

Mr. McGuigan, on motion for leave, introduced Senate Bill No. 202, entitled:

An Act proposing an amendment to Article IV, Section 3 of the Constitution of the State of Delaware, relating to the Appointment of the Chancellor, Chief Justice and Associate Judges.

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

Mr. McGuigan, on motion for leave, introduced Senate Bill No. 203, entitled:

An Act proposing an Amendment to Article III, Section 9 of the Constitution of the State of Delaware, relating to Appointment by the Governor and the Filling of Vacancies.

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

Mr. McGuigan, on motion for leave, introduced Senate Bill No. 204, entitled:

An Act proposing an amendment to Article XI, Section 3 of the Constitution of the State of Delaware, relating to Commissioners of Agriculture.

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

Mr. McGuigan, on motion for leave, introduced Senate Bill No. 205, entitled:

An Act proposing an amendment to Section 17 of Article II of the Constitution of the State of Delaware relating to the Sale of Lottery Tickets, Pool Selling and other Forms of Gambling.

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

Mr. McGuigan, on motion for leave, introduced Senate Bill No. 206, entitled:

An Act exempting Public Agencies from Competitive Bidding and other Requirements on all Purchases of Surplus Property from the Federal Government.

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

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

An Act creating a Commission for Determining the Design and Character of a State Medal to be Awarded all Men and Women Serving in the United States Forces from the State of Delaware and 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. 208, 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," with Reference to the Pay and Allowances of the Enlisted Men and Commissioned Officers thereof.

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. 209, entitled:

An Act appropriating Money for Pay of the Officers and Men of the Delaware State Guard during their Annual Summer Encampments.

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

Mr. Butler, on motion for leave, introduced Senate Bill No. 210, entitled:

An Act to amend Chapter 74, 2804, Section 3 of the Revised Code of the State of Delaware, 1935, as amended, relating to the Duties, Powers and Restrictions of the Board of Game and Fish Commissioners so as to Increase the Percentage of said Board's Income to be Expended on the Liberation of Protected Wildlife.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 211, entitled:

An Act providing for more Efficient Control of Bang's Disease.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 212, entitled:

An Act appropriating Moneys from the State Treasury for the purpose of Purchasing Past Due Interest Coupons on certain Highway Improvement Bonds and State Aid Bonds issued by the Levy Courts of New Castle, Kent and Sussex Counties, during the Fiscal Biennium of the State of Delaware, ending June 30, 1947.

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. 213, entitled:

An Act Authorizing the State Treasurer to purchase Certain Highway Improvement Bonds and State Aid Bonds issued by the Levy Courts of New Castle, Kent and Sussex Counties and Maturing during the Fiscal Biennium Ending June 30, 1947.

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. 214, entitled:

An Act to Create a Department of Elections for Kent County.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 215, entitled:

An Act making Appropriation for a State Emergency Fund for Certain Emergencies and Conditions not otherwise provided for for the Respective Years of the Biennium July 1, 1945 to June 30, 1947 and prescribing Limitations upon use thereof and the Powers and Duties of the Permanent Budget Commission in Relation thereto.

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. 216, entitled:

An Act appropriating Moneys from the State Treasury for the purpose of Paying the Interest on Certain Highway Improvement Bonds and State Aid Bonds issued by the Levy Courts of New Castle, Kent and Sussex Counties, during the Fiscal Bienium of the State of Delaware, Ending June 30, 1947.

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. 217, entitled:

An Act to amend An Act entitled "An Act granting Leave of Absence to Employees of the State and Preserving their Right to Priority and Advancement in Certain Cases," being Chapter 84 of Volume 43, Laws of Delaware, 1941, by providing that Time Spent in Armed Services by State Employees shall Accrue to Employees' Benefit in Ascertaining Pension Rights and making the Provisions of this Act Retroactive.

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. 218, entitled:

An Act to amend Chapter 39 of the Revised Code of Delaware, 1935, as amended, with Respect to Payments by the Levy Courts of New Castle, Kent and Sussex Counties, to the Commission for Aid to Dependent Children, to be used by said Commission in Carrying Out the Purposes of Chapter 39, Revised Code of Delaware, 1935, and the Acts Amendatory thereto.

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 Joint Resolution No. 5, entitled:

Appropriating Moneys to Pay Certain Claims Relating to the Expenses of the Supreme Court.

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

Mr. Lawson, on motion for leave, introduced Senate Bill No. 219, entitled:

An Act to amend Chapter 185 of the Revised Code of Delaware, 1935, relating to Beauticians and the Conduct of their Business in Delaware.

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. 220, entitled:

An Act Authorizing the Levy Court of Kent County to Appropriate County Monies to David C. Harrison Post No. 14, Inc., American Legion, for the Maintenance of Ambulance.

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

The Chair recognized Brigadier-General Paul Rinard, who was a former Senator.

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 221, entitled:

An Act to amend Chapter 74, of the Revised Code of the State of Delaware relating to Fish, Oysters and Game by providing for a more Equitable Distribution of Protected Game, Birds and Animals.

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

Mr. Lawson, on motion for leave, introduced Senate Bill No. 222, entitled:

An Act making Provision for the Acquisition of Lands and/or Buildings; to provide for the Erection or Remodeling of a Residence for the Governor of Delaware, to be situated in or near the City of Dover; to provide an Authority to Carry Out the Purposes of the Act; and making an Appropriation.

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

Messrs. Lawson and Ayres, on motion for leave, introduced Senate Bill No. 223, entitled:

An Act to Regulate the Transportation and Shipment of Poultry; License Required for Same; Bond; Revocation of License; Penalty for Violation thereof.

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

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

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, as amended, relating to Fish, Oysters and Game, by providing for the Season within which Mink, Otter and Muskrat may be Caught and Killed.

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

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

#### SENATE CONCURRENT RESOLUTION NO. 15

Memorializing the Congress of the United States requesting Early Consideration of an Amendment to the Social Security Act to provide for General Public Assistance on a Grant-in-Aid Basis.

Mr. Binder moved that Senate Concurrent Resolution No. 15 be tabled until the 34th Legislative Day.

Motion prevailed.

Mr. Binder, on motion for leave, introduced Senate Bill No. 225, entitled:

An Act Authorizing the Investment of Certain Funds of the State and Political Subdivisions of the United States.

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

Mr. Binder, on motion for leave, introduced Senate Bill No. 226, entitled:

An Act creating the Office of State Veterans Service Officer to Assist Veterans and Others, prescribing the Powers and Duties of said Office, and making an Appropriation for the Expenses thereof.

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

Mr. Binder, on motion for leave, introduced Senate Bill No. 227, entitled:

An Act to provide for the Appointment of a Conservator, under Certain Circumstances, for Property of Persons Serving in or with the Armed Forces of the United States.

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

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

An Act to provide for the Receiving as Prima Facie Evidence in Any Court, Office or other Place in this State, Official Findings, Records, Reports, or Certified Copies thereof, of Death, Presumed Death, Missing or other Status, issued by the Secretaries of War and Navy and other Federal Officers and Employees.

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

Mr. Binder, on motion for leave, introduced Senate Bill No. 229, entitled:

An Act to Empower and Direct Municipalities and other Political Subdivisions to Promulgate, Administer, and Enforce Airport Zoning Regulations Limiting the Heights of Structures and Objects of Natural Growth, and otherwise Regulating the use of Property, in the Vivinity of Airports; to Authorize the Acquisition, by Purchase, Grant, or Condemnation, of Air Rights and other Interests in Land; and to provide Penalties and Remedies for Violations of this Act or of any Ordinance or Regulation made under the Authority conferred herein.

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

Mr. Binder, on motion for leave, introduced Senate Bill No. 230, entitled:

An Act to amend Chapter 93 of the Revised Code of Delaware, 1935, providing for the Proof of Wills where Subscribing Witnesses are Unavailable, by Reason of Service in the Armed Forces of the United States.

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

Mr. Hitchens, on motion for leave, introduced Senate Bill No. 231, entitled:

An Act to amend Article 1, Chapter 44, Revised Code of Delaware, 1935, as amended, relating to Valuation and Assessment of Property by Exempting Certain Improvements on Public Lands of the State of Delaware.

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

Mr. Yerkes moved that the senate recess for ten minutes.

Motion prevailed.

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

Senate met at expiration of recess.

Messrs. Lawson and Ayres, on motion for leave, introduced Senate Bill No. 232, entitled:

An Act to Create and Establish a Public Service Commission, and prescribing its Powers and Duties, and to provide for the Regulation and Control of Public Service Corporations and Public Utilities, and making Appropriations therefor.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 233, entitled:

An Act amending Chapter 151, Vol. 44, Laws of Delaware, entitled "An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, providing for a Delaware Commission of Shell Fisheries, and by defining the Powers and Duties thereof," by providing for Two Additional Members of said Commission.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 234, entitled:

An Act appropriating Money to the Commission for Aid to Dependent Children.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 235, entitled:

An Act appropriating Money to the Commission for Aid to Dependent Children.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 236, entitled:

An Act to amend Chapter 71 of the Revised Code of Delaware, 1935, entitled: "Free Public School," by fixing the Salaries of School Teachers of the State; by providing for Grades and Classifications; and by making General Provisions for Carrying Out the Purposes of the Act.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 237, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, in reference to Training or Breaking Dogs Lawful; Exception; Proviso; Unlawful to Carry Gun, When.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 238, entitled:

An Act making it Unlawful for any Person or Persons to Convert to his, her or their own use and/or Benefit any Wooden Case or Cases belonging to another or used in the Handling of Bottles, and providing a Penalty therefor.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 239, entitled:

An Act Creating a State Aeronautical Commission, prescribing its Powers and making an Appropriation of Five Hundred Dollars for the Expenses thereof.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 240, entitled:

An Act to amend Chapter 71 of the Revised Code of Delaware, 1935, entitled: "Free Public Schools," by Revising and Consolidating the Laws relating to Public School Education in Delaware; by providing for a Commissioner of Education; by Changing the Law with Reference to Special School Districts; and by Enacting General and Special Provisions for Carrying Out the Purposes of the Act.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 241, entitled:

An Act amending Chapter 151, Vol. 44, Laws of Delaware, entitled "An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, providing for a Delaware Commission of Shell Fisheries, and by Defining the Powers and Duties thereof," by Enlarging the Powers of said Commission so as to include all Fishing in the Tide Waters of the State of Delaware.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 242, entitled:

An Act to provide for the Regulation, Control and Licensing of Dog Racing in the State of Delaware under the Direction and Supervision of the Delaware Racing Commission; and to provide for the Fees to be Charged and the Taxes to be Collected for the Conduct of Dog Racing within the State of Delaware; and prescribing the Time, Method and Manner for the Conducting of Dog Racing Meets.

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

Mr. Bailey, on motion for leave, introduced Senate Bill No. 243, entitled:

An Act Creating a Commission for the Purchase and Furnishing of a Governor's Residence in Dover, Kent County, Delaware, said Commission to be known as "Commission for Purchase Furnishing of a Governor's Residence."

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 244, entitled:

An Act Creating the Office of State Fire Marshall, Defining his Powers and Duties, Term, Salary; providing for the Appointment of Deputies and Assistants and Defining their Duties relative to the Investigation of the Causes and Origin of all the Fires in the State; Duty of Insurance Companies to Report to the State Fire Marshall all Fire Losses; defining the Powers and Duties of the State Fire Marshall and Assistants relative to the Inspection of Property; providing for Keeping of Records of all Fires.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 245, entitled:

An Act to Appropriate Money to Clifford W. Coverdale, Administrator of the Estate of Delema Jane Coverdale, deceased, as Compensation for the Damages Suffered through the Death of Delema Jane Coverdale through and by Reason of the Negligence of an Employee of the State Board of Health.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 246, entitled:

An Act Prescribing Penalties for being an Habitual Criminal; Defining an Habitual Criminal; Jurisdiction; Procedure.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 247, entitled:

An Act to amend 5181, Section 1 of Chapter 150 of the Revised Code of Delaware, 1935, Concerning Offenses Against Private Property and Relating to the Crime of Arson.

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

Mr. Binder, on motion for leave, introduced Senate Bill No. 248, entitled:

An Act to amend Chapter 119 of the Revised Code of Delaware of 1935, relating to Justices of the Peace, by providing for the Qualifications, Number, Location, Compensation and Bond of Justices of the Peace in each of the Respective Counties, Imposing upon the Levy Courts of the Respective Counties the Cost of Maintaining such Courts, with the Right to Receive all Fees and Costs Collected by said Justices of the Peace, Creating an Examining Board for Justices of the Peace, and Imposing Certain Duties and Providing Penalties for the Violation of these Duties by Justices of the Peace and Constables.

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

Mr. Evans, on motion for leave, introduced Senate Bill No. 249, entitled:

An Act Authorizing the Establishment of Traveling Convalescent Clinics for the Psychiatric and Neurological Care of Veterans of World War II and their Immediate Families, providing for an Advisory Committee to Consult and Act with the State Board of Trustees of the Delaware State Hospital at Farnhurst, and making an Appropriation to Effectuate the Purposes of this Act.

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

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

#### SENATE CONCURRENT RESOLUTION NO. 16

Appropriation for Postage Stamps and other Supplies for the 110th General Assembly.

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

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

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

Ordered to the House for concurrence.

Mr. Johnston, on motion for leave, introduced Senate Bill No. 250, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, entitled "Motor Vehicles" in Relation to Issuing Chauffeur's License in Certain Cases.

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

Mr. Yerkes moved that action on House Concurrent Resolution No. 3 be deferred until first order of business on February 26, 1945.

Motion prevailed.

Mr. Yerkes moved that the Senate recess until 7:30 o'clock P. M.

Motion prevailed.

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Same Day, 7:45 o'clock P. M.

Senate met at expiration of recess.

Mr. Lawson, on motion for leave, introduced Senate Bill No. 251, entitled:

An Act Proposing Certain Amendments to Article III of the Constitution of the State of Delaware with Reference to the Office of the Attorney General.

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

Mr. Lawson, on motion for leave, introduced Senate Bill No. 252, entitled:

An Act to amend Chapter 176 of the Revised Code, 1935, by making it Unlawful for a "Manufacturer" or "Importer" to sell Alcoholic Liquor to a Holder of License to Purchase a Stock of "Alcoholic Liquor" for Personal Use.

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

Mr. Lawson, on motion for leave, introduced Senate Bill No. 253, entitled:

An Act to amend Chapter 17 of the Revised Code of Delaware, 1935, entitled: "Attorney General," by providing for the Election by Popular Vote of Certain Deputies of the Attorney General.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 254, entitled:

An Act to amend Chapter 108 of the Revised Code of Delaware, 1935, entitled: "General Provisions Concerning Courts," by Increasing the Salaries of the Criers of the Courts of Kent and Sussex Counties.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 255, entitled:

An Act providing an Appropriation to make Necessary Repairs to the State Armory at Milford.

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

Messrs. Jones and Ayres, on motion for leave, introduced Senate Bill No. 256, entitled:

An Act making Provision for an Addition to the Building in Dover Housing the Department of Agriculture and for the Additional Equipment needed to conduct Diagnostic and Control Work with a Special Reference to Diseases of Poultry and Dairy Cattle; and making an Appropriation to Carry Out the Provision of the Act.

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

Mr. Hitchens, on motion for leave, introduced Senate Bill No. 257, entitled:

An Act Authorizing the Levy Court of Sussex County to Appropriate County Monies for the Control of Diseases of Hogs in Sussex County.

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

Mr. Evans, on motion for leave, introduced Senate Bill No. 258, entitled:

An Act to amend Article 6 Chapter 66 of the Revised Code of Delaware 1935 entitled "Banks, Savings Societies and Trust Companies" so as to Authorize Building and Loan Associations to make Loans to Veterans as provided by An Act of Congress entitled "The Service Men's Readjustment Act of 1944" (Public Law 346, 78th Congress).

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

Mr. Evans, on motion for leave, introduced Senate Bill No. 259, entitled:

An Act to amend Article 3 Chapter 66 of the Revised Code of Delaware 1935 entitled "Banks, Savings Societies and Trust Companies" so as to provide for the Making of Loans Authorized under the Provisions of An Act of Congress entitled "The Service Men's Readjustment Act of 1944" (Public Law 346, 78th Congress).

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

Mr. Evans, on motion for leave, introduced Senate Bill No. 260, entitled:

An Act to amend and revise Chapter 160 of the Revised Code of Delaware entitled "State Housing Board and State Housing Authority."

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. 261, entitled:

An Act making an Appropriation to the State Board of Education for the Purpose of making Needed Repairs to Houston School in Houston District Number 125, in Kent County.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 262, entitled:

An Act to amend Chapter 73 of the Revised Code of Delaware, 1935, by Changing the Name of the State College for Colored Students.

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

Messrs. Johnston and Yerkes, on motion for leave, introduced Senate Bill No. 263, entitled:

An Act Authorizing the Governor of the State of Delaware to Appoint a Commission to Control and Regulate Airports, Flying Fields, and Flying Schools within the State of Delaware, in the Post War Era; Defining Powers and Duties of said Commission.

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

Mr. Evans, on motion for leave, introduced Senate Bill No. 264, entitled:

An Act to amend and revise Chapter 92 Volume 42 Laws of Delaware regulating the Sale and Possession of Barbital and other Hypnotic Drugs by requiring the making and preservation of Records by Physicians and Druggists, and for their Inspection by the State Board of Health and providing Penalties for Violations of the Law.

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

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

Senate Joint Resolution Providing for the Appointment of a Commission to Study the Welfare Problems and Needs, Religious, Economic, Health, Educational, Social, Recreational, Agricultural, etc., of the Negro Race, as such Problems and Needs May Exist within the State of Delaware, and making an Appropriation for the Work of said Commission.

