elected Senator for Senatorial District Number One in said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Daniel J. Layton and Frank L. Speakman, the Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this sixth day of November, A. D. 1942.

DANIEL J. LAYTON  
*Chief Justice*

F. L. SPEAKMAN  
*Resident Associate Judge*

[SEAL]

THE STATE OF DELAWARE }  
NEW CASTLE COUNTY } ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and forty-two, for New Castle County, according to the Constitution and Laws of the State of Delaware, George P. Edmonds was duly elected Senator for Senatorial District Number Three in said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Daniel J. Layton and Frank L. Speakman, the Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires,



have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this sixth day of November, A. D. 1942.

DANIEL J. LAYTON

*Chief Justice*

F. L. SPEAKMAN

*Resident Associate Judge*

[SEAL]

THE STATE OF DELAWARE }  
NEW CASTLE COUNTY } ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and forty-two, for New Castle County, according to the Constitution and Laws of the State of Delaware, George W. Rhodes was duly elected Senator for Senatorial District Number Five in said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Daniel J. Layton and Frank L. Speakman, the Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this sixth day of November, A. D. 1942.

DANIEL J. LAYTON

*Chief Justice*

F. L. SPEAKMAN

*Resident Associate Judge*

[SEAL]

THE STATE OF DELAWARE }  
NEW CASTLE COUNTY } ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and forty-two, for New Castle County, according to the Constitution and Laws of the State of Delaware, Harris B. McDowell, Jr., was duly elected Senator for Senatorial District Number Seven in said County in the

General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Daniel J. Layton and Frank L. Speakman, the Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this sixth day of November, A. D. 1942.

DANIEL J. LAYTON  
*Chief Justice*

F. L. SPEAKMAN  
*Resident Associate Judge*

[SEAL]

THE STATE OF DELAWARE }  
KENT COUNTY } ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and forty-two, for Kent County, according to the Constitution and Laws of the State of Delaware, William Deane Johnston was duly elected Senator for the First Senatorial District for said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, William Watson Harrington, and Charles L. Terry, Jr., constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 6th day of November, A. D. 1942.

WM. WATSON HARRINGTON  
*Chancellor*

CHARLES L. TERRY, JR.  
*Resident Associate Judge*

[SEAL]

THE STATE OF DELAWARE }  
 KENT COUNTY } ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and forty-two, for Kent County, according to the Constitution and Laws of the State of Delaware, Harry H. Jones was duly elected Senator for the Third Senatorial District for said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, William Watson Harrington, and Charles L. Terry, Jr., constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 6th day of November, A. D. 1942.

WM. WATSON HARRINGTON  
*Chancellor*

CHARLES L. TERRY, JR.  
*Resident Associate Judge*

[SEAL]

THE STATE OF DELAWARE }  
 KENT COUNTY } ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and forty-two, for Kent County, according to the Constitution and Laws of the State of Delaware, Robert H. Yerkes was duly elected Senator for the Fifth Senatorial District for said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, William Watson Harrington, and Charles L. Terry, Jr., constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires,

have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 6th day of November, A. D. 1942.

WM. WATSON HARRINGTON  
*Chancellor*

CHARLES L. TERRY, JR.  
*Resident Associate Judge*

[SEAL]

THE STATE OF DELAWARE }  
SUSSEX COUNTY } ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord one thousand nine hundred and forty-two, for Sussex County, according to the Constitution and Laws of the State of Delaware, Harry H. Mulholland was duly elected Senator for Senatorial District Number One in said County in General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the county, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Richard S. Rodney and Charles S. Richards, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said county, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said county on this fifth day of November, A. D., 1942.

RICHARD S. RODNEY  
*Associate Judge*

CHARLES S. RICHARDS  
*Resident Associate Judge*

[SEAL]

THE STATE OF DELAWARE }  
SUSSEX COUNTY } ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord one thousand nine hundred and forty-two, for Sussex County, according to the Constitution and Laws of the State of Delaware, William H. Ayres was duly elected Senator

for Senatorial District Number Three in said County in General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the county, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Richard S. Rodney and Charles S. Richards, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said county, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said county on this fifth day of November, A. D., 1942.

RICHARD S. RODNEY

*Associate Judge*

CHARLES S. RICHARDS

*Resident Associate Judge*

[SEAL]

THE STATE OF DELAWARE }  
SUSSEX COUNTY } ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord one thousand nine hundred and forty-two, for Sussex County, according to the Constitution and Laws of the State of Delaware, John R. Hitchens was duly elected Senator for Senatorial District Number Five in said County in General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the county, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Richard S. Rodney and Charles S. Richards, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said county, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said county on this fifth day of November, A. D., 1942.

RICHARD S. RODNEY

*Associate Judge*

CHARLES S. RICHARDS

*Resident Associate Judge*

[SEAL]

Lieutenant-Governor Isaac J. MacCollum proceeded to administer the oath of office to the Senators-elect, as follows:

STATE OF DELAWARE }  
KENT COUNTY } ss.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the Office of Senator in the General Assembly of the State of Delaware from Senatorial District No. 1 in Sussex County to which office I was elected at the General Election held in said State in the year A. D. 1942 according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding of a vote at the election at which I was elected to said office.

HARRY H. MULHOLLAND

SWORN to this 5th day of January, A. D. 1943, before me.

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
KENT COUNTY } ss.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the Office of Senator in the General Assembly of the State of Delaware from Senatorial District No. 3 in Sussex County to which office I was elected at the General Election held in said State in the year A. D. 1942 according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding of a vote at the election at which I was elected to said office.

WILLIAM H. AYRES

SWORN to this 5th day of January, A. D. 1943, before me.

I. J. MacCOLLUM  
*President of the Senate*

JOHN R. HITCHENS

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
KENT COUNTY } ss.

W. DEANNE JOHNSTON

I. J. MacCOLLUM  
*President of the Senate*

HARRY H. JONES

I. J. MacCOLLUM  
*President of the Senate*

THE STATE OF DELAWARE }  
KENT COUNTY } ss.

ROBERT H. YERKES

I. J. MacCOLLUM  
*President of the Senate*



STATE OF DELAWARE }  
 KENT COUNTY } ss.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the Office of Senator in the General Assembly of the State of Delaware from Senatorial District No. 1 in New Castle County to which office I was elected at the General Election held in said State in the year A. D. 1942 according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding of a vote at the election at which I was elected to said office.

JAMES S. EVANS

SWORN to this 5th day of January, A. D. 1943, before me.

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
 KENT COUNTY } ss.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the Office of Senator in the General Assembly of the State of Delaware from Senatorial District No. 3 in New Castle County to which office I was elected at the General Election held in said State in the year A. D. 1942 according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding of a vote at the election at which I was elected to said office.

GEORGE P. EDMONDS

SWORN to this 5th day of January, A. D. 1943, before me.

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
KENT COUNTY } ss.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the Office of Senator in the General Assembly of the State of Delaware from Senatorial District No. 5 in New Castle County to which office I was elected at the General Election held in said State in the year A. D. 1942 according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding of a vote at the election at which I was elected to said office.

GEORGE W. RHODES

SWORN to this 5th day of January, A. D. 1943, before me.

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
KENT COUNTY } ss.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the Office of Senator in the General Assembly of the State of Delaware from Senatorial District No. 7 in New Castle County to which office I was elected at the General Election held in said State in the year A. D. 1942 according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding of a vote at the election at which I was elected to said office.

HARRIS B. McDOWELL, JR.

SWORN to this 5th day of January, A. D. 1943, before me.

I. J. MacCOLLUM  
*President of the Senate*

On motion of Mr. Edmonds, a full roll call was requested.

The Temporary Secretary, Mr. Mullin, called the roll of members, who answered as follows:

Members Present—Attix, Ayres, Bunting, Edmonds, Evans, Hitchens, Johnston, Jones, McDowell, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes—15.

Members Absent—Huston, McGuigan—2.

Mr. Edmonds moved that Mr. Bunting be nominated for the office of President Pro Tem of the Senate for the 109th General Assembly.

Mr. Rhodes seconded the nomination of Mr. Bunting.

Mr. Jones moved that the nominations be closed.

Motion prevailed.

On the question, "Shall Mr. Bunting be nominated President Pro Tem of the Senate?" the roll was called.

YEAS—Messrs. Attix, Ayres, Edmonds, Evans, Hitchens, Johnston, Jones, McDowell, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes—14.

NAYS—None.

ABSENT—Messrs. Huston, McGuigan—2.

NOT VOTING—Mr. Bunting—1.

Motion prevailed and Mr. Bunting was declared elected President Pro Tem of the Senate for the 109th General Assembly.

The Lieutenant-Governor proceeded to administer the oath of office to the President Pro Tem.

STATE OF DELAWARE }  
 KENT COUNTY } ss.

Dover, Delaware

I, Clayton A. Bunting, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of President Pro Tem of the Senate in the General Assembly of the State of Delaware according to the best of my ability.

CLAYTON A. BUNTING

SWORN to and subscribed before me this 5th day of January, A. D. 1943.

I. J. MacCOLLUM

*President of the Senate*

On motion for leave, Mr. Yerkes introduced Senate Resolution No. 1, entitled:

#### SENATE RESOLUTION NO. 1

In reference to Senate Rules.

BE IT RESOLVED by the Senate of the 109th General Assembly of the State of Delaware that the Senate Rules at the regular session of 1941 be and they are hereby adopted as the temporary rules for the government of the present session.

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

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

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

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

NAYS—None.

ABSENT—Messrs. Huston, McGuigan—2.

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

On motion for leave, Mr. Yerkes introduced Senate Resolution No. 2, entitled:

SENATE RESOLUTION NO. 2

Notifying the House of Representatives that the Senate is duly organized.

BE IT RESOLVED by the Senate of the 109th General Assembly of the State of Delaware that the Secretary be and he hereby is directed to notify the House of Representatives that the Senate is duly organized and ready for business.

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

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

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

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

NAYS—None.

ABSENT—Messrs. Huston, McGuigan—2.

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

The Chair declared a recess for ten minutes.

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Same Day, Later

Senate met at expiration of recess.

Mr. Bunting, President Pro Tem of the Senate, presented a list of Committees.

The President order the list of committees to be read.

## STANDING COMMITTEES OF SENATE

### ACCOUNTS

Messrs. Evans, Chairman; Edmonds, Johnston, Mulholland,  
Sipple

### AGRICULTURE

Messrs. Jones, Chairman; Mullin, Bunting, Edmonds, Ayres

### BANKING AND INSURANCE

Messrs. Mulholland, Chairman; Rhodes, Yerkes, Edmonds,  
Huston

### BUILDINGS AND HIGHWAYS

Messrs. Hitchens, Chairman; Evans, Edmonds, Johnston,  
McGuigan

### CLAIMS

Messrs. Mulholland, Chairman; Evans, Rhodes, Yerkes, Messick

### CORPORATIONS, MUNICIPAL

Messrs. Edmonds, Chairman; Evans, Jones, Hitchens, Ayres

### CORPORATIONS, PRIVATE

Messrs. Mulholland, Chairman; Hitchens, Rhodes, Edmonds,  
Messick

### EDUCATION

Messrs. Johnston, Chairman; Bunting, Mullin, Mulholland,  
Attix

### ELECTIONS

Messrs. Yerkes, Chairman; Hitchens, Johnston, Rhodes, Huston

### EXECUTIVE

Messrs. Evans, Chairman; Mullin, Jones, Bunting, Attix

### FINANCE

Messrs. Edmonds, Chairman; Evans, Jones, Mulholland,  
McGuigan

FISH, OYSTERS AND GAME

Messrs. Yerkes, Chairman; Mullin, Johnston, Evans, Messick

JUDICIARY

Messrs. Mullin, Chairman; Jones, Hitchens, Evans, McDowell

LABOR

Messrs. Evans, Chairman; Mulholland, Rhodes, Yerkes, Huston

MISCELLANEOUS

Messrs. Bunting, Chairman; Jones, Mullin, Rhodes, Ayres

PASSED BILLS

Messrs. Johnston, Chairman; Mulholland, Huston

PRINTING AND SUPPLIES

Messrs. Mullin, Chairman; Edmond, Evans, Bunting, Huston

PUBLIC HEALTH

Messrs. Rhodes, Chairman; Johnston, Yerkes, Hitchens,  
McGuigan

PUBLIC LANDS

Messrs. Hitchens, Chairman; Jones, Evans, Johnston, Ayres

REVISED STATUTES

Messrs. Yerkes, Chairman; Edmonds, Jones, Mulholland, Attix

RULES

Messrs. Bunting, Chairman; Mullin, Yerkes, Hitchens, McGuigan

TEMPERANCE

Messrs. Rhodes, Chairman; Jones, Evans, Mulholland, Sipple

Mr. Yerkes moved that the Committees be confirmed by the Senate.

Motion prevailed.

On motion for leave, Mr. Yerkes introduced Senate Concurrent Resolution No. 1, entitled:

SENATE CONCURRENT RESOLUTION NO. 1

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

BE IT RESOLVED by the Senate of the 109th General Assembly of the State of Delaware, the House of Representatives concurring therein, that a Joint Committee consisting of two members of the Senate and two members of the House of Representatives be appointed by the presiding officers of the respective Houses to notify the Governor that the General Assembly is duly organized and ready to receive any message that he may have to offer.

Mr. Yerkes moved the adoption of the resolution.

Motion prevailed.

So the question was decided in the affirmative and the resolution passed the Senate.

Ordered to the House for concurrence.

On motion for leave, Mr. Yerkes introduced Senate Concurrent Resolution No. 2, entitled:

SENATE CONCURRENT RESOLUTION NO. 2

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

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 on Tuesday, January 5th, at 1:00 P. M. for the purpose of hearing any message which the Governor may wish to send to them.

Mr. Yerkes moved the adoption of the resolution.

Motion prevailed.

So the question was decided in the affirmative and the resolution passed the Senate.

Ordered to the House for concurrence.



On motion for leave, Mr. Yerkes introduced Senate Resolution No. 3, entitled:

SENATE RESOLUTION NO. 3

Authorizing the Secretary to obtain Supplies.

BE IT RESOLVED by the Senate of the 109th General Assembly that the Secretary of the Senate be and he hereby is authorized and directed to procure from the State Librarian all necessary books, forms, seals, blanks and other stationery as may be required for the proper conducting of the business of the Senate.

Mr. Yerkes moved the adoption of the resolution.

Motion prevailed.

On motion for leave, Mr. Yerkes introduced Senate Resolution No. 4, entitled:

SENATE RESOLUTION NO. 4

Authorizing the State Librarian to furnish the Secretary of the Senate with Postage Stamps.

BE IT RESOLVED by the Senate of the 109th General Assembly that the State Librarian be and he hereby is authorized and directed to furnish to the Secretary of the Senate postage stamps in an amount up to and including \$25.00.

Mr. Yerkes moved the adoption of the resolution.

Motion prevailed.

On motion for leave, Mr. Yerkes introduced Senate Resolution No. 5, entitled:

SENATE RESOLUTION NO. 5

Authorizing the State Treasurer to pay to the State Librarian money for Postage Stamps for use of the Document Clerk.

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 the State Librarian, upon warrant

duly signed by him, the sum of \$200.00 for the purchase of postage stamps for the use of the Document Clerk of the Senate, as a part of the expenses of the Senate at the present session thereof.

Mr. Yerkes moved the adoption of the resolution.

Motion prevailed.

On motion for leave, Mr. Yerkes introduced Senate Resolution No. 6, entitled:

#### SENATE RESOLUTION NO. 6

Authorizing the State Librarian to furnish Supplies.

BE IT RESOLVED by the Senate of the 109th General Assembly that the State Librarian be and he hereby is authorized and directed to furnish the stenographers of the Senate such supplies as may be necessary for the performance of their duties as such stenographers.

Mr. Yerkes moved the adoption of the resolution.

