

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. Derrickson, Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 241, entitled:

An Act regulating the manufacturing and sale of Electric Fence Controllers or devices for the electrifying of wire fences; permit to manufacture or sell the same to be obtained from the State Board of Agriculture.

Was taken up for consideration and read a third time, by paragraphs, 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. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Poore, Purnell, Rinard, Short, Simmons, Sylvester—14.

NAYS—None.

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

On motion of Mr. Derrickson, Senate Substitute for Senate Bill No. 241 with Senate Amendment No. 1, entitled:

An Act regulating the manufacturing and sale of Electric Fence Controllers or devices for the electrifying of wire fences; permit to manufacture or sell the same to be obtained from the State Board of Agriculture.

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. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Poore, Purnell, Rinard, Short, Simmons, Sylvester—14.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Rinard, Senate Substitute for Senate Bill No. 154, entitled:

An Act appropriating money out of the State Treasury to pay a Claim of the Estate of William Winder Laird, deceased, against the State of Delaware.

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

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

NAYS—Messrs. Derrickson, Gooden, Moody, Sylvester—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.

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

House Joint Resolution No. 10, entitled:

Requesting that Migratory Waterfowl Season open November 1, 1939 instead of October 16, 1939.

And presented the same to the Senate.

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

House Bill No. 470, entitled:

An Act to amend Chapter 133 of the Revised Code of Delaware, 1935, relating to Executions with reference to Writs of Possession.

And presented the same to the Senate.

On motion of Mr. Rinard, Senate Bill No. 165, entitled:

An Act providing for the Restoration of the principle of salary increments for satisfactory service of Public School Employees of this State; and making appropriations 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. Abrahams, Brown, Clark, Derrickson, Hannam, Heal, Hendricks, Moody, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered to the House for concurrence.

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

An Act to amend Article 2 of Chapter 25 of the Revised Code of the State of Delaware, 1935, by making Certified Copies or Photostatic Copies of Births, Deaths and Marriages prima facia evidence in Courts; Fees to be charged by the State Registrar for furnishing the same.

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. Abrahams, Brown, Clark, Derrickson, Hannam, Heal, Hendricks, Moody, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Hannam, Senate Substitute for Senate Bill No. 269, entitled:

An Act to amend An Act entitled "An Act providing for the creation and appointment of a State Board of Chiropractic Examiners, defining its powers and duties; regulating the Practice of Chiropractic; providing for the licensing of Chiropractors and prescribing penalties for any violations of this Act," being Chapter 261 of Volume 41, Laws of Delaware, by prescribing Educational Requirements for Applicants, and authorizing the State Board to refuse to issue or reissue a license for certain reasons.

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. Abrahams, Brown, Clark, Derrickson, Hannam, Heal, Hendricks, Moody, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Heal, Senate Substitute for Senate Bill No. 218, entitled:

An Act amending Chapter 29 of the Revised Code of Delaware, 1935, as amended, relating to Mothers' Pension Commission so that the provisions thereof may conform with Federal Law concerning Dependant Children.

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

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Hannam, Heal, Hendricks, Moody, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered to the House for concurrence.

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

Senate Bill No. 24—Approved by Governor—April 11, 1939.

Mr. Heal moved that all rules be suspended for the balance of the day's business.

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

NAYS—Messrs. Derrickson, Moody, Poore, Sylvester—4.

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

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

House Concurrent Resolution No. 17, entitled:

Modifying Resolution in Reference to New Business.

And presented the same to the Senate.

On motion of Mr. Heal, House Bill No. 150, entitled:

An Act naming and designating the Park created at "The Rocks" on the Christiana River in the City of Wilmington as "Fort Christina State Park" in order to mark perpetually the first Settlement of the Colony of New Sweden.

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. Abrahams, Brown, Clark, Derrickson, Hannam, Heal, Hendricks, Moody, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—15.

NAYS — None.

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

Ordered returned to the House.

The Sergeant-at-Arms reported a message from the Governor.

The message follows:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, Delaware, April 11, 1939

To the Honorable, the Senate
107th General Assembly, State of Delaware
Dover, Delaware

Gentlemen:

The following is an excerpt from a letter which I have received from the Hon. H. Fletcher Brown, Chairman of the Finance Committee of the Delaware Citizens' Association:

"The Delaware Citizens' Association is confident that the plan for a Department of Public Welfare is a benevolent plan which should result in great gain to the State similar to that which followed the adoption of the School Code. To demonstrate this confidence and to assist the passage of the bill, we offer to provide one-half of the budget of \$25,000.00 a year for the next biennium."

Yours very truly,

RICHARD C. McMULLEN
Governor

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

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

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

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered returned to the House.

The Chair presented House Concurrent Resolution No. 17, entitled:

Modifying Resolution in Reference to New Business.

On motion of Mr. Heal, House Concurrent Resolution No. 17, entitled:

Modifying Resolution in Reference to New Business.

Was taken up for consideration and read a third time, by title only, 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. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—15.

NAYS—None.

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. Rinard, House Bill No. 76, entitled:

An Act to amend 3074, Section 9, and 3072, Section 7 of Chapter 76 of the Revised Code of the State of Delaware, 1935, by striking out paragraphs two and three from 3074, Section 9, and re-enacting the same subject matter under 3072, Section 7.

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. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered returned to the House.

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

An Act to amend Chapter 54 of the Revised Code of Delaware, 1935, relating to the State Old Age Welfare Commission and State Welfare Home, by providing for the deferment of the collection of taxes and assessments on the properties of aged persons to whom assistance has been allowed under said Chapter.

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

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Purnell, Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 286, entitled:

An Act authorizing the borrowing of money and the creation of a Debt by or in behalf of the State of Delaware for the Development and Laying Out and General Improvement of Public Park Lands by the State Park Commission and the issuance of Bonds therefor.

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

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

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

YEAS—Mr. Sylvester—1.

NAYS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Moody, Poore, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—14.

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

On motion of Mr. Purnell, Senate Amendment No. 2 to Senate Substitute for Senate Bill No. 286, entitled:

An Act authorizing the borrowing of money and the creation of a Debt by or in behalf of the State of Delaware for the Development and Laying Out and General Improvement of Public Park Lands by the State Park Commission and the issuance of Bonds therefor.

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

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Hannam, Heal, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—10.

NAYS — Messrs. Derrickson, Gooden, Moody, Poore, Sylvester—5.

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

On motion of Mr. Purnell, Senate Substitute for Senate Bill No. 286 with Senate Amendment No. 2, entitled:

An Act authorizing the borrowing of money and the creation of a Debt by or in behalf of the State of Delaware for the Development and Laying Out and General Improvement of Public Park Lands by the State Park Commission and the issuance of Bonds therefor.

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

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Hannam, Heal, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—10.