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

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

Motion prevailed.

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Same Day, Later

Senate met at expiration of recess.

Mr. Evans, on motion for leave, introduced Senate Bill No. 265, entitled:

An Act to Authorize and make Lawful Agreements Modifying or Amending Mortgages so as to Permit the Refinancing of Mortgages under the Terms of An Act of Congress approved June 30, 1944.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 266, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" in relation to Crabbing with a Trot Line.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 267, entitled:

An Act to Appropriate Money to the State Board of Education for the Employment of Three Supervisors of Health and Physical Education.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 268, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game," in relation to the Sale of Crabs.

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

Messrs. Lawson and Ayres, on motion for leave, introduced Senate Bill No. 269, entitled:

An Act making an Appropriation to the State Highway Department of the State of Delaware for the Purpose of Making Improvements in the Indian River.

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

Mr. Lawson, on motion for leave, introduced Senate Bill No. 270, entitled:

An Act to amend Chapter 60 of the Revised Code of Delaware, 1935, as amended, relating to General Elections, by Repealing the Provisions for Two Separate Ballots and providing for a Single Ballot containing the Names of all Persons to be Voted for at a General Election.

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

Mr. Lawson, on motion for leave, introduced Senate Bill No. 271, entitled:

An Act making it Unlawful for the Delaware Liquor Commission to Issue a License for the Sale of "Alcoholic Liquor" to any Club as defined in Paragraph 17, Section 3 of Chapter 176 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 Revised Statutes.

Mr. Lawson, on motion for leave, introduced Senate Bill No. 272, entitled:

An Act to amend Chapter 118 of Volume 44, Laws of Delaware, entitled "An Act to Permit Voting by Persons Not Present at the Polling Places, under Certain Circumstances and Conditions."

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 273, entitled:

An Act appropriating Certain Monies to provide a Pension Fund for Retired and Disabled Public School Teachers of Delaware.

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. 274, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game," by Prohibiting Certain Night Hunting from a Motor Vehicle and with the use of a Light.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 275, entitled:

An Act making an Appropriation of \$2,500.00 for the purpose of Carrying Out the Functions of the Band of the Delaware State Guard; Period Covered; How Paid.

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

Mr. Mulholland, on motion for leave, introduced Senate Bill No. 276, entitled:

An Act making Appropriations for the Payment of Pension Benefits to Certain State Employees under the Provisions of the "Delaware State Employees' Pension Act" for the Fiscal Biennium Beginning July 1st, 1945, and Ending June 30th, 1947.

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

Mr. Mulholland, on motion for leave, introduced Senate Bill No. 277, entitled:

An Act to amend Chapter 175 of the Revised Code of Delaware, 1935, entitled "Delaware Workmen's Compensation Law" in Relation to Compensation for Certain Disabilities.

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

Mr. McDowell, on motion for leave, introduced Senate Bill No. 278, entitled:

An Act to amend Chapter 20 of the Revised Code of Delaware, 1935, entitled, "Insurance Department," with Respect to Valued Policies.

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

Mr. Lawson, on motion for leave, introduced Senate Joint Resolution No. 7, entitled:

Relative to the Military Training of Youth.

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

Mr. Bailey, on motion for leave, introduced Senate Bill No. 279, entitled:

An Act to amend Chapter 74 of the Revised Code of the State of Delaware, 1935, relating to Open Season on Muskrats.

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

Mr. Hitchens, on motion for leave, introduced Senate Bill No. 280, entitled:

An Act to amend Chapter 149 of the Revised Code of Delaware, 1935, entitled "Offenses Against the Lives and Persons of Individuals" in Relation to the Crime of Rape.

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

Mr. Bailey, on motion for leave, introduced Senate Bill No. 281, entitled:

An Act to amend Chapter 74 of the Revised Code of the State of Delaware, 1935, relating to the Salaries of the Captain, Mate and Crew of the Oyster Watch Boat.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 282, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled, "Fish, Oysters and Game," by Prohibiting the Spearing of Fish at Night by means of a Light or "Jack Light;" and providing a Penalty for Violations.

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

Mr. Lawson, on motion for leave, introduced Senate Bill No. 283, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, entitled Alcoholic Liquor, Wines and Beers, by Increasing the Fee to be Paid the Commission upon the Granting of a License to Purchase a Stock of Alcoholic Liquors for Storage in the Residence of the Licensee for his or her Personal Use and for the Personal Use of his or her Family and Guest, but not for sale.

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

Mr. Lawson, on motion for leave, introduced Senate Bill No. 284, entitled:

An Act to amend Chapter 118 of Volume 44, Laws of Delaware, entitled "An Act to Permit Voting by Persons not Present at the Polling Places, under Certain Circumstances and Conditions.

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

Mr. Lawson, on motion for leave, introduced Senate Bill No. 285, entitled:

An Act to amend Chapter 118 of Volume 44, Laws of Delaware, entitled "An Act to Permit Voting by Persons Not Present at the Polling Places, under Certain Circumstances and Conditions."

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

Mr. Lawson, on motion for leave, introduced Senate Joint Resolution No. 8, entitled:

Relative to the Restoration of Standard Time.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 286, entitled:

An Act to amend Chapter 143 of Volume 44, Laws of Delaware, entitled "An Act providing for the Election of Boards of School Trustees of School District and Boards of Education of Special School Districts."

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

Mr. Hastings, on motion for leave, introduced Senate Bill No. 287, entitled:

An Act making Appropriations to provide for the Salaries of Additional Teachers and/or Increased Expenses for Operation of the Public Schools of Sussex County.

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

Mr. Butler, on motion for leave, introduced Senate Bill No. 288, entitled:

An Act making Appropriations to provide for the Salaries of Additional Teachers and/or Increased Expenses for Operation of the Public Schools of New Castle County, outside the City of Wilmington.

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

Mr. Bailey, on motion for leave, introduced Senate Bill No. 289, entitled:

An Act making Appropriations to provide for the Salaries of Additional Teachers and/or Increased Expenses for Operation of the Public Schools of Kent County.

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

Mr. Lawson, on motion for leave, introduced Senate Bill No. 290, entitled:

An Act to amend Chapter 56 of the Revised Code of Delaware, 1935, as amended, relating to Registration of Voters.

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

Mr. Lawson, on motion for leave, introduced Senate Bill No. 291, entitled:

An Act to amend Chapter 56 of the Revised Code of Delaware, 1935, as amended, relating to Registration of Voters.

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

Mr. Lawson, on motion for leave, introduced Senate Bill No. 292, entitled:

An Act to amend Chapter 56 of the Revised Code of Delaware, 1935, as amended, relating to Registration of Voters.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 293, entitled:

An Act appropriating Certain Monies to the State Board of Education to provide Means of Transportation for Certain School Children.

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

Mr. Mulholland, on motion for leave, introduced Senate Bill No. 294, entitled:

An Act to amend Chapter 56 of the Revised Code of Delaware, 1935, entitled "Registration of Voters" in relation to Investigation of Registration Lists.

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

Mr. Mulholland, on motion for leave, introduced Senate Bill No. 295, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, entitled "Motor Vehicles" in relation to Penalties for Violations of Sections 113-a and 128-h and 113-b thereof.

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

Mr. Mulholland, on motion for leave, introduced Senate Bill No. 296, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, entitled "Motor Vehicles" in relation to the Rights and Duties of Pedestrians using the Highways; providing for Penalties for Violations 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. 297, entitled:

An Act to Authorize and Direct the State Highway Department to Purchase Respirators and making Appropriations therefor.

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

Mr. Yerkes moved that the Senate adjourn until 12 o'clock, Noon, February 26, 1945.

Motion prevailed.

## Thirty-First Legislative Day

Dover, Delaware, February 26, 1945, 12 o'clock, Noon

Senate met pursuant to adjournment.

Lieutenant-Governor Elbert N. Carvel presiding.

Prayer by the Chaplain, Rev. Ernest N. Wright.

Roll call.

Members Present—Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, 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 President announced he is about to sign:

Senate Substitute for Senate Bill No. 4.

Senate Bill No. 23.

Senate Concurrent Resolution No. 12.

Senate Concurrent Resolution No. 13.

Mr. Mulholland presented a communication from Governor Walter W. Bacon in appreciation of flower for his wife.

Mr. Hastings presented a communication favoring D. S. E. A. from the Seaford Special School District.

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

Senate Bill No. 81, entitled:

An Act to amend Section 4 of Chapter 57 of Volume 44, Laws of Delaware, 1943, relating to "The State Emergency Fund" by making an Additional Appropriation for Extraordi-

nary School Repairs and by making an Appropriation for Additional Fuel for the remainder of the Fiscal Year ending June 30, 1945.

And returned the same to the Senate.

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

Senate Concurrent Resolution No. 16, entitled:

Appropriation for Postage Stamps and other Supplies for the 110th General Assembly.

And returned the same to the Senate.

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

An Act to provide for Protecting the Beach or Strand opposite, in front of, or near Kitts Hummock along the Delaware Bay Shore, in Kent County, Delaware, from Erosion.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
GEO. E. BINDER  
G. P. EDMONDS  
HARRY H. JONES  
JOHN R. BUTLER

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred House Bill No. 78, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, as amended, relating to the State Highway Department by providing for the Jurisdiction of said Department outside Incorporated Towns; providing for the Adoption of Certain Rules and Regulations pertaining to Traffic with certain Limitations; providing that the Department may designate dual or divided highways as One Way Highways and fix direction or travel thereon and for the Erection of Appropriate Signs.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
GEO. E. BINDER  
G. P. EDMONDS  
HARRY H. JONES  
JOHN R. BUTLER

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

An Act proposing an amendment to Article VIII of the Constitution of the State of Delaware and creating a State Highway Fund.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
GEO. E. BINDER  
HARRY H. JONES  
JOHN R. BUTLER

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred Senate Bill No. 127, entitled:

An Act relating to Mosquito Control and transferring the Supervision thereof to the State Highway Department.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
GEO. E. BINDER  
G. P. EDMONDS  
HARRY H. JONES  
JOHN R. BUTLER

Mr. Yerkes requested that Senate Bill No. 43 be stricken from the Calendar.

Request granted.

Mr. Lawson requested that Senate Bill No. 84 be stricken from the Calendar.

Request granted.

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

Concerning the matter of directing the Delaware Liquor Commissioner to make a Survey of the Dispensing of Spirits, Wines and Malt Beverages and to Report in Writing to the 111th General Assembly of the State of Delaware.

Mr. Bailey moved that House Concurrent Resolution No. 3, entitled:

Concerning the matter of directing the Delaware Liquor Commissioner to make a Survey of the Dispensing of Spirits, Wines and Malt Beverages and to Report in Writing to the 111th General Assembly of the State of Delaware.

Be tabled.

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

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

YEAS—Messrs. Ayres, Bailey, Butler, Hastings, McDowell, McGuigan—6.

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

NOT VOTING—Mr. Lawson—1.

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

Mr. Yerkes moved the adoption of House Concurrent Resolution No. 3, entitled:

Concerning the matter of directing the Delaware Liquor Commissioner to make a Survey of the Dispensing of Spirits, Wines and Malt Beverages and to Report in Writing to the 111th General Assembly of the State of Delaware.

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

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

YEAS—Messrs. Binder, Edmonds, Evans, Hitchens, Jones, Johnston, Lawson, Rhodes, Keigel, Yerkes, Mr. President Pro Tem—11.

NAYS—Messrs. Ayres, Bailey, Butler, Hastings, McDowell, McGuigan—6.

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

Ordered returned to the House.

Mr. Yerkes moved that the Senate recess until 2:15 o'clock P. M.

Motion prevailed.

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

Senate met at expiration of recess.

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred Senate Bill No. 134, entitled:

An Act to amend Chapter 15 of the Revised Code of the State of Delaware, 1935, relating to the State Treasurer and Trustee of the School Fund by providing for the Destruction of Certain Voucher Checks.

Reported the same back to the Senate favorably.

G. P. EDMONDS  
GEORGE W. RHODES  
HARRY H. JONES  
HARRY H. MULHOLLAND  
WILLIAM H. AYRES

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

An Act authorizing Voluntary Retirement Plans for certain State Employees; authorizing any Board, Commission, Agency or Political Subdivision of the State of Delaware to Adopt Retirement Plans; providing for Salary Deductions to Pay the Cost thereof, and authorizing the State Treasurer and Treasurer or other Fiscal Agent of any Board, Commission, Agency or Political Subdivision to make Salary Deductions and Disburse the same.

Reported the same back to the Senate on its merits.

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

Mr. Mulholland, on behalf of the Committee on Miscellaneous, to whom had been referred Senate Bill No. 207, entitled:

An Act creating a Commission for Determining the Design and Character of a State Medal to be Awarded all Men and Women Serving in the United States Forces from the State of Delaware and the Delaware State Guard.

Reported the same back to the Senate favorably.

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

Mr. Mulholland, on behalf of the Committee on Miscellaneous, to whom had been referred Senate Bill No. 116, entitled:

An Act providing for the Payment of Pension Benefits to certain State Employees, fixing Ages of Retirement, Establishing Benefits Payable and the Source of Payment thereof, providing for Applications for Pensions and the Procedure to be followed with respect thereto, providing that Pension Benefits shall be free of Attachment and Non-Assignable, and also providing for the Reduction of Benefits under certain conditions.

Reported the same back to the Senate on its merits.

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

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

Authorizing the State Treasurer to Redeem an Outdated Check and to Issue a New Check in lieu thereof.

Reported the same back to the Senate favorably.

HARRY H. JONES  
GEORGE W. RHODES  
ROBERT H. YERKES  
H. H. LAWSON  
JOHN R. BUTLER

Mr. Holliday, 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. 38, entitled:

An Act to amend Chapter 7 of the Revised Code of Delaware, 1935, relating to State Supplies by providing that the Secretary of State may contract for Supplies or work in certain cases without Advertising for Bids therefor.

And presented the same to the Senate.

Mr. Holliday, 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. 45, entitled:

An Act to amend Chapter 14 of the Revised Code of Delaware, 1935, relating to the Secretary of State by providing for a Telephone Operator in the State House; by providing for the Appointment of a Telephone Operator by the Secretary of State and the Salary thereof.

And presented the same to the Senate.

Mr. Holliday, 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. 75, entitled:

An Act Authorizing and Directing the Collector of the Oyster Revenue to Sell the Guard Boat known as "Delaware" and to Purchase a boat for the exclusive use of the Collector of the Oyster Revenue and the Delaware Commission of Shell Fisheries.

And presented the same to the Senate.

Mr. Holliday, 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. 97, entitled:

An Act to amend Chapter 20 of the Revised Code of Delaware, 1935, entitled "Insurance Department," relating to Contracts of Insurance of Minors.

And presented the same to the Senate.

Mr. Edmonds, on behalf of the Committee on Private Corporations, to whom had been referred Senate Bill No. 163, entitled:

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

Reported the same back to the Senate favorably.

G. P. EDMONDS  
SAMUEL WEIGEL, JR.  
JOHN R. HITCHENS  
GEO. E. BINDER  
H. B. McDOWELL, JR.

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred Senate Bill No. 114, entitled:

An Act to amend Chapter 28 of the Revised Code of Delaware, 1935, as amended, entitled "State Board of Pharmacy," with reference to the Secretary, Inspector, and other Employees thereof, their Duties and Compensation and to Fees charged and collected.

Reported the same back to the Senate favorably.

ROBERT H. YERKES  
G. P. EDMONDS  
H. H. LAWSON  
HARRY H. MULHOLLAND  
H. B. McDOWELL, JR.

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred Senate Bill No. 225, entitled:

An Act Authorizing the Investment of Certain Funds of the State and Political Subdivisions of the United States.

Reported the same back to the Senate favorably.

G. P. EDMONDS  
GEO. W. RHODES  
HARRY H. JONES  
HARRY H. MULHOLLAND  
WILLIAM H. AYRES

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred Senate Bill No. 183, entitled:

An Act making a Deficiency Appropriation to the State Board of Examiners of Graduate Nurses.

Reported the same back to the Senate favorably.

G. P. EDMONDS  
GEO. W. RHODES  
HARRY H. JONES  
HARRY H. MULHOLLAND  
WILLIAM H. AYRES

Mr. Yerkes moved that the Senate adjourn until 12 o'clock, Noon, February 27, 1945.

Motion prevailed.

## Thirty-Second Legislative Day

Dover, Delaware, February 27, 1945, 12 o'clock, Noon

Senate met pursuant to adjournment.

Lieutenant-Governor Elbert N. Carvel presiding.

Prayer by the Chaplain, Rev. Ernest N. Wright.

Roll call.

Members Present—Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—16.

Member Absent—McGuigan—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 President announced he is about to sign:

House Bill No. 15 as amended.

House Concurrent Resolution No. 3.

Mr. Bailey moved the adoption of Senate Resolution No. 28, entitled:

To Authorize a Committee of the Senate to visit the State College for Colored Students, to view Property and Inquire into Conditions and Accounts and to Report to 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 yeas and nays were ordered, which being taken, were as follows:

**YEAS**—Messrs. Ayres, Bailey, Butler, Hastings, McDowell—5.

**NAYS**—Messrs. Binder, Edmonds, Evans, Hitchens, Jones, Johnston, Lawson, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—11.

**ABSENT**—Mr. McGuigan—1.

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

Communication from Lions Club of Laurel, Delaware, favoring D. S. E. A., was read.

Mr. Hitchens moved that Senate Bill No. 127, entitled:

An Act relating to Mosquito Control and transferring the Supervision thereof to the State Highway Department.