Motion prevailed.

On motion for leave, Mr. Yerkes introduced Senate Resolution No. 7, entitled:

#### SENATE RESOLUTION NO. 7

Authorizing the State Librarian to furnish the Document Clerk with Postage Stamps.

BE IT RESOLVED by the Senate of the 109th General Assembly that the State Librarian be and he hereby is authorized and directed to deliver to the Document Clerk postage stamps in an amount up to and including \$50.00.

Mr. Yerkes moved the adoption of the resolution.

Motion prevailed.

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

#### SENATE RESOLUTION NO. 8

Authorizing the State Librarian to furnish Stationery and other Supplies.

BE IT RESOLVED by the Senate of the 109th General Assembly that the State Librarian be and he hereby is authorized and directed to furnish to the Lieutenant Governor and the members of the Senate stationery and other supplies, the cost of which shall not exceed the sum of \$25.00 for each.

BE IT FURTHER RESOLVED that the State Librarian be and he hereby is authorized and directed to furnish to each of the three attorneys serving the two Houses of the present session stationery and other supplies, the cost of which shall not exceed the sum of \$12.50 for each.

Mr. Yerkes moved the adoption of the resolution.

Motion prevailed.

On motion for leave, Mr. Yerkes introduced Senate Resolution No. 9, entitled:

#### SENATE RESOLUTION NO. 9

In reference to Election of Officers.

BE IT RESOLVED by the Senate of the 109th General Assembly of the State of Delaware that the following named persons be and they hereby are elected to the respective offices appearing opposite their name, to serve during the pleasure of the Senate:

Secretary of the Senate.....	Vera G. Davis
Secretary to the President Pro Tem....	Frederick Whitney
Reading Clerk.....	Harry C. Nickle
Bill Clerk.....	Mary W. Burton
Assistant Bill Clerk.....	Mabel Dyer
Sergeant-at-Arms.....	Lewis Colmary
Telephone Messenger.....	James Bell
Telephone Messenger.....	James D. Prattis
Cloak Room Attendant.....	Joseph Laws
Chaplain.....	Rev. Otis W. Reed
Mail Clerk.....	William Loper
Stenographer.....	Margaret D. Tomlinson
Stenographer.....	Mildred Vincent
Attorney's Messenger.....	John E. Davidson
Messenger.....	Marshall Bell
Assistant Document Clerk.....	Harry Lapore
Sergeant-at-Arms.....	James W. Cannon, Jr.
Attorney.....	Robert H. Richards, Jr.
Attorney.....	Melvin Hopkins
Attorney.....	Caleb Wright

Mr. Yerkes moved the adoption of the resolution.

Motion prevailed.

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

# SENATE RESOLUTION NO. 10

Awarding a Contract for the Printing of the Senate Calendar and the Senate Index.

BE IT RESOLVED by the Senate of the 109th General Assembly, that the offer received by the Committee on Supplies and Printing from the Milford Chronicle Publishing Co. to print, furnish and deliver the Senate Index and the Senate Calendar for the regular session of the 109th General Assembly at the same price, said price being, for the Index Five Dollars and Fifty-five Cents (\$5.55) per page for the first three hundred copies, and for the Calendar Four Dollars and Seventy-six Cents (\$4.76) per page for the first three hundred copies, and in accordance with the same specifications and upon the same terms and conditions as the Senate Index and Senate Calendar were printed, furnished and delivered, for the 108th General Assembly; and

BE IT FURTHER RESOLVED that the passage of this Resolution shall constitute a contract with the Milford Chronicle Publishing Co., for said printing, incorporating herein the specifications, terms and conditions for the printing of the Senate Calendar and Senate Index at the 108th General Assembly.

Mr. Yerkes moved the adoption of the resolution.

Motion prevailed.

Lieutenant-Governor Isaac J. MacCollum proceeded to administer the oath of office to the following officers of the Senate:

STATE OF DELAWARE	} ss.
KENT COUNTY	

Dover, Delaware

I, Vera G. Davis, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Secretary for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

VERA G. DAVIS

SWORN to and subscribed before me this 5th day of January, A. D. 1943.

I. J. MacCOLLUM

*President of the Senate*

STATE OF DELAWARE }  
 KENT COUNTY } ss.

Dover, Delaware

I, Frederick Whitney, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Secretary for the President Pro Tem for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

FREDERICK WHITNEY

SWORN to and subscribed before me this 5th day of January,  
 A. D. 1943.

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
 KENT COUNTY } ss.

Dover, Delaware

I, Harry C. Nickle, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Reading Clerk for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

HARRY C. NICKLE

SWORN to and subscribed before me this 5th day of January,  
 A. D. 1943.

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
 KENT COUNTY } ss.

Dover, Delaware

I, Mabel Dyer, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Assistant Bill Clerk for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

MABEL E. DYER

SWORN to and subscribed before me this 5th day of January,  
 A. D. 1943.

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
 KENT COUNTY } ss.

Dover, Delaware

I, Lewis Colmery, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Sergeant-at-Arms for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

LEWIS COLMERY

SWORN to and subscribed before me this 5th day of January,  
 A. D. 1943.

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
 KENT COUNTY } ss.

Dover, Delaware

I, James Bell, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Telephone Messenger for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

JAMES W. BELL

SWORN to and subscribed before me this 5th day of January,  
 A. D. 1943.

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
 KENT COUNTY } ss.

Dover, Delaware

I, Joseph Laws, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Cloak Room Attendant for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

JOSEPH T. LAWS, JR.

SWORN to and subscribed before me this 5th day of January,  
 A. D. 1943.

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
 KENT COUNTY } ss.

Dover, Delaware

I, Otis B. Reed, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Chaplain for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

OTIS B. REED

SWORN to and subscribed before me this 5th day of January,  
 A. D. 1943.

I. J. MacCOLLUM

*President of the Senate*

STATE OF DELAWARE }  
 KENT COUNTY } ss.

Dover, Delaware

I, William Loper, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Mail Clerk for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

WILLIAM H. LOPER

SWORN to and subscribed before me this 5th day of January,  
 A. D. 1943.

I. J. MacCOLLUM

*President of the Senate*

STATE OF DELAWARE }  
 KENT COUNTY } ss.

Dover, Delaware

I, Mildred Vincent, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Stenographer for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

MILDRED VINCENT

SWORN to and subscribed before me this 5th day of January,  
 A. D. 1943.

I. J. MacCOLLUM

*President of the Senate*

STATE OF DELAWARE }  
 KENT COUNTY } ss.

Dover, Delaware

I, Marshall Bell, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Messenger for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

MARSHALL BELL

SWORN to and subscribed before me this 5th day of January,  
 A. D. 1943.

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
 KENT COUNTY } ss.

Dover, Delaware

I, Harry Lepore, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Assistant Document Clerk for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

HARRY LEPORE

SWORN to and subscribed before me this 5th day of January,  
 A. D. 1943.

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
 KENT COUNTY } ss.

Dover, Delaware

I, James W. Cannon, Jr., do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Sergeant-at-Arms for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

JAMES W. CANNON, JR.

SWORN to and subscribed before me this 5th day of January,  
 A. D. 1943.

I. J. MacCOLLUM  
*President of the Senate*



STATE OF DELAWARE }  
 KENT COUNTY } ss.

Dover, Delaware

I, Robert H. Richards, Jr., do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Attorney for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

ROBERT H. RICHARDS, JR.

SWORN to and subscribed before me this 5th day of January,  
 A. D. 1943.

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
 KENT COUNTY } ss.

Dover, Delaware

I, Melvin Hopkins, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Attorney for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

MELVIN HOPKINS

SWORN to and subscribed before me this 5th day of January,  
 A. D. 1943.

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
 KENT COUNTY } ss.

Dover, Delaware

I, Caleb Wright, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Attorney for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

CALEB M. WRIGHT

SWORN to and subscribed before me this 5th day of January,  
 A. D. 1943.

I. J. MacCOLLUM  
*President of the Senate*

On motion for leave, Mr. Yerkes introduced Senate Joint Resolution No. 1, entitled:

### SENATE JOINT RESOLUTION NO. 1

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

BE IT RESOLVED by the Senate and House of Representatives of the State of Delaware in General Assembly met that Mary W. Burton be and she is hereby appointed Bill Clerk for the Senate, to serve during the present session of the Senate; and Elsie R. Banta be and she is hereby appointed Bill Clerk for the House of Representatives, to serve during the present session of the House of Representatives; in accordance with 337 Section 1 of Chapter 10 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 Judiciary.

Lieutenant-Governor Isaac J. MacCollum proceeded to administer the oath of office to the following:

STATE OF DELAWARE	} ss.
KENT COUNTY	

Dover, Delaware

I, Mary W. Burton, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Bill Clerk for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

MARY W. BURTON

SWORN to and subscribed before me this 5th day of January, A. D. 1943.

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
 KENT COUNTY } ss.

Dover, Delaware

I, Elsie R. Banta, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Bill Clerk for the House of Representatives in the General Assembly of the State of Delaware according to the best of my ability.

ELSIE R. BANTA

SWORN to and subscribed before me this 5th day of January, A. D. 1943.

I. J. MacCOLLUM

*President of the Senate*

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

Senate Concurrent Resolutions No. 1, entitled:

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

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. 2, entitled:

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

And returned the same to the Senate.

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

### JOINT SESSION

Mr. Yerkes moved that the Senate and House of Representatives of the One Hundred and Ninth General Assembly meet in Joint Session, according to Senate Concurrent Resolution No. 2.

- Motion prevailed.

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

Motion prevailed.

Mr. Yerkes moved that a Committee of two members from the Senate and two members from the House of Representatives be appointed to notify the Governor that the Joint Session is organized and ready to receive any message he may care to convey.

Motion prevailed.

The Chair appointed Messrs. Mullin, McGuigan, Bailey, and Scott.

The Sergeant-at-Arms announced His Excellency, the Honorable Walter W. Bacon, Governor of the State of Delaware, who delivered the following message:

MESSAGE  
OF  
HONORABLE WALTER W. BACON  
GOVERNOR OF DELAWARE  
TO THE  
ONE HUNDRED AND NINTH GENERAL ASSEMBLY  
OF THE  
STATE OF DELAWARE

*Members of the General Assembly of the State of Delaware:*

Once again the time has come in Delaware for the Chief Executive of the State to report to a General Assembly on the condition of State affairs.

All our thoughts are colored by world events in which we are unfortunately involved. It is difficult to give undivided thought to the business that confronts us in the government of our own State because our citizens and relatives are taking part in War on widely separated fronts and in many different Countries. Thoughts for their safety and concern about them generally prevent us from appreciating the problems of government with that undivided concern which our own conditions make desirable.

While we are a separate state in the Union and a governmental entity that is confronted with all the problems that a State must meet and attempt to solve, we are still part of our entire nation and upon its safety depends our own continuance. We realize this fact and hence our chief concern is the outcome of the world-wide struggle which still continues. While we read the statements of the leaders of enemy countries, proclaiming an unalterable purpose to prevail, and their determination to form a new world order along lines of their own choosing, we are more determined that our way of life shall not be taken from us and that the institutions which we have built up as a free people with emphasis upon the dignity and worth of the individual and the states, shall not be overthrown. Thus, into conflict has come two opposing ideas of government, one the supremacy of the State and the other the freedom of a people to mold their destiny under a government which has always hitherto endeavored to preserve avenues through which they could work out to a large extent their own ideas of personal advancement and community welfare.

Our chief thought, then, must be the winning of the war. To that purpose we must dedicate our abilities and our energies. We must render not only full cooperation as individuals, but also as a State Government to the end that National effort may be sustained and victory ultimately achieved.

But, however involved the National situation may be, we are a State among the States of our Union. We were the first to ratify that Union's Constitution. We intend to be among the first in our devotion to the National cause. We must, however, give attention also to the problems which confront us purely as a State. There are many of them today. Some will be difficult to solve. We are met here as our State Constitution prescribes to do our best to meet the situation as we find it and to do our work as representatives of the people with their welfare and happiness in mind.

During almost two years of this administration your Executive with the cooperation of other officers and officials of the State has given much thought to the affairs of our various institutions and departments and to the financial situation that Delaware now faces. In the following paragraphs will be given observations and conclusions that have been formed as a result of the investigations and contacts we have made. It is hoped that these suggestions may form the basis for action by the General Assembly in solving some of our difficulties.

In your consideration of these and other suggestions and recommendations, I hope you will feel free to consult with the Governor, and I assure you that a cordial welcome will always

await you. All information about State affairs will be freely placed at your disposal. And let us hope that as the result of such a spirit of cooperation and mutual exchange of ideas there may come enactments of real benefit to our people, and of lasting credit to this War Assembly of 1943.

#### BUDGET REQUIREMENTS FOR BIENNIUM

The agencies of our State Government have worked together to an unprecedented degree in helping to prepare the Budget for the biennium 1944-45. Every attempt has been made by me to keep in close contact with the heads and managers of our School, Highway, Welfare and other governmental departments and agencies before submitting my budget recommendations for the two ensuing fiscal years.

I recommend for your adoption the schedule of expenditures as outlined in the Budget Bill to be submitted as well as the revenue measures for meeting expenditures which I shall propose.

There is no provision in this program for expenditures other than those outlined in this message and it is my considered opinion that additional funds should be provided for any additional appropriations. Upon this policy I hope we are agreed, for the needs of today require a firm hand upon our finances in order to be prepared to meet the emergencies of tomorrow. The most pressing of these emergencies which should promptly receive your attention is the replacement of revenues which have declined and will in all probability continue to decline.

The most substantial losses in our revenue actual and anticipated are approximately as follows:

From Gasoline Taxes and general curtailment of auto driving .....	\$1,750,000.
From Race Track decreases, if not elimination .....	350,000.
From Income Tax falling off .....	650,000.
From Liquor and other Miscellaneous .....	250,000.
or a total estimated loss of .....	<hr/> \$3,000,000.

Fortunately the credit of the State is of the highest order and our present surplus accumulated by careful management can, it seems, prudently be depended upon to bolster the revenues without requiring the entire three million dollar loss to be replaced by new taxation.

Prudence should also dictate that a working balance of not less than \$2,500,000. should be maintained at all times.

But after resorting to the use of the available portion of the surplus in excess of this conserved working capital, there will still be needed to meet current expenditures for each of the next two years, according to estimates, the sum of \$2,400,000. annually. There is no sound recourse to any means of providing this amount but to taxation, and that to the extent, as I have just stated, of \$2,400,000. per year.

At this point I urge upon you that any tax law enacted be understood as an emergency measure, limited in its duration to the biennium of 1944-45 only, and not as a piece of permanent legislation. The taxation Act should expire December 31, 1944, unless reenacted by a future legislature.

The tax future is now too uncertain and war costs too high for us to think of adding permanent burdens upon our taxpayers.

I recommend that the revenue to meet our emergency be obtained by adopting a Cigarette Tax Law, and by enacting for the calendar years 1943 and 1944 a War Emergency Tax at a rate of 1% upon Gross Incomes in excess of \$500. These methods of taxation were recommended by a committee composed of representatives of all sections of our State, appointed by the State Tax Commissioner in accordance with the law. To this end I will cause appropriate legislation to be introduced for your consideration and adoption.

The yield from these proposed taxes has been estimated to be about \$2,400,000. annually.

This estimated revenue, augmented by a portion of the cash balance as indicated, should amount to \$3,000,000. for each of the next two fiscal years, and will be sufficient to balance current expenditures at the levels recommended.

#### EXTRAORDINARY EXPENDITURES

A financial program for a war period must provide for more than current expenses.