NAYS — Messrs. Derrickson, Gooden, Moody, Poore, Sylvester—5.

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

Ordered to the House for concurrence.

On motion of Mr. Rinard, House Bill No. 469, entitled:

An Act to protect the public against misleading advertisements pertaining to the Sale of Motor Fuels at Retail by regulating the method of Retail Sale of Motor Fuels, and providing penalties for violations.

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. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Rinard, House Substitute for House Bill No. 241, entitled:

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

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. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered returned to the House.

Mr. Steele, on behalf of the Committee on Miscellaneous, to whom had been referred, Senate Bill No. 21, entitled:

An Act to limit advertisement in connection with the displaying of Motion Pictures.

Reported the same back to the Senate favorably.

DAVID W. STEELE
BURTON S. HEAL
ALDEN P. SHORT
J. B. HENDRICKS

On motion of Mr. Rinard, House Bill No. 236, entitled:

An Act appropriating money to the State Tax Department with which to pay for an annual Audit of its Accounts.

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. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Purnell, Rinard, Short, Sylvester, Mr. President Pro Tem—14.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Rinard, House Bill No. 474, entitled:

An Act regulating the Sale of Prison Made Goods to State Institutions or Agencies and prohibiting the sale and distribution thereof in open market.

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. Abrahams, Brown, Clark, Derrickson, Gooden, Heal, Hendricks, Moody, Purnell, Rinard, Short, Mr. President Pro Tem—12.

NAYS—Messrs. Hannam, Sylvester—2.

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

Ordered returned to the House.

Mr. Heal moved that the Senate adjourn until 10:30 o'clock A. M., Wednesday, April 12, 1939.

Motion prevailed.

SIXTY-FIFTH LEGISLATIVE DAY

April 12, 1939, 10:30 o'clock A. M.

Senate met pursuant to adjournment.

President Pro Tem David W. Steele presiding.

Prayer by the Chaplain, Rev. Frank A. Baker.

Roll called.

Members Present — Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—17.

Secretary proceeded to read the Journal of the Previous Session, when Mr. Clark 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:

Senate Concurrent Resolution No. 19.

Mr. Heal moved that all rules be suspended and that all House Bills read in today be by title only for their first and second reading.

Motion prevailed.

The Chair presented House Bill No. 470, entitled:

An Act to amend Chapter 133 of the Revised Code of Delaware, 1935, relating to Executions with reference to Writs of Possession.

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. 128 with House Amendment No. 1, entitled:

An Act relating to the Marketing of Peaches.

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

The Chair presented House Substitute for House Bill No. 260, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, in reference to the quantity of Spirits, Wine and Beer which can be sold by Licensed Dealers.

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

The Chair presented House Substitute for House Bill No. 119, entitled:

An Act appropriating certain moneys to Equitable Trust Company, a corporation of the State of Delaware, Executor of the Estate of W. Miller Shaw, deceased, to pay a certain claim against the State of Delaware, arising from an overpayment of the Delaware Estate Tax.

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

The Chair presented House Joint Resolution No. 10, entitled:

Requesting that Migratory Waterfowl Season open November 1, 1939 instead of October 16, 1939.

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

Mr. Heal moved that the Senate recess until 1:15 o'clock P. M.

Motion prevailed.

Same Day, 1:15 o'clock P. M.

Senate met at expiration of recess.

The Sergeant-at-Arms reported the presence of the Secretary of State, who delivered a message from His Excellency, Governor Richard C. McMullen.

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

April 12, 1939

To the Honorable, the Senate
107th General Assembly, State of Delaware
Dover, Delaware

Gentlemen:

I herewith return without my approval, Senate Bill No. 306, entitled "An Act to amend Chapter 57 of the Revised Code of the State of Delaware, 1935, entitled 'Department of Elections for the City of Wilmington,' by providing for the establishment of a Department of Elections for New Castle County."

This bill abolishes the Department of Elections for the City of Wilmington and establishes a Department of Elections for New Castle County. It is substantially of the same form as Senate Substitute for Senate Bill No. 86 and contains all of the vices presented in that bill. It is a purely partisan measure and names nine persons who shall constitute the Department of Elections for New Castle County. By its provisions, the minority political party is entitled to but two members out of the nine on the commission. The sole purpose of this bill is to gain control of the Election machinery for one political party.

I recommended in my message at your convening that a revision of the General Election laws of the State of Delaware should be undertaken by your body, with a view to safeguarding the right of franchise of our citizens by effecting economies in the election machinery. This bill in no way deals with or meets these problems, which so long as they are present hold out Delaware as a State having expensive and antiquated election machinery, susceptible of corruption and thwarting the will of the people. The continued persistence of this General Assembly to consider solely legislation of a partisan nature will establish it as one which ignored and disregarded the general welfare of our State. Economy and non-partisanship are no parts of this bill. The attributes of good legislation have been lost in the setting of the dangerous precedent of wholesale ripper legislation.

This bill, like similar bills, heretofore presented for my consideration, is designed solely for political purposes and in my opinion, no such legislation is beneficial to our State. To approve such a bill would be to sanction political plunder at the taxpayers expense.

Respectfully yours,

RICHARD C. McMULLEN
Governor

Mr. Heal moved that Senate Bill No. 306, entitled:

An Act to amend Chapter 57 of the Revised Code of the State of Delaware, 1935, entitled "Department of Elections for the City of Wilmington" by providing for the establishment of a Department of Elections for New Castle County.

Be restored to the Calendar.

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

NAYS—Messrs. Derrickson, Gooden, Moody, Moore, Poore, Sylvester—6.

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

On motion of Mr. Heal, Senate Bill No. 87, entitled:

An Act to amend Chapter 18 of the Revised Code of the State of Delaware, 1935, relating to State Detectives by repealing 455, Section 1 of said Chapter and the Offices of State Detective created thereby, by enacting a new Section in lieu thereof providing for the appointment of State Detectives by the Attorney General and for the assignment of the State Detectives to the Attorney General's Department, by amending 457, Section 3 of said Chapter with reference to the removal of State Detectives; and repealing all Acts or parts of Acts inconsistent therewith.

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 Attorney-General Morford.

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Simmons, Mr. President Pro Tem—10.

NAYS—Messrs. Derrickson, Gooden, Moody, Moore, Poore, Short, Sylvester—7.

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

Ordered to the House for concurrence.

Mr. Hannam, on behalf of the Committee on Finance, to whom had been referred, House Substitute for House Bill No. 186, entitled:

An Act making appropriations for the School Budget for the school years beginning respectively July 1, 1939, and July 1, 1940, and ending respectively June 30, 1940, and June 30, 1941.

Reported the same back to the Senate favorably.