Be recommitted.

Motion prevailed.

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

Motion prevailed.

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Same Day, 3 o'clock P. M.

Senate met at expiration of recess.

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

An Act to Transfer Certain Funds to the Maintenance Account of Bridgeville School District No. 90.

Reported the same back to the Senate favorably.

HARRY H. JONES  
 GEORGE W. RHODES  
 ROBERT H. YERKES  
 H. H. LAWSON  
 JOHN R. BUTLER

Mr. Rhodes, on behalf of the Committee on Public Health, to whom had been referred House Substitute for House Bill No. 17, entitled:

An Act to amend "An Act to Regulate the Construction, Alteration, Repair, Removal, Demolition, Equipment, Use and Occupancy, Location and Maintenance of Buildings and Structures in the County of New Castle outside of the City of Wilmington for the Protection of the Public Health and Safety and for the Prevention of Fire Hazards; to provide a Code of Building Regulations; to Create the Office of Building Inspector and other Helpers and Assistants as may be required; and to provide Penalties for Violations," being Chapter 84, Volume 44, Laws of Delaware, by providing for Certain Exemptions of Persons and Corporations therefrom.

Reported the same back to the Senate favorably.

GEORGE W. RHODES  
ROBERT H. YERKES  
W. DEANE JOHNSTON  
HARRY H. MULHOLLAND  
IRVIN T. HASTINGS

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

Senate Bill No. 13, entitled:

An Act to amend Chapter 74 of the Revised Code of the State of Delaware, 1935, relating to Fish, Oysters and Game, by granting to the Board of Game and Fish Commissioners the Power to Issue Complimentary Hunting and Fishing Licenses.

And returned the same to the Senate.

The Chair presented House Bill No. 38, entitled:

An Act to amend Chapter 7 of the Revised Code of Delaware, 1935, relating to State Supplies by providing that the Secretary of State may contract for Supplies or work in certain cases without Advertising for Bids therefor.

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

The Chair presented House Bill No. 45, entitled:

An Act to amend Chapter 14 of the Revised Code of Delaware, 1935, relating to the Secretary of State by providing for a Telephone Operator in the State House; by providing for the Appointment of a Telephone Operator by the Secretary of State and the Salary thereof.

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

The Chair presented House Bill No. 75, entitled:

An Act Authorizing and Directing the Collector of the Oyster Revenue to Sell the Guard Boat known as "Delaware" and to Purchase a boat for the exclusive use of the Collector of the Oyster Revenue and the Delaware Commission of Shell Fisheries.

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

The Chair presented House Bill No. 97, entitled:

An Act to amend Chapter 20 of the Revised Code of Delaware, 1935, entitled "Insurance Department," relating to Contracts of Insurance of Minors.

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

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred Senate Bill No. 60, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, with respect to the Tax Rate in Sussex County.

Reported the same back to the Senate favorably.

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

Mr. Yerkes, on behalf of the Committee on Elections, to whom had been referred Senate Bill No. 110, entitled:

An Act to amend Chapter 57 of the Revised Code of the State of Delaware, 1935, as amended, entitled, "Department of Elections for New Castle County."

Reported the same back to the Senate favorably.

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

Mr. Weigel, on behalf of the Committee on Municipal Corporations, to whom had been referred House Substitute for House Bill No. 16, entitled:

An Act to amend Chapter 105, Volume 42, Laws of Delaware, entitled "An Act to Regulate and Control the Construction of Water and Sewer Systems, Building and House Draining Systems, and Gas Lines: The Registration of Persons engaged therein and in the Construction and Installation of Oil Burning Equipment and Air Conditioning and providing for the Supervision thereof in New Castle County outside of the City of Wilmington," as amended, by Chapter 83, Volume 44, Laws of Delaware, by providing for the Exemptions of certain Persons and Corporations therefrom.

Reported the same back to the Senate favorably.

SAMUEL WEIGEL, JR.  
JAS. S. EVANS  
GEO. E. BINDER  
H. H. LAWSON  
WILLIAM H. AYRES

On motion for leave, Mr. Mulholland introduced Senate Resolution No. 36, entitled:

#### SENATE RESOLUTION NO. 36

Regarding Substitutes for Bills and Joint Resolutions Introduced in Skeleton Form.

BE IT RESOLVED by the Senate that Substitutes for Senate Bills and Senate Joint Resolutions that were introduced in skeleton form shall be offered during open Sessions and, after their adoption in lieu of the originals, reference shall be made to the same Committees to which the originals were first referred.

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

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

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

The Chair presented Senate Substitute for Senate Bill No. 128, entitled:

An Act to amend Article 3, Chapter 166 of the Revised Code of the State of Delaware, 1935, relating to the Public Lands of the State of Delaware and providing for the leasing thereof.

Mr. Hitchens moved that Senate Substitute for Senate Bill No. 128 be adopted in lieu of the original.

Motion prevailed.

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

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

#### SENATE CONCURRENT RESOLUTION NO. 17

Designating the Number by which the General Assembly of 1947 shall be known.

WHEREAS it has been ascertained by the Public Archives Commission that the biennial session of the General Assembly of the State of Delaware due to convene, by Constitutional provisions, on the first Tuesday of January, A. D. 1937, will be the one hundred and fourteenth regular legislative session held following the adoption of the State's first Constitution in 1776; and

WHEREAS it is desirable that the sessions of the General Assembly be correctly designated by number;

NOW THEREFORE BE IT RESOLVED by the Senate of the State of Delaware, the House of Representatives concurring therein;

That the regular Session of the Delaware General Assembly to be convened in the month of January, one thousand nine hundred and forty-seven (1947) shall be known as the 114th Session of such Assembly, and reference thereto by Resolutions or enactments of the 1945 Session by any other number shall be considered to be a reference to the 114th Session of the General Assembly of the State of Delaware.

Mr. Mulholland moved that action on Senate Concurrent Resolution No. 17 be deferred until the 34th Legislative Day.

Motion prevailed.

The Chair recognized former Senator Harry Latchum, who made a few remarks.

On motion of Mr. Yerkes, House Bill No. 29, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, as amended, relating to Fish, Oysters and Game, by providing for the Season within which Mink, Otter and Muskrat may be Caught and Killed.

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

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

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

YEAS—Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—16.

NAYS—Mr. Lawson—1.

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

Ordered returned to the House.

Mr. Yerkes moved that the Senate adjourn until 12 o'clock, Noon, February 28, 1945.

Motion prevailed.

## Thirty-Third Legislative Day

Dover, Delaware, February 28, 1945, 12 o'clock, Noon

Senate met pursuant to adjournment.

President Pro Tem Harry H. Mulholland presiding.

Prayer by the Chaplain, Rev. Ernest N. Wright.

Roll call.

Members Present—Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, 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.

Communication was read from Unitarian Laymen's League, Wilmington Chapter, favoring Senate Bill requiring premarital physical examination.

Communications were read from the Newark Public School, The Gorden Century Club favoring House Bill No. 157 and Senate Bill No. 166; Lions Club of Laurel, Delaware and Omar Home Demonstration Club of Sussex County favoring the D. S. E. A.

The President Pro Tem announced he is about to sign:

Senate Bill No. 81.

Senate Concurrent Resolution No. 16.

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

**Appointing Directors on part of the State for the Farmers Bank 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 Resolution pass the Senate?"

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

**YEAS** — Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—15.

**NAYS**—None.

**ABSENT**—Messrs. Lawson, McDowell—2.

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

Ordered returned to the House.

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

Relating to program for Observance of Lincoln's Birthday.

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

Mr. Yerkes moved that action be postponed indefinitely.

Motion prevailed.

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

Motion prevailed.

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Same Day, Later

Senate met at expiration of recess.

Lieutenant-Governor Elbert N. Carvel presiding.

Mr. Yerkes moved that Mr. John Darby and his associates be granted the privilege of the floor to explain the following bills: Senate Bill Nos. 49, 50, 51, 52, 53, 54, 55, 56, 61, 62, 64 and 83.

Motion prevailed.

The Chair declared a Senate recess of five minutes.

Same Day, Later

Senate met at expiration of recess.

On motion of Mr. Hitchens, Senate Bill No. 22, entitled:

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

Was taken up for consideration.

Mr. Lawson moved that action be postponed until Thursday, March 1, 1945.

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

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

YEAS—Messrs. Ayres, Bailey, Butler, Hastings, Lawson, McGuigan—6.

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

ABSENT—Mr. McDowell—1.

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

On motion of Mr. Hitchens, Senate Bill No. 22, entitled:

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

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

Upon request the privilege of the floor was given to Frederick Whitney, Esq.

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

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

**YEAS**—Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—17.

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

Ordered to the House for concurrence.

On motion for leave, Mr. Lawson introduced Senate Amendment No. 1 to Senate Bill No. 33, entitled:

An Act to amend Chapter 53 of the Revised Code of Delaware, 1935, entitled "Salaries of Certain County Officers" in relation to the Salaries of Certain County Officers of Kent and Sussex Counties.

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

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

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

**YEAS**—Messrs. Ayres, Bailey, Butler, Hastings, Lawson, McDowell, McGuigan—7.

**NAYS**—Messrs. Binder, Edmonds, Evans, Hitchens, Jones, Johnston, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—10.

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

On motion for leave, Mr. Lawson introduced Senate Amendment No. 2 to Senate Bill No. 33, entitled:

An Act to amend Chapter 53 of the Revised Code of Delaware, 1935, entitled "Salaries of Certain County Officers" in relation to the Salaries of Certain County Officers of Kent and Sussex Counties.

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

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

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

YEAS—Messrs. Lawson, Hastings—2.

NAYS—Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hitchens, Jones, Johnston, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—15.

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

Mr. Yerkes moved that action on Senate Bill No. 33, entitled:

An Act to amend Chapter 53 of the Revised Code of Delaware, 1935, entitled "Salaries of Certain County Officers" in relation to the Salaries of Certain County Officers of Kent and Sussex Counties.

Be deferred until the next Legislative Day.

Motion prevailed.

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

Motion prevailed.

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Same Day, Later

Senate met at expiration of recess.

On motion for leave, Mr. Yerkes introduced Senate Amendment No. 1 to Senate Bill No. 34, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, entitled "Levy Courts" in relation to the Salaries of the Levy Court Commissioners of Kent and Sussex Counties.

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

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

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

YEAS—Messrs. Binder, Edmonds, Evans, Hitchens, Jones, Johnston, Lawson, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—11.

NAYS—Messrs. Ayres, Bailey, Butler, Hastings, McDowell, McGuigan—6.

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

Mr. Lawson moved that Senate Bill No. 34 with Senate Amendment No. 1, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, entitled "Levy Courts" in relation to the Salaries of the Levy Court Commissioners of Kent and Sussex Counties.

Be deferred until the Levy Court of Sussex County is heard from by letter.

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

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

YEAS—Messrs. Ayres, Bailey, Butler, Hastings, Lawson, McDowell, McGuigan—7.

NAYS—Messrs. Binder, Edmonds, Evans, Hitchens, Jones, Johnston, Rhodes, Weigel, 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 motion of Mr. Yerkes, Senate Bill No. 34 with Senate Amendment No. 1, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, entitled "Levy Courts" in relation to the Salaries of the Levy Court Commissioners of Kent and Sussex Counties.

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

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

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

**YEAS**—Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hitchens, Jones, Johnston, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—15.

**NAYS**—Messrs. Hastings, Lawson—2.

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

Ordered to the House for concurrence.

Mr. Yerkes moved that the Senate adjourn until 12 o'clock, Noon, March 1, 1945.

Motion prevailed.

## Thirty-Fourth Legislative Day

Dover, Delaware, March 1, 1945, 12 o'clock, Noon

Senate met pursuant to adjournment.

President Pro Tem Harry H. Mulholland presiding.

Prayer by the Chaplain, Rev. Ernest N. Wright.

Roll call.

Members Present—Ayres, Bailey, Binder, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—16.

Member Absent—Butler—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. Yerkes moved that Senate Concurrent Resolution No. 15, entitled:

Memorializing the Congress of the United States requesting Early Consideration of an Amendment to the Social Security Act to provide for General Public Assistance on a Grant-in-Aid Basis.

Be tabled indefinitely.

Motion prevailed.

The Chair presented the following communication from the Governor:

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT

Dover, 19 February, 1945

To The Honorable Members of the Senate  
of the 110th General Assembly of the  
State of Delaware

Gentlemen:

I transmit herewith for your consideration and whatever action you deem necessary and appropriate, copy of letter of Lean de Valinger, Jr., the State Archivist, dated February 13, 1945, concerning the number of sessions of the General Assembly of our State since the beginning of statehood, and making recommendation relative to designation of number for the next General Assembly which convenes in January of 1947.

Respectfully,

WALTER W. BACON  
*Governor*

STATE OF DELAWARE  
THE PUBLIC ARCHIVES COMMISSION

Dover, Delaware, February 13, 1945

Hon. Walter W. Bacon, Governor  
State of Delaware  
Legislative Hall  
Dover, Delaware

Dear Governor Bacon:

A few weeks ago Mr. W. Emerson Wilson, City Editor of the *Wilmington Morning News*, telephoned to this office and asked us to assist him by giving an explanation of the difference between the number of sessions of the United States Congress and those of the Delaware Legislature. I explained over the telephone that this difference was caused by the fact that from 1776 until the constitution of 1831 the Legislature met annually and from that time on the meetings were biennial. In computing the

number of sessions on this basis Mr. Wilson still did not arrive at an answer that corresponded with the number of the present session of our Legislature. He then requested that we check this information more closely for him.

Upon looking into the subject carefully we found that in 1913 an act was passed (Laws of Delaware, Volume 27, Chapter 15) requiring the Secretary of State "to ascertain the number of regular sessions held by the General Assemblies of the State of Delaware, and that the General Assembly of the State of Delaware now in session shall be officially known by that number, and that all subsequent Biennial Assemblies shall be designated by number in sequence thereafter." In conformance with the terms of this act we examined our records from the beginning of statehood in 1776 and found that regular sessions of the General Assembly were held from October of 1776 to October of 1791, inclusive, which accounted for sixteen sessions. No regular session was held in 1792 because of the adoption of the new State constitution in that year. In January of 1793 regular sessions of the General Assembly began and continued annually until and including 1833. This accounted for forty-one additional sessions, or a total of fifty-seven. In January of 1835 the sessions began on a biennial basis, in accordance with the Constitution of 1831, and have thus continued to the present time. Since the first biennial meeting in January of 1835 there have been fifty-six regular biennial sessions, or a total of one hundred and thirteen regular legislative sessions held following the adoption of the first constitution of our State in 1776.

Thus it can be seen that the present session of the Delaware Legislature is the 113th Session instead of the 110th Session. We presume this discrepancy in the number of sessions was made in the Secretary of State's office in 1913 due to the fact that as many of the State's archives were not available then as now and were not as readily accessible. At a recent meeting of our Commission this discrepancy in the number of sessions was pointed out and I was requested to call it to your attention with the suggestion that a resolution be adopted by both Houses of the Legislature now in session to the effect that the next regular session in 1947 shall be designated as the 114th instead of the 111th Session.

Verly truly yours,

(Signed)

LEON DE VALINGER, JR.  
*State Archivist*

Mr. Yerkes moved that Senate Concurrent Resolution No. 17, entitled:

Designating the Number by which the General Assembly of 1947 shall be known.

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

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

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

YEAS—Messrs. Ayres, Bailey, Binder, Edmons, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Butler—1.

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

Ordered to the House for concurrence.

On motion of Mr. Yerkes, Senate Bill No. 33, entitled:

An Act to amend Chapter 53 of the Revised Code of Delaware, 1935, entitled "Salaries of Certain County Officers" in relation to the Salaries of certain County Officers of Kent and Sussex Counties.

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

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

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

YEAS—Messrs. Ayres, Bailey, Binder, Edmonds, Evans, Hitchens, Jones, Johnston, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—14.

NAYS—Messrs. Hastings, Lawson—2.

ABSENT—Mr. Butler—1.

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

Ordered to the House for concurrence.

Mr. Yerkes moved that the Senate recess until 2:15 o'clock P. M.

Motion prevailed.

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Same Day, 3 o'clock P. M.

Senate met at expiration of recess.

The President Pro Tem announced he is about to sign:

Senate Bill No. 13.

A communication was received from the Delmar School favoring House Bill No. 157 and Senate Bill No. 116.

The Chair recognized the students from Booker T. Washington School.

Mr. Yerkes, on behalf of the Committee on Elections, to whom had been referred Senate Bill No. 214, entitled:

An Act to Create a Department of Elections for Kent County.

Reported the same back to the Senate favorably.

R. H. YERKES  
GEORGE W. RHODES  
W. DEANE JOHNSTON  
JOHN R. HITCHENS  
J. CARL McGUIGAN

Mr. Yerkes, on behalf of the Committee on Elections, to whom had been referred Senate Bill No. 192, entitled:

An Act to Create a Department of Elections for Sussex County.

Reported the same back to the Senate favorably.

R. H. YERKES  
GEORGE W. RHODES  
W. DEANE JOHNSTON  
JOHN R. HITCHENS  
J. CARL McGUIGAN

Mr. Yerkes, on behalf of the Committee on Elections, to whom had been referred Senate Bill No. 109, entitled:

An Act to amend Chapter 727, Volume 19, Laws of Delaware, 1893, entitled, "An Act in relation to Municipal Elections to be held in the City of Wilmington," by providing a Method for the Delivery of Certificates of Election, Tally Sheets and Poll Lists, by the Election Officers for such Elections.

Reported the same back to the Senate favorably.