The costs of living have already risen beyond the ability of the lower-salaried State employees to provide sufficiently for the necessities of life. The State is faced with extraordinary expenses in connection with Civilian Defense and Home Guard activities. To meet these emergencies I recommend that you

seriously consider and adopt a budget of extraordinary expenditures which shall provide for a general salary increase applying to salaries of a base rate of \$3,600. or less as of October 31, 1942. These increases should not be of a permanent or basic nature. They should take effect April 1, 1943, and continue only to the end of the biennium; namely, June 30, 1945.

In general the proposal for salary increases provides an annual increase for all State employees receiving a rate of \$3,600. or less per year, so graduated on the basis of salary as of October 31, 1942, that

- (1) Each employee receiving from \$500. to \$1200., inclusive, be granted an increase of \$120. per year;
- (2) Each employee receiving from \$1201. to \$1500., inclusive, be increased by \$150. per year;
- (3) Each employee receiving from \$1501. to \$3600., inclusive, be granted an increase of \$180. per annum.

This plan is intended to relieve the hardships resulting from increased costs of living in salary ranges most affected by such increased costs and should be effective only for the biennium 1944-45.

Under the same category, because of their extraordinary nature, there will be included the costs of operating the State's Defense Activities. In the current biennium these costs have been modest with respect to the great energy being expended by those engaged in them.

The total cost of this emergency program will be \$450,000. per year, divided as follows:

Salary increase .....	\$400,000.
Defense Activities .....	25,000.
Home Guard .....	25,000.

The method of paying for these extraordinary expenses is provided for in the emergency tax proposals, for the very good reason that they are also of an extraordinary and emergency nature. I intend to present a Bill for extraordinary expenditures and urge your approval of these recommendations. But the approval of this Bill will depend entirely upon the enactment of the War Emergency Tax Bill.

In order that my program may provide for protection of our State's credit, of which we are all proud, a Bill will also be presented to you to amend our Constitution, by providing that all payments of Estate Taxes, exceeding the amount of



\$1,000,000. collected in a single fiscal year, be used to pay State loans, or be placed in a Sinking Fund for redeeming the State's maturing bonds. Your endorsement of this proposal will fortify the State's position in the credit market.

### AGRICULTURE

Our State is especially adapted to the production of fruit, poultry and dairy products, and to the general pursuits of agriculture. In an effort to plan a program which would be beneficial and afford the best approach to serious problems confronting our farm population, frequent meetings have been held with representatives of the various farm interests and in an effort to improve their general conditions, I am submitting the following suggestions for inclusion in a post war construction program:

- (1) A Poultry Research Unit, with necessary equipment at the Experimental Sub-station;
- (2) Greenhouses, Headhouses and Ranges at the Experimental Station; and
- (3) A Poultry Instruction Laboratory and Service Station at the Experimental Station.

Would recommend that as soon as possible there be established at the Experimental Station a clinical laboratory for the diagnosis of animal diseases at a nominal service charge to the farmer and that an extension dairy specialist be appointed as soon as possible.

In submitting our Budget we have allowed the full amount requested for the operation of the Sub-station in Sussex County, in addition to the proposals just made.

Serious consideration has been given to the subject of Bang's Disease, and after several meetings a Bill has been prepared with the endorsement of such meetings and other organized units in our State. This Bill will be introduced for your consideration. It appears to be for the best interests of our Dairy Farmers, and unless some unforeseen objections are raised, I can assure you that it will meet with my approval.

### POST WAR CONSTRUCTION PROGRAM

It is well here to advise you that further construction programs for roads, schools, and other building needs, will have my approval only if financed by bond issues rather than from current receipts.

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Experience has taught us that Post-War Construction plans are necessary to create economic security for members of our community. In preparing such a program for submission to the Legislature, much consideration has been given to the conditions existing in our several institutions throughout the State, and the program submitted allows for what we consider improvement in the care of those who, because of circumstances beyond their control, are placed under State care. The details of the total post-war building program are as follows:

*Industrial School for Colored Girls—*

One building for 30 girls .....	\$ 25,000.00
Sewage Disposal Plant .....	3,000.00

*Ferris Industrial School—*

One building for 45 boys (now housed in gymnasium) .....	35,000.00
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*Brandywine Sanatorium—*

One building for 20 employees .....	15,000.00
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*Delaware State Welfare Home—*

One building for 150 male and female colored patients .....	125,000.00
One building for 60 white female patients ...	50,000.00
Sewage Disposal Plant .....	25,000.00

*Delaware Colony for Feeble-minded—*

One building for 40 delinquent boys .....	40,000.00
One building for 40 delinquent girls .....	40,000.00
One building for vocational and occupational training, for 60% of the School's children	70,000.00

*Delaware State Hospital—*

One building for 80 male and female epileptic patients .....	75,000.00
One building for 50 white male and female alcoholic and drug addicts, without psychosis .....	50,000.00
One building for 30 white male and female children who are mentally ill .....	34,000.00
One complete negro unit for 270 male and female patients, with facilities and quarters for negro doctors, nurses, attendants and other employees .....	350,000.00

*Agricultural Improvements—*

Poultry research unit and equipment (Sub-station) .....	3,000.00
Greenhouses, Headhouses, and Ranges (Experiment Station) .....	50,000.00
Poultry Instruction Laboratory and Service Building (Experiment Station) .....	10,000.00

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**TOTAL..... \$1,000,000.00**

The above program with necessary legislation is designed to change some of the functions of the institutions involved and will result in improvement in the care of State patients, by providing as follows:

*The Delaware State Welfare Home.*

- (1) To permit the use of the main building for medical and surgical work and for chronically ill patients.
- (2) To build an adequate home for aged colored men and women.
- (3) And to give additional space for white male and female aged people, particularly of the type that have some mental deterioration and now require special hospital care.
- (4) To house about 50 such cases who are at present housed at the Delaware State Hospital and at Delaware Colony, and
- (5) To build a badly needed sewage disposal system for the Welfare Home.

*Delaware Colony for Feeble-minded.*

- (1) To permit the transfer of 62 epileptics to Delaware State Hospital where special treatment may be given same. The vacancies caused by such transfer will permit admissions of those now on the waiting list.
- (2) To authorize new buildings which will create facilities for adequate care of delinquent boys and girls, as well as young children between the ages of 3 and 7.
- (3) To increase vocational and occupational training for defective children.

*Delaware State Hospital.*

- (1) To enable 80 male and female epileptics who are not insane but who need care, treatment and supervision to have adequate care.
- (2) To give 50 male and female alcoholics and drug addicts without psychosis an opportunity to be treated and cared for in a scientific manner.
- (3) To create facilities for the children of our communities who are suffering from some mental illness to insure proper care and treatment and better chances for recovery.

- (4) To build a complete new negro unit which will not only give the patients greater possibilities for cure, but will allow the hospital to employ colored physicians, nurses, and attendants under the guidance and supervision of the hospital's superintendent.

### *Agriculture.*

To aid greatly in affording additional research and practical methods to improve present farming conditions. This will provide opportunities which have too long been neglected by our State.

The present school construction program for which the money set aside by a previous Legislature has been "frozen" for the duration, can be undertaken as soon as building is resumed after the war. These funds, together with the necessary matching funds, are now on deposit, and no further legislative action is needed.

### HIGHWAYS

These great assets of our State upon which our general economy is so dependent cannot be expanded until after the war ends. It is also possible that the maintenance of our system of highways may be impaired due to lack of materials and availability of man power during the period of conflict. In spite of the present conditions we should plan for the day when circumstances will again permit expansion and improvement of the system, as well as the reconstruction of those portions which may fail in the interim. I have sought the counsel and advice of the Highway Department in developing the following program, which I submit and for which I solicit your favorable consideration:

- (1) Because of the nature of contracts and methods required in the maintenance and building of roads, it is recommended that all future appropriations, as well as those for the current year, made to the State Highway Department be made non-reverting to the General Fund, and that any funds not expended by the various Divisions of the Department at the end of each year be transferred to its construction account. In making subsequent appropriations to the State Highway Department for construction purposes, the balance on hand would, of course, be taken into consideration to reduce the new construction appropriation by that amount.

- (2) The three major desirable improvements to the highway system, mentioned in the order of magnitude of traffic are—the extension of the Governor Printz Boulevard north of Wilmington to the Delaware-Pennsylvania Line; secondly, the construction of a dual highway from Dover down the West side of the State; and finally the construction of a dual highway down the East side of the State. In order to be in a position to proceed with such a Post-War program, surveys must be made, rights-of-way acquired, plans developed and the financing arranged. Such a program to be effective in assisting Post-War readjustments must be arranged now and be available when hostilities have ceased. To this end the following procedure is recommended:

The adoption of my recommendation that highway funds be non-reverting in order that the Highway Department may apply unexpended funds to construction purposes; namely, to the acquisition of rights-of-way. In addition to these available funds it is estimated that an amount of approximately \$250,000. will be necessary to acquire the remaining necessary rights-of-way for the entire program. I am convinced that the acquisition of these rights-of-way at this time by the State is highly desirable. They can never, in my judgment, be purchased on a more reasonable basis. Possession of these rights-of-way is necessary to insure prompt effectiveness of the Post-War Program, and I recommend to the members of this Legislature that a bond issue of \$250,000. be authorized and the proceeds thereof be credited to the construction account of the Highway Department.

I further recommend as a means of financing this program coincident with the termination of hostilities that a bond issue of \$2,000,000. be authorized and the proceeds made available for the construction account at such time as funds in an equal amount are available on a more favorable basis than in the past. I recommend that the bond issue be increased proportionately up to a maximum of \$3,000,000.

It is realized that such a conditional appropriation would not insure the completion of the aforementioned program, but it would insure the acquisition of all the necessary rights-of-way and permit the Highway Department to begin a substantial amount of construction promptly upon termination of the present conflict.

In this connection I wish to state that Mr. F. V. duPont, Chairman of the State Highway Commission, has tendered to me a deed, conditional on the adoption of the foregoing program, which deed conveys to the State of Delaware the remaining portion of the right-of-way from Milford to the Delaware-Maryland Line, a part of which has been previously conveyed to the State by Mr. duPont. This right-of-way consists of a strip of land 160 feet wide and approximately 35 miles long, located immediately adjacent to the present highway. This offer calls for an expression of gratitude to Mr. duPont, and it is my pleasure here to acknowledge it.

All Post-War construction items including roads will have to be covered by a bond issue of \$3,000,000., together with the special issue suggested of \$250,000. Provision for the entire program will be included in Acts to be introduced for your consideration.

#### CENTRAL PURCHASING AND SELF INSURANCE

Each of these subjects is of importance to the State of Delaware and rather extensive studies of both subjects have been made. Our appreciation is extended to Mr. W. W. Laird, Jr., who has personally financed some of these studies. The difficulties of purchasing during war times and the increased insurance hazards existing because of war conditions, cause us to hesitate to recommend adoption of these measures at this time, but I earnestly recommend continued studies of these subjects and future adoption of both as great money saving measures to the State at the conclusion of the war.

#### ELECTIONS

The election laws have caused considerable discussion during the past two years and this resulted in appointment of a bi-partisan committee which, in turn, rendered a report to me regarding the subject. After due consideration, I concluded the recommendations were not of such a nature as to require under all the circumstances a Special Session of the Legislature. Since receiving the report, another Election has been held which was followed by little or no criticism of our Election Laws. I do, however, have a few definite changes to suggest to you. The opportunity to purge our registration lists should be increased and some improvement should be made in the matter of appeals. The number of days required for the giving of notice to those who are appealed should be increased to at least five instead of three as the law now provides. The law should be changed to require service of the notice of appeal personally or by registered

mail to the last known address, the service to be evidenced by a return receipt when sent by Registered Mail in order that those affected will have actual notice of and ample time to prepare for the appeal proceedings. Furthermore, the records of the cases appealed should become court records. A citizen should not be required more than once to establish his educational or age qualifications. It appears that the enactment providing for the Presidential ballot may need clarifying amendments in certain particulars. It is recommended, therefore, that a further study be made and that all necessary and proper amendments be adopted so that the law may be properly and efficiently administered during the next and succeeding Presidential Elections.

#### STATE GROUNDS AND BUILDING COMMITTEE

There appears to be no adequate law to provide for the location of new buildings on the State property in Dover, and to secure uniformity in the buildings which may be erected thereon. The commission which was empowered to secure a large part of such ground ceased to function after the land was obtained and the Legislative Building was erected. No officials appear to have the authority to see that desirable plans are followed. While the need for decisions regarding these matters may not soon arise, it is deemed desirable that the situation be corrected, and that the Governor be empowered to appoint a committee of competent persons to serve without compensation to be known as the Committee on State Buildings and Grounds with authority to require that any future State Buildings erected on the State grounds in Dover be made to conform with recently erected State Buildings as to location, architecture, and all other pertinent matters. This Committee should also have authority to oversee the furnishing of the Governor's office.

#### WEIGHTS AND MEASURES

The protection of the public from unscrupulous merchants and vendors is a matter of great importance. Much has been accomplished during the past two years to improve these conditions. However, the provisions pertaining to the enforcement of this law should be amended in order to give the Sealers of Weights and Measures sufficient police powers to carry out the duties imposed upon them. The penalty provision should also be changed to make mandatory a prison sentence upon a second conviction. The unscrupulous ones who are willing to pay a fine and continue to prey upon the public would hesitate to continue if more stringent penalties and enforcement provisions were added to this law.

## VETERANS

State laws have been passed assuring the re-establishment of State employees in their positions when they return from service in our Armed Forces. I urge that, as far as possible, all private industry adopt similar plans in order that the boys in Service and their dependent relatives may have the least possible worry in this respect under the present trying circumstances.

In order that our State may be in a position to share in any rehabilitation program which may be adopted by the Federal Government as a result of the war, I suggest that a sum of \$50,000. per year be made available in an "Emergency Fund" Bill, which will be introduced.

## NATIONAL CEMETERY

It has been brought to my attention that under Federal Law it may be possible to establish a National Cemetery in our State. In order to comply with the requirements necessary to secure such a Cemetery, I intend within a few days to announce the appointment of a Committee of Veterans to work with our State's Washington representatives to secure, if possible, the funds necessary for its establishment. Believing that this attempt on our part is desirable, I ask the General Assembly to enact appropriate legislation endorsing such action.

## ECONOMY

It seems unnecessary to mention economy at a time when our revenues are so limited and our necessary demands are so great. However, I must repeat that waste and extravagance must be eliminated. We must today administer our affairs, both private and public, with a full realization that unavoidable obligations never dreamed of before must be met and our ordinary expenses curtailed accordingly. I have no doubt that the members of this Legislature will resolve to reduce their expenditures wherever they can do so and will conclude their duties as promptly as possible.

## EMERGENCY FUND

A law providing emergency funds for such unforeseen accidents as bridge washouts, and the like, was passed at the last session of the Legislature. Present conditions warrant the enactment of similar legislation at this time. Extreme care has been exercised in the use of these funds and the expenditures made



from them have been very small. Money is not available from appropriations to cover such unforeseen emergencies and authorization to borrow for them will be included in a Bill to be presented.

### CIVILIAN DEFENSE

The high degree of cooperation evidenced by those associated with Civilian Defense and all who participated in the Defense activities calls for congratulations which I here express.

Some difficulties have been experienced in perfecting this vital organization as a result of the conflicts and inadequacies of our Defense legislation. These should be corrected by you in order that our laws may conform to necessities placed upon us by the problem of war. It is suggested you consider a bill to suspend or modify such of our Statutes as impede or interfere with the conduct of the war.

I fear such conflicts may occur while you are in recess and only for that reason ask that you consider carefully the delegation to the Chief Executive of the power to suspend the operation of laws detrimental to the Defense effort. It is felt that these powers are necessary when swift and decisive action is required to meet unforeseen emergencies of a very grave nature.

To the same end the powers and duties of the State Council of Defense should be reviewed by you and that law amended to enable our State to conform with the military needs, and at the same time, preserve its right of action as a State.

Provision should be made that legislation of this nature should expire immediately at the end of the war, no matter how urgently it is needed today.