H. M. HANNAM
PAUL R. RINARD
J. H. MOORE
BENJAMIN F. SIMMONS
HAROLD W. T. PURNELL

Mr. Hannam, on behalf of the Committee on Finance, to whom had been referred, Senate Bill No. 318, entitled:

An Act to provide for the sale of two (2) shares of the Class C Preferred Stock, two (2) shares of the Common Stock, Scrip Certificate for 36/100ths of one Share of the Class C Preferred Stock and Scrip Certificate for 36/100ths of one Share of the Common Stock of Munson Line, Incorporated, owned by the State of Delaware.

Reported the same back to the Senate favorably.

H. M. HANNAM
PAUL R. RINARD
J. H. MOORE
BENJAMIN F. SIMMONS
HAROLD W. T. PURNELL

Mr. Hannam, on behalf of the Committee on Finance, to whom had been referred, House Bill No. 466, entitled:

An Act to provide that the Receipts and Moneys of the State be deposited in and disbursed from one General Fund on and after July 1, 1941, and making exceptions of certain receipts and moneys therefrom.

Reported the same back to the Senate favorably.

H. M. HANNAM
PAUL R. RINARD
J. H. MOORE
BENJAMIN F. SIMMONS
HAROLD W. T. PURNELL

Mr. Hannam, on behalf of the Committee on Finance, to whom had been referred, House Bill No. 468, entitled:

An Act to amend Article 8, Chapter 6 of the Revised Code of Delaware, 1935, authorizing and directing the State Treasurer to deposit a portion of the funds derived from Franchise Tax Collections to the General Fund, for any Appropriations that may hereafter be made to the University of Delaware, State College for Colored Students, State Board of Vocational Education, for the operation and maintenance of the State Tax Department, and for the operation and maintenance of the Office of Secretary of State exclusive of the operation and maintenance of the Motor Vehicle Department.

Reported the same back to the Senate favorably.

H. M. HANNAM
PAUL R. RINARD
J. H. MOORE
BENJAMIN F. SIMMONS
HAROLD W. T. PURNELL

Mr. Hannam, on behalf of the Committee on Claims, to whom had been referred, Senate Bill No. 259, 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.

Reported the same back to the Senate favorably.

H. M. HANNAM
PAUL R. RINARD
ALDEN P. SHORT
GEORGE R. CLARK
FRANK MOODY

Mr. Hannam, on behalf of the Committee on Claims, to whom had been referred, Senate Bill No. 171, entitled:

An Act to appropriate the sum of One Hundred Dollars in part payment of the burial expenses of John H. Millis, a Civil War veteran.

Reported the same back to the Senate favorably.

H. M. HANNAM
PAUL R. RINARD
ALDEN P. SHORT
GEORGE R. CLARK
FRANK MOODY

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

Senate Bill No. 10, entitled:

An Act for the Relief of the Indigent Sick resident in New Castle County.

Senate Bill No. 90, entitled:

An Act to amend 3867, Section 69, Chapter 98, of the Revised Code of Delaware of 1935, relating to distribution of the Estates of Decedents.

Senate Substitute for Senate Bill No. 91, entitled:

An Act making Appropriations for the Payment of Certain School Bonds maturing during the Fiscal Years beginning July 1, 1939, and ending June 30, 1941.

Senate Bill No. 153, entitled:

An Act authorizing the State Treasurer to deduct from the Salaries of any Person paid by State check upon written direction any sum of money for Hospitalization Insurance and to pay the same to any Hospital as so directed.

Senate Bill No. 170, entitled:

An Act to amend An Act known and cited as the "Unemployment Compensation Law," being Chapter 258 of the Laws of Delaware, 1937, by changing the method of determining the contribution rates of certain employers for each year after December 31, 1941.

Mr. Heal, 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. 194, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relating to the sale and delivery of Alcoholic Liquors, those entitled to purchase, resell or dispense Alcoholic Liquors, purchase for personal use, cancellation and suspension of license, tariff of license fees, seizure and transportation of Alcoholic Liquors, sale to certain individuals, or over a counter, places where Alcoholic Liquors may be kept.

Senate Substitute for Senate Substitute for Senate Bill No. 220, entitled:

An Act directing the State Highway Department to take over and maintain and have jurisdiction over a street known as "Grier Avenue" in the Unincorporated Town or Development of "Idella."

Senate Substitute for Senate Bill No. 221, entitled:

An Act to reinvest the State of Delaware with Title to Lands near Cape Henlopen heretofore conditionally conveyed to the United States of America for use as a Quarantine Station, and now abandoned.

Senate Bill No. 260, entitled:

An Act providing for a Temporary Commission to study Appropriate Legislation needed to eliminate Possible Duplication of Taxes based on Domicile.

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

Senate Bill No. 29—Approved April 12, 1939.

Senate Bill No. 93—Approved April 12, 1939.

Mr. Clark, on behalf of the Committee on Buildings and Highways, to whom had been referred, House Bill No. 106 with House Amendment, No. 1, entitled:

An Act authorizing the appointment of a Commission to consider the feasibility of an appropriate crossing of the Delaware River.

Reported the same back to the Senate favorably with Senate Substitute for House Bill No. 106 with House Amendment No. 1.

GEORGE R. CLARK
BURTON S. HEAL
HAROLD W. T. PURNELL
C. E. BROWN

Mr. Short, on behalf of the Committee on Public Lands, to whom had been referred, House Bill No. 273, entitled:

An Act authorizing the conveyance of certain lands owned by the State of Delaware, situated in South Murderkill Hundred, Kent County, in exchange for certain other lands in said Hundred required for State Highway purposes, and now owned by Clarence T. Postles and Annabelle Postles, his wife.

Reported the same back to the Senate favorably.

ALDEN P. SHORT
PAUL R. RINARD
DAVID W. STEELE
J. H. MOORE

Mr. Hendricks, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred, House Bill No. 56, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, relative to Fish, Oysters and Game, providing for the protection of the Oyster Beds in the Broadkill River and Mispillion River and providing that the Warden employed on Watchboat patrolling Broadkill River shall be a resident of the Tenth Representative District in Sussex County.

Reported the same back to the Senate favorably.

J. B. HENDRICKS
BURTON S. HEAL
ALDEN P. SHORT
DAVID W. STEELE

Mr. Hendricks, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred, House Substitute for House Bill No. 39, entitled:

An Act authorizing and empowering any person, partnership, association or corporation, domestic and/or foreign, to make loans on oyster beds or grounds in the Delaware Bay and to hold a mortgage against or an assignment of said beds or grounds as security for said loans.

Reported the same back to the Senate favorably.

J. B. HENDRICKS
BURTON S. HEAL
ALDEN P. SHORT
DAVID W. STEELE

Mr. Hendricks, on behalf of the Committee on Revised Statutes, to whom had been referred, House Substitute for House Bill No. 187 with House Amendment No. 1, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware of 1935, relating to Motor Vehicles by providing for an increase in the combined gross weight of certain vehicles and loads.