R. H. YERKES  
GEORGE W. RHODES  
W. DEANE JOHNSTON  
JOHN R. HITCHENS  
J. CARL McGUIGAN

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

An Act to amend Chapter 56 of the Revised Code of the State of Delaware, 1935, as amended, entitled "Registration of Voters," and to repeal certain Sections thereof.

Reported the same back to the Senate favorably.

R. H. YERKES  
GEORGE W. RHODES  
W. DEANE JOHNSTON  
JOHN R. HITCHENS  
J. CARL McGUIGAN

Mr. Yerkes, on behalf of the Committee on Elections, to whom had been referred Senate Bill No. 102, entitled:

An Act to amend Chapter 59 of the Revised Code of Delaware, 1935, entitled, "Inspectors of Elections."

Reported the same back to the Senate favorably.

R. H. YERKES  
 GEORGE W. RHODES  
 W. DEANE JOHNSTON  
 JOHN R. HITCHENS  
 J. CARL McGUIGAN

Mr. Yerkes, on behalf of the Committee on Elections, to whom had been referred Senate Bill No. 97, entitled:

An Act proposing a certain amendment to Article V of the Constitution of the State of Delaware relating to Elections, by providing for Registration of Voters in certain Cases.

Reported the same back to the Senate favorably.

R. H. YERKES  
 GEORGE W. RHODES  
 W. DEANE JOHNSTON  
 JOHN R. HITCHENS  
 J. CARL McGUIGAN

Mr. Yerkes, on behalf of the Committee on Elections, to whom had been referred Senate Joint Resolution No. 3, entitled:

Senate Joint Resolution providing for Reviewing, Compiling, Indexing and Arranging the Registration, Primary and General Election Laws of this State.

Reported the same back to the Senate favorably.

R. H. YERKES  
 GEORGE W. RHODES  
 W. DEANE JOHNSTON  
 JOHN R. HITCHENS  
 J. CARL McGUIGAN

Mr. Evans, on behalf of the Executive Committee, to whom had been referred House Bill No. 45, entitled:

An Act to amend Chapter 14 of the Revised Code of Delaware, 1935, relating to the Secretary of State by providing for a Telephone Operator in the State House; by providing for the Appointment of a Telephone Operator by the Secretary of State and the Salary thereof.

Reported the same back to the Senate favorably.

JAMES S. EVANS  
G. P. EDMONDS  
W. DEANE JOHNSTON  
JOHN R. HITCHENS

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred Senate Bill No. 115, entitled:

An Act to amend Chapter 36 of the Revised Code of Delaware, 1935, entitled "Public Archives Commission," as amended, with reference to the Preservation of Certain Public Records by the Public Archives Commission.

Reported the same back to the Senate favorably.

R. H. YERKES  
G. P. EDMONDS  
H. H. LAWSON  
HARRY H. MULHOLLAND  
H. B. McDOWELL, JR.

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred Senate Bill No. 123, entitled:

An Act to amend An Act known and cited as the "Unemployment Compensation Law," being Chapter 258, Volume 41, Laws of Delaware, 1937, as amended, by providing that Wages paid to a "Disabled" or "Handicapped" Employee under certain conditions shall not be used as a Basis for a Benefit Wage Charge.

Reported the same back to the Senate favorably.

R. H. YERKES  
G. P. EDMONDS  
H. H. LAWSON  
HARRY H. MULHOLLAND

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred House Bill No. 67, entitled:

An Act authorizing the Appointment of a Commission to Examine and Certify to the Correctness of New Records prepared for the Office of the Register of Wills in and for Sussex County, Delaware, and to Record said Certification.

Reported the same back to the Senate favorably.

R. H. YERKES  
G. P. EDMONDS  
HARRY H. MULHOLLAND  
H. H. LAWSON

Mr. Johnston, on behalf of the Committee on Printing and Supplies, to whom had been referred House Bill No. 38, entitled:

An Act to amend Chapter 7 of the Revised Code of Delaware, 1935, relating to State Supplies by providing that the Secretary of State may contract for Supplies or work in certain cases without Advertising for Bids therefor.

Reported the same back to the Senate favorably.

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

Mr. Binder moved that Senate Bill No. 63 be recommitted.

Motion prevailed.

Mr. Hitchens, on motion for leave, introduced Senate Substitute for Senate Bill No. 257, entitled:

An Act Authorizing the Levy Court of Sussex County to Appropriate County Monies for the Control of Diseases of Hogs in Sussex County.

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

Mr. Bailey, on motion for leave, introduced Senate Substitute for Senate Bill No. 198, entitled:

An Act Authorizing the Levy Court of Kent County to Appropriate Moneys to Elijah S. Hughes in Payment of Services rendered by him in the Office of County Comptroller.

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

Mr. Bailey offered Senate Amendment No. 1 to Senate Bill No. 35, entitled:

An Act to amend Chapter 46 of the Revised Code of Delaware, 1935, entitled "County Comptrollers" in relation to the Annual Salaries of the County Comptroller of Kent County and the County Comptroller of Sussex County.

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

Upon request the privilege of the floor was given to James Allee, Esq.

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

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

YEAS — Messrs. Ayres, Bailey, Hastings, Lawson, McDowell, McGuigan—6.

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

ABSENT—Mr. Butler—1.

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

On motion of Mr. Yerkes, Senate Bill No. 35, entitled:

An Act to amend Chapter 46 of the Revised Code of Delaware, 1935, entitled "County Comptrollers" in relation to the Annual Salaries of the County Comptroller of Kent County and the County Comptroller of Sussex County.

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

Upon request the privilege of the floor was given to Frederick Whitney, Esq.

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

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

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

NAYS — Messrs. Ayres, Bailey, Hastings, Lawson, McDowell, McGuigan—6.

ABSENT—Mr. Butler—1.

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

Ordered to the House for concurrence.

On motion of Mr. Yerkes, Senate Bill No. 36, entitled:

An Act to amend Chapter 45 of the Revised Code of Delaware, 1935, entitled "County Treasurers and Collection of Taxes," in relation to the Salaries of the Receivers of Taxes and County Treasurers of Kent and Sussex Counties.

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

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

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

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

NAYS — Messrs. Ayres, Bailey, Hastings, Lawson, McDowell, McGuigan—6.

ABSENT—Mr. Butler—1.

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

Ordered to the House for concurrence.

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

An Act to amend Chapter 44 of the Revised Code of Delaware, 1935, entitled "Valuation and Assessment of Property," with respect to the Salaries and Expenses of the Members of the Boards of Assessment of Kent and Sussex Counties.

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

Upon request the privilege of the floor was given to Frederick Whitney, Esq.

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

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

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

NAYS — Messrs. Ayres, Bailey, Hastings, Lawson, McDowell, McGuigan—6.

ABSENT—Mr. Butler—1.

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

Ordered to the House for concurrence.

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

An Act amending 3670 Section 13 of Chapter 92 of the Revised Code of Delaware, 1935, as amended, in reference to the Acknowledgment of Deeds and Other Instruments before any Commissioned Officer of the Armed Forces of the United States.

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

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

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

YEAS—Messrs. Ayres, Bailey, Binder, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Butler—1.

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

Ordered returned to the House.

On motion for leave, Mr. Johnston introduced Senate Resolution No. 37, entitled:

#### SENATE RESOLUTION NO. 37

Relative to Payment on Account for Collecting Data, Compiling, Editing and Publishing the Daily Calendar for the State Senate.

BE IT RESOLVED by the Senate of the State of Delaware that the following amount be and the same is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, for collecting data, compiling, editing and publishing the Daily Calendar for the Senate of the State of Delaware, same being expense connected with the present Session thereof, viz:

To Milford Chronicle Publishing Co., One Thousand and Five Hundred Dollars (\$1,500.00) being part payment on account for above.

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, was adopted, by acclamation.

On motion of Mr. Binder, Senate Bill No. 49, entitled:

An Act to amend Chapter 66 of the Revised Code of Delaware, 1935, by providing that Uninvested Funds held by a Trust Company acting in a Fiduciary Capacity shall be a Preferred Claim over all Unsecured Claims.

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

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

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

YEAS—Messrs. Ayres, Bailey, Binder, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Butler—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. Binder, Senate Bill No. 56, entitled:

An Act to amend Chapter 66 of the Revised Code of Delaware, 1935, by providing that Uninvested Funds held by a Trust Company acting in a Fiduciary Capacity shall be a Preferred Claim over all Unsecured Claims.

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

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

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

YEAS—Messrs. Ayres, Bailey, Binder, Edmonds, Evans, Hastings, Hitchens, Jones, Lawson, McDowell, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Butler, Johnston, McGuigan—3.

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

Ordered to the House for concurrence.

On motion of Mr. Binder, Senate Bill No. 50, entitled:

An Act to amend Chapter 117 of the Revised Code of Delaware, 1935, relating to the Method of Determining Income of Life Tenants of Testamentary Trust Estates.

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

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

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

YEAS—Messrs. Ayres, Binder, Edmonds, Evans, Hastings, Hitchens, Jones, Lawson, McDowell, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Bailey, Butler, Johnston, McGuigan—4.

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

Ordered to the House for concurrence.

On motion of Mr. Binder, Senate Bill No. 51, entitled:

An Act to amend Chapter 66 of the Revised Code of Delaware, 1935, relating to Banks or Trust Companies using a Nominee when acting in a Fiduciary Capacity.

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

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

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

YEAS—Messrs. Ayres, Bailey, Binder, Edmonds, Evans, Hastings, Hitchens, Jones, Lawson, McDowell, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Butler, Johnston, McGuigan—3.

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

Ordered to the House for concurrence.

Mr. Yerkes moved that the Senate adjourn until 12 o'clock, Noon, March 2, 1945.

Motion prevailed.

## Thirty-Fifth Legislative Day

Dover, Delaware, March 2, 1945, 12 o'clock, Noon

Senate met pursuant to adjournment.

Lieutenant-Governor Elbert N. Carvel presiding.

Prayer by the Chaplain, Rev. Ernest N. Wright.

Roll call.

Members Present—Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—16.

Member Absent—Ayres—1.

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

Motion prevailed.

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred, House Bill No. 109, entitled:

An Act to amend Chapter 50 of the Revised Code of Delaware, 1935, relating to Recorders by providing that no Fee shall be charged for Recording Certificates of Discharge of Members of the Armed Forces of the United States.

Reported the same back to the Senate favorably.

ROBERT H. YERKES  
G. P. EDMONDS  
H. H. MULHOLLAND  
H. H. LAWSON  
H. B. McDOWELL, JR.

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

Senate Substitute for Senate Bill No. 4, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, as amended, with reference to the Unlawful Transportation of Alcoholic Liquor, providing Penalties therefor and for the Confiscation of any Vehicle used in the commission of any offenses thereunder.

Senate Bill No. 23, entitled:

An Act to authorize the Levy Court of Sussex County to Invest any Surplus Funds in the Treasury of Sussex County, not otherwise appropriated.

Senate Bill No. 81, entitled:

An Act to amend Section 4 of Chapter 57 of Volume 44, Laws of Delaware, 1943, relating to "The State Emergency Fund" by making an Additional Appropriation for Extraordinary School Repairs and by making an Appropriation for Additional Fuel for the remainder of the Fiscal Year ending June 30, 1945.

Senate Concurrent Resolution No. 12, entitled:

Providing for a Joint Session to attend the Exercises arranged in Commemoration of the Birthday Anniversary of George Washington.

Senate Concurrent Resolution No. 13, entitled:

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

Senate Concurrent Resolution No. 16, entitled:

Appropriation for Postage Stamps and other Supplies for the 110th General Assembly.

H. H. LAWSON

Mr. Holliday, 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. 40 with House Amendment No. 1, entitled:

An Act to amend Chapter 7 of the Revised Code of Delaware, 1935, relating to State Supplies, by providing that any State Agency may Contract with any Federal Agency for Surplus Materials without Advertising for Bids therefor.

And presented the same to the Senate.

Mr. Holliday, 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. 111, entitled:

An Act to Authorize the Recorder of Deeds in and for New Castle County to Procure a New Press and Seal of Office.

And presented the same to the Senate.

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

House Bill No. 114, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, relating to Fish, Oysters and Game, by providing for the Removal of Certain Duck Blinds after Open Season.

And presented the same to the Senate.

Mr. Holliday, 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. 151, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, relating to Fish, Oysters and Game by providing for the Licensing and Regulations of Duck Blinds in the Waters of Rehoboth Bay, Indian River and Bay, and the Tributaries thereof and prescribing Penalties for Violations.

And presented the same to the Senate.

Mr. Holliday, 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. 321, entitled:

An Act to amend Chapter 53, of the Revised Code of Delaware, 1935, as amended, in relation to the Salaries of the Deputies and Clerks of certain County Offices of New Castle County.

And presented the same to the Senate.

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

House Bill No. 126, entitled:

An Act re-allocating the Balance of Funds in the School Building Account for Mt. Pleasant District No. 2, New Castle County, for use and aid in the Revised Building Program for said School District, and Authorizing a Referendum as to the Expenditure of said Funds pursuant to said program.

And presented the same to the Senate.

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

Senate Bill No. 29, entitled:

An Act to amend An Act known and cited as the "Unemployment Compensation Law," being Chapter 258, Volume 41, Laws of Delaware, 1937, as amended, by making certain changes in the Definitions of Employment and Wages; by increasing the Minimum Weekly Benefit Amount and Maximum Duration of Benefits and by making certain other changes relating to the Payment of Benefits; by providing that the State Experience Factor shall never be lower than 1%; by redefining the Terms relating to Successorship in Relation to Experience Rating; by changing certain of the Administrative Provisions; and by changing the Definition of Seasonal Employment and the Effective Period for Certain Provisions relating thereto.

And returned the same to the Senate.

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

Senate Bill No. 16, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" with reference to the use of Automatic and Repeating Shot Guns in Hunting Game Birds or Game Animals.

And returned the same to the Senate.

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

Senate Bill No. 14, entitled:

An Act to amend Chapter 74, Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" by repealing Provisions for the Collection of a Portion of Fines by Informers.

And returned the same to the Senate.

Mr. Rhodes, on behalf of the Committee on Public Health, to whom had been referred House Bill No. 81 with House Amendment No. 1, entitled:

An Act requiring copies or certified copies of Certificates of Birth, Marriage or Death of any person or persons now or hereafter serving, or who have served in the Armed Forces of the United States to be furnished to certain persons without charge or fee.

Reported the same back to the Senate favorably.

GEORGE W. RHODES  
ROBERT H. YERKES  
W. DEANE JOHNSTON  
H. H. MULHOLLAND  
IRVIN T. HASTINGS

Mr. Johnston, on behalf of the Committee on Education, to whom had been referred House Bill No. 107, entitled:

An Act to amend An Act entitled "An Act providing for the Election of Boards of School Trustees of School Districts and Boards of Education of Special School Districts," being Chapter 143 of Volume 44, Laws of Delaware, by providing for the Filling of a Vacancy in the Board of Education of Milford Special School District.

Reported the same back to the Senate favorably.

W. DEANE JOHNSTON  
GEO. E. BINDER  
HARRY H. JONES  
H. H. LAWSON  
I. T. HASTINGS

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred House Bill No. 113, entitled:

An Act to amend 5707 Sec. 169 of Chapter 165 of the Revised Code of Delaware, 1935, relating to Motor Vehicles by relieving the State from the Payment of Interest on Moneys deposited with the State Treasurer as Proof of Financial Responsibility required of Certain Persons.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
GEO. E. BINDER  
HARRY H. JONES  
JOHN R. BUTLER  
G. P. EDMONDS

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred House Bill No. 90, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1935, as amended, by repealing the Time Limit within which Claims for Refund of Motor Fuel Tax may be made.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
GEO. E. BINDER  
HARRY H. JONES  
G. P. EDMONDS  
JOHN R. BUTLER

Mr. Jones, on behalf of the Committee on Agriculture, to whom had been referred Senate Substitute for Senate Bill No. 257, entitled:

An Act Authorizing the Levy Court of Sussex County to Appropriate County Monies for the Control of Diseases of Hogs in Sussex County.

Reported the same back to the Senate favorably.

HARRY H. JONES  
 GEORGE W. RHODES  
 SAMUEL WEIGEL, JR.  
 H. H. LAWSON

Mr. Binder, on behalf of the Committee on Banking and Insurance, to whom had been referred House Bill No. 97, entitled:

An Act to amend Chapter 20 of the Revised Code of Delaware, 1935, entitled "Insurance Department," relating to Contracts of Insurance of Minors.

Reported the same back to the Senate favorably.

GEO. E. BINDER  
 G. P. EDMONDS  
 H. H. MULHOLLAND  
 SAMUEL WEIGEL, JR.  
 IRVIN T. HASTINGS

Messrs. Mulholland and Yerkes, on motion for leave, introduced Senate Substitute for Senate Bill No. 144, entitled:

An Act to amend An Act entitled "An Act changing the Name of 'The Town of Milford' to 'The City of Milford' and Establishing a Charter therefor" concerning the Appointment of Officers by the City Council.

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

Messrs. Mulholland and Yerkes, on motion for leave, introduced Senate Substitute for Senate Bill No. 146, entitled:

An Act to amend An Act entitled "An Act changing the Name of 'The Town of Milford' to 'The City of Milford' and Establishing a Charter therefor" concerning the Approval of Ordinances by the Mayor.

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

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

Motion prevailed.

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Same Day, 3 o'clock P. M.

Senate met at expiration of recess.

Mr. Holliday, Clerk of the House, being admitted, informed the Senate that the House requested the return to the House of House Joint Resolution No. 2 from the Senate.

The request was complied with.