### SCHOOLS AND ROADS

We are proud of the public school and road systems of Delaware, and of the advance that has been made in both by the Departments having them in charge. Unusual conditions brought about by war have so reduced our revenues that our ability to finance extension of the work of these departments is very doubtful. We can only hope to retain our present facilities and to continue the high standards that have thus far been achieved.

One recommendation regarding the school system, however, is that the President of the University of Delaware be made an ex-officio member of the State Board of Education. If this recom-

mendation is adopted, it is believed that the knowledge the President of the University of Delaware naturally has of its work, would greatly assist the members of the State Board of Education in any efforts made to correlate the program of the public school system with that of our State University.

#### HIGHER EDUCATION FOR NEGROES

The improvement of higher educational facilities for Negroes in Delaware is urged. To this end it is recommended that proper steps be taken to have Delaware State College for Colored Students accredited according to the standards of the Middle States Association. While this is an immediate objective, I further offer for your consideration as a post war program the establishment of proper high school facilities in the lower Counties for which substantial appropriations were made by the 108th General Assembly. As is well known, lack of materials caused by war conditions has delayed the attainment of this objective.

#### LABOR

Careful consideration of the needs of the average worker under the Unemployment Compensation program, both from the point of view of present and post war economic conditions, leads to recommendations for amendments and revisions of the law to substantially increase benefits.

It is recommended that the maximum amount of weekly benefits be increased from \$15.00 per week, as presently provided, to \$18.00 per week, and that the duration of benefits be extended from a minimum of 8-1/3 weeks to 11 weeks and from a maximum of 13 weeks to 20 weeks. These recommendations will cause an increased sum of about \$250,000. to be paid to unemployed workers in an average year. These changes seem desirable at this time in view of post war readjustment when many workers will be displaced from their regular employment. While this amount may seem high, it will likely be more than offset by the increased premiums received by the Commission from our expanded payrolls during the present period.

The duration of benefits might vary from 11 weeks for a worker with about \$200.00 of base period earnings up to 20 weeks for a worker with \$2000. of base period earnings.

In order to provide adequate guarantee of income during a period of readjustment between demobilization of the men discharged from the armed forces and their re-employment, it is proposed that any ex-serviceman who had been in covered employment prior to his induction be eligible to receive the sum

of \$18.00 per week until he finds employment and that such benefits continue for a period not beyond 20 weeks. The matter of re-employment of returning soldiers will be a subject of serious public concern and these benefits will help to provide for the soldiers during the period when they are being adjusted into their former positions or in other work.

It is recommended that the maximum rate of payment by employers be reduced from four percent to three percent; that experience rating be put on a three-year basis to offset a possible drastic yearly readjustment of rates, and that a safety factor be included in the law to protect the fund. In order to promote rehiring of workers, it is recommended that credit be granted to an employer on his experience rating when a former employee is rehired before his benefits have been exhausted. These credits would be used to reduce an employer's contribution rate, and he would thus be encouraged to keep all lay-offs at an absolute minimum and at shortest possible duration. As a reflection of higher wage rates and in order that the program may more clearly reflect a differentiation between the regularly employed worker for whom greatly increased benefits are recommended and those occasional workers whose earnings serve only to supplement the family income and who are not, or do not wish to be, steadily employed, we propose that the required qualifying earnings during the base year should be raised from \$125. to \$200.

After further study it is believed to be desirable to liberalize certain provisions of the Workmen's Compensation Law, and it is recommended that the following amendments be adopted:

- (1) That amputation at the ankle or the amputation of any part of the foot other than the toes shall be considered as the equivalent of the loss of a foot;
- (2) That when death results from any injury the allowance for burial expenses be increased from One Hundred and Seventy-five (\$175.00) Dollars to Three Hundred (\$300.00) Dollars;
- (3) That Volunteer Fire Companies be permitted to participate in the benefits of this law if they so elect.

#### PROPOSED CONSTITUTIONAL AMENDMENTS

Attention is called to amendments to the Constitution proposed by the last session of the Assembly. It is particularly important that the Absentee Voting Amendment and the Amendment pertaining to the cost of the Legislature receive your prompt attention. I would earnestly urge their adoption. The

number of employees provided by the provisions of the latter proposed amendment is ample to conduct the business of the General Assembly. Should this proposed amendment fail of adoption at this time and should a later session of the Assembly select a larger number of employees than the proposed amendment provides, the responsibility will rest squarely upon the members of this General Assembly.

#### NEW PROPOSED AMENDMENTS

The following proposals for Amendments to our Constitution are submitted for your consideration and adoption for the first time, to provide:

- (1) That all Estate Taxes collected in any fiscal year in excess of \$1,000,000. be used for the payment of loans of the State of Delaware, or placed in a Sinking Fund for redemption of State bonds as they mature;
- (2) That no business be transacted at any Special Session of the Legislature except that for which the Session was specifically called. In order to guard against unforeseen circumstances and events, it is suggested, however, that provision be made that three-fourths of all of the members elected to each House of the General Assembly by Resolution, approved by the Governor, may add to the business set forth in the Governor's Call. There should also be delegated to the Governor, in addition to the authority to convene, the power to finally adjourn a Special Session of the General Assembly;
- (3) That the sole power to authorize the issuance of State Bonds should reside in the General Assembly of the State, and that no State Department or Agency should at any time be clothed with such authority;
- (4) That no increase be made in the Budget submitted by the Governor, nor any other legislation be passed requiring payments of State monies, unless a Bill to provide the revenue therefor in amount similar to amounts of such payments or additional appropriations be passed to provide the funds for same, excepting, however, any Appropriation Bill providing for the payment of any bonded obligation of the State.

During the present Session I will be governed by the principles in this last suggestion in considering legislation before giving same my approval.

## CONCLUSION

This program, if adopted, promises to keep our State in the enviable financial position it enjoys among its sister States, and maintain its creditable position in matters of education, roads, social welfare, and those intimate aids we render our people. We hope it will help to meet the challenge of the uncertain future and lay the ground-work for the reestablishment of the freedom of enterprise and the pursuance of peace-time occupations when this war shall end in victory.

I will be very happy to discuss with the members of the Assembly the details of this program. If it is adopted, I trust that it will react to the happiness and prosperity of the people in all sections of our State.

Respectfully submitted,

WALTER W. BACON  
*Governor*

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

Motion prevailed.

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

Mr. Yerkes moved that the two House now separate to reconvene in their respective chambers.

Motion prevailed.

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Same Day, Later

Senate met in regular session.

Mr. Bunting moved that the Senate recess until 3:15 o'clock P. M.

Motion prevailed.

Same Day, Later

Senate met at expiration of recess.

The Chair recognized the Honorable C. Douglass Buck, United States Senator from Delaware, who addressed the Senate.

The Sergeant-at-Arms announced a messenger from the Governor, Secretary of State William J. Storey.

The Secretary of State, being admitted, delivered a communication from the Governor.

The Chair referred the communication to the Executive Committee.

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

Motion prevailed.

#### EXECUTIVE SESSION

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Same Day, after Executive Session

Senate met in regular session.

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

Motion prevailed.

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Same Day, 4:20 o'clock P. M.

Senate met at expiration of recess.

Mr. Bunting moved that the Senate adjourn until 12 o'clock noon, January 6, 1943.

Motion prevailed.

❖SECOND LEGISLATIVE DAY❖

Dover, Delaware, January 6, 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. Mulholland presented the following communication:

BOARD OF EDUCATION

MILFORD SPECIAL SCHOOL DISTRICT

Milford, Delaware, December 30, 1942

Mr. Harry H. Mulholland  
State Senator  
Milford, Delaware

Dear Senator:

I have been asked to forward the enclosed signed statement from the Teachers of the Milford Schools.

With best wishes for a successful term of service, I am

Yours very truly,

ROBERT E. SHILLING

## Milford Special School District

December 1, 1942

Inasmuch as living costs have increased at least twenty-five per cent, while teachers' salaries for the majority of employees of the State Board of Education of Delaware have remained the same, and

Inasmuch as wages have been raised to cope with this crisis for workers in fields where the expenditures for training are much less than those of a teacher's education:

We, the undersigned, on behalf of the teachers of Milford and the State at large urgently request that the State Legislature of Delaware make appropriations to enable the State Board of Education to give the teachers an increase in salary of at least twenty-five per cent beginning with the school term 1942-43.

(Signed by Thirty-eight Teachers)

On motion for leave, Mr. Yerkes introduced Senate Resolution No. 11, entitled:

## SENATE RESOLUTION NO. 11

In reference to Election of Officers.

BE IT RESOLVED by the Senate of the 109th General Assembly of the State of Delaware that the following named persons be and they hereby are elected to the respective offices appearing opposite their name, to serve during the pleasure of the Senate:

Assistant Secretary.....	William R. Murphy
Stenographer.....	Ruth Keller
Document Clerk.....	William H. Bookhammer
Page.....	Harry C. Burton
Reading Clerk.....	Calvin H. Ball
Sergeant-at-Arms.....	Marvel Pepper

Mr. Yerkes moved the adoption of the Resolution.

Motion prevailed.



The following attaches were administered the oath of office:

STATE OF DELAWARE }  
KENT COUNTY } ss.

Dover, Delaware

I, James D. Prattis, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Telephone Messenger for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

JAMES D. PRATTIS

SWORN to and subscribed before me this 6th day of January, A. D. 1943.

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
KENT COUNTY } ss.

Dover, Delaware

I, John E. Davidson, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Attorney's Messenger for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

JOHN E. DAVIDSON

SWORN to and subscribed before me this 6th day of January, A. D. 1943.

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
KENT COUNTY } ss.

Dover, Delaware

I, Margaret D. Tomlinson, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Stenographer for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

MARGARET D. TOMLINSON

SWORN to and subscribed before me this 6th day of January, A. D. 1943.

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
KENT COUNTY } ss.

**Dover, Delaware**

I, Harry C. Burton, Sr., do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Page for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

HARRY C. BURTON, SR.

SWORN to and subscribed before me this 6th day of January,  
A. D. 1943.

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
KENT COUNTY } ss.

**Dover, Delaware**

I, William H. Bookhammer, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Document Clerk for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

WM. H. BOOKHAMMER

SWORN to and subscribed before me this 6th day of January,  
A. D. 1943.

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
KENT COUNTY } ss.

**Dover, Delaware**

I, Marvel Pepper, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Sergeant-at-Arms for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

MARVEL PEPPER

SWORN to and subscribed before me this 6th day of January,  
A. D. 1943.

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
 KENT COUNTY } ss.

Dover, Delaware

I, William R. Murphy, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Assistant Secretary for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

WILLIAM R. MURPHY

SWORN to and subscribed before me this 6th day of January,  
 A. D. 1943.

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
 KENT COUNTY } ss.

Dover, Delaware

I, Ruth Keller, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Stenographer for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

RUTH M. KELLER

SWORN to and subscribed before me this 6th day of January,  
 A. D. 1943.

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
 KENT COUNTY } ss.

Dover, Delaware

I, Calvin H. Ball, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Assistant Reading Clerk for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

CALVIN H. BALL

SWORN to and subscribed before me this 6th day of January,  
 A. D. 1943.

I. J. MacCOLLUM  
*President of the Senate*

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

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

The Chair referred the message to the Executive Committee.

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

Motion prevailed.

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Same Day, 2 o'clock P. M.

Senate met at expiration of recess.

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

#### SENATE RESOLUTION NO. 12

Extending the Privilege of the Floor to certain Persons.

BE IT RESOLVED by the Senate of the 109th General Assembly that the privilege of the floor be accorded to ex-members of the Senate, members and ex-members of the House of Representatives, members and ex-members of the United States Senate and United States House of Representatives, the Governor, other State Officials and Representatives of the Press; and that the privilege of the floor to address the Senate or to confer with members, may be granted to others by a majority vote of the Senate.

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

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

On motion for leave, Mr. Yerkes introduced Senate Resolution No. 13, entitled:

#### SENATE RESOLUTION NO. 13

Authorizing the State Librarian to furnish Stationery and other Supplies.

BE IT RESOLVED by the Senate of the 109th General Assembly that the State Librarian be and he hereby is authorized and directed to furnish to the Secretary and Assistant Secretary of the Senate, the Reading Clerks and the Bill Clerks of the Senate stationery and other supplies, the cost of which shall not exceed the sum of \$25.00 for each; and

BE IT FURTHER RESOLVED that the State Librarian be and he hereby is authorized and directed to furnish to all other officials or attaches of the Senate, not hereby or heretofore provided for, stationery and other supplies, the cost of which shall not exceed the sum of \$15.00 for each.

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

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

On motion for leave, Mr. McGuigan introduced Senate Resolution No. 14, entitled:

#### SENATE RESOLUTION NO. 14

Extending to Senator James H. Hughes the sympathy of the Senate in his recent accident.

WHEREAS the Senate of the 109th General Assembly has learned with deepest regret of the recent accident to Senator James H. Hughes of Dover, in which he suffered a broken wrist and other serious injuries;

NOW THEREFORE BE IT RESOLVED by the Senate of the 109th General Assembly that the Secretary of the Senate be and she hereby is directed, to extend to Senator James H. Hughes of Dover, an expression of the sympathy of the Senate for the injuries suffered in his recent fall and the best wishes of the Senate for his speedy and complete recovery.

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

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

Mr. Bunting, on motion for leave, introduced Senate Bill No. 1, entitled:

An Act conferring power upon the Governor, during the recess of the General Assembly, to suspend or modify Statutes impeding or interfering with the proper conduct of the war and prescribing the circumstances under which such action may be taken, the Legislative Standards guiding and controlling the same, the Limitations and Restrictions applicable thereto and the Period of Effectiveness thereof.

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

Mr. Bunting, on motion for leave, introduced Senate Bill No. 2, entitled:

An Act proposing an amendment to Article VII of the Constitution of the State of Delaware relating to the creation of a Reserve Fund.

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

Mr. Rhodes, on motion for leave, introduced Senate Bill No. 3, entitled:

An Act authorizing the State of Delaware to borrow \$3,000,000, and issue Bonds therefor to provide a Post-War Improvement Program for the purpose of purchasing and erecting new and improved Buildings, Grounds and Equipment for certain State Institutions and the University of Delaware and for the purpose of constructing Roads, Bridges and Highways.

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

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

Motion prevailed.

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

Senate met at expiration of recess.

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

Motion prevailed.

#### EXECUTIVE SESSION

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Same Day, Later

The Senate met in regular session at the expiration of the Executive Session.

Mr. Bunting moved that the Senate adjourn until January 7, 1943, at 12 o'clock noon.

Motion prevailed.

❖*THIRD LEGISLATIVE DAY*❖

Dover, Delaware, January 7, 1943, 12 o'clock noon

Senate met pursuant to adjournment.

Lieutenant-Governor Isaac J. MacCollum presiding.

Prayer by the Chaplain.

Roll called.

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

Member Absent—Johnston—1.

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

Motion prevailed.

Mr. Jones, on motion for leave, introduced Senate Bill No. 4, entitled:

An Act providing for the Eradication and Control of Brucellosis commonly known as Bang's Disease of Cattle.

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 until 2 o'clock P. M.

Motion prevailed.

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Same Day, 2 o'clock P. M.

Senate met at expiration of recess.



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

An Act conferring power upon the Governor, during the Recess of the General Assembly, to suspend or modify Statutes impeding or interfering with the proper conduct of the War and prescribing the circumstances under which such action may be taken, the Legislative Standards guiding and controlling the same, the Limitations and Restrictions applicable thereto and the period of Effectiveness thereof.

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 Senate Bill No. 2, entitled:

An Act proposing an Amendment to Article VII of the Constitution of the State of Delaware relating to the creation of a Reserve Fund.

Reported the same back to the Senate favorably.