Reported the same back to the Senate favorably.

J. B. HENDRICKS
PAUL R. RINARD
C. E. BROWN
EDWARD ABRAHAMS, JR.

Mr. Rinard, on behalf of the Committee on Judiciary, to whom had been referred, Senate Bill No. 316, entitled:

An Act appropriating certain moneys for the Payment of Expenses of the Administrator appointed under the Uniform Act for out-of-State Parole Supervision.

Reported the same back to the Senate favorably.

PAUL R. RINARD
HAROLD W. T. PURNELL
BENJAMIN F. SIMMONS
GEORGE R. CLARK

Mr. Purnell, on behalf of the Committee on Education, to whom had been referred, House Bill No. 475, entitled:

An Act authorizing the State Treasurer to transfer the fund appearing in the Debt Service Account to the credit of the Milford Special School District.

Reported the same back to the Senate favorably.

HAROLD W. T. PURNELL
J. B. HENDRICKS
BURTON S. HEAL
PAUL R. RINARD
EARL SYLVESTER

On motion of Mr. Rinard, House Bill No. 38, entitled:

An Act to amend Chapter 176 of the Revised Code of the State of Delaware, 1935, in relation to Alcoholic Liquors, Wines and Beer, by extending the time during which a holder of a license for the sale of "Spirits or Wines" in a store may sell or deliver the same.

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. Brown, Clark, Derrickson, Gooden, Heal, Hendricks, Moore, Poore, Purnell, Rinard, Sylvester, Mr. President Pro Tem—12.

NAYS—Messrs. Moody, Short—2.

NOT VOTING—Mr. Simmons—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. Purnell, House Substitute for House Bill No. 219 with House Amendment No. 1, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relating to the Sale of Alcoholic Liquor in Pharmacies or Drug Stores for Medical purposes only.

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 Henry Isaacs, Esquire, and Rev. Ivanhoe Willis.

Mr. Clark moved that action be deferred on House Substitute for House Bill No. 219 with House Amendment No. 1.

Motion prevailed.

Mr. Rinard requested that House Bill No. 57, entitled:

An Act to amend Chapter 71 of the Revised Code of Delaware, 1935, relating to Bonds for School Building programs for Free Public Schools by providing for the amount of Bonds, Text of Bonds, Maturity of Bonds.

Be recommitted to the Committee on Finance.

The request was granted.

On motion for leave, Mr. Rinard presented Senate Amendment No. 1 to House Bill No. 105, entitled:

An Act to amend Chapter 47, Volume 41, Laws of Delaware, 1937, entitled "An Act appropriating certain money for the construction and equipment of a new State Armory in the City of Milford."

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. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—15.

NAYS—None.

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

On motion of Mr. Rinard, House Bill No. 105 with Senate Amendment No. 1, entitled:

An Act to amend Chapter 47, Volume 41, Laws of Delaware, 1937, entitled "An Act appropriating certain money for the construction and equipment of a new State Armory in the City of Milford."

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. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered to the House for concurrence.

Mr. Heal moved that the Senate adjourn until 10:30 o'clock A. M., Thursday, April 13, 1939.

Motion prevailed.

SIXTY-SIXTH LEGISLATIVE DAY

April 13, 1939, 10:30 o'clock A. M.

Senate met pursuant to adjournment.

Lieutenant-Governor Edward W. Cooch presiding.

Prayer by the Chaplain, Rev. Frank A. Baker.

Roll called.

Members Present — Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—17.

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

Motion prevailed.

Mr. Hendricks presented the following communication:

April 12, 1939

Senator J. B. Hendricks
Chairman Revised Statutes Committee
Dover, Delaware

Dear Senator Hendricks:

I am writing this to ask you to urge the committee to give us a favorable report and to help pass the legislation affecting the Beauticians Act. This is for the good of every beauty culturist, and excellent improvement for the public, in sanitation methods and the betterment of operators.

I am a beautician of several years, and most other states are protected by laws governing our work, but unfortunately we do not have anything to help us.

Will you please do all you can to help pass this through the Senate? Thanks a lot, I remain

HATTIE EZRWINSKI
201 South Connell Street
Wilmington, Delaware

Mr. Abrahams presented the following communication:

April 5, 1939

Senator Abrahams:

I am writing in regard to House Bill No. 217, introduced by Representative Kellum. I think it is the most outrageous bill that was ever introduced by any one against labor, and any one who supports it, should never hold an office. Think of the people who will be out of work and the farmers who lease the land, the money they lose, so I hope to see you oppose it.

D. MURPHY
214 North Van Buren Street
Wilmington, Delaware

Mr. Sylvester presented a communication from:

H. C. Whiteside, Delmar, Del.

Mr. Purnell presented communications from:

Mrs. Clara Steele, Rehoboth Beach, Del.

E. M. Bunn, Rehoboth Beach, Del.

Sara Lou Short, Rehoboth Beach, Del.

Mrs. W. H. Chandler, Rehoboth Beach, Del.

T. Roland Humphreys, Rehoboth Beach, Del.

Mrs. George B. Barr, Stanton, Del.

Mrs. Jane A. Chambers, Stanton, Del.

Mrs. A. Burton Stanhope, Marshallton, Del.

Eleanor S. Bartlett, Wilmington, Del.

Frank A. Wangler, Wilmington, Del.

Frances E. McCoy, Rev. J. L. Sparklin, Rev. Grahworth Burslem, Evelyn E. Reynolds, Mrs. S. J. Bright, Mrs. H. G. Reynolds, Mrs. John Rash, Florence L. Nelson, Celeste S. Kelton, Elizabeth L. Harrar, Alice H. Sutton, Elizabeth E. Brown, St. Georges, Del.

Norman E. Wright, Stanton, Del.

Anna R. Perry, Newark, Del.

Mildred E. Johnston, Claymont, Del.

H. E. Stahl, Claymont, Del.

Aline Murray Jones, Newark, Del.

Mildred W. Preston, Newark, Del.

Elsie W. Stradley, Newark, Del.
 Edna A. Dickey, Christiana, Del.
 Francis C. Anderson, Rehoboth Beach, Del.
 Helen Rankin, Newark, N. J.
 Mrs. Frank C. Evans, Wilmington, Del.
 Thomas Russell, Smyrna, Del.
 Mrs. Frank Wilson, Newark, Del.
 Mrs. Clarence Fraim, Wilmington, Del.
 Mrs. J. Burton Nichols, Wilmington, Del.

On motion of Mr. Steele, House Concurrent Resolution No. 5, entitled:

Authorizing the Observance of Flag Week.

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. Abrahams, Brown, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Purnell, Rinard, Short, Simmons, Sylvester—14.

NAYS—None.

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.