Mr. Edmonds, on motion for leave, introduced Senate Substitute for Senate Bill No. 131, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, relating to the State Highway Department, as amended, by creating a new Article to be known as Article 6, and Seven New Sections thereunder, said new Article to be subtitled "Freeways," and said Article and said new Sections authorizing the State Highway Department to Construct, Designate, Establish, Lay Out and Regulate all or any portion of any State Highway as a "Freeway."

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

Mr. Binder, on motion for leave, introduced Senate Substitute for Senate Bill No. 63, entitled:

An Act to amend Chapter 100 of the Revised Code of Delaware, 1935, concerning the Regulation of Small Loans; providing for the Issuance of Certificates of Registration; Annual License Fees; and providing for the Examination thereof by the State Bank Commissioner.

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

Mr. Johnston, on motion for leave, introduced Senate Substitute for Senate Bill No. 234, entitled:

An Act appropriating Money to the Commission for Aid to Dependent Children.

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

The President announced he is about to sign:

House Bill No. 29.

House Bill No. 66.

House Joint Resolution No. 1.

Mr. Bailey, on motion for leave, introduced Senate Substitute for Senate Bill No. 279, entitled:

An Act to amend Chapter 74 of the Revised Code of the State of Delaware, 1935, relating to Open Season on Muskrats.

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

Mr. Bailey, on motion for leave, introduced Senate Substitute for Senate Bill No. 281, entitled:

An Act to amend Chapter 74 of the Revised Code of the State of Delaware, 1935, relating to the Salaries of the Captain, Mate and Crew of the Oyster Watch Boat.

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

Mr. Johnston, on motion for leave, introduced Senate Substitute for Senate Bill No. 235, entitled:

An Act appropriating Money to the Commission for Aid to Dependent Children.

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

Mr. Hitchens, on motion for leave, introduced Senate Substitute for Senate Bill No. 127, entitled:

An Act relating to Mosquito Control and transferring the Supervision thereof to the State Highway Department.

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 Substitute for Senate Bill No. 191, entitled:

An Act Authorizing the State of Delaware to Borrow Five Million Dollars (\$5,000,000.00) and Issue Bonds therefor to provide a Post-War Highway Improvement Program for the purpose of Acquiring Lands and Rights-of-Way and Constructing and Reconstructing Roads, Highways, Bridges and Improvements Incidental thereto, and providing the Form of the Bonds and Coupons as well as the procedure for the Sale thereof, and providing that the proceeds of said Bonds shall be Deposited in a Special Account to the Credit of the State Highway Department, and providing for the Payment of Principal and Interest of said Bonds.

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

Messrs. Mulholland and Yerkes, on motion for leave, introduced Senate Substitute for Senate Bill No. 145, entitled:

An Act to amend An Act entitled "An Act changing the Name of 'The Town of Milford' to 'The City of Milford' and Establishing a Charter therefor" concerning Assessors and Assessment of Taxes.

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 Substitute for Senate Bill No. 255, entitled:

An Act providing an Appropriation to make Necessary Repairs to the State Armory at Milford.

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

On motion of Mr. Yerkes, on behalf of Mr. Binder, Senate Bill No. 53, entitled:

An Act to amend Article 6 of Chapter 66 of the Revised Code of Delaware, 1935, relating to the Borrowing of Money by Building and Loan Associations.

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

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

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

YEAS—Messrs. Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Ayres, McGuigan—2.

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

Ordered to the House for concurrence.

On motion of Mr. Yerkes, on behalf of Mr. Binder, Senate Bill No. 54, entitled:

An Act to amend Chapter 76 of the Revised Code of Delaware, 1935, relating to the Bonds, Recognizances, Accounts and Allowances of Trustees for Insane Persons.

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. Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Ayres, McGuigan—2.

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

Ordered to the House for concurrence.

On motion of Mr. Yerkes, on behalf of Mr. Binder, Senate Bill No. 55, entitled:

An Act providing that the Rule Against Perpetuities shall not apply to any Trust for Employees.

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

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

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

YEAS — Messrs. Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Ayres, McGuigan—2.

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

Ordered to the House for concurrence.

On motion of Mr. Yerkes, on behalf of Mr. Binder, Senate Bill No. 61, entitled:

An Act to amend Chapter 100 of the Revised Code of Delaware, 1935, concerning the Regulation of Small Loans; providing for Loans payable in Installments; Limiting the Interest Rate thereon and the Amount of the Investigation Fee therefor.

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

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

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

**YEAS** — Messrs. Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—15.

**NAYS**—None.

**ABSENT**—Messrs. Ayres, McGuigan—2.

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

Ordered to the House for concurrence.

On motion of Mr. Yerkes, on behalf of Mr. Binder, Senate Bill No. 64, entitled:

An Act to regulate the Assignment of Accounts receivable by providing for the Filing for Recording and Indexing of an Affidavit setting forth the Intention of the Transferor to assign the same and by prescribing the Form and the Effect of the Assignment 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. Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—14.

**NAYS**—None.

**ABSENT**—Messrs. Ayres, McDowell, McGuigan—3.

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

Ordered to the House for concurrence.

On motion of Mr. Edmonds, Senate Bill No. 83, entitled:

An Act to amend Chapter 66 of the Revised Code of Delaware, 1935, entitled "Banks, Savings Societies and Trust Companies," by Increasing the Fees and Charges for Examination of Corporations coming under the Supervision of the State Banking Department.

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

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

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

YEAS — Messrs. Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Ayres, McDowell, McGuigan—3.

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

Ordered to the House for concurrence.

On motion of Mr. Rhodes, Senate Bill No. 114, entitled:

An Act to amend Chapter 28 of the Revised Code of Delaware, 1935, as amended, entitled "State Board of Pharmacy," with reference to the Secretary, Inspector, and other Employees thereof, their Duties and Compensation and to Fees charged and collected.

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. Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Ayres, McGuigan—2.

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

Ordered to the House for concurrence.

Mr. Johnston, on motion for leave, introduced Senate Substitute for Senate Bill No. 238, entitled:

An Act making it Unlawful for any Person or Persons to Convert to his, her or their own use and/or Benefit any Wooden Case or Cases belonging to another or used in the Handling of Bottles, and providing a Penalty therefor.

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

Mr. Yerkes moved that the Senate adjourn until 12 o'clock, Noon, March 5, 1945.

Motion prevailed.

## Thirty-Sixth Legislative Day

Dover, Delaware, March 5, 1945, 12 o'clock, Noon

Senate met pursuant to adjournment.

Lieutenant-Governor Elbert N. Carvel presiding.

Prayer by the Chaplain, Rev. Ernest N. Wright.

Roll call.

Members Present—Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, 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. Holliday, 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. 198, entitled:

An Act to amend Chapter 108 of the Revised Code of Delaware, 1935, entitled "General Provisions Concerning Courts," relating to the Salary of the Crier in Sussex County.

And presented the same to the Senate.

Mr. Holliday, 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. 163, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1935, as amended, relating to Occupational Licenses, by providing for the Fee to be paid by "Circus Exhibitor," defining "Circus Exhibitor" and providing for certain Exceptions therefrom and Fixing Fee therefor.

And presented the same to the Senate.

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

House Bill No. 125, entitled:

An Act to provide for Leave of Absence to State, County and Municipal Employees now or hereafter serving as Attaches to either Branch of the General Assembly.

And presented the same to the Senate.

Mr. Holliday, 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. 70, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, as amended, relating to Fish, Oysters and Game, by providing for the Season within which Diamond Back Terrapin may be Taken and Killed.

And presented the same to the Senate.

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

Senate Bill No. 95, entitled:

An Act authorizing the State Board of Health of the State of Delaware to apply for and accept Funds made available to the Board by the Federal Government under Grants authorized thereby.

And returned the same to the Senate.

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

Senate Concurrent Resolution No. 17, entitled:

Designating the Number by which the General Assembly of 1947 shall be known.

And returned the same to the Senate.

Communication was received from the Delaware State Federation of Women's Clubs favoring House Bill No. 157 and Senate Bill No. 116.

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred Senate Substitute for Senate Bill No. 127, entitled:

An Act relating to Mosquito Control and transferring the Supervision thereof to the State Highway Department.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
GEO. E. BINDER  
G. P. EDMONDS  
HARRY H. JONES  
JOHN R. BUTLER

The Chair presented House Bill No. 126, entitled:

An Act re-allocating the Balance of Funds in the School Building Account for Mt. Pleasant District No. 2, New Castle County, for use and aid in the Revised Building Program for said School District, and Authorizing a Referendum as to the Expenditure of said Funds pursuant to said program.

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

The Chair presented House Bill No. 321, entitled:

An Act to amend Chapter 53, of the Revised Code of Delaware, 1935, as amended, in relation to the Salaries of the Deputies and Clerks of certain County Offices of New Castle County.

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

The Chair presented House Bill No. 151, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, relating to Fish, Oysters and Game by providing for the Licensing and Regulations of Duck Blinds in the Waters of Rehoboth Bay, Indian River and Bay, and the Tributaries thereof and prescribing Penalties for Violations.

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

The Chair presented House Bill No. 114, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, relating to Fish, Oysters and Game, by providing for the Removal of Certain Duck Blinds after Open Season.

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

The Chair presented House Bill No. 111, entitled:

An Act to Authorize the Recorder of Deeds in and for New Castle County to Procure a New Press and Seal of Office.

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

The Chair presented House Bill No. 40 with House Amendment No. 1, entitled:

An Act to amend Chapter 7 of the Revised Code of Delaware, 1935, relating to State Supplies, by providing that any State Agency may Contract with any Federal Agency for Surplus Materials without Advertising for Bids therefor.

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

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

Motion prevailed.

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Same Day, 3 o'clock P. M.

Senate met at expiration of recess.

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

An Act to amend Chapter 105, Volume 42, Laws of Delaware, entitled "An Act to Regulate and Control the Construction of Water and Sewer Systems, Building and House Draining Systems, and Gas Lines: The Registration of Persons engaged

therein and in the Construction and Installation of Oil Burning Equipment and Air Conditioning and providing for the Supervision thereof in New Castle County outside of the City of Wilmington," as amended, by Chapter 83, Volume 44, Laws of Delaware, by providing for the Exemptions of Certain Persons and Corporations therefrom.

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. Binder, Edmonds, Evans, Hitchens, Jones, Johnston, Lawson, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—11.

**NAYS**—Messrs. Ayres, Bailey, Butler, Hastings, McDowell, McGuigan—6.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Substitute for House Bill No. 17, entitled:

An Act to amend "An Act to Regulate the Construction, Alteration, Repair, Removal, Demolition, Equipment, Use and Occupancy, Location and Maintenance of Buildings and Structures in the County of New Castle outside of the City of Wilmington for the Protection of the Public Health and Safety and for the Prevention of Fire Hazards; to provide a Code of Building Regulations; to Create the Office of Building Inspector and other Helpers and Assistants as may be required; and to provide Penalties for Violations," being Chapter 84, Volume 44, Laws of Delaware, by providing for Certain Exemptions of Persons and Corporations therefrom.

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. Binder, Edmonds, Evans, Hitchens, Jones, Johnston, Lawson, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—11.

NAYS—Messrs. Ayres, Bailey, Butler, Hastings, McDowell, McGuigan—6.

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

Ordered returned to the House.

The privilege of the floor was granted to Dr. de Valinger of the Public Archives Commission, to explain the purposes of House Bill No. 115.

On motion of Mr. Yerkes, House Bill No. 38, entitled:

An Act to amend Chapter 7 of the Revised Code of Delaware, 1935, relating to State Supplies by providing that the Secretary of State may contract for Supplies or Work in Certain Cases without Advertising for Bids therefor.

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

Upon request the privilege of the floor was given to Secretary of State, Hon. William J. Storey.

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

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

YEAS — Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Bill No. 45, entitled:

An Act to amend Chapter 14 of the Revised Code of Delaware, 1935, relating to the Secretary of State by providing for a Telephone Operator in the State House; by providing for the Appointment of a Telephone Operator by the Secretary of State and the Salary thereof.

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

Upon request the privilege of the floor was given to Secretary of State, Hon. William J. Storey.

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

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

YEAS — Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered returned to the House.

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

An Act authorizing the Appointment of a Commission to Examine and Certify to the Correctness of New Records prepared for the Office of the Register of Wills in and for Sussex County, Delaware, and to Record said Certification.

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

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

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

YEAS — Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Bill No. 77, entitled:

An Act to Transfer Certain Funds to the Maintenance Account of Bridgeville School District No. 90.

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

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

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

YEAS — Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered returned to the House.

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

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, as amended, relating to the State Highway Department by providing for the Jurisdiction of said Department outside Incorporated Towns; providing for the Adoption of Certain Rules and Regulations pertaining to Traffic with certain Limitations; providing that the Department may designate Dual or Divided Highways as One Way Highways and Fix Direction or Travel thereon and for the Erection of Appropriate Signs.

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

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

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

**YEAS** — Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—17.

**NAYS**—None.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Bill No. 107, entitled:

An Act to amend An Act entitled "An Act providing for the Election of Boards of School Trustees of School Districts and Boards of Education of Special School Districts," being Chapter 143 of Volume 44, Laws of Delaware, by providing for the Filling of a Vacancy in the Board of Education of Milford Special School District.

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

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

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

**YEAS** — Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—17.

**NAYS**—None.

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

Ordered returned to the House.

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

Motion prevailed.

Same Day, Later

Senate met at expiration of recess.

Mr. McDowell, on motion for leave, introduced Senate Substitute for Senate Bill No. 278, entitled:

An Act to amend Chapter 20 of the Revised Code of Delaware, 1935, entitled, "Insurance Department," with Respect to Valued Policies.

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

On motion of Mr. Rhodes, Senate Bill No. 115, entitled:

An Act to amend Chapter 36 of the Revised Code of Delaware, 1935, entitled "Public Archives Commission," as amended, with reference to the Preservation of Certain Public Records by the Public Archives Commission.

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

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

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

YEAS—Messrs. Ayres, Bailey, Binder, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Butler—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. Edmonds, Senate Bill No. 123, entitled:

An Act to amend An Act known and cited as the "Unemployment Compensation Law," being Chapter 258, Volume 41, Laws of Delaware, 1937, as amended, by providing that Wages paid to a "Disabled" or "Handicapped" Employee under certain conditions shall not be used as a Basis for a Benefit Wage Charge.

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

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

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

YEAS — Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, 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 for leave, Mr. Johnston introduced Senate Resolution No. 38, entitled:

#### SENATE RESOLUTION NO. 38

Relative to Payment on Account for Furnishing Supplies for the Senate of the 110th General Assembly.

BE IT RESOLVED by the Senate of the State of Delaware that the following amount be and the same is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, for furnishing letterheads, backers for bills, and resolutions and other supplies, same being expense connected with the present Session thereof, viz:

To the Newark Publishing Co., Inc., One Thousand One Hundred and Twenty-five Dollars (\$1,25.00) being part payment on account for above.

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

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

YEAS — Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—17.

NAYS—None.

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

Mr. Yerkes, on motion for leave, introduced Senate Substitute for Senate Bill No. 213, entitled:

An Act Authorizing the State Treasurer to purchase Certain Highway Improvement Bonds and State Aid Bonds issued by the Levy Courts of New Castle, Kent and Sussex Counties and Maturing during the Fiscal Biennium Ending June 30, 1947.

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 Substitute for Senate Bill No. 212, entitled:

An Act appropriating Moneys from the State Treasury for the purpose of Purchasing Past Due Interest Coupons on certain Highway Improvement Bonds and State Aid Bonds issued by the Levy Courts of New Castle, Kent and Sussex Counties, during the Fiscal Biennium of the State of Delaware, ending June 30, 1947.

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 Substitute for Senate Bill No. 216, entitled:

An Act appropriating Moneys from the State Treasury for the purpose of Paying the Interest on Certain Highway Improvement Bonds and State Aid Bonds issued by the Levy Courts of New Castle, Kent and Sussex Counties, during the Fiscal Biennium of the State of Delaware, Ending June 30, 1947.

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

Mr. Yerkes moved that the Senate adjourn until 12 o'clock, Noon, March 6, 1945.

Motion prevailed.

## Thirty-Seventh Legislative Day

Dover, Delaware, March 6, 1945, 12 o'clock, Noon

Senate met pursuant to adjournment.

President Pro Tem Harry H. Mulholland presiding.

Prayer by the Chaplain, Rev. Ernest N. Wright.

Roll call.

Members Present—Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Yerkes, Mr. President Pro Tem—16.

Member Absent—Weigel—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.

A communication was received from the Selbyville Community Club favoring Senate Bill No. 116 and House Bill No. 157.

The President Pro Tem announced he is about to sign:

Senate Bill No. 16.

Senate Bill No. 14.

Senate Bill No. 29.

Senate Bill No. 95.

Senate Concurrent Resolution No. 17.

Mr. Mulholland, on behalf of the Committee on Miscellaneous, to whom had been referred House Bill No. 111, entitled:

An Act to Authorize the Recorder of Deeds in and for New Castle County to Procure a New Press and Seal of Office.

Reported the same back to the Senate favorably.

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

Mr. Mulholland, on behalf of the Committee on Miscellaneous, to whom had been referred House Bill No. 40 with House Amendment No. 1, entitled:

An Act to amend Chapter 7 of the Revised Code of Delaware, 1935, relating to State Supplies, by providing that any State Agency may Contract with any Federal Agency for Surplus Materials without Advertising for Bids therefor.

Reported the same back to the Senate favorably.

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

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred House Bill No. 321, entitled:

An Act to amend Chapter 53, of the Revised Code of Delaware, 1935, as amended, in relation to the Salaries of the Deputies and Clerks of certain County Offices of New Castle County.

Reported the same back to the Senate favorably.