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

Mr. Mulholland, on motion for leave, introduced Senate Bill No. 5, entitled:

An Act to amend An Act known and cited as the "Unemployment Compensation Law," being Chapter 258 of the Laws of Delaware, 1937, as amended by changing the definition of "Employment Office;" by changing the definition of "Weekly Benefit Amount;" by changing the duration of Benefits; by providing for a new basis of payments to individuals who have been in the Military Service; by changing the Requirements 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.

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

On motion for leave, Mr. McGuigan introduced Senate Resolution No. 15, entitled:

#### SENATE RESOLUTION NO. 15

In respect to the death of Thirza Louise Hicks, mother of Representative Benjamin E. Hicks.

WHEREAS, the Senate has learned with the deepest regret of the death on January 6th, 1943 of Thirza Louise Hicks, mother of Honorable Benjamin E. Hicks, a member of the House of Representatives from the Eighth Representative District of New Castle County; and

WHEREAS, it is fitting that the Senate give expression of sympathy to the family of the said decedent and the family of the Honorable Benjamin E. Hicks;

NOW, THEREFOR, BE IT RESOLVED, that the Senate of the 109th General Assembly of the State of Delaware does hereby extend to the family of the said decedent, Thirza Louise Hicks, and to the Honorable Benjamin E. Hicks and to his family the sincere sympathy of this body in their loss and sorrow; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journal, a copy delivered to the Press and a copy sent to the family of the deceased.

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

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

Mr. Bunting moved that the Senate adjourn until 12 o'clock noon, Monday, January 11, 1943.

Motion prevailed.

«FOURTH LEGISLATIVE DAY»

Dover, Delaware, January 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. Yerkes moved that the Senate recess until 2 o'clock P. M.

Motion prevailed.

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

Senate met at expiration of recess.

The Chair presented the following communication:

NEWARK PUBLIC SCHOOLS

Newark, Delaware, January 7, 1943

The Honorable George Rhodes  
Member of the Assembly  
Dover, Delaware

Dear Senator Rhodes:

The Board of Education of the Newark Special School District wishes to impress upon you the necessity of an immediate adjustment in the salaries of all school employes to meet the

increased cost of living. In our own situation in Newark we have already lost teachers from positions we find impossible to fill adequately on the present salary scale. Doubtless you have at hand many statistics showing the discrepancies that exist between the salaries of teachers and other workers and the discrepancies that exist between the salaries of teachers and the increased cost of living.

As our representative in the Legislature of Delaware, we urge you to support some type of legislation for an adequate salary adjustment that will enable us to maintain our schools at a high point of efficiency.

Yours very truly,

C. E. DOUGLASS  
*Secretary*

Mr. Bunting moved that the Senate recess for 15 minutes.

Motion prevailed.

Same Day, Later

Senate met at expiration of recess.

On motion for leave, Mr. Mullin introduced Senate Resolution No. 16, entitled:

#### SENATE RESOLUTION NO. 16

In respect to the Payment of 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 Public Co., Inc. ....	\$93.58
Printing for Second Legislative	
Day .....	\$41.24
Printing for Third Legislative	
Day .....	52.34
	<hr/>
	\$93.58

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

On motion for leave, Mr. Mullin introduced Senate Resolution No. 17, entitled:

# SENATE RESOLUTION NO. 17

Paying certain Expenses of the Senate.

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

Matthews Brothers. Inc., for pocket seal	
for Bill Clerk .....	\$5.50

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

On motion of Mr. Bunting, Senate Bill No. 1, entitled:

An Act conferring power upon the Governor, during the Recess of the General Assembly, to suspend or modify Statutes impeding or interfering with the proper conduct of the War and prescribing the circumstances under which such action may be taken, the Legislative Standards guiding and controlling the same, the Limitations and Restrictions applicable thereto and the period of Effectiveness 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. Edmonds, Evans, Hitchens, Johnston, Jones, Mulholland, Mullin, Rhodes, Yerkes, Mr. President Pro Tem—10.

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

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

Ordered to the House for concurrence.

Mr. Mullin, on behalf of the Committee on Judiciary, to whom had been referred Senate Joint Resolution No. 1, entitled:

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

Reported the same back to the Senate favorably.

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

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

Motion prevailed.

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Same Day, Later

Senate met at expiration of recess.

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. 1, entitled:

Directing the Appointment of a Committee to arrange for a Suitable Program for Observance of Lincoln's Birthday.

And presented the same to the Senate.

The Chair presented House Concurrent Resolution No. 1, entitled:

Directing the Appointment of a Committee to arrange for a Suitable Program for Observance of Lincoln's Birthday.

Mr. Mulholland moved that House Concurrent Resolution No. 1 be adopted.

Motion prevailed.

Which was taken up for consideration 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. Attix, Ayres, Edmonds, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Evans—1.

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

And was ordered returned to the House.

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

Motion prevailed.

«FIFTH LEGISLATIVE DAY»

Dover, Delaware, January 12, 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 communications:

CHAMBER OF COMMERCE, DELAWARE

Wilmington, Del., January 6, 1943

The Honorable  
The Senate  
109th General Assembly, Delaware  
Dover, Delaware

Gentlemen:

The One Hundred Sixth Annual Meeting of this organization will be held in the Hotel duPont, 7:00 P. M., Thursday, January 28, 1943.

We expect, as our guest speaker, United States Senator Harry Flood Byrd of Virginia.

On behalf of our officers and members, we cordially invite the members of the Senate to be present as our guests on this occasion.

I am, with every esteem,

Very truly yours,

GERRISSH GASSAWAY  
*Manager*



Dover, Del., January 9, 1943

Mrs. Vera G. Davis  
Secretary of the Senate  
Dover, Delaware

Dear Mrs. Davis:

Please extend to the Senate of Delaware my deep appreciation for its expression of sympathy on account of my injuries. I hope to be around again in a short time and will call at the Senate and see the members personally.

I wish them a very successful session.

Yours truly,

JAMES H. HUGHES

EIGHTEENTH ANNUAL REPORT  
OF THE  
DELAWARE STATE BOARD OF PAROLE  
YEAR ENDING JUNE 30, 1941

Wilmington, Delaware, June 30th, 1941

To the President and  
Members of the Board of Parole

Gentlemen:-

Herewith is submitted for your consideration the Eighteenth Annual Report of the operations of your Board. This report contains a summary of the complete operations of the Parole System of the State of Delaware for the fiscal year ending June 30th, 1941.

During the year, twelve (12) meetings of the Board were held in New Castle County, and four (4) meetings were held in Kent and four (4) in Sussex County.

The full number of meetings as required by law were held during the year.

The increasing demand for farm and other labor has made it much easier to obtain employment for such parolees as are capable of, and willing to, apply themselves in an effort to make an honest living.

During the year your Board has been called upon to consider four cases of parole violation.

Parolee No. 1732 violated the conditions of parole on December 2nd, 1940, by leaving the State of Delaware without the consent of the Parole Officer, and by failing to support his family as directed by the Court. A warrant has been issued for his arrest.

Parolee No. 1580, who was paroled by this Board on June 5th, 1939, violated his parole on August 29th, 1940, he having been charged with committing a felonious assault. On September 9th, 1940, the Board postponed consideration of his case until such time as the Court passed upon his guilt or innocence of the offense charged against him. The charges against the parolee were Nolle Prossed by the Attorney General on November 22nd, 1940, and he was admitted to parole again on June 2nd, 1941.

Parolee No. 1186, who was paroled by this Board on July 3rd, 1936, violated his parole on March 10th, 1941, by committing an act of larceny. Your Board revoked his parole as of that date.

Parolee No. 1717, who was paroled on September 20th, 1940, violated his parole on March 28th, 1941, by committing an act of Assault and Battery, for which offense he was required to pay a fine and costs by the Court. Your Board revoked his parole as of March 28th, 1941.

During the year your Board considered a total of One Hundred and Four (104) cases, of which Forty-three (43) were paroled, Fifty-nine (59) were refused parole, and consideration of Two (2) cases was continued.

The color and sex of those applying for and those granted parole were as follows:

	Applications	Parole Granted	Per Cent
White: Male . . . . .	54	25	46.3
Female . . . . .	3	1	33.3
Black: Male . . . . .	44	16	36.3
Female . . . . .	3	1	33.3
Total . . . . .	104	43	41.3

Since the establishment of the Parole System in 1923, there have been 1803 applications, of which number 749, or 41.5%, have been paroled. During this entire period, 73 or 9.7% have broken parole. A few of the 73 have been permitted a second opportunity and have completed the parole term satisfactorily, and those who are still on parole are conducting themselves properly.

29	were guilty of Disorderly Conduct .....	39.7%
20	were guilty of failing to report .....	27.4%
16	were guilty of Larceny and Breaking and Entering.	21.9%
4	were guilty of Assault and Battery .....	5.5%
2	were guilty of Driving off Automobiles .....	2.7%
1	committed Arson .....	1.4%
1	committed Forgery .....	1.4%
<hr/>		
73		100%

From the above statistics, it is to be noted that 49 out of 73 or 67.1% of those who have broken parole have been guilty of disorderly conduct or have failed to report to the parole officer. This leaves 24 or 32.9% who have been guilty of the more serious crimes; although, for 18 years no parolee has been involved in a sex crime, nor a murder.

The above analysis of statistics is presented to substantiate the feeling of the Board that parole in Delaware can be considered reasonably successful, based on the record of 90.3% who have kept parole.

The Appropriations and Expenditures of the Board for the year were as follows:

	Budget	Expenditures	Balance
Salary of Board Members . . .	\$ 480.00	\$ 460.00	\$20.00
Salary of Parole Officer . . . .	2,400.00	2,400.00	0.00
Salary of Clerk . . . . .	85.00	85.00	0.00
Travel Expense . . . . .	700.00	699.96	0.04
Office Expenses . . . . .	35.00	35.00	0.00
Equipment . . . . .	65.00	0.00	65.00
	<hr/>		
	\$3,765.00	\$3,679.96	\$85.04

The following table shows the number of prisoners on parole during the year, the date of commencement of parole and the date of expiration of sentence and parole, and the total amount saved to the Counties of the State by parole during the year:

Parolee's Number	Date of Parole	Parole Expires	Parole Days	Per Diem Saved to Counties	Total Saved to Counties by Parole
1 . . .	7/25/23	Life	365	\$1.00	\$365.00
16 . . .	8/15/23	Life	365	1.00	365.00
18 . . .	1/16/27	Life	365	1.00	365.00
980 . . .	11/4/32	Life	365	1.00	365.00
990 . . .	2/3/33	Life	365	1.00	365.00
1057 . . .	2/3/34	Life	365	1.00	365.00
1186 . . .	7/3/36	Life	253	1.00	253.00
1208 . . .	12/8/35	8/11/40	42	1.00	42.00
1316 . . .	10/14/36	7/5/40	5	1.00	5.00
1327 . . .	11/8/36	11/12/40	165	1.00	165.00
1498 . . .	8/3/38	Life	365	1.00	365.00
1499 . . .	10/22/38	Life	365	1.00	365.00
1579 . . .	4/1/39	11/10/42	365	1.00	365.00
1581 . . .	6/5/39	9/20/41	365	1.00	365.00
1610 . . .	7/17/39	2/15/44	365	1.00	365.00
1611 . . .	7/11/39	6/6/42	365	1.00	365.00
1612 . . .	7/17/39	1/14/41	198	1.00	198.00
1619 . . .	8/14/39	3/15/44	365	1.00	365.00
1624 . . .	11/7/39	Life	365	1.00	365.00
1632 . . .	10/11/39	8/2/40	33	1.00	33.00
1639 . . .	11/8/39	6/29/43	365	1.00	365.00
1649 . . .	1/8/40	12/22/40	175	1.00	175.00
1650 . . .	12/30/39	12/22/40	175	1.00	175.00
1654 . . .	12/9/39	4/7/43	365	1.00	365.00
1656 . . .	1/21/40	Life	365	1.00	365.00
1657 . . .	1/8/40	9/9/40	71	1.00	71.00
1658 . . .	1/9/40	5/25/41	329	1.00	329.00
1660 . . .	1/8/40	8/7/40	38	1.00	38.00
1664 . . .	2/27/40	12/5/41	365	1.00	365.00
1666 . . .	2/25/40	3/21/44	365	1.00	365.00
1670 . . .	4/4/40	1/24/41	208	1.00	208.00
1677 . . .	5/4/40	10/24/40	116	1.00	116.00
1682 . . .	4/24/40	8/22/40	53	1.00	53.00
1683 . . .	5/4/39	8/30/40	61	1.00	61.00
1687 . . .	5/6/40	9/12/40	74	1.00	74.00
1690 . . .	10/7/40	Life	266	1.00	266.00
1691 . . .	6/5/40	Life	365	1.00	365.00
1692 . . .	6/5/40	4/7/44	365	1.00	365.00
1694 . . .	8/8/40	10/6/40	59	1.00	59.00
1703 . . .	7/7/40	Life	358	1.00	358.00
1706 . . .	7/11/40	2/17/41	221	1.00	221.00
1710 . . .	11/11/40	Life	231	1.00	231.00

Parolee's Number	Date of Parole	Parole Expires	Parole Days	Per Diem Saved to Counties	Total Saved to Counties by Parole
1711 . . .	8/8/40	1/25/41	170	1.00	170.00
1717 . . .	9/20/40	4/1/41	193	1.00	193.00
1720 . . .	12/24/40	1/10/41	17	1.00	17.00
1726 . . .	10/26/40	6/23/42	247	1.00	247.00
1727 . . .	9/27/40	7/18/41	276	1.00	276.00
1729 . . .	11/28/40	3/27/41	119	1.00	119.00
1730 . . .	10/22/40	2/21/41	123	1.00	123.00
1732 . . .	10/7/40	3/14/41	158	1.00	158.00
1734 . . .	11/21/40	6/29/41	220	1.00	220.00
1739 . . .	12/13/40	4/21/41	129	1.00	129.00
1742 . . .	12/20/40	4/20/41	121	1.00	121.00
1743 . . .	12/20/40	4/20/41	121	1.00	121.00
1745 . . .	1/27/41	9/3/41	154	1.00	154.00
1746 . . .	1/5/41	10/21/41	176	1.00	176.00
1747 . . .	12/19/40	6/10/41	173	1.00	173.00
1748 . . .	12/19/40	6/10/41	173	1.00	173.00
1749 . . .	2/3/41	12/15/43	147	1.00	147.00
1750 . . .	1/17/41	1/9/42	164	1.00	164.00
1756 . . .	2/9/41	6/26/41	114	1.00	114.00
1757 . . .	3/26/41	1/16/42	96	1.00	96.00
1762 . . .	3/20/41	8/4/41	102	1.00	102.00
1764 . . .	4/7/41	7/19/41	84	1.00	84.00
1766 . . .	3/29/41	7/22/41	93	1.00	93.00
1767 . . .	3/26/41	7/22/41	96	1.00	96.00
1769 . . .	4/10/41	11/7/45	81	1.00	81.00
1770 . . .	5/5/41	7/3/43	56	1.00	56.00
1771 . . .	5/5/41	4/27/42	56	1.00	56.00
1775 . . .	4/14/41	8/14/41	77	1.00	77.00
1776 . . .	4/28/41	8/28/41	63	1.00	63.00
1779 . . .	5/13/41	3/5/42	48	1.00	48.00
1780 . . .	6/8/41	12/13/41	22	1.00	22.00
1792 . . .	6/2/41	10/22/43	88	1.00	88.00
				\$14,753	\$14,753.00

Total amount saved to Counties by Parole.. \$14,753.00  
 Cost of operating the Parole System..... 3,679.96

Net saved to the Counties by Parole..... \$11,073.04

Amount saved to the Counties by parole each year since the establishment of the Parole System:

Year ending June 30, 1924.....	\$ 952.24
Year ending June 30, 1925.....	3,220.13
Year ending June 30, 1926.....	1,593.01
Year ending June 30, 1927.....	2,470.82
Year ending June 30, 1928.....	3,269.17

Year ending June 30, 1929.....	3,287.64
Year ending June 30, 1930.....	3,766.81
Year ending June 30, 1931.....	3,046.12
Year ending June 30, 1932.....	6,449.12
Year ending June 30, 1933.....	7,216.37
Year ending June 30, 1934.....	7,243.29
Year ending June 30, 1935.....	9,641.87
Year ending June 30, 1936.....	11,454.00
Year ending June 30, 1937.....	9,537.33
Year ending June 30, 1938.....	7,363.76
Year ending June 30, 1939.....	9,840.44
Year ending June 30, 1940.....	10,400.13
Year ending June 30, 1941.....	11,073.04

Total saved in 18 years.....\$111,825.29

The Board appreciates the cooperation and assistance of friends of parole, whether they be in official or unofficial positions, and it congratulates the law abiding parolees.