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

House Bill No. 134, entitled:

An Act to appropriate the sum of Nine Hundred and Seventy-Three Dollars and Eighty-Seven Cents to Pure Oil Company to reimburse it for penalty paid to the State of Delaware in Motor Fuel Taxes.

And presented the same to the Senate.

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

House Bill No. 217 with House Amendments Nos. 1 and 2, entitled:

An Act for the Regulation of Outdoor Advertising.

And presented the same to the Senate.

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

House Concurrent Resolution No. 18, entitled:

Modifying Resolution in Reference to New Business.

And presented the same to the Senate.

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

House Substitute for Senate Bill No. 80, entitled:

An Act to amend Chapter 98 of the Revised Code of Delaware, 1935, relative to Settlement of Personal Estates by providing for hearing concerning absence and circumstances thereof of persons presumed to be dead; granting of Letters on Estate of such person to party interested; distribution of estate; revocation of letters of Administration and vacation of decree upon proof that presumed decedent is alive; costs.

And presented the same to the Senate.

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

Senate Bill No. 109, entitled:

An Act to amend Article 1 of Chapter 60 of the Revised Code of Delaware, 1935, relative to General Elections, by providing for the Number of Official Ballots and Envelopes to be prepared and the distribution thereof.

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 120, entitled:

An Act to enact in the State of Delaware what is known as the "Uniform Stock Transfer Act."

And returned the same to the Senate.

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

Senate Bill No. 198, entitled:

An Act authorizing the Secretary of State to procure a New Press and Seal of Office.

And returned the same to the Senate.

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

Senate Bill No. 52, entitled:

An Act to appropriate to Justis Davidson the sum of Three Hundred Fifty-Eight Dollars and Seventy-Five Cents (\$358.75) to refund said sum improperly collected as a part of the Inheritance Tax under the Will of Joseph Davidson.

(And returned the same to the Senate.

Mr. Abrahams moved the Senate proceed to reconsider Senate Bill No. 306, entitled:

An Act to amend Chapter 57 of the Revised Code of the State of Delaware, 1935, entitled "Department of Elections for the City of Wilmington" by providing for the establishment of a Department of Elections for New Castle County.

Which has been returned to the Senate without the approval of the Governor, together with his objections, and the Senate agree to pass the bill, the objections of the Governor to the contrary notwithstanding.

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

NAYS—Messrs. Derrickson, Gooden, Moody, Moore, Poore, Sylvester—6.

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

On the question, "Shall the Bill pass the Senate, the objections of the Governor to the contrary notwithstanding?"

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

YEAS—Messrs. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

NAYS—Messrs. Derrickson, Gooden, Moody, Moore, Poore, Sylvester—6.

So the question was decided in the affirmative and the bill having received the required constitutional majority, passed the Senate, the objections of the Governor to the contrary notwithstanding.

Ordered to the House for concurrence with the Governor's veto message.

The President announced he is about to sign:

House Bill No. 139.

House Bill No. 474.

House Bill No. 150.

House Bill No. 469.

House Bill No. 236.

House Bill No. 129.

House Substitute for House Bill No. 205.

House Substitute for House Bill No. 204.

House Bill No. 169.

House Bill No. 99.

House Bill No. 76.

House Bill No. 2.

House Concurrent Resolution No. 17.

President Pro Tem David W. Steele presiding.

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

An Act to amend Chapter 36 of the Revised Code of Delaware, 1935, by providing that a copy of all plans for future State Buildings be filed with the State 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. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, 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. Rinard, House Bill No. 165, entitled:

An Act to amend Chapter 90 of the Revised Code of Delaware, 1935, in relation to preference being given to Delaware Labor in the construction of Public Works for City, County or State.

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

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Sylvester, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Rinard, House Bill No. 274, entitled:

An Act authorizing the publication of the unpublished decisions of Josiah O. Wolcott, late Chancellor of the State of Delaware.

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

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Sylvester, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Abrahams, House Bill No. 67, entitled:

An Act to amend Chapter 58 of the Revised Code of Delaware, 1935, relating to Primary Elections by further defining the duties of the Department of Elections for the City of Wilmington thereto.

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. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, 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. Abrahams, House Bill No. 68, entitled:

An Act to amend Chapter 57 of the Revised Code of Delaware, 1935, relating to the Department of Elections for the City of Wilmington and its duties concerning places of Registration and Election.

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. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Poore, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—12.

NAYS — Messrs. Derrickson, Gooden, Moody, Moore, Sylvester—5.

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

Ordered returned to the House.

On motion of Mr. Brown, House Substitute for House Bill No. 380, entitled:

An Act to amend Chapter 60 of the Revised Code of Delaware, 1935, in relation to the opening and closing time of polls.

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. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

NAYS—Messrs. Derrickson, Gooden, Moody, Moore, Poore, Sylvester—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. Clark, House Substitute for House Bill No. 222 with House Amendment No. 1, entitled:

An Act to amend Chapter 36 of the Revised Code of Delaware, 1935, relating to 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. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, 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. Heal moved that the Senate recess until 1:30 o'clock P. M.

Motion prevailed.

Same Day, 1:30 o'clock P. M.

Senate met at expiration of recess.

Lieutenant-Governor Edward W. Cooch presiding.

Mr. Sylvester presented the following for reading by the clerk:

The minority members of this body desire to go on record as being in no way responsible for the great inconvenience being suffered by the citizens of Delaware and others on account of no provision in Senate Substitute for House Bill No. 31 to allow legal issuance of automobile titles, registration or transfers at the present time. It is our understanding that licensed companies engaged in the sale of automobiles are being seriously handicapped in the proper function of their respective business transactions. It is a sad commentary on the legislative body of this State to pass legislation without giving every consideration to any and all effect on the citizens of Delaware as well as others involved.

Mr. Hannam, on behalf of the Committee on Claims, to whom had been referred, House Substitute for House Bill No. 119, entitled:

An Act appropriating certain moneys to Equitable Trust Company, a corporation of the State of Delaware, Executor of the Estate of W. Miller Shaw, deceased, to pay a certain claim against the State of Delaware, arising from an overpayment of the Delaware Estate Tax.

Reported the same back to the Senate favorably.

H. M. HANNAM
PAUL R. RINARD
ALDEN P. SHORT
GEORGE R. CLARK

Mr. Hannam, on behalf of the Committee on Finance, to whom had been referred, House Bill No. 467, entitled:

An Act to provide for the establishment of a permanent Budget Commission and defining the Powers and Duties thereof.

Reported the same back to the Senate favorably.

H. M. HANNAM
HAROLD W. T. PURNELL
PAUL R. RINARD
BENJAMIN F. SIMMONS

Mr. Hannam, on behalf of the Committee on Finance, to whom had been referred, House Bill No. 57, entitled:

An Act to amend Chapter 71 of the Revised Code of Delaware, 1935, relating to Bonds for School Building programs for Free Public Schools by providing for the amount of Bonds, Text of Bonds, Maturity of Bonds.