G. P. EDMONDS  
GEORGE W. RHODES  
HARRY H. JONES  
HARRY H. MULHOLLAND

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

An Act re-allocating the Balance of Funds in the School Building Account for Mt. Pleasant District No. 2, New Castle County, for use and aid in the Revised Building Program for said School District, and Authorizing a Referendum as to the Expenditure of said Funds pursuant to said program.

Reported the same back to the Senate favorably.

W. DEANE JOHNSTON  
GEO. E. BINDER  
HARRY H. JONES  
H. H. LAWSON  
I. T. HASTINGS

Mr. Yerkes, on behalf of Mr. Mulholland, on motion for leave, introduced Senate Substitute for Senate Bill No. 193, entitled:

An Act to amend Chapter 60 of the Revised Code of Delaware, 1935, as amended, entitled, "General Elections," by providing for the Transfer of Certain Election Duties now Performed by the Clerks of the Peace and the Sheriffs, to the Department of Elections for each County respectively; and for other Purposes.

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

Mr. Hitchens, on motion for leave, introduced Senate Substitute for Senate Bill No. 177, entitled:

An Act to Authorize the Recorder of the State of Delaware, in and for Sussex County to Procure a New Seal of Office.

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

Mr. Hitchens, on motion for leave, introduced Senate Substitute for Senate Bill No. 231, entitled:

An Act to amend Article 1, Chapter 44, Revised Code of Delaware, 1935, as amended, relating to Valuation and Assessment of Property by Exempting Certain Improvements on Public Lands of the State of Delaware.

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

The Chair presented House Bill No. 163, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1935, as amended, relating to Occupational Licenses, by providing for the Fee to be paid by "Circus Exhibitor," defining "Circus Exhibitor" and providing for certain Exceptions therefrom and Fixing Fee therefor.

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. 198, entitled:

An Act to amend Chapter 108 of the Revised Code of Delaware, 1935, entitled "General Provisions Concerning Courts," relating to the Salary of the Crier in Sussex County.

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. 125, entitled:

An Act to provide for Leave of Absence to State, County and Municipal Employees now or hereafter serving as Attaches to either Branch of the General Assembly.

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

The Chair presented House Bill No. 70, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, as amended, relating to Fish, Oysters and Game, by providing for the Season within which Diamond Back Terrapin may be Taken and Killed.

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

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

Motion prevailed.

Same Day, 3 o'clock P. M.

Senate met at expiration of recess.

Lieutenant-Governor Elbert N. Carvel presiding.

Mr. Hitchens, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred House Bill No. 114, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, relating to Fish, Oysters and Game, by providing for the Removal of Certain Duck Blinds after Open Season.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
ROBERT H. YERKES  
W. DEANE JOHNSTON  
H. B. McDOWELL, JR.

Mr. Hitchens, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred House Bill No. 151, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, relating to Fish, Oysters and Game by providing for the Licensing and Regulations of Duck Blinds in the Waters of Rehoboth Bay, Indian River and Bay, and the Tributaries thereof and prescribing Penalties for Violations.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
ROBERT H. YERKES  
W. DEANE JOHNSTON  
H. B. McDOWELL, JR.

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred Senate Bill No. 124, entitled:

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

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
GEO. E. BINDER  
G. P. EDMONDS  
HARRY H. JONES  
JOHN R. BUTLER

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred Senate Bill No. 159, entitled:

An Act to amend Chapter 16 of the Revised Code of Delaware, 1935, entitled "Auditor of Accounts," by Limiting the Price which may be Paid for Passenger Motor Vehicles by State Departments, Boards or Commissions.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
GEO. E. BINDER  
G. P. EDMONDS  
HARRY H. JONES  
JOHN R. BUTLER

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

Senate Bill No. 13, entitled:

An Act to amend Chapter 74 of the Revised Code of the State of Delaware, 1935, relating to Fish, Oysters and Game, by granting to the Board of Game and Fish Commissioners the Power to Issue Complimentary Hunting and Fishing Licenses.

H. H. LAWSON

On motion of Mr. Yerkes, Senate Bill No. 134, entitled:

An Act to amend Chapter 15 of the Revised Code of the State of Delaware, 1935, relating to the State Treasurer and Trustee of the School Fund by providing for the Destruction of Certain Voucher Checks.

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

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

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

YEAS—Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Weigel—1.

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

Ordered to the House for concurrence.

On motion of Mr. Yerkes, Senate Bill No. 207, entitled:

An Act creating a Commission for Determining the Design and Character of a State Medal to be Awarded all Men and Women Serving in the United States Forces from the State of Delaware and the Delaware State Guard.

Was taken up for consideration.

Mr. Yerkes moved that action be deferred until the first order of business on Thursday, March 8.

Motion prevailed.

The Chair recognized the Senior Class of the Caesar Rodney High School of Wyoming, accompanied by Mrs. Mary Cook and Mr. William Swift, teachers in said school.

On motion of Mr. Hitchens, Senate Substitute for Senate Bill No. 257, entitled:

An Act Authorizing the Levy Court of Sussex County to Appropriate County Monies for the Control of Diseases of Hogs in Sussex County.

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

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

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

YEAS—Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Weigel—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. Hitchens, Senate Substitute for Senate Bill No. 127, entitled:

An Act relating to Mosquito Control and transferring the Supervision thereof to the State Highway Department.

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

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

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

YEAS—Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Yerkes—15.

NAYS—None.

ABSENT—Mr. Weigel and Mr. President Pro Tem—2.

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

Ordered to the House for concurrence.

Mr. Hitchens, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred House Bill No. 70, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, as amended, relating to Fish, Oysters and Game, by providing for the Season within which Diamond Back Terrapin may be Taken and Killed.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
H. H. LAWSON  
W. DEANE JOHNSTON  
R. H. YERKES  
H. B. McDOWELL, JR.

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

Motion prevailed.

Same Day, 4 o'clock P. M.

Senate met at expiration of recess.

Mr. Rhodes offered Senate Amendment No. 1 to House Bill No. 81 with House Amendment No. 1, entitled:

An Act requiring copies or certified copies of Certificates of Birth, Marriage or Death of any person or persons now or hereafter serving, or who have served in the Armed Forces of the United States to be furnished to certain persons without charge or fee.

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

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

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

YEAS—Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Yerkes—15.

NAYS—None.

ABSENT—Mr. Weigel and Mr. President Pro Tem—2.

So the question was decided in the affirmative and Senate Amendment No. 1 to House Bill No. 81 with House Amendment No. 1, having received the required constitutional majority, passed the Senate.

On motion of Mr. Rhodes, House Bill No. 81 with House Amendment No. 1 and Senate Amendment No. 1, entitled:

An Act requiring copies or certified copies of Certificates of Birth, Marriage or Death of any person or persons now or hereafter serving, or who have served in the Armed Forces of the United States to be furnished to certain persons without charge or fee.

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

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

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

**YEAS**—Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Yerkes—15.

**NAYS**—None.

**ABSENT**—Mr. Weigel and Mr. President Pro Tem—2.

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

Ordered returned to the House for concurrence.

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

An Act to amend Chapter 50 of the Revised Code of Delaware, 1935, relating to Recorders by providing that No Fee shall be charged for Recording Certificates of Discharge of Members of the Armed Forces of the United States.

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

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

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

**YEAS**—Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Yerkes—14.

**NAYS**—None.

**ABSENT**—Messrs. Hitchens, Weigel and Mr. President Pro Tem—3.

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

Ordered returned to the House.

Mr. Yerkes moved that the Senate adjourn until 11 o'clock A. M., March 7, 1945.

Motion prevailed.

## Thirty-Eighth Legislative Day

Dover, Delaware, March 7, 1945, 11 o'clock A. M.

Senate met pursuant to adjournment.

Mr. Yerkes presiding.

Roll call.

Members Present—Johnston, Yerkes—2.

There not being a quorum present, Mr. Yerkes declared the Senate adjourned until March 8, 1945, at 12 o'clock, Noon.

## Thirty-Ninth Legislative Day

Dover, Delaware, March 8, 1945, 12 o'clock, Noon

Senate met pursuant to adjournment.

Lieutenant-Governor Elbert N. Carvel presiding.

Prayer by the Chaplain, Rev. Ernest N. Wright.

Roll call.

Members Present—Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Lawson, McDowell, McGuigan, Rhodes, Weigel, 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.

The Chair recognized a delegation from the Commodore MacDonough School, accompanied by Miss McCoy, principal; also ex-Senator Bailey Thomas.

The Chair presented the following communication from the Secretary of State of the State of Nevada:

### ASSEMBLY JOINT RESOLUTION

Memorializing the Congress of the United States to amend the social security act to permit old-age pensioners to earn wages without penalty.

WHEREAS, The American people are engaged in a war which has utilized the services of younger men and women throughout the entire nation; and

WHEREAS, Because of this condition an acute labor shortage has developed to such an extent that it has become the No. 1 problem of our government; and

WHEREAS, Many old-age pensioners are able to perform many types of work that would relieve the labor situation; now therefore, be it

RESOLVED by the Assembly and the Senate of the State of Nevada, jointly, That the Congress of the United States be, and it is hereby, memorialized to amend the present restrictions in the social security act to the end that any person who receives or is eligible to receive old-age assistance shall be permitted to do and perform odd jobs of labor, care-taking, and similar classes of casual work not in the general course of a trade or business, at such rates of pay commensurate with their abilities to perform the same, but in any event, in an amount not to exceed twenty-five (\$25) dollars in any one month without being penalized therefor; and be it further

RESOLVED, That a copy of this joint resolution be transmitted by the secretary of state of the State of Nevada to the President of the United States, to the Vice President of the United States, to the Speaker of th House of Representatives, to our Congressional Representatives in the Congress of the United States, and to the presiding officers of each state legislature now in session.

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

Senate Bill No. 22, entitled:

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

And returned the same to the Senate.

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

Senate Bill No. 34 with Senate Amendment No. 1, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, entitled "Levy Courts" in relation to the Salaries of the Levy Court Commissioners of Kent and Sussex Counties.

And returned the same to the Senate.

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

Senate Bill No. 42, entitled:

An Act to amend Chapter 35 of the Revised Code of Delaware, 1935, entitled "Board of Pilot Commissioners," with reference to Expenses of Commissioners and Renewal Fees.

And returned the same to the Senate.

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

Senate Bill No. 77, entitled:

An Act to amend Chapter 35 of the Revised Code of Delaware, 1935, relating to Board of Pilot Commissioners.

And returned the same to the Senate.

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

House Substitute for House Bill No. 2, entitled:

An Act making Appropriation for the Expenses of the State Government for each of the Two Fiscal Years ending June 30, 1946 and June 30, 1947.

And presented the same to the Senate.

Mr. Holliday, 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. 100, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, relating to Motor Vehicles by prohibiting Driving Across Parkways between Dual Highways and prohibiting the use of One Way Highways except in the direction fixed by the State Highway Department.

And presented the same to the Senate.

Mr. Holliday, 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. 148, entitled:

An Act to amend An Act entitled "An Act to amend Chapter 6 of the Revised Code of Delaware, 1935, relating to Occupational Licenses," being Chapter 14, Volume 41, Laws of Delaware, 1937, as amended, relating to Occupational Licenses of Employment Agents.

And presented the same to the Senate.

Mr. Holliday, 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. 175, entitled:

An Act appropriating certain monies to the University of Delaware for Research in Fowl Typhoid.

And presented the same to the Senate.

Mr. Holliday, 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. 176, entitled:

An Act appropriating certain monies to the University of Delaware for Development and Maintenance of the Agricultural Sub-Station at Georgetown.

And presented the same to the Senate.

Mr. Holliday, 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. 199, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" in relation to the Training or Breaking of Dogs.

And presented the same to the Senate.

Mr. Hitchens, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred House Bill No. 75, entitled:

An Act Authorizing and Directing the Collector of the Oyster Revenue to Sell the Guard Boat known as "Delaware" and to Purchase a boat for the exclusive use of the Collector of the Oyster Revenue and the Delaware Commission of Shell Fisheries.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
ROBERT H. YERKES  
H. H. LAWSON  
H. B. McDOWELL, JR.

Mr. Hitchens, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred Senate Substitute for Senate Bill No. 281, entitled:

An Act to amend Chapter 74 of the Revised Code of the State of Delaware, 1935, relating to the Salaries of the Captain, Mate and Crew of the Oyster Watch Boat.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
ROBERT H. YERKES  
H. H. LAWSON  
H. B. McDOWELL, JR.

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred House Bill No. 198, entitled:

An Act to amend Chapter 108 of the Revised Code of Delaware, 1935, entitled "General Provisions Concerning Courts," relating to the Salary of the Crier in Sussex County.

Reported the same back to the Senate favorably.

G. P. EDMONDS  
GEO. W. RHODES  
HARRY H. JONES  
HARRY H. MULHOLLAND  
WILLIAM H. AYRES

Mr. Edmonds moved, on behalf of Mr. Binder, that Senate Bill No. 225 be recommitted.

Motion prevailed.

Mr. Mulholland, on behalf of the Committee on Miscellaneous, to whom had been referred Senate Substitute for Senate Bill No. 177, entitled:

An Act to Authorize the Recorder of the State of Delaware, in and for Sussex County to Procure a New Seal of Office.

Reported the same back to the Senate favorably.

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

Mr. Yerkes moved that the Senate recess until 2:15 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 Chair recognized pupils and teachers from the Booker T. Washington School.

Mr. Mulholland, on motion for leave, introduced Senate Substitute for Senate Bill No. 147, entitled:

An Act to amend An Act to provide for the Purity and Quality of Ice Cream.

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

Mr. Evans, on motion for leave, introduced Senate Substitute for Senate Bill No. 167, entitled:

An Act to create a Bureau of Registration for New Castle County.

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

Mr. Rhodes, on motion for leave, introduced Senate Substitute for Senate Bill No. 195, entitled:

An Act Authorizing and Directing the State Board of Health to make a Survey of the Existing Public and Private Hospitals and Health Centers of the State; to Evaluate their Sufficiency; to Compile Data and Conclusions; and to Provide for the Acceptance and Expenditure of Federal Grants.

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

The Chair made the following ruling on Senate Rule No. 22: That any bill can have its first and second reading and also can be reported out of committee on the same day.

The Chair presented House Substitute for House Bill No. 2, entitled:

An Act making Appropriation for the Expenses of the State Government for each of the Two Fiscal Years ending June 30, 1946 and June 30, 1947.

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. 100, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, relating to Motor Vehicles by prohibiting Driving Across Parkways between Dual Highways and prohibiting the use of One Way Highways except in the direction fixed by the State Highway Department.

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

The Chair presented House Bill No. 199, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" in relation to the Training or Breaking of Dogs.

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

The Chair presented House Bill No. 176, entitled:

An Act appropriating certain monies to the University of Delaware for Development and Maintenance of the Agricultural Sub-Station at Georgetown.

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. 175, entitled:

An Act appropriating certain monies to the University of Delaware for Research in Fowl Typhoid.

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. 148, entitled:

An Act to amend An Act entitled "An Act to amend Chapter 6 of the Revised Code of Delaware, 1935, relating to Occupational Licenses," being Chapter 14, Volume 41, Laws of Delaware, 1937, as amended, relating to Occupational Licenses of Employment Agents.

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

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred House Substitute for House Bill No. 2, entitled:

An Act making Appropriation for the Expenses of the State Government for each of the Two Fiscal Years ending June 30, 1946 and June 30, 1947.

Reported the same back to the Senate favorably.

G. P. EDMONDS  
GEO. W. RHODES  
HARRY H. JONES  
HARRY H. MULHOLLAND  
WILLIAM H. AYRES

On motion for leave, Mr. Yerkes introduced Senate Amendment No. 1 to Senate Bill No. 207, entitled:

An Act creating a Commission for Determining the Design and Character of a State Medal to be Awarded all Men and Women Serving in the United States Forces from the State of Delaware and the Delaware State Guard.

Mr. Yerkes moved that Senate Amendment No. 1 to Senate Bill No. 207 be adopted.

Motion prevailed.

On motion of Mr. Yerkes, Senate Bill No. 207 with Senate Amendment No. 1, entitled:

An Act creating a Commission for Determining the Design and Character of a State Medal to be Awarded all Men and Women serving in the United States Forces from the State of Delaware and 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 as amended pass the Senate?"

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

YEAS—Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Johnston—1.

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

Ordered to the House for concurrence.

Mr. Yerkes asked that permission of the floor be given to Mr. Thomas Peeney, Clerk of the Department of Elections for the City of Wilmington, to explain a series of Senate Bills.

Permission granted.

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

SENATE RESOLUTION NO. 39

Authorizing the State Librarian to Furnish Stationery and Other Supplies.

BE IT RESOLVED by the Senate of the 110th General Assembly that the State Librarian be and he hereby is authorized and directed to furnish, during the period covered by the last thirty (30) Legislative Days of the Session, to the Secretary and Assistant Secretary of the Senate, the Reading Clerks, Bill Clerks and Attorney of the Senate, stationery and other supplies, the cost of which shall not exceed the sum of twelve dollars and fifty cents (\$12.50) 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, and during the period covered by the last thirty (30) Legislative Days of the Session, stationery and other supplies the cost of which shall not exceed the sum of seven dollars and fifty cents (\$7.50) for each.

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, was adopted, by acclamation.

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

SENATE RESOLUTION NO. 40

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

BE IT RESOLVED by the Senate of the 110th 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 Four Hundred and Twenty-five

Dollars (\$425.00) 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.

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, was adopted, by acclamation.

Mr. Yerkes moved that the Senate adjourn until 12 o'clock, Noon, March 9, 1945.

Motion prevailed.