Respectfully submitted,

JAMES W. ROBERTSON

*Secretary*

Approved:

NEWLIN T. BOOTH  
HOWARD F. CALLAWAY  
J. GORDON McMILLAN

NINETEENTH ANNUAL REPORT  
OF THE  
DELAWARE STATE BOARD OF PAROLE  
YEAR ENDING JUNE 30, 1942

Wilmington, Delaware, June 30th, 1942

To the President and  
Members of the Board of Parole

Gentlemen:-

Herewith is submitted for your consideration the Nineteenth Annual Report of the operations of your Board. This report contains a summary of the operations of the Parole System of the State of Delaware for the year ending June 30th, 1942.

During the year eleven (11) meetings of the Board were held in New Castle County, four (4) meetings were held in Sussex County and three (3) meetings were held in Kent County. The number of meetings required by law were held during the fiscal year.

The demand for common labor has made it easy to obtain employment for parolees.

During the year your Board has been called upon to consider eight (8) cases of parole violation.

Parolee William L. Simpson, violated parole by refusing to make the payments specified by the Court for the support of his family and by failing to make restitution to his bondsman as specified by the Board. The Board revoked parole as of July 7, 1941, and recommended that allowance of good time be disallowed.

Parolee Clarence Cole, violated parole as of September 8, 1941, by leaving his place of residence without notifying the Secretary; he was subsequently arrested and brought before the Board on January 5th, 1942, when he was informed that under the law he must serve out the term of imprisonment imposed by the Court.

Parolee Charles Warren, who violated parole for the second time, by being drunk and disorderly, appeared before the Board. After hearing Warren's statement, the Board decided that Warren must serve out the sentence imposed by the Court.

Parolee William C. Gambell, who violated parole by being intoxicated and by leaving his place of employment and residence without notifying the Secretary, was arrested and returned to the Sussex County Jail. After hearing Gambell's statement, the Board decided that he should be required to serve imprisonment to July 26th, 1942.

Parolee Walter B. Kenney, Jr., who violated parole on December 2nd, 1941, by leaving his place of employment, his place of residence and the State of Delaware without requesting permission to do so, was given a hearing by the Board. The Board decided that Kenney be required to serve imprisonment to October 20th, 1942.

Parolee Louis B. Stokley, violated parole June 1st, 1942, by committing an Assault and Battery; for this offense he was sentenced to be imprisoned for a term of 30 days. The Board revoked the parole of Stokley, and decided that he serve out the sentence imposed by the Court, and that good time off be not allowed.

Parolee John H. Coleman, violated parole by leaving the State of Delaware without consulting the Secretary and making his present place of abode known. The Board requested the Warden of the Sussex County Jail to use such means as would secure the return of Coleman to the Sussex County Jail.

During the year the Board considered and disposed of Ninety-eight (98) cases, Forty (40) of which were granted parole and Fifty-six (56) of which were refused parole, and consideration of Two (2) cases was continued.

The color and sex of those applying for and those granted parole were as follows:

	Applications	Paroles Granted	Refused
White: Male . . . . .	34	14	20
Female . . . . .	3	1	2
Black: Male . . . . .	57	24	33
Female . . . . .	2	1	1
Continued . . . . .	2		
Totals . . . . .	98	40	56

Since the establishment of the Parole System in 1923 there have been 1901 applications for parole, of which 789 or 41.5% have been granted. During this period of 19 years, 81 or 10.3% of those paroled have violated parole. A few of the parole violators have been given the second chance and in most cases have conducted themselves properly. The violations classified by offenses with respective percentages were as follows:

30	were guilty of disorderly conduct.....	37.1%
25	were guilty of failing to report.....	30.8%
16	were guilty of Larceny and Breaking and Entering.	19.7%
5	were guilty of Assault and Battery.....	6.2%
3	were guilty of Driving off Automobiles.....	3.8%
1	was guilty of Arson.....	1.2%
1	was guilty of Forgery.....	1.2%
81		100%

From the above statistics it is noted that 55 of those who have broken parole in 19 years have been guilty of disorderly conduct or of failing to report to the Parole Officer. Twenty-six or 3.3% of all paroled have been guilty of the more serious offenses, although for 19 years no parolee has been guilty of a sex charge or murder.

The Appropriations and Expenditures of the Board for the year were as follows:

	Budget	Expenditures	Balance
Salary of Board Members . . .	\$ 480.00	\$ 430.00	\$50.00
Salary of Parole Officer . . .	2,400.00	2,400.00	00
Salary of Clerk . . . . .	85.00	85.00	00
Office Expenses . . . . .	440.00	279.12	160.88
Travel Expenses . . . . .	950.00	550.34	399.66
Equipment . . . . .	65.00	00	65.00
	\$4,420.00	\$3,744.46	\$675.54



The following table shows the number of prisoners on parole during the year, the date of commencement of parole and the date of expiration of sentence and parole, and the total amount saved to the Counties by parole during the year:

Parolee's Number	Date of Parole	Parole Expires	Parole Days	Per Diem Saved to Counties	Total Saved to Counties by Parole
1 . . .	7/25/23	Life	365	\$1.00	\$365.00
16 . . .	8/15/23	Life	365	1.00	365.00
18 . . .	1/16/27	Life	365	1.00	365.00
980 . . .	11/4/32	Life	365	1.00	365.00
990 . . .	2/3/33	Life	365	1.00	365.00
1057 . . .	2/3/34	Life	365	1.00	365.00
1186 . . .	7/3/36	Life	365	1.00	365.00
1498 . . .	8/3/38	Life	365	1.00	365.00
1499 . . .	10/22/38	Life	365	1.00	365.00
1579 . . .	5/1/39	11/10/42	365	1.00	365.00
1581 . . .	6/5/39	9/20/41	82	1.00	82.00
1610 . . .	7/17/39	2/15/44	365	1.00	365.00
1611 . . .	7/11/39	6/6/42	341	1.00	341.00
1619 . . .	8/14/39	3/15/44	365	1.00	365.00
1624 . . .	11/7/39	Life	365	1.00	365.00
1639 . . .	11/8/39	6/29/43	365	1.00	365.00
1654 . . .	12/9/39	4/7/43	365	1.00	365.00
1656 . . .	1/21/40	Life	365	1.00	365.00
1664 . . .	2/27/40	12/5/41	158	1.00	158.00
1666 . . .	2/25/40	3/21/44	365	1.00	365.00
1690 . . .	10/7/40	Life	365	1.00	365.00
1691 . . .	6/5/40	Life	365	1.00	365.00
1692 . . .	6/5/40	4/7/44	365	1.00	365.00
1703 . . .	7/7/40	Life	365	1.00	365.00
1710 . . .	11/11/40	Life	365	1.00	365.00
1726 . . .	10/26/40	6/23/42	358	1.00	358.00
1727 . . .	9/27/40	7/18/41	18	1.00	18.00
1745 . . .	1/27/41	9/3/41	65	1.00	65.00
1746 . . .	1/5/41	10/21/41	113	1.00	113.00
1749 . . .	2/3/41	12/15/43	365	1.00	365.00
1750 . . .	1/7/41	1/9/42	173	1.00	173.00
1757 . . .	3/26/41	1/16/42	200	1.00	200.00
1764 . . .	4/7/41	7/19/41	19	1.00	19.00
1766 . . .	3/29/41	7/22/41	22	1.00	22.00
1767 . . .	3/26/41	7/22/41	22	1.00	22.00
1769* . . .	4/10/41	11/7/45	52	1.00	52.00
1770 . . .	5/5/41	7/3/43	365	1.00	365.00
1779 . . .	5/13/41	3/5/42	248	1.00	248.00
1771 . . .	5/5/41	4/27/42	301	1.00	301.00
1775 . . .	4/14/41	8/14/41	45	1.00	45.00

Parolee's Number	Date of Parole	Parole Expires	Parole Days	Per Diem Saved to Counties	Total Saved to Counties by Parole
1776 . . .	4/28/41	8/28/41	59	1.00	59.00
1780 . . .	6/8/41	12/13/41	166	1.00	166.00
1792 . . .	6/2/41	10/22/43	365	1.00	365.00
1793 . . .	8/5/41	2/4/42	183	1.00	183.00
1794 . . .	7/9/41	12/26/41	170	1.00	170.00
1795** . .	7/2/41	10/5/42	00	00	00
1797 . . .	8/4/41	2/3/42	183	1.00	183.00
1803 . . .	7/13/41	3/19/44	352	1.00	352.00
1805 . . .	7/8/41	11/8/41	123	1.00	123.00
1810* . .	9/10/41	7/21/44	293	1.00	293.00
1811 . . .	10/6/41	11/1/42	267	1.00	267.00
1818 . . .	9/8/41	3/4/42	176	1.00	176.00
1821 . . .	9/24/41	1/27/42	125	1.00	125.00
1822 . . .	9/27/41	3/17/42	172	1.00	172.00
1824 . . .	11/17/41	3/17/42	120	1.00	120.00
1826 . . .	10/6/41	1/17/42	103	1.00	103.00
1827 . . .	11/2/41	3/2/42	120	1.00	120.00
1829 . . .	5/4/42	Life	57	1.00	57.00
1833 . . .	11/7/41	3/7/42	120	1.00	120.00
1835 . . .	11/19/41	3/19/42	120	1.00	120.00
1836 . . .	6/15/42	10/11/42	15	1.00	15.00
1839 . . .	1/7/42	4/6/42	89	1.00	89.00
1840 . . .	12/21/41	4/21/42	121	1.00	121.00
1841 . . .	10/11/41	4/21/42	192	1.00	192.00
1844 . . .	1/4/42	5/3/42	119	1.00	119.00
1846** . .	1/4/42	5/3/42	116	1.00	116.00
1847* . . .	2/4/42	9/12/42	116	1.00	116.00
1849 . . .	2/2/42	6/1/42	119	1.00	119.00
1850 . . .	2/2/42	6/1/42	119	1.00	119.00
1854 . . .	1/9/42	5/24/42	135	1.00	135.00
1855 . . .	1/23/42	5/24/42	121	1.00	121.00
1858 . . .	2/14/42	12/7/45	136	1.00	136.00
1859 . . .	2/14/42	Life	136	1.00	136.00
1870** . .	4/8/42	8/8/42	00	00	00
1871 . . .	4/10/42	1/29/42	81	1.00	81.00
1873 . . .	4/21/42	12/21/42	70	1.00	70.00
1874 . . .	3/27/42	5/26/42	59	1.00	59.00
1875 . . .	3/27/42	12/18/42	95	1.00	95.00
1880 . . .	4/6/42	7/28/42	85	1.00	85.00
1883 . . .	5/21/42	1/30/45	40	1.00	40.00
1886 . . .	5/18/42	9/18/42	43	1.00	43.00
1889 . . .	6/20/42	9/13/44	10	1.00	10.00
Totals . . . . .			16,268		\$16,268.00

\* Violated Parole

\*\*Not Released

\*-Killed July 12, 1942

Total amount saved the Counties by Parole..	\$16,268.00
Cost of operating the Parole System.....	3,744.46
	<hr/>
Net Cost saved to the Counties by Parole....	\$12,523.54
Amount saved to the Counties by Parole since the establishment of the Parole System in 1923 .....	\$124,349.83

In reciting the above figures it should be understood that the Board never considers the question of the amount saved to the Counties through the granting of paroles as paramount. Applications are considered on their merit only and the saving figures are merely a by-product resulting from parole.

Respectfully submitted,

JAMES W. ROBERTSON  
*Parole Officer*

NEWLIN T. BOOTH  
HOWARD F. CALLAWAY  
J. GORDON McMILLAN

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 6, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game," as amended by Chapter 199, Volume 43, Laws of Delaware, in reference to Crab Fishing.

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 the Senate recess until 2 o'clock P. M.

Motion prevailed.

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

Senate met at expiration of recess.

The Chair recognized the Adjutant General of the State of Delaware, Paul R. Rinard, who addressed the Senate.

On motion for leave, Mr. Yerkes introduced Senate Resolution No. 18, entitled:

### SENATE RESOLUTION NO. 18

Adopting Permanent Rules for the Senate.

BE IT RESOLVED by the Senate of the 109th General Assembly that the Rules of the Senate, together with the Rules governing Executive Sessions, adopted at the regular session of the 108th General Assembly, and heretofore adopted as the temporary rules for the governing of this session, be and they hereby are adopted as the permanent rules for the governing of the present session of the Senate.

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

The question was decided in the affirmative and the resolution was adopted.

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

Motion prevailed.

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

Senate met at expiration of recess.

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 7, entitled:

An Act providing for Pre-Marital Physical Examinations prior to the Issuance of Marriage Licenses and prescribing Penalties for the Violations of the Provisions of this Act.

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

Mr. Bunting moved that the Senate adjourn until 12 o'clock noon, January 13, 1943.

Motion prevailed.

«SIXTH LEGISLATIVE DAY»

Dover, Delaware, January 13, 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, Yerkes, Mr. President Pro Tem—15.

Members Absent—Rhodes, Sipple—2.

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

Motion prevailed.

Mr. McGuigan presented a communication from a group of citizens opposing the following:

Wage Increases for State Employees.

Increased Benefits and Extension of Time on Unemployment Compensation.

Mr. Mullin, on motion for leave, introduced Senate Bill No. 8, entitled:

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

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

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

Motion prevailed.

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

Senate met at expiration of recess.

On motion for leave, Mr. Bunting introduced Senate Resolution No. 19, entitled:

### SENATE RESOLUTION NO. 19

Amending Senate Resolution No. 11 in reference to Election of Officers.

BE IT RESOLVED by the Senate of the 109th General Assembly of the State of Delaware that Senate Resolution No. 11 be and the same hereby is amended by striking out the words "Assistant Secretary—William R. Murphy" and substituted in lieu thereof "Assistant Secretary—Calvin H. Ball."

BE IT FURTHER RESOLVED that said resolution be amended by striking out "Reading Clerk Calvin H. Ball" and substituted in lieu thereof the words "Reading Clerk—William F. Wilgus, Jr."

BE IT FURTHER RESOLVED that said resolution be amended by striking out the words "Sergeant-at-Arms—Marvel Pepper" and substituted in lieu thereof the words "Sergeant-at-Arms—Marvel Campbell."

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

The question was decided in the affirmative and the resolution was adopted.

The following oaths were administered:

STATE OF DELAWARE	} ss.
KENT COUNTY	

Dover, Delaware

I, Marvel Campbell, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Sergeant-at-Arms for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

MARVEL CAMPBELL

SWORN to and subscribed before me this 13th day of January, A. D. 1943.

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
 KENT COUNTY } ss.

Dover, Delaware

I, William F. Wilgus, Jr., do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Reading Clerk for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

WILLIAM F. WILGUS, JR.

SWORN to and subscribed before me this 13th day of January, A. D. 1943.

I. J. MacCOLLUM  
*President of the Senate*

STATE OF DELAWARE }  
 KENT COUNTY } ss.