Reported the same back to the Senate favorably with Senate Substitute for House Bill No. 57.

H. M. HANNAM
HAROLD W. T. PURNELL
PAUL R. RINARD
BENJAMIN F. SIMMONS

Mr. Hannam, on behalf of the Committee on Finance, to whom had been referred, House Bill No. 459, entitled:

An Act to promote the Public Health, Safety, Protection of Public Property and Welfare by creating a State Commission for the purpose of financially assisting and enabling such Institutions, Departments, or Agencies in the State of Delaware, etc.

Reported the same back to the Senate favorably.

H. M. HANNAM
HAROLD W. T. PURNELL
PAUL R. RINARD
BENJAMIN F. SIMMONS

The President announced he is about to sign:

Senate Bill No. 198.

Senate Bill No. 109.

Senate Bill No. 52.

Senate Substitute for Senate Bill No. 120.

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

House Substitute for House Bill No. 132 with House Amendment No. 1, entitled:

An Act appropriating money out of the State Treasury for the payment of the claim of Reuben Paris against the State.

And presented the same to the Senate.

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

House Substitute for House Bill No. 377, entitled:

An Act appropriating money out of the State Treasury for the payment of claim of Floyd Shultie against the State arising out of the death of their daughter, Frances E. Shultie.

And presented the same to the Senate.

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

House Substitute for House Bill No. 458, entitled:

An Act amending Chapter 166 of the Revised Code of Delaware, 1935, by authorizing and directing the Delaware State Highway Department to take over and maintain all dirt streets in all towns and villages in the State of Delaware.

And presented the same to the Senate.

The President announced he is about to sign:

House Bill No. 149 with Senate Amendment No. 1.

House Substitute for House Bill No. 241.

House Bill No. 38.

House Substitute for House Bill No. 17.

Mr. Clark, on behalf of the Committee on Public Health, to whom had been referred, House Bill No. 170, entitled:

An Act to amend Chapter 157 of the Revised Code of Delaware, 1935, relating to the State Board of Chiropractic, the members thereof, the term of office and vacancies.

Reported the same back to the Senate favorably.

GEORGE R. CLARK
HAROLD W. T. PURNELL
BENJAMIN F. SIMMONS
EDWARD ABRAHAM, JR.
FRANK MOODY

Mr. Clark, on behalf of the Committee on Public Health, to whom had been referred, House Bill No. 171, entitled:

An Act to amend Chapter 157 of the Revised Code of Delaware, 1935, relating to application for Certificate to Practice Chiropractic, Fee and Qualification of applicant.

Reported the same back to the Senate favorably.

GEORGE R. CLARK
HAROLD W. T. PURNELL
BENJAMIN F. SIMMONS
EDWARD ABRAHAM, JR.
FRANK MOODY

Mr. Hendricks, on behalf of the Committee on Revised Statutes, to whom had been referred, House Bill No. 218 with House Amendments Nos. 1, 2, 3, 4, 5, 6, 7, entitled:

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 the City of Wilmington: to provide a code of building regulations: to create the Office of Building Inspector and Assistant Building Inspector and other helpers and assistants as may be required: to provide penalties for the violation of said Ordinance and to repeal all Ordinances and parts of Ordinances inconsistent therewith.

Reported the same back to the Senate favorably.

J. B. HENDRICKS
EDWARD ABRAHAM, JR.
PAUL R. RINARD
C. E. BROWN

Mr. Heal, on motion for leave, introduced Senate Substitute for Senate Bill No. 263, entitled:

An Act providing for the Auditing of Tax Books of Tax Collectors formerly collecting taxes in New Castle County; uncollected taxes to be collected by Delinquent Tax Collectors, providing for release of Bond under certain conditions.

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

On motion of Mr. Rinard, Senate Bill No. 21, entitled:

An Act to limit advertisement in connection with the displaying of Motion Pictures.

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. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Moody, Poore, Purnell, Rinard, Short, Mr. President Pro Tem—12.

NAYS—Messrs. Derrickson, Gooden, Sylvester—3.

NOT VOTING—Mr. Simmons—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. Rinard, Senate Bill No. 119, entitled:

An Act appropriating money to Arthur Hauber for the Payment of his Claim against the State of Delaware.

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

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Moody, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—12.

NAYS — Messrs. Derrickson, Gooden, Moore, Poore, Sylvester—5.

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

Ordered to the House for concurrence.

On motion of Mr. Simmons, Senate Bill No. 132, entitled:

An Act appropriating Certain Moneys to Harvey B. Biggs to pay Claim against the State of Delaware.

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

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Poore, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Heal, Senate Bill No. 171, entitled:

An Act to appropriate the sum of One Hundred Dollars in part payment of the burial expenses of John H. Millis, a Civil War veteran.

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

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

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Heal, Senate Bill No. 204, entitled:

An Act relative to Public Employment of War Veterans, providing they shall be preferred in certain appointments and employments; penalty for violation 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 Mr. Burr.

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, 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. Abrahams, Senate Substitute for Senate Bill No. 238, entitled:

An Act appropriating moneys from the State Treasury for the purpose of paying maturities on certain Highway Improvement Bonds and State Aid Road Bonds issued by the Levy Courts of New Castle, Kent and Sussex Counties, and maturing during the Fiscal Biennium of the State of Delaware, ending June 30, 1941.

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. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

NAYS—Messrs. Derrickson, Gooden, Moody, Moore, Poore, Sylvester—6.

Messrs. Simmons and Steele changed their vote to Nay. Roll call as announced:

YEAS—Messrs. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short—9.

NAYS—Messrs. Derrickson, Gooden, Moody, Moore, Poore, Simmons, Sylvester, Mr. President Pro Tem—8.

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

On motion of Mr. Heal, Senate Bill No. 259, 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.

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. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, 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. Heal, Senate Bill No. 316, entitled:

An Act appropriating certain moneys for the Payment of Expenses of the Administrator appointed under the Uniform Act for out-of-State Parole Supervision.

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 Attorney Percy W. Green.

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

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

YEAS—Messrs. Abrahams, Brown, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester—15.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Rinard, Senate Bill No. 318, entitled:

An Act to provide for the sale of two (2) shares of the Class C Preferred Stock, two (2) shares of the Common Stock, Strip Certificate for 36/100ths of one Share of the Class C Preferred Stock and Scrip Certificate for 36/100ths of one Share of the Common Stock of Munson Line, Incorporated, owned by the State of Delaware.

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

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Heal, Hendricks, Moody, Purnell, Rinard, Short, Sylvester, Mr. President Pro Tem—13.

NAYS—None.