## Fortieth Legislative Day

Dover, Delaware, March 9, 1945, 12 o'clock, Noon

Senate met pursuant to adjournment.

Lieutenant-Governor Elbert N. Carvel presiding.

Prayer by the Chaplain, Rev. Ernest N. Wright.

Roll call.

Members Present—Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, 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.

A communication was read from Harmony Grange No. 12, P. of H., Marshallton, Delaware, favoring House Bill No. 25, Senate Bill No. 11 and Senate Bill No. 112.

Communications were received from Townsend Trust Company, Townsend, Delaware; Hockessin Community Club, Hockessin, Delaware, favoring Senate Bill No. 116 and House Bill No. 157.

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

House Substitute for House Bill No. 264, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, relating to Motor Vehicles by repealing certain provisions for Operators' or Chauffeurs' Licenses who have attained the age of seventy-five years at the time of said application.

And presented the same to the Senate.

Mr. Holliday, 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. 234, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, by providing that students enrolled in certain driver training courses may drive upon the State Highways.

And presented the same to the Senate.

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

House Bill No. 181 with House Amendment No. 1, entitled:

An Act to amend Chapter 119 of the Revised Code of Delaware, 1935, relating to Justice of the Peace by providing for the disposition of Justice of the Peace Dockets upon Death or Expiration of Term.

And presented the same to the Senate.

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

Senate Bill No. 33, entitled:

An Act to amend Chapter 53 of the Revised Code of Delaware, 1935, entitled "Salaries of Certain County Officers" in relation to the Salaries of certain County Officers of Kent and Sussex Counties.

And returned the same to the Senate.

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

Senate Bill No. 35, entitled:

An Act to amend Chapter 46 of the Revised Code of Delaware, 1935, entitled "County Comptrollers" in relation to the Annual Salaries of the County Comptroller of Kent County and the County Comptroller of Sussex County.

And returned the same to the Senate.

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

Senate Bill No. 36, entitled:

An Act to amend Chapter 45 of the Revised Code of Delaware, 1935, entitled "County Treasurers and Collection of Taxes," in relation to the Salaries of the Receivers of Taxes and County Treasurers of Kent and Sussex Counties.

And returned the same to the Senate.

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

Senate Bill No. 76, entitled:

An Act to amend Chapter 44 of the Revised Code of Delaware, 1935, entitled "Valuation and Assessment of Property," with respect to the Salaries and Expenses of the Members of the Boards of Assessment of Kent and Sussex Counties.

And returned the same to the Senate.

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

House Substitute for House Bill No. 215, entitled:

An Act to describe, define, and officially adopt a system of co-ordinates for designating and stating the positions of points on the surface of the earth within the State of Delaware.

And presented the same to the Senate.

Mr. Rhodes, on behalf of the Committee on Public Health, to whom had been referred Senate Substitute for Senate Bill No. 147, entitled:

An Act to amend An Act to provide for the Purity and Quality of Ice Cream.

Reported the same back to the Senate favorably.

GEORGE W. RHODES  
ROBERT H. YERKES  
W. DEANE JOHNSTON  
H. H. MULHOLLAND  
I. T. HASTINGS

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred House Bill No. 176, entitled:

An Act appropriating certain monies to the University of Delaware for Development and Maintenance of the Agricultural Sub-Station at Georgetown.

Reported the same back to the Senate favorably.

G. P. EDMONDS  
GEO. W. RHODES  
HARRY H. JONES  
H. H. MULHOLLAND  
WILLIAM H. AYRES

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred House Bill No. 175, entitled:

An Act appropriating certain monies to the University of Delaware for Research in Fowl Typhoid.

Reported the same back to the Senate favorably.

G. P. EDMONDS  
GEO. W. RHODES  
HARRY H. JONES  
H. H. MULHOLLAND  
WILLIAM H. AYRES

Mr. Hitchens, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred House Bill No. 199, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" in relation to the Training or Breaking of Dogs.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
ROBERT H. YERKES  
W. DEANE JOHNSTON  
H. B. McDOWELL, JR.

Mr. Binder, on behalf of the Committee on Banking and Insurance, to whom had been referred Senate Substitute for Senate Bill No. 63, entitled:

An Act to amend Chapter 100 of the Revised Code of Delaware, 1935, concerning the Regulation of Small Loans; providing for the Issuance of Certificates of Registration; Annual License Fees; and providing for the Examination thereof by the State Bank Commissioner.

Reported the same back to the Senate favorably.

GEO. E. BINDER  
G. P. EDMONDS  
SAMUEL WEIGEL, JR.  
H. H. MULHOLLAND  
I. T. HASTINGS

Mr. Yerkes, on behalf of the Committee on Elections, to whom had been referred Senate Substitute for Senate Bill No. 167, entitled:

An Act to create a Bureau of Registration for New Castle County.

Reported the same back to the Senate favorably.

R. H. YERKES  
GEO. W. RHODES  
W. DEANE JOHNSTON  
JOHN R. HITCHENS

Mr. Yerkes, on behalf of the Committee on Elections, to whom had been referred Senate Bill No. 101, entitled:

An Act to amend Chapter 62 of the Revised Code of Delaware, 1935, entitled, "Election of Representative in Congress," by providing for the Transfer to the Department of Elections for each County respectively, the Election Duties now performed by the Sheriff of each County.

Reported the same back to the Senate favorably.

R. H. YERKES  
GEO. W. RHODES  
JOHN R. HITCHENS  
W. DEANE JOHNSTON

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred Senate Bill No. 135, entitled:

An Act to amend Chapter 45 of the Revised Code of Delaware, 1935, entitled, "County Treasurers and Collection of Taxes," by requiring that Pawnbrokers secure the Signature of a Person Pawning or Pledging Goods, Articles or Things.

Reported the same back to the Senate favorably.

R. H. YERKES  
G. P. EDMONDS  
H. H. LAWSON  
H. H. MULHOLLAND  
H. B. McDOWELL, JR.

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred Senate Bill No. 117, entitled:

An Act to amend Chapter 58 of the Revised Code of Delaware, 1935, entitled "Primary Elections."

Reported the same back to the Senate favorably.

R. H. YERKES  
G. P. EDMONDS  
H. H. LAWSON  
H. H. MULHOLLAND

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

#### SENATE RESOLUTION NO. 41

Relative to Payment on Account for Collecting Data, Compiling, Editing and Publishing the Daily Calendar for the State Senate.

BE IT RESOLVED by the Senate of the State of Delaware that the following amount be and the same is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, for collecting data, compiling, editing and publishing the Daily Calendar for the Senate of the State of Delaware, same being expense connected with the present Session thereof, viz:

To Milford Chronicle Publishing Co., One Thousand and Five Hundred Dollars (\$1,500.00) being part payment on account for above.

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, was adopted, by acclamation.

Mr. Yerkes requested that Senate Bill No. 247 be stricken from the Calendar.

Request granted.

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

Motion prevailed.

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Same Day, 3 o'clock P. M.

Senate met at expiration of recess.

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

An Act making Appropriation for the Expenses of the State Government for each of the Two Fiscal Years ending June 30, 1946 and June 30, 1947.

Was taken up for consideration.

Mr. Yerkes moved that rules be suspended so that House Substitute for House Bill No. 2 could be read third time by title only.

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

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

YEAS—Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Lawson—1.

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

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

An Act making Appropriation for the Expenses of the State Government for each of the Two Fiscal Years ending June 30, 1946 and June 30, 1947.

Was taken up for consideration.

Mr. McGuigan moved that action be deferred on House Substitute for House Bill No. 2 until Monday, March 12, 1945.

Motion was lost, by voice vote.

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

An Act making Appropriation for the Expenses of the State Government for each of the Two Fiscal Years ending June 30, 1946 and June 30, 1947.

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

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

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

**YEAS**—Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—16.

**NAYS**—Mr. McGuigan—1.

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

Ordered returned to the House.

On motion of Mr. Yerkes, Senate Joint Resolution No. 3, entitled:

Senate Joint Resolution providing for Reviewing, Compiling, Indexing and Arranging the Registration, Primary and General Election Laws of this State.

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

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

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

YEAS—Messrs. Binder, Edmonds, Evans, Hitchens, Jones, Johnston, Lawson, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—11.

NAYS—Messrs. Ayres, Bailey, Butler, Hastings, McDowell, McGuigan—6.

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

Ordered to the House for concurrence.

On motion of Mr. Yerkes, House Bill No. 321, entitled:

An Act to amend Chapter 53, of the Revised Code of Delaware, 1935, as amended, in relation to the Salaries of the Deputies and Clerks of certain County Offices of New Castle County.

Was taken up for consideration.

Mr. McGuigan moved that action be deferred on House Bill No. 321 until Monday, March 12, 1945.

Motion prevailed.

Mr. Johnston moved that all house bills to be read first and second time be deferred until Monday, March 12, 1945, as the second order of business.

Motion prevailed.

Mr. Lawson, on motion for leave, introduced Senate Substitute for Senate Joint Resolution No. 8, entitled:

Relative to the Restoration of Standard Time.

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

Mr. Lawson, on motion for leave, introduced Senate Substitute for Senate Joint Resolution No. 7, entitled:

Relative to the Military Training of Youth.

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

Mr. Binder requested that Senate Bill No. 225 be stricken from the Calendar.

Request granted.

On motion of Mr. Evans, Senate Bill No. 110, entitled:

An Act to amend Chapter 57 of the Revised Code of the State of Delaware, 1935, as amended, entitled, "Department of Election for New Castle County."

Was taken up for consideration.

Mr. Evans moved that rules be suspended and that so much be considered the third and final reading of Senate Bill No. 110.

Motion prevailed.

On motion of Mr. Evans, Senate Bill No. 110, entitled:

An Act to amend Chapter 57 of the Revised Code of the State of Delaware, 1935, as amended, entitled, "Department of Elections for New Castle County."

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

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

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

**YEAS**—Messrs. Binder, Edmonds, Evans, Hitchens, Jones, Johnston, Lawson, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—11.

**NAYS**—Messrs. Ayres, Bailey, Butler, Hastings, McDowell, McGuigan—6.

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

Ordered to the House for concurrence.

Mr. Yerkes moved that the Senate adjourn until 12 o'clock, Noon, March 12, 1945.

Motion prevailed.

## Forty-First Legislative Day

Dover, Delaware, March 12, 1945, 12 o'clock, Noon

Senate met pursuant to adjournment.

President Pro Tem Harry H. Mulholland presiding.

Prayer by the Chaplain, Rev. Ernest N. Wright.

Roll call.

Members Present—Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, 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 President Pro Tem announced he is about to sign:

House Substitute for House Bill No. 16.

House Substitute for House Bill No. 17.

House Bill No. 38.

House Bill No. 45.

House Bill No. 67.

House Bill No. 77.

House Bill No. 78.

House Bill No. 107.

House Bill No. 109.

On motion for leave, Mr. McGuigan introduced Senate Amendment No. 1 to House Bill No. 321, entitled:

An Act to amend Chapter 53, of the Revised Code of Delaware, 1935, as amended, in relation to the Salaries of the Deputies and Clerks of certain County Offices of New Castle County.

Mr. McGuigan moved that Senate Amendment No. 1 to House Bill No. 321 be adopted.

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

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

YEAS—Messrs. Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Ayres, Bailey—2.

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

On motion of Mr. Mulholland, House Bill No. 321 with Senate Amendment No. 1, entitled:

An Act to amend Chapter 53, of the Revised Code of Delaware, 1935, as amended, in relation to the Salaries of the Deputies and Clerks of certain County Offices of New Castle County.

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

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

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

YEAS—Messrs. Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Ayres, Bailey—2.

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

Ordered returned to the House for concurrence.

Mr. Holliday, 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. 180 with House Amendments Nos. 1, and 2, entitled:

An Act providing for the Filing of the Declaration of Intent to Become a Citizen and Resident of Delaware by any person coming from any other State, District of Columbia or Territory, at least One Year prior to a General Election in Delaware as a Qualification for the right to become a Registered Voter at such General Election.

And presented the same to the Senate.

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

House Bill No. 108, entitled:

An Act to amend Chapter 75 of the Revised Code of Delaware, 1935, relating to Deaf, Dumb and Blind, by striking out the words "Indigent" and "Dumb" wherever the same may appear in said Chapter; by Repealing 3061 Section 15 thereof relating to Columbia Institution for the Deaf and Dumb and the Appropriation provided therefor; by striking out the words "Dumb or Crippled" where the same appear in 3065 Section 19 thereof.

And presented the same to the Senate.

Mr. Holliday, 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. 99, entitled:

An Act Appropriating Certain Moneys to the State Highway Department for the purpose of Opening a Mouth or Drain to Permit the Draining of Prime Hook Creek into Delaware Bay.

And presented the same to the Senate.

Mr. Holliday, 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. 93, entitled:

An Act to Appropriate Monies to the State Board of Education, Division of Special Education and Mental Hygiene, for the Education of Handicapped Children for the Fiscal Years beginning July 1, 1945, and July 1, 1946, and ending June 30, 1946, and June 30, 1947, respectively.

And presented the same to the Senate.

Mr. Holliday, 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. 4, entitled:

A Concurrent Resolution urging and requesting the Authorities of every School, Academy, College and University to provide for a Simple Prayer to God for Divine Aid and Assistance preceding the work of the day, with an earnest request for Early Victory and a Just and Lasting Peace.

And presented the same to the Senate.

Mr. Yerkes moved that the Senate recess until 2:15 o'clock P. M.

Motion prevailed.

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

Senate met at expiration of recess.

Lieutenant-Governor Elbert N. Carvel presiding.

Three communication were received favoring House Bill No. 157 and Senate Bill No. 116; a communication was received favoring Senate Bill No. 218, and one favoring the Family Court Bill and Teachers' Retirement Bill.

Mr. Jones, on behalf of the Committee on Agriculture, to whom had been referred Senate Substitute for Senate Joint Resolution No. 8, entitled:

Relative to the Restoration of Standard Time.

Reported the same back to the Senate favorably.

HARRY H. JONES  
GEO. W. RHODES  
H. H. LAWSON  
SAMUEL WEIGEL, JR.

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred House Bill No. 46, entitled:

An Act to amend Chapter 49 of the Revised Code of Delaware, 1935, as amended, relating to Coroners by providing for the Payment of Fees to Witnesses and Jurors attending Coroner's Inquest.

Reported the same back to the Senate favorably.

R. H. YERKES  
G. P. EDMONDS  
H. H. LAWSON  
H. H. MULHOLLAND

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred House Bill No. 47, entitled:

An Act to amend Chapter 156 of the Revised Code of Delaware, 1935, as amended, relating to Fees of Public Officers by providing for Witness Fees and Mileage for Witnesses at Coroner's Inquest; by providing for Fees for Jurors at Coroner's Inquest.

Reported the same back to the Senate favorably.

R. H. YERKES  
G. P. EDMONDS  
H. H. LAWSON  
H. H. MULHOLLAND

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred Senate Bill No. 106, entitled:

An Act proposing an amendment to Article III of the Constitution of the State of Delaware, relating to the Terms of Office of Sheriffs and Coroners.

Reported the same back to the Senate favorably.

R. H. YERKES  
G. P. EDMONDS  
H. H. LAWSON  
H. H. MULHOLLAND

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred Senate Bill No. 164, entitled:

An Act appropriating money for Certain Expenses of the Supreme Court.

Reported the same back to the Senate favorably.

G. P. EDMONDS  
GEO. W. RHODES  
HARRY H. JONES  
HARRY H. MULHOLLAND  
WILLIAM H. AYRES

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

Senate Bill No. 14, entitled:

An Act to amend Chapter 74, Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" by repealing Provisions for the Collection of a Portion of Fines by Informers.

Senate Bill No. 16, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" with reference to the uses of Automatic and Repeating Shot Guns in Hunting Game Birds or Game Animals.

## Senate Bill No. 29, entitled:

An Act to amend An Act known and cited as the "Unemployment Compensation Law," being Chapter 258, Volume 41, Laws of Delaware, 1937, as amended, by making certain changes in the Definitions of Employment and Wages; by increasing the Minimum Weekly Benefit Amount and Maximum Duration of Benefits and by making certain other changes relating to the Payments of Benefits; by providing that the State Experience Factor shall never be lower than 1%; by redefining the Terms relating to Successorship in Relation to Experience Rating; by changing certain of the Administrative Provisions; and by changing the Definition of Seasonal Employment and the Effective Period for Certain Provisions relating thereto.

## Senate Bill No. 95, entitled:

An Act authorizing the State Board of Health of the State of Delaware to apply for and accept Funds made available to the Board by the Federal Government under Grants authorized thereby.

## Senate Concurrent Resolution No. 17, entitled:

Designating the Number by which the General Assembly of 1947 shall be known.

H. H. LAWSON

## The Chair presented House Bill No. 234, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, by providing that students enrolled in certain driver training courses may drive upon the State Highways.

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

## The Chair presented House Substitute for House Bill No. 215, entitled:

An Act to describe, define, and officially adopt a system of co-ordinates for designating and stating the positions of points on the surface of the earth within the State of Delaware.

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

The Chair presented House Substitute for House Bill No. 264, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, relating to Motor Vehicles by repealing certain provisions for Operators' or Chauffeurs' Licenses who have attained the age of seventy-five years at the time of said application.

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

The Chair presented House Bill No. 181 with House Amendment No. 1, entitled:

An Act to amend Chapter 119 of the Revised Code of Delaware, 1935, relating to Justice of the Peace by providing for the disposition of Justice of the Peace Dockets upon Death or Expiration of Term.