Dover, Delaware

I, Calvin H. Ball, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Assistant Secretary of Senate for the Senate in the General Assembly of the State, according to the best of my ability.

CALVIN H. BALL

SWORN and subscribed to this 13th day of January, A. D. 1943.

I. J. MacCOLLUM  
*President of the Senate*

Mr. Mulholland, on behalf of the Committee on Banking and Insurance, to whom had been referred Senate Bill No. 8, entitled:

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

Reported the same back to the Senate favorably.

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

On motion of Mr. Yerkes, Senate Joint Resolution No. 1. entitled:

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

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

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

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

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

NAYS—None.

ABSENT—Messrs. Attix, Rhodes—2.

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

Ordered to the House for concurrence.

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 9, entitled:

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

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

Mr. Bunting moved that the Senate recess for 15 minutes.

Motion prevailed.

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

Senate met at expiration of recess.



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

### SENATE RESOLUTION NO. 20

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.

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

The question was decided in the affirmative and the resolution was adopted.

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

### SENATE RESOLUTION NO. 21

Relative to the Anthracite Coal Strike in the State of Pennsylvania.

WHEREAS, the members of the Senate view with alarm the present wildcat strike of hard coal miners in the anthracite coal fields of the State of Pennsylvania; and

WHEREAS, the members of the Senate are aware of the effect a continued strike will have upon this nation's war effort and upon the present acute shortage of fuel in the State of Delaware, our state being dependent to a large extent upon fuel supplied from the anthracite coal fields of the State of Pennsylvania; and

WHEREAS the aforesaid strike is due to a dispute within the miners' own labor organizations, the United Mine Workers; and

WHEREAS the stoppage of work in the anthracite coal fields by reason of the aforesaid strike is in violation of labor's pledge to the President that there shall not be any strikes for the duration of the war and that all strikes should be settled by peaceful means; now, therefore,

BE IT RESOLVED by the Senate of the State of Delaware that the members of the Senate do hereby express their disapproval of the anthracite coal miners walking out on strike at this time and do further hereby condemn the aforesaid strike as anti-social and unpatriotic; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread at large upon the Journal, and a copy delivered to the Press.

Mr. Yerkes moved the resolution be tabled.

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

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

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

NAYS—Messrs. Edmonds, Huston, McDowell, McGuigan, Messick, Sipple—6.

ABSENT—Messrs. Attix, Rhodes—2.

So the question was decided in the affirmative and the motion having received the required constitutional majority, passed the Senate, and Senate Resolution No. 21 was tabled.

Mr. Bunting moved that the Senate adjourn until 12 o'clock noon, January 14, 1943.

Motion prevailed.

*SEVENTH LEGISLATIVE DAY*

Dover, Delaware, January 14, 1943, 12 o'clock noon

Senate met pursuant to adjournment.

Mr. Yerkes presiding.

Roll called.

Members Present—Johnston, Yerkes—2.

There being no quorum present, Mr. Yerkes declared the Senate adjourned until Monday, January 18, 1943, at 12 o'clock noon.

*•EIGHTH LEGISLATIVE DAY•*

Dover, Delaware, January 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—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 Edward S. Knight, Chief Warden of State Buildings, regarding Air Raid rules for Legislative Hall.

On motion for leave, Mr. Yerkes introduced Senate Resolution No. 22, entitled:

SENATE RESOLUTION NO. 22

Authorizing the State Librarian to furnish certain Stationery.

BE IT RESOLVED by the Senate of the 109th General Assembly that the State Librarian be and he hereby is authorized and directed to deliver to the Milford Chronicle Publishing Co., sufficient stationery bearing the State Seal, and envelopes, for the printing of five hundred (500) sheets of stationery and five hundred (500) envelopes for each Senator, the Lieutenant-Governor, and the Secretary of the Senate.

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

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

The question was decided in the affirmative and the resolution was adopted.

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 10, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, relating to Fish, Oysters and Game by providing for Closed Season to Catch and take Fish from Waters.

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 the Senate recess until 2:00 o'clock P. M.

Motion prevailed.

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

Senate met at expiration of recess.

The President announced he is about to sign:

Senate Concurrent Resolution No. 1.

Senate Concurrent Resolution No. 2.

On motion for leave, Mr. Mullin introduced Senate Resolution No. 23, entitled:

#### SENATE RESOLUTION NO. 23

Accepting the Bids for certain Printing.

BE IT RESOLVED by the Senate of the 109th General Assembly that the bid of Milford Chronicle Publishing Company for the following printing, with prices set out with each lot, be and the same hereby is accepted:

Imprinting embossed letterheads and envelopes (stock to be supplied) for seventeen (17) Sen- ators, Lieutenant-Governor, and Secretary of Senate .....	\$95.00
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Printing bill backs (size  $9\frac{3}{8}$  x  $29\frac{1}{2}$ )

500 bill backs

25 joint resolution backs

25 concurrent resolution backs ..... 45.00

Printing forms on 20 pound Hammermill Bond  
as follows:-

Form No. 1.....500 copies

Form No. 2.....250 copies

Form No. 3.....200 copies

Form No. 17.....500 copies

Form No. 18.....100 copies

Form No. 21.....200 copies

Form No. 22.....500 copies

Form No. 24.....100 copies

Form No. 25.....100 copies

Form No. 26.....100 copies

Form No. 27.....100 copies

Form No. 31.....500 copies

Adjournment Forms.....500 copies 73.00

## Printing Rule Books

400 copies paper backs ..... 90.00

## Twenty (20) copies leatherbound, gold stamped

books, with name of each Senator..... 27.50

Total..... \$330.50

Upon motion of Mr. Mullin 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 was adopted.

Mr. Yerkes, on motion for leave, introduced 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.

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

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

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

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.

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 12, entitled:

An Act to amend Chapter 142 of the Revised Code of Delaware, 1935, relating to Landlord and Tenant to remove Top Fodder.

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

On motion for leave, Mr. Yerkes introduced Senate Resolution No. 24, entitled:

#### SENATE RESOLUTION NO. 24

Authorizing Partial Payments to Members of the Senate on Account of Compensation.

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 from the General Fund of the State Treasury of the State of Delaware, upon order of the President Pro Tem of the Senate, to each or any Senator, such sum or sums as may be due such Senator at the time such order is

made, as a part payment and compensation due such Senator or Senators, provided that the total of all such payments to any Senator shall not at the time be in excess of the total sum due such Senator under the provisions of Section 15, Article II of the Constitution of the State of Delaware.

BE IT FURTHER RESOLVED that the State Treasurer be and he is hereby 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.

Upon motion of Mr. Bunting 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 was adopted.

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

#### SENATE RESOLUTION NO. 25

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. ....	\$301.18
Printing for 4th Legislative	
Day .....	\$52.30
Printing for 5th Legislative	
Day .....	72.96
Printing for 6th Legislative	
Day .....	72.96
Printing for 7th Legislative	
Day .....	72.96
Printing of 5 Roll Call Books ....	30.00
Total.....	\$301.18

Upon motion of Mr. Mullin 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 was adopted.

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. 26, entitled:

An Act authorizing the Judges of the Supreme Court of the State of Delaware to expend a sum or sums not to exceed in the aggregate \$1,000.00 from monies heretofore appropriated for the use of the Law Judges under Chapter 221 of Volume 43, Laws of Delaware for the purpose of Painting, Purchasing Shades and Decorating the Supreme Courtroom of the State of Delaware.

And presented the same to the Senate.

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

House Bill No. 12 with House Amendments Nos. 1, 2 and 3, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware (1935) by providing for a Tax on the Sale of Cigarettes and the Administration and Enforcement thereof and making Appropriation for the Expenses incurred therein.

And presented the same to the Senate.

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

#### SENATE RESOLUTION NO. 26

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. ....	\$73.00
500 Copies Form No. 1	
250 Copies Form No. 2	
200 Copies Form No. 3	
500 Copies Form No. 17	
100 Copies Form No. 18	

200 Copies Form No. 21  
 500 Copies Form No. 22  
 100 Copies Form No. 24  
 100 Copies Form No. 25  
 100 Copies Form No. 26  
 100 Copies Form No. 27  
 500 Copies Form No. 31  
 500 Copies Adjournment Forms

Upon motion of Mr. Mullin 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 was adopted.

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

House Joint Resolution No. 1, entitled:

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

And presented the same to the Senate.

Mr. Bunting moved that the Senate recess for 30 minutes.

Motion prevailed.

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

Senate met at expiration of recess.

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

Motion prevailed.

### EXECUTIVE SESSION

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Same Day, Later

The Senate met in Regular Session.

The Chair presented the following:

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT

Dover, Delaware, January 18, 1943

To the Honorable, the Senate  
of the State of Delaware  
109th General Assembly  
Dover, Delaware

Gentlemen:

In accordance with the provisions of Article VII Section 1, of the Constitution of Delaware, I attach hereto copies of all commutations of sentence and pardons issued since the adjournment of the General Assembly on May 2, 1941.

Yours respectfully,

WALTER W. BACON  
*Governor*

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT

State of Delaware	}	No. 119 February Session, 1941
vs.		Indictment
Joseph Riccio		Assault and Battery

In the Municipal Court for the City of Wilmington, one Joseph Riccio was indicted, arraigned and tried for the crime of Assault and Battery, and upon such trial was found guilty as indicted, whereupon it was adjudged by the said Court that the said Joseph Riccio should be imprisoned for a term of one year, to be committed to the Board of Trustees of the New Castle County Workhouse, said commitment commencing on the eighth day of March, A. D. 1941, and ending on the seventh day of March, A. D. 1942. An appeal was taken to the Court of General Sessions, a plea of guilty entered and application for a parole

made. Parole was refused whereupon the said Joseph Riccio was sentenced to a term of two years, to be committed to the Board of Trustees of the New Castle County Workhouse, said commitment commencing on the sixth day of June, A. D. 1941 and ending on the 5th day of June, A. D. 1943. Pay the costs of prosecution.

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

And Whereas, a majority of the Board of Pardons, after a full hearing, have recommended in writing, that the said Joseph Riccio be granted a commutation of sentence, so that when all allowances for good conduct are deducted from the said sentence, that the said Joseph Riccio shall be discharged from the New Castle County Workhouse and his sentence fully completed and ended on the fifth day of August, A. D. 1942, the said Board of Pardons having fully set forth in said paper writing their reasons for such recommendation.

Now, Therefore, I, Walter W. Bacon, Governor of the State of Delaware, by virtue of the authority in me vested by the Constitution of the said State in that behalf, have granted and do hereby grant to the said Joseph Riccio, as recommended by the Board of Pardons, a commutation of sentence, so that his term of imprisonment will end on the fifth day of August, A. D. 1942.

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

[Great Seal]

WALTER W. BACON

By the Governor:

EARLE D. WILLEY

*Secretary of State*

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT

State of Delaware	}	No. 49 September Term, A. D. 1926
vs.	}	Indictment
Oliver K. Higgins	}	First Degree Murder

In the Court of General Sessions of the State of Delaware in and for New Castle County, one Oliver K. Higgins was indicted, arraigned and tried for the crime of First Degree Murder, and upon such trial was found guilty of Murder in the Second Degree, whereupon it was adjudged by the said Court that the said Oliver K. Higgins should be imprisoned for life, commencing on the 14th day of October A. D. 1926, pay the costs of prosecution and be committed to the custody of the Board of Trustees of the New Castle County Workhouse, until the sentence is executed.

And Whereas, in June, 1936, the Board of Pardons recommended to the Governor a commutation of sentence so that the petitioner could apply for a parole, and the sentence having been commuted, the parole was granted by the State Board of Parole for a term expiring on July 5, 1940.

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

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

IN WITNESS WHEREOF, I, Walter W. Bacon, Governor  
of the State of Delaware, have hereunto set my  
hand, and caused the Great Seal of the said State  
to be hereunto affixed, at Dover, this thirteenth  
day of March in the year of our Lord one thou-  
sand nine hundred and forty-two, and of the  
Independence of the United States, the one hun-  
dred and sixty-sixth.

[Great Seal]

WALTER W. BACON

By the Governor:

EARLE D. WILLEY

*Secretary of State*

## STATE OF DELAWARE

## EXECUTIVE DEPARTMENT

State of Delaware	}	No. 17 March Term, 1941
vs.		Indictment
Orval D. Deputy		Assault with Intent to Commit Murder

In the Court of General Sessions of the State of Delaware in and for New Castle County, one Orval D. Deputy was indicted, arraigned and tried for the crime of Assault with Intent to Commit Murder and upon such trial was found guilty of Assault, whereupon it was adjudged by the said Court that the said Orval D. Deputy should be imprisoned for a period of three years, commencing on the 12th day of March, A. D. 1941 and ending on the 11th day of March, A. D. 1944, pay the costs of prosecution and be committed to the custody of the Board of Trustees of the New Castle County Workhouse until the sentence is executed.

And Whereas, a majority of the Board of Pardons, after a full hearing have recommended in writing that the said Orval D. Deputy be granted a commutation of sentence, so that the term which he was sentenced to serve in prison by the Court of General Sessions in and for New Castle County, commencing on the twelfth day of March, A. D. 1941, shall be commuted to two years, and therefore ending on the eleventh day of March, A. D. 1943. Provided, however, that the sentence of three months for escape which was imposed by the Court as an additional term to be served after the expiration of the before mentioned sentence, shall be served by the said Orval D. Deputy. The reasons for the said recommendation by the Board of Pardons, is fully set forth in a paper writing on file in this office.

Now, Therefore, I, Walter W. Bacon, Governor of the State of Delaware, by virtue of the authority in me vested by the Constitution of the said State in that behalf, have granted and do hereby grant to the said Orval D. Deputy, as recommended by the Board of Pardons, a commutation of sentence, so that the term of three years, which he was sentenced to serve, beginning March 12, 1941, will end on the 11th day of March, 1943.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the said State to be hereunto affixed at Dover this 17th day of June, [Great Seal] in the year of our Lord one thousand nine hundred and forty-two and of the Independence of the United States of America, the one hundred and sixty-sixth.

WALTER W. BACON

By the Governor:

EARLE D. WILLEY

*Secretary of State*

# STATE OF DELAWARE

## EXECUTIVE DEPARTMENT

State of Delaware	}	October Term, A. D. 1897
vs.		Indictment
Garfield Pryor		Larceny

Whereas at the October Term, A. D. 1897 of the Court of General Sessions of the State of Delaware, in and for Kent County, one Garfield Pryor was indicted, arraigned and tried for the crime of Larceny, and upon such trial was found guilty as indicted. Whereupon it was adjudged by the Court that the said Garfield Pryor should pay the costs of prosecution, be imprisoned for the period of three months commencing October 27, 1897 and be committed to the custody of the Sheriff of Kent County until the sentence of the Court is fully executed.

And Whereas, the said Garfield Pryor complied with the sentence imposed and completed his sentence on January 26, 1898.

And Whereas, a majority of the Board of Pardons, in regular session met, have recommended in writing, that a full pardon and restoration of citizenship be granted unto the said Garfield Pryor, for the reasons sets forth in the recommendation submitted under date of June 9, 1942.

Now, Therefore, I, Walter W. Bacon, Governor of the State of Delaware, by virtue of the authority in me vested by the Constitution of the State of Delaware in that behalf, have granted and do hereby grant unto the said Garfield Pryor, as recommended by a majority of the Board of Pardons, a full pardon and restoration of citizenship, of and from the crime to and for which he was adjudged guilty by the Court aforesaid.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the said State to be affixed at Dover, this 17th day of June, in the year of our Lord one thousand nine hundred and forty-two and of the Independence of the United States of America, the one hundred and sixty-sixth.