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

Ordered to the House for concurrence.

Mr. Moody, on motion for leave, introduced Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 256, entitled:

An Act to promote the Public Health and Safety by providing for examination and registration of those who desire to engage in the occupation of Beauty Culture; defining Beauty Culture, and regulating Beauty Culture Shops, Schools, Students, Apprentices, Teachers, Managers and Operators; providing for Appeals to certain Courts by Applicants and Licenses; and providing Penalties.

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

Mr. Rinard, on motion for leave, introduced Senate Substitute for Senate Bill No. 302, entitled:

An Act authorizing Motor Vehicle Commissioner to make such Rules and Regulations as may be necessary and proper in order to conform to the Rules and Regulations of the Interstate Commerce Commission and to establish a more Uniform Motor Vehicle Code and more Uniform Traffic Rules and Regulations.

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

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

An Act authorizing the Appointment of a Commission to Commemorate "Delaware Day;" Duties thereof.

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

Mr. Rinard requested that House Substitute for House Bill No. 219 with House Amendment No. 1, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relating to the sale of Alcoholic Liquor in Pharmacies or Drug Stores for Medical purposes only.

Be recommitted to the Committee on Temperance.

The request was granted.

On motion of Mr. Rinard, House Substitute for House Bill No. 39, entitled:

An Act authorizing and empowering any person, partnership, association or corporation, domestic and/or foreign to make loans on oyster beds or grounds in the Delaware Bay and to hold a mortgage against or an assignment of said beds or grounds as security for said loans.

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. Abrahams, Brown, Clark, Derrickson, Gooden, Heal, Hendricks, Moody, Moore, Purnell, Rinard, Simmons, Sylvester, Mr. President Pro Tem—14.

NAYS—None.

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

Ordered returned to the House.

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

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

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

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hendricks, Moody, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—13.

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. Rinard, House Bill No. 56, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, relative to Fish, Oysters and Game, providing for the protection of the Oyster Beds in the Broadkilm River and Mispillion River and providing that the Warden employed on Watchboat patrolling Broadkilm River shall be a resident of the Tenth Representative District 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. Abrahams, Brown, Derrickson, Gooden, Heal, Hendricks, Moody, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—13.

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

Senate Bill No. 52, entitled:

An Act to appropriate to Justis Davidson the sum of Three Hundred Fifty-Eight Dollars and Seventy-Five Cents (\$358.75) to refund said sum improperly collected as a part of the Inheritance Tax under the Will of Joseph Davidson.

Senate Bill No. 109, entitled:

An Act to amend Article 1 of Chapter 60 of the Revised Code of Delaware, 1935, relative to General Elections, by providing for the Number of Official Ballots and Envelopes to be prepared and the distribution thereof.

Senate Substitute for Senate Bill No. 120, entitled:

An Act to enact in the State of Delaware what is known as the "Uniform Stock Transfer Act."

Senate Bill No. 198, entitled:

An Act authorizing the Secretary of State to procure a New Press and Seal of Office.

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

Senate Substitute for Senate Bill No. 154, entitled:

An Act appropriating money out of the State Treasury to pay a Claim of the Estate of William Winder Laird, deceased, against the State of Delaware.

And returned the same to the Senate.

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

Senate Bill No. 103, entitled:

An Act to provide Mileage Fees to be charged for Privately Owned Vehicles used in the State's Business.

And returned the same to the Senate.

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

Senate Bill No. 118, entitled:

An Act to amend Chapter 8 of the Revised Code of Delaware, 1935, relative to Public Arms and Defense by providing Allowances to Officers for Uniform and Equipment.

And returned the same to the Senate.

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

Senate Bill No. 129, entitled:

An Act to amend Article 2 of Chapter 25 of the Revised Code of the State of Delaware, 1935, by making Certified Copies or Photostatic Copies of Births, Deaths and Marriages prima facie evidence in Courts; Fees to be charged by the State Registrar for furnishing the same.

And returned the same to the Senate.

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

Senate Bill No. 84, entitled:

An Act to amend 1176, Section 30, Chapter 43, Revised Code of Delaware, 1935, relating to Authorizing the Levy Court of New Castle County to Borrow upon the Faith and Credit of New Castle County.

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 286 with Senate Amendment No. 2, entitled:

An Act to amend Chapter 259, Volume 41 of the Laws of Delaware, relative to State Park Commission, authorizing the borrowing of money and the creation of a debt by or in behalf of the State of Delaware for the development and laying out and General Improvement of Public Park Lands by the State Park Commission and the issuance of Bonds thereof.

And returned the same to the Senate.

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

Senate Bill No. 77 with Senate Amendment No. 1, entitled:

An Act amending Chapter 197, Laws of Delaware, 1937, regulating the taking of sand from the beaches along the Delaware River and Delaware Bay and Atlantic Ocean by exempting gravel from the provisions thereof.

And returned the same to the Senate.

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

Senate Bill No. 18, entitled:

An Act appropriating certain money for the construction and equipment of a new State Armory in the Town of Georgetown or in the vicinity thereof.

And returned the same to the Senate.

On motion of Mr. Heal, Senate Substitute for House Substitute for House Bill No. 91, 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.

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. Abrahams, Brown, Clark, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—10.

NAYS—Messrs. Derrickson, Gooden, Moody, Poore—4.

NOT VOTING—Mr. Sylvester—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. Rinard, House Bill No. 175, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, in reference to Operators' and Chauffeurs' Licenses; non-residents, when exempt from Licenses; application for Operators' and Chauffeurs' Licenses; Notary Fees, charging unlawful Notary Fees, misdemeanor; penalty, what application shall contain; providing License Fees; providing Expiration date of License.

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. Abrahams, Brown, Clark, Derrickson, Gooden, Heal, Hendricks, Moody, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered returned to the House.

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

House Substitute for House Bill No. 464, entitled:

An Act authorizing the State of Delaware to borrow moneys from the State School Fund and Funds allocated to the State Highway Department for use of the General Fund.

And presented the same to the Senate.

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

Senate Bill No. 43 with House Amendment No. 1, entitled:

An Act appropriating money out of the State Treasury for the payment of claim of Frank S. Webb against the State.

And presented the same to the Senate.

On motion of Mr. Rinard, House Substitute for House Bill No. 186, entitled:

An Act making appropriations for the School Budget for the school years beginning respectively July 1, 1939, and July 1, 1940, and ending respectively June 30, 1940, and June 30, 1941.

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. Abrahams, Brown, Clark, Derrickson, Gooden, Heal, Hendricks, Rinard, Short, Simmons, Mr. President Pro Tem—11.

NAYS—Messrs. Moody, Moore, Sylvester—3.

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

Ordered returned to the House.

The Chair presented House Concurrent Resolution No. 18, entitled:

Modifying Resolution in Reference to New Business.

Mr. Heal moved that all rules be suspended and that action proceed on passage of House Concurrent Resolution No. 18.

Motion prevailed.

On motion of Mr. Heal, House Concurrent Resolution No. 18, entitled:

Modifying Resolution in Reference to New Business.

Was taken up for consideration and read a third time, by title only, 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. Abrahams, Brown, Clark, Derrickson, Gooden, Heal, Hendricks, Moody, Moore, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—14.

NAYS—None.

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. Clark, House Substitute for House Bill No. 315, entitled:

An Act to amend Chapter 30 of the Revised Code of Delaware, 1935, regulating the practice of Dentistry, Dental Surgery and Oral Hygiene in the State of Delaware.

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

Mr. Moore requested that action be deferred until Friday, April 14, on House Substitute for House Bill No. 315.

The request was granted.

On motion of Mr. Rinard, House Bill No. 316, entitled:

An Act to amend Chapter 147 of the Revised Code of Delaware, 1935, relating to Limitation of Appeals and Exceptions, by adding a new Section thereto, limiting Appeals of the Superior Court from the Register of Wills and the Orphans' Court.

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. Abrahams, Brown, Clark, Derrickson, Gooden, Heal, Hendricks, Moody, Moore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Rinard, House Bill No. 372, entitled:

An Act to amend 5352, Section 9, Chapter 156 of the Revised Code of Delaware, 1935, relating to the Fees to be charged by the Register in Chancery.

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. Abrahams, Brown, Heal, Hendricks, Moody, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—11.

NAYS—None.

NOT VOTING—Messrs. Gooden, Moore—2.

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

Ordered returned to the House.

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

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, by authorizing the Levy Courts of the various Counties to appropriate County Monies to the various Fire Companies of each County for maintenance of Ambulance Service.

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

On motion of Mr. Purnell, House Substitute for House Bill No. 366, entitled:

An Act to amend Article 3 of Chapter 43 of the Revised Code of Delaware, 1935, relative to the Levy Court of Sussex County by providing Levy Court Districts and additional Levy Court Commissioners; salaries.

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

Mr. Moore requested that action be deferred until Friday, April 14.

The request was granted.

Mr. Short, on behalf of the Committee on Agriculture, to whom had been referred, House Bill No. 128 with House Amendment No. 1, entitled:

An Act relating to the Marketing of Peaches.

Reported the same back to the Senate favorably.

ALDEN P. SHORT
GEORGE R. CLARK
C. E. BROWN
J. B. HENDRICKS

On motion of Mr. Rinard, House Bill No. 374, entitled:

An Act to amend Chapter 98 of the Revised Code of Delaware, 1935, relating to the settlement of Personal Estates, providing for notice of administration, publication of, effect thereof with respect to claims against the estate of a decedent, and barring certain claims not presented within one year.

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

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Heal, Hendricks, Moody, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—14.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Rinard, House Bill No. 375, entitled:

An Act to amend 3813, Section 15 of Chapter 98 of the Revised Code of Delaware, 1935, changing the Amount of the Bond to be given by an executor or administrator.

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. Abrahams, Brown, Clark, Derrickson, Gooden, Heal, Hendricks, Moody, Moore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Rinard, House Bill No. 376, entitled:

An Act to appropriate money to the Custodian of State property for operation and maintenance of Hall of Records Building for balance of fiscal year ending June 30, 1939.

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. Abrahams, Brown, Clark, Derrickson, Gooden, Heal, Hendricks, Moody, Moore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Rinard, House Bill No. 407, entitled:

An Act to amend Chapter 128 of the Revised Code of Delaware, 1935, relating to pleading and practice in Civil Actions by requiring Notice to be given to the defendant by the Prothonotary in cases where an affidavit of demand is used.

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. Abrahams, Brown, Clark, Derrickson, Gooden, Heal, Hendricks, Moody, Moore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Purnell, House Bill No. 475, entitled:

An Act authorizing the State Treasurer to transfer the fund appearing in the Debt Service Account to the credit of the 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. Abrahams, Brown, Clark, Derrickson, Gooden, Heal, Hendricks, Moody, Moore, Purnell, Rinard, Short, Simmons, Sylvester—14.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Rinard, House Bill No. 468, entitled:

An Act to amend Article 8, Chapter 6 of the Revised Code of Delaware, 1935, authorizing and directing the State Treasurer to deposit a portion of the funds derived from Franchise Tax Collections to the General Fund, for any Appropriations that may hereafter be made to the University of Delaware, State College for Colored Students, State Board of Vocational Education, for the operation and maintenance of the State Tax Department, and for the operation and maintenance of the Office of Secretary of State exclusive of the operation and maintenance of the Motor Vehicle 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. Abrahams, Brown, Clark, Derrickson, Gooden, Heal, Hendricks, Moody, Moore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered returned to the House.

Mr. Heal moved that the Senate adjourn until 10:30 o'clock A. M., Friday, April 14, 1939.

Motion prevailed.

SIXTY-SEVENTH LEGISLATIVE DAY

April 14, 1939, 10:30 o'clock A. M.

Senate met pursuant to adjournment.

President Pro Tem David W. Steele presiding.

Prayer by the Chaplain, Rev. Frank A. Baker.

Roll called.

Members Present — Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—17.

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

Motion prevailed.

Mr. Abrahams presented the following communication:

605 North Van Buren Street
Wilmington, Delaware
April 13, 1939

Senator Edward Abrahams, Jr.
421 South Bancroft Parkway
Wilmington, Delaware

Sir:

I wish to voice my objection to House Bill No. 217 for the regulation of Outdoor Advertising. The bill was passed by the House of Representatives recently and will come before your honorable body in the near future.

The average person does not realize the large field covered by this industry. Locally it will affect the sign painter, carpenter, electrician, etc., together with all who make up the personnel of any large business. There are many land owners in the State who derive an income from rentals of their ground for the erection of signs on their property. The local merchants of paints, lumber, electrical supplies and various other building materials will also be affected.

I feel that any legislation that would curtail employment at this time is entirely out of order and that we should do everything in our power to discourage any legislation of this type.

I have the honor to remain,

Very truly yours,

H. EDWIN WEAVER

Mr. Heal moved that all rules be suspended and that today's session proceed on the full suspension of all rules.

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—14.

NAYS—None.

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

The Chair presented Senate Bill No. 43 with House Amendment No. 1, entitled:

An Act appropriating money out of the State Treasury for the payment of claim of Frank S. Webb against the State.

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

The Chair presented House Substitute for Senate Bill No. 80, entitled:

An Act to amend Chapter 98 of the Revised Code of Delaware, 1935, relative to Settlement of Personal Estates by providing for hearing concerning absence and circumstances thereof of persons presumed to be dead; granting of Letters on Estate of such person to party interested; distribution