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

The Chair presented House Bill No. 108, entitled:

An Act to amend Chapter 75 of the Revised Code of Delaware, 1935, relating to Deaf, Dumb and Blind, by striking out the words "Indigent" and "Dumb" wherever the same may appear in said Chapter; by Repealing 3061 Section 15 thereof relating to Columbia Institution for the Deaf and Dumb and the Appropriation provided therefor; by striking out the words "Dumb or Crippled" where the same appear in 3065 Section 19 thereof.

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

The Chair presented House Bill No. 99, entitled:

An Act Appropriating Certain Moneys to the State Highway Department for the purpose of Opening a Mouth or Drain to Permit the Draining of Prime Hook Creek into Delaware Bay.

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

The Chair presented House Bill No. 180 with House Amendments Nos. 1 and 2, entitled:

An Act providing for the Filing of the Declaration of Intent to Become a Citizen and Resident of Delaware by any person coming from any other State, District of Columbia or Territory, at least One Year prior to a General Election in Delaware as a Qualification for the right to become a Registered Voter at such General Election.

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

The Chair presented House Bill No. 93, entitled:

An Act to Appropriate Monies to the State Board of Education, Division of Special Education and Mental Hygiene, for the Education of Handicapped Children for the Fiscal Years beginning July 1, 1945, and July 1, 1946, and ending June 30, 1946, and June 30, 1947, respectively.

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

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred Senate Bill No. 6, entitled:

An Act appropriating moneys to certain Hospitals in the State of Delaware.

Reported the same back to the Senate favorably.

G. P. EDMONDS  
GEO. W. RHODES  
HARRY H. JONES  
H. H. MULHOLLAND  
WILLIAM H. AYRES

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred Senate Bill No. 7, entitled:

An Act appropriating certain monies for the Support and Maintenance of the District Library Commissions of the State of Delaware.

Reported the same back to the Senate favorably.

G. P. EDMONDS  
GEO. W. RHODES  
HARRY H. JONES  
H. H. MULHOLLAND  
WILLIAM H. AYRES

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred Senate Bill No. 8, entitled:

An Act appropriating money to the G. A. R., Department of Delaware.

Reported the same back to the Senate favorably.

G. P. EDMONDS  
GEO. W. RHODES  
HARRY H. JONES  
H. H. MULHOLLAND  
WILLIAM H. AYRES

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred Senate Bill No. 41, entitled:

An Act appropriating money to Board of Managers of the Council of State Governments.

Reported the same back to the Senate favorably.

G. P. EDMONDS  
GEO. W. RHODES  
HARRY H. JONES  
H. H. MULHOLLAND  
WILLIAM H. AYRES

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred Senate Substitute for Senate Bill No. 212, entitled:

An Act appropriating moneys from the State Treasury for the purpose of purchasing Past Due Interest Coupons on certain Highway Improvement Bonds and State Aid Bonds issued by the Levy Courts of New Castle, Kent and Sussex Counties, during the Fiscal Biennium of the State of Delaware, ending June 30, 1947.

Reported the same back to the Senate favorably.

G. P. EDMONDS  
GEO. W. RHODES  
HARRY H. JONES  
HARRY H. MULHOLLAND  
WILLIAM H. AYRES

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred Senate Substitute for Senate Bill No. 213, entitled:

An Act Authorizing the State Treasurer to purchase Certain Highway Improvement Bonds and State Aid Bonds issued by the Levy Courts of New Castle, Kent and Sussex Counties and Maturing during the Fiscal Biennium Ending June 30, 1947.

Reported the same back to the Senate favorably.

G. P. EDMONDS  
GEO. W. RHODES  
HARRY H. JONES  
HARRY H. MULHOLLAND  
WILLIAM H. AYRES

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

An Act to amend Chapter 56, of the Revised Code of Delaware, as amended, entitled, "Registration of Voters," to provide for a General Registration of Voters every Four Years and for other purposes.

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

Mr. Yerkes, on motion for leave, introduced Senate Substitute for Senate Joint Resolution No. 5, entitled:

Appropriating Moneys to Pay Certain Claims Relating to the Expenses of the Supreme Court.

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

The President announced he is about to sign:

House Substitute for House Bill No. 2.

Mr. Yerkes, on motion for leave, introduced Senate Substitute for Senate Bill No. 157, entitled:

An Act making an Emergency Appropriation to Defray the Cost of Printing the Session Laws and other State Printing.

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

Mr. Johnston, on behalf of the Committee on Education, to whom had been referred Senate Bill No. 31, entitled:

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

Reported the same back to the Senate favorably.

W. DEANE JOHNSTON  
GEO. E. BINDER  
HARRY H. JONES  
H. H. LAWSON

Mr. Johnston, on behalf of the Committee on Education, to whom had been referred Senate Bill No. 32, entitled:

An Act making an appropriation to provide Books and Science Equipment for the State College for Colored Students.

Reported the same back to the Senate favorably.

W. DEANE JOHNSTON  
GEO. E. BINDER  
HARRY H. JONES  
H. H. LAWSON  
I. T. HASTINGS

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

An Act to amend Chapter 73 of the Revised Code of Delaware, 1935, entitled "State College for Colored Students," by changing the Tenure of Office of Members of the Board of Trustees thereof.

Reported the same back to the Senate favorably.

W. DEANE JOHNSTON  
GEO. E. BINDER  
HARRY H. JONES  
H. H. LAWSON  
I. T. HASTINGS

Mr. Johnston, on behalf of the Committee on Education, to whom had been referred Senate Bill No. 262, entitled:

An Act to amend Chapter 73 of the Revised Code of Delaware, 1935, by Changing the Name of the State College for Colored Students.

Reported the same back to the Senate favorably.

W. DEANE JOHNSTON  
GEO. E. BINDER  
HARRY H. JONES  
H. H. LAWSON  
I. T. HASTINGS

The Chair presented House Concurrent Resolution No. 4, entitled:

A Concurrent Resolution urging and requesting the Authorities of every School, Academy, College and University to provide for a Simple Prayer to God for Divine Aid and Assistance preceding the work of the day, with an earnest request for Early Victory and a Just and Lasting Peace.

Mr. Yerkes moved that House Concurrent Resolution No. 4 be adopted.

Motion prevailed.

On motion of Mr. Yerkes, House Bill No. 175, entitled:

An Act appropriating certain monies to the University of Delaware for Research in Fowl Typhoid.

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

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

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

YEAS — Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Bill No. 176, entitled:

An Act appropriating certain monies to the University of Delaware for Development and Maintenance of the Agricultural Sub-Station at Georgetown.

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

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

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

YEAS—Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Jones—1.

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

Ordered returned to the House.

Mr. Evans moved that rules be suspended and that so much be considered the third and final reading of Senate Substitute for Senate Bill No. 167.

Motion prevailed.

On motion of Mr. Evans, Senate Substitute for Senate Bill No. 167, entitled:

An Act to create a Bureau of Registration for New Castle County.

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

Upon request the privilege of the floor was given to Thomas Peeney.

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

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

**YEAS**—Messrs. Binder, Edmonds, Evans, Hitchens, Jones, Johnston, Lawson, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—11.

**NAYS**—Messrs. Ayres, Bailey, Butler, Hastings, McDowell, McGuigan—6.

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

Ordered to the House for concurrence.

The President announced he is about to sign:

Senate Bill No. 22.

Senate Bill No. 33.

Senate Bill No. 34 as amended.

Senate Bill No. 35.

Senate Bill No. 36.

Senate Bill No. 42.

Senate Bill No. 76.

Senate Bill No. 77.

On motion of Mr. Mulholland, Senate Bill No. 124, entitled:

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

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

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

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

**YEAS**— Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, 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. Hitchens, Senate Substitute for Senate Bill No. 177, entitled:

An Act to Authorize the Recorder of the State of Delaware, in and for Sussex County to Procure a New Seal of Office.

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

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

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

**YEAS**— Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—17.

**NAYS**—None.

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

Ordered to the House for concurrence.

On motion of Mr. Evans, Senate Bill No. 109, entitled:

An Act to amend Chapter 727, Volume 19, Laws of Delaware, 1893, entitled, "An Act in relation to Municipal Elections to be held in the City of Wilmington," by providing a Method for the Delivery of Certificates of Election, Tally Sheets and Poll Lists, by the Election Officers for such Elections.

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

Upon request the privilege of the floor was given to Thomas Peeney.

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

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

YEAS — Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, 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 for leave, Mr. Mulholland introduced Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 147, entitled:

An Act to amend An Act to provide for the Purity and Quality of Ice Cream.

Mr. Mulholland moved that Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 147 be adopted.

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

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

YEAS—Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McGuigan, Rhodes, Weigel, Yerks, Mr. President Pro Tem—16.

NAYS—Mr. McDowell—1.

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

On motion of Mr. Mulholland, Senate Substitute for Senate Bill No. 147 with Senate Amendment No. 1, entitled:

An Act to amend An Act to provide for the Purity and Quality of Ice Cream.

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

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

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

YEAS—Messrs. Ayres, Bailey, Binder, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—15.

NAYS—Messrs. Butler, McDowell—2.

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

Ordered to the House for concurrence.

On motion of Mr. Johnston, Senate Bill No. 10, entitled:

An Act to provide for Protecting the Beach or Strand opposite, in front of, or near Kitts Hummock along the Delaware Bay Shore, in Kent County, Delaware, from Erosion.

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

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

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

YEAS—Messrs. Bailey, Binder, Evans, Hitchens, Jones, Johnston, Lawson, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—11.

NAYS — Messrs. Ayres, Butler, Edmonds, McDowell, McGuigan—5.

ABSENT—Mr. Hastings—1.

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

Ordered to the House for concurrence.

Mr. Yerkes moved that the Senate adjourn until 12 o'clock, Noon, March 13, 1945.

Motion prevailed.

## Forty-Second Legislative Day

Dover, Delaware, March 13, 1945, 12 o'clock, Noon

Senate met pursuant to adjournment.

Lieutenant-Governor Elbert N. Carvel presiding.

Prayer by the Chaplain, Rev. Ernest N. Wright.

Roll call.

Members Present—Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, 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 following communications were received: One from the Prisoner's Aid Society on "Why Abolish the Whipping Post." One from the Wilmington Lions Club approving House Bill No. 334, House Bill No. 93, House Bill No. 189 and House Bill No. 319. Five communications favoring House Bill No. 157 and Senate Bill No. 116.

Mr. Holliday, 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. 200, entitled:

An Act amending Chapter 118 of the Revised Code of Delaware, 1935, relative to the Orphans' Court by providing that a Guardian may pay certain expenses including Burial Expenses of the Deceased Indigent Parent or Spouse.

And presented the same to the Senate.

The Chair recognized the Junior and Senior Classes from the John M. Clayton School, accompanied by the principal, Mr. Lynch.

Mr. Rhodes requested that Senate Bill No. 186 be stricken from the Calendar.

Request granted.

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

An Act to provide for the Receiving as Prima Facie Evidence in Any Court, Office or other Place in this State, Official Findings, Records, Reports, or Certified Copies thereof, of Death, Presumed Death, Missing or other Status, issued by the Secretaries of War and Navy and other Federal Officers and Employees.

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

Mr. Binder, on motion for leave, introduced Senate Substitute for Senate Bill No. 226, entitled:

An Act creating the Office of State Veterans Service Officer to Assist Veterans and Others, prescribing the Powers and Duties of said Office, and making an Appropriation for the Expenses thereof.

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

Mr. Binder, on motion for leave, introduced Senate Substitute for Senate Bill No. 227, entitled:

An Act to provide for the Appointment of a Conservator, under Certain Circumstances, for Property of Persons Serving in or with the Armed Forces of the United States.

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

Mr. Binder, on motion for leave, introduced Senate Substitute for Senate Bill No. 229, entitled:

An Act to Empower and Direct Municipalities and other Political Subdivisions to Promulgate, Administer, and Enforce Airport Zoning Regulations Limiting the Heights of Structures and Objects of Natural Growth, and otherwise Regulating the

use of Property, in the Vicinity of Airports; to Authorize the Acquisition, by Purchase, Grant, or Condemnation, of Air Rights and other Interests in Land; and to provide Penalties and Remedies for Violations of this Act or of any Ordinance or Regulation made under the Authority conferred herein.

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

Mr. Binder, on motion for leave, introduced Senate Substitute for Senate Bill No. 230, entitled:

An Act to amend Chapter 93 of the Revised Code of Delaware, 1935, providing for the Proof of Wills where Subscribing Witnesses are Unavailable, by Reason of Service in the Armed Forces of the United States.

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

Mr. Evans, on motion for leave, introduced Senate Substitute for Senate Bill No. 125, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, relating to Motor Vehicles, as amended, relating to the giving of Proof of Financial Responsibility and Security by Owners and Operators of Motor Vehicles and to make Uniform the Law with reference thereto, and prescribing Penalties for any Violations.

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

Mr. Evans, on motion for leave, introduced Senate Substitute for Senate Bill No. 166, entitled:

An Act to amend Chapter 65 of the Revised Code of the State of Delaware of 1935, relating to Corporations.

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

Mr. Yerkes moved that the Senate recess until 2:15 o'clock P. M.

Motion prevailed.

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

Senate met at expiration of recess.

President Pro Tem Harry H. Mulholland presiding.

Mr. Mulholland, on motion for leave, introduced Senate Substitute for Senate Substitute for Senate Bill No. 193, entitled:

An Act to amend Chapter 60 of the Revised Code of Delaware, 1935, as amended, entitled, "General Elections," by providing for the Transfer of Certain Election Duties now Performed by the Clerks of the Peace and the Sheriffs, to the Department of Elections for each County respectively; and for other Purposes.

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

Mr. Mulholland, on motion for leave, introduced Senate Substitute for Senate Bill No. 276, entitled:

An Act making Appropriations for the Payment of Pension Benefits to Certain State Employees under the Provisions of the "Delaware State Employees' Pension Act" for the Fiscal Biennium Beginning July 1st, 1945, and Ending June 30th, 1947.

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

Mr. Mulholland, on motion for leave, introduced Senate Substitute for Senate Bill No. 139, entitled:

An Act making Provision for the Acquisition of certain Additional Lands and Easements in the City of Dover for the State of Delaware, to be used for Buildings and Grounds and for other State Purposes, and making an Appropriation therefor.

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

The Chair presented House Bill No. 200, entitled:

An Act amending Chapter 118 of the Revised Code of Delaware, 1935, relative to the Orphans' Court by providing that a Guardian may pay certain expenses including Burial Expenses of the Deceased Indigent Parent or Spouse.

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

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

SENATE CONCURRENT RESOLUTION NO. 18

In Reference to Improvements in the Indian River and Bay.

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, was adopted, by acclamation.

On motion of Mr. Binder, Senate Bill No. 52, entitled:

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

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

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

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

YEAS—Messrs. Ayres, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Bailey, McDowell—2.

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

Ordered to the House for concurrence.

On motion of Mr. Binder, Senate Substitute for Senate Bill No. 63, entitled:

An Act to amend Chapter 100 of the Revised Code of Delaware, 1935, concerning the Regulation of Small Loans; providing for the Issuance of Certificates of Registration; Annual License Fees; and providing for the Examination thereof by the State Bank Commissioner.

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

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

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

YEAS—Messrs. Ayres, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Bailey, McGuigan—2.

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

Ordered to the House for concurrence.

On motion of Mr. Johnston, Senate Bill No. 32, entitled:

An Act making an appropriation to provide Books and Science Equipment for the State College for Colored Students.

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. Binder, Edmonds, Evans, Hitchens, Jones, Johnston, Lawson, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—12.

NAYS—Messrs. Ayres, Butler, Hastings, McDowell—4.

ABSENT—Mr. Bailey—1.

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

Ordered to the House for concurrence.

On motion of Mr. Yerkes, Senate Bill No. 78, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, by striking out and repealing all of 1194. Sec. 48. thereof and inserting in lieu thereof a new section to be styled 1194. Sec. 48. said new section directing the Levy Court of Kent County to appropriate certain money to the Kent County Volunteer Firemen's Association for distribution equally among Member Companies.

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

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

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

YEAS—Messrs. Ayres, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Bailey—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. Hitchens, Senate Bill No. 159, entitled:

An Act to amend Chapter 16 of the Revised Code of Delaware, 1935, entitled "Auditor of Accounts," by Limiting the Price which may be Paid for Passenger Motor Vehicles by State Departments, Boards or Commissions.

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

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

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

YEAS—Messrs. Ayres, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Bailey—1.

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

Ordered to the House for concurrence.

On motion of Mr. Yerkes, Senate Substitute for Senate Bill No. 212, entitled:

An Act appropriating Moneys from the State Treasury for the purpose of Purchasing Past Due Interest Coupons on certain Highway Improvement Bonds and State Aid Bonds issued by the Levy Courts of New Castle, Kent and Sussex Counties, during the Fiscal Biennium of the State of Delaware, ending June 30, 1947.

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

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

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

YEAS—Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, Rhdes, Weigel, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. McGuigan—1.

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

Ordered to the House for concurrence.

On motion of Mr. Yerkes, Senate Substitute for Senate Bill No. 213, entitled:

An Act Authorizing the State Treasurer to purchase Certain Highway Improvement Bonds and State Aid Bonds issued by the Levy Courts of New Castle, Kent and Sussex Counties and Maturing during the Fiscal Biennium Ending June 30, 1947.

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

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

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

YEAS—Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, 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. Lawson, Senate Substitute for Senate Joint Resolution No. 8, entitled:

Relative to the Restoration of Standard Time.

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, Hitchens, Jones, Johnston, Lawson, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—9.

NAYS—Messrs. Bailey, Binder, Butler, Edmonds, Evans, Hastings, McDowell, McGuigan—8.

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.

The Chair declared a recess for ten minutes.