WALTER W. BACON

By the Governor:

EARLE D. WILLEY

*Secretary of State*

# STATE OF DELAWARE

## EXECUTIVE DEPARTMENT

State of Delaware	}	No. 10, October Term, 1929
vs.		Indictment
Joseph Olison		First Degree Murder

In the Court of Oyer and Terminer of the State of Delaware, in and for Sussex County, one Joseph Olison was indicted and arraigned for the crime of First Degree Murder and plead not guilty of Murder in the First Degree but guilty of Murder in the Second Degree, whereupon it was adjudged by the said Court that the said Joseph Olison was guilty of Murder in the Second Degree, should pay a fine of five hundred dollars and should be imprisoned for life and be committed to the custody of the Board of Trustees of the New Castle County Workhouse until this sentence is duly executed, said commitment commencing on the fourteenth day of October, A. D. 1929.

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

And Whereas, a majority of the Board of Pardons, after a full hearing, have recommended in writing, that the said Joseph Olison be granted a commutation of sentence from life imprisonment, to a term of twenty-four years, commencing on the said fourteenth day of October, A. D. 1929 and ending on the fourteenth day of October, A. D. 1953, less time off for good behavior, as provided by the laws of the State of Delaware, the said Board of Pardons having fully set forth in said paper their reasons for such recommendation.

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



do hereby grant to the said Joseph Olison, as recommended by the Board of Pardons, a commutation of sentence, so that his term of imprisonment will end on the fourteenth day of October, A. D. 1953, less time off for good behavior.

IN WITNESS WHEREOF, I have hereunto set my hand  
and caused the Great Seal of the said State to  
be hereunto affixed at Dover, this seventeenth  
day of December, in the year of our Lord one  
[Great Seal] thousand nine hundred and forty-two, and of  
the Independence of the United States of Amer-  
ica, the one hundred and sixty-seventh.

WALTER W. BACON

By the Governor:

EARLE D. WILLEY

*Secretary of State*

The Chair presented a report from the Atlantic States Marine Fisheries Commission and ordered it filed.

The Chair presented House Bill No. 12 with House Amendments Nos. 1, 2 and 3, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware (1935) by providing for a Tax on the Sale of Cigarettes and the Administration and Enforcement thereof and making appropriation for the Expenses incurred therein.

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

The Chair presented House Bill No. 26, entitled:

An Act authorizing the Judges of the Supreme Court of the State of Delaware to expend a sum or sums not to exceed in the aggregate \$1,000.00 from monies heretofore appropriated for the use of the Law Judges under Chapter 221 of Volume 43, Laws of Delaware for the purpose of Painting, Purchasing Shades and Decorating the Supreme Courtroom 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 Joint Resolution No. 1, entitled:

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

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

Mr. McDowell moved that Senate Resolution No. 21 be removed from the table and placed on action.

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.

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

Motion prevailed.

✽NINTH LEGISLATIVE DAY✽

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

Member Absent—Attix—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 John M. Clayton School.

Mr. Jones, on behalf of the Committee on Agriculture, to whom had been referred Senate Bill No. 12, entitled:

An Act to amend Chapter 142 of the Revised Code of Delaware, 1935, relating to Landlord and Tenant to remove Top Fodder.

Reported the same back to the Senate favorably.

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

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred House Bill No. 12 with House Amendments Nos. 1, 2 and 3, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware (1935) by providing for a Tax on the Sale of Cigarettes and the administration and enforcement thereof and making appropriation for the expenses incurred therein.

Reported the same back to the Senate favorably.

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

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

#### SENATE RESOLUTION NO. 27

Relative to the death of the Honorable Charles E. Brown.

WHEREAS, the members of the Senate have learned with deepest regret and extreme sorrow of the death of the Honorable Charles E. Brown, who was formerly an honored and respected member of this Senate; and

WHEREAS, the members of the Senate desire to give public expression of their sympathy to the family of the deceased, in their loss and bereavement;

NOW THEREFORE, BE IT RESOLVED by the Senate of the 109th General Assembly of the State of Delaware that the members of the Senate do hereby express their deep regret and sorrow upon the death of the Honorable Charles E. Brown and do hereby express their appreciation of his services to this State as a member of the Senate; and

BE IT FURTHER RESOLVED that we extend to his family the sincere sympathy of this Senate and that a copy of this resolution be spread at large upon the Journal, a copy be delivered to the press and a copy sent to his family.

Upon motion of Mr. Mulholland 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 was adopted.

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

Motion prevailed.

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

Senate met at expiration of recess.

On motion for leave, Mr. Bunting introduced Senate Joint Resolution No. 2, entitled:

#### SENATE JOINT RESOLUTION NO. 2

WHEREAS, National Cemeteries have been established in many states of the Union, and

WHEREAS, the State of Delaware has no National Cemetery within its borders, and

WHEREAS, the Governor of the State has appointed a committee composed of Veterans of the American Legion, the Disabled American Veterans, and the Veterans of Foreign Wars of the United States, to survey the need for such a Cemetery, to organize among the citizens of Delaware for its establishment and to cooperate with the representatives of the State of Delaware in the United States Senate and the United States House of Representatives in securing necessary Federal legislation to authorize the selection and purchase of a site in the State of Delaware for such a proposed National Cemetery, therefore,

BE IT RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF DELAWARE IN GENERAL ASSEMBLY MET:

That the action of the Governor of the State of Delaware in initiating the movement for a National Cemetery within the State is approved; that the representatives of Delaware in the United States Senate and the House of Representatives be requested to cooperate in the enactment of legislation that will make possible the establishment of a National Cemetery within the

State; and that the Secretary of State be instructed to forward copies of this resolution to United States Senators, the Honorable C. Douglass Buck and the Honorable James M. Tunnell, and to the Honorable Earle D. Willey, Representative in Congress, at their offices in Washington.

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

Mr. Rhodes, on motion for leave, introduced Senate Amendment No. 1 to Senate Bill No. 3, which was given first and second readings and referred to the Committee on Buildings and Highways.

Mr. Mulholland, on behalf of the Committee on Private Corporations, to whom had been referred House Joint Resolution No. 1, entitled:

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

Reported the same back to the Senate favorably.

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

Mr. Bunting moved that the Senate adjourn until 12 o'clock noon, January 20, 1943.

Motion prevailed.

«TENTH LEGISLATIVE DAY»

Dover, Delaware, January 20, 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 Booker T. Washington School.

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred Senate Bill No. 9, entitled:

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

Reported the same back to the Senate favorably.

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

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

Relating to a National Cemetery in Delaware.

Reported the same back to the Senate favorably.

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

Mr. Mullin, on behalf of the Committee on Judiciary, to whom had been referred House Bill No. 26, entitled:

An Act authorizing the Judges of the Supreme Court of the State of Delaware to expend a sum or sums not to exceed in the aggregate \$1,000.00 from monies heretofore appropriated for the use of the Law Judges under Chapter 221 of Volume 43, Laws of Delaware for the purpose of Painting, Purchasing Shades and Decorating the Supreme Courtroom of the State of Delaware.

Reported the same back to the Senate favorably.

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

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. 22 with House Amendments Nos. 1, 2 and 3, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware (1935) by providing for a War Emergency Tax on Gross Income, for the Calendar Years 1943 and 1944 and to provide for the Ascertainment, Assessment and Collection thereof and to provide Penalties for the Violation of the Terms of this Act.

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. 31, entitled:

An Act concerning the Investment of the Proceeds of Sales of Real Estate by the Trustees of the New Castle Common.

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. 35, entitled:

An Act to amend An Act entitled "An Act authorizing the Appointment of a Warden for Kent County Jail, defining his Powers and Duties and providing for the Formulation of Rules and Regulations for said Jail," same being Chapter 216, Volume 43, Laws of Delaware, by further defining the Powers, Duties and Responsibilities of the Levy Court of Kent County, the Sheriff of Kent County and the Warden for Kent County Jail.

And presented the same to the Senate.

The Chair presented House Bill No. 22 with House Amendments Nos. 1, 2 and 3, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware (1935) by providing for a War Emergency Tax on Gross Income, for the Calendar Years 1943 and 1944 and to provide for the ascertainment, assessment and collection thereof and to provide penalties for the violation of the terms of this Act.

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. 31, entitled:

An Act concerning the Investment of the Proceeds of Sales of Real Estate by the Trustees of the New Castle Common.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 13, entitled:

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

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

Messrs. Ayres and Bunting, on motion for leave, introduced Senate Bill No. 14, entitled:

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

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 15, entitled:

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

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 Bill No. 16, entitled:

An Act to create a Labor Relations Board; prescribing its Jurisdiction, Powers and Duties so to promote Equality of Bargaining Power between Employer and Employee and for the purpose of diminishing the causes of Industrial Disputes by encouraging Collective Bargaining.

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

Mr. Messick, on motion for leave, introduced Senate Bill No. 17, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, relating to Motor Vehicles by suspending the Inspection of Motor Vehicles for a Period of Two Years.

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

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

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. Yerkes, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred Senate Bill No. 6, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game," as amended by Chapter 199, Volume 43, Laws of Delaware, in reference to Crab Fishing.

Reported the same back to the Senate favorably.

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

Mr. Yerkes, on motion for leave, introduced Senate Substitute for Senate Bill No. 7, entitled:

An Act providing for Pre-Marital Physical Examinations prior to the Issuance of Marriage Licenses and prescribing Penalties for Violations of the Provisions of this Act.

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

Mr. Bunting moved that the Senate adjourn until 12 o'clock noon, January 21, 1943.

Motion prevailed.

*«ELEVENTH LEGISLATIVE DAY»*

Dover, Delaware, January 21, 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, which were read and ordered filed.

Mr. Edmonds, on behalf of the Committee on Municipal Corporations, to whom had been referred House Bill No. 31, entitled:

An Act concerning the Investment of the Proceeds of Sales of Real Estate by the Trustees of the New Castle Common.

Reported the same back to the Senate favorably.

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

Mr. Mullin, on behalf of the Committee on Judiciary, to whom had been referred Senate Bill No. 13, entitled:

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

Reported the same back to the Senate favorably.

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

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred Senate Bill No. 14, entitled:

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

Reported the same back to the Senate favorably.

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

Mr. Bunting, on behalf of the Committee on Miscellaneous, to whom had been referred Senate Bill No. 15, entitled:

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

Reported the same back to the Senate favorably.

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

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred House Bill No. 22 with House Amendments Nos. 1, 2 and 3, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware (1935) by providing for a War Emergency Tax on Gross Income, for the Calendar Years 1943 and 1944 and to provide for the ascertainment, assessment and collection thereof and to provide penalties for the violation of the terms of this Act.

Reported the same back to the Senate favorably.

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

Mr. Jones, on motion for leave, introduced Senate Bill No. 19, entitled:

An Act granting certain Emergency War Powers to the State Highway Department with respect to the Elimination of the Front Number Plates assigned to a Motor Vehicle and permitting the State Highway Department to waive Motor Vehicle Inspections and to make Rules and Regulations in respect to Inspection Requirements, for the duration of the present war and for six months after the termination thereof.

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

Mr. Mulholland, on motion for leave, introduced Senate Bill No. 20, entitled:

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

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

The Chair presented House Bill No. 35, entitled:

An Act to amend An Act entitled "An Act authorizing the appointment of a Warden for Kent County Jail, defining his powers and duties and providing for the formulation of rules and regulations for said Jail," same being Chapter 216, Volume 43, Laws of Delaware, by further defining the powers, duties and responsibilities of the Levy Court of Kent County, the Sheriff of Kent County and the Warden for Kent County Jail.

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

On motion of Mr. Mulholland, House Concurrent Resolution No. 1, entitled:

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

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

NAYS—None.

ABSENT—Mr. Attix—1.

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

Ordered returned to the House.

The Chair announced the following Committee for Lincoln's Birthday celebration: Messrs. Mullin, Mulholland and Ayres.

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

Motion prevailed.

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

Senate met at expiration of recess.

The President announced he is about to sign:

House Concurrent Resolution No. 1.

Mr. Edmonds, on behalf of the Committee on Municipal Corporations, to whom had been referred Senate Bill No. 20, entitled:

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

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. 35, entitled:

An Act to amend An Act entitled "An Act authorizing the Appointment of a Warden for Kent County Jail, defining his Powers and Duties and providing for the Formulation of Rules and Regulations for said Jail," same being Chapter 216, Volume 43, Laws of Delaware, by further defining the Powers, Duties and Responsibilities of the Levy Court of Kent County, the Sheriff of Kent County and the Warden for Kent County Jail.

Reported the same back to the Senate favorably.

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



On motion of Mr. Yerkes, Senate Bill No. 9, entitled:

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

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, Senate Bill No. 12, entitled:

An Act to amend Chapter 142 of the Revised Code of Delaware, 1935, relating to Landlord and Tenant to remove Top Fodder.

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. 26, entitled:

An Act authorizing the Judges of the Supreme Court of the State of Delaware to expend a sum or sums not to exceed in the aggregate \$1,000.00 from monies heretofore appropriated for the use of the Law Judges under Chapter 221 of Volume 43, Laws of Delaware for the purpose of Painting, Purchasing Shades and Decorating the Supreme Courtroom of the State of Delaware.

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

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

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

YEAS—Messrs. 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. 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. 37, entitled:

An Act to amend 1267. Section 10, Chapter 44, Revised Code of Delaware, 1935, relating to New Castle County Assessments and Appeals.

And presented the same to the Senate.

The Chair presented House Bill No. 37, entitled:

An Act to amend 1267. Section 10, Chapter 44, Revised Code of Delaware, 1935, relating to New Castle County Assessments and Appeals.

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

On motion of Mr. Yerkes, House Bill No. 12 with House Amendments Nos. 1, 2 and 3, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware (1935) by providing for a Tax on the Sale of Cigarettes and the administration and enforcement thereof and making appropriation for the expenses incurred therein.

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

Mr. McGuigan moved that action on House Bill No. 12 with House Amendments Nos. 1, 2 and 3 be deferred for forty-eight hours.

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.

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. Attix, Ayres, Huston, 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.

Ordered returned to the House.

On motion for leave, Mr. Bunting introduced Senate Concurrent Resolution No. 3, entitled:

### SENATE CONCURRENT RESOLUTION NO. 3

Fixing the Time after which no New Bills or Joint Resolutions shall be received by either House, except General Appropriation Bills.

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

That no new bills or joint resolutions be received by the Senate or House of Representatives at this session of the General Assembly after one o'clock in the afternoon of Friday, February 5th, 1943.

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 moved that the Senate recess for 10 minutes.

Motion prevailed.

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

Senate met at expiration of recess.

Mr. Johnston, on behalf of the Committee on Education, to whom had been referred 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  
CLAYTON A. BUNTING  
GEORGE W. MULLIN  
HARRY H. MULHOLLAND

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

Senate Concurrent Resolution No. 3, entitled:

Fixing the Time after which no New Bills or Joint Resolutions shall be received by either House, except General Appropriation Bills.

And returned the same to the Senate.

Mr. Ayres, on motion for leave, introduced 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.

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

The President announced he is about to sign:

Senate Concurrent Resolution No. 3.

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

Motion prevailed.

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Same Day, 5:07 o'clock P. M.

Senate met at expiration of recess.

Mr. Bunting moved that the Senate adjourn until Monday, January 25, 1943, at 12 o'clock noon.

Motion prevailed.

❖*TWELFTH LEGISLATIVE DAY*❖

Dover, Delaware, January 25, 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, which were read and ordered filed.

Mr. Bunting, on motion for leave, introduced Senate Bill No. 22, 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.

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

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

Motion prevailed.

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

Senate met at expiration of recess.

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

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

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

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

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

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

NAYS—Messrs. Ayres, Huston, McDowell, McGuigan, Messick, Sipple—6.

ABSENT—Mr. Attix—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. Ayres, Senate Bill No. 14, entitled:

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

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, Senate Bill No. 15, entitled:

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

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. Mulholland, Senate Bill No. 20, entitled:

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

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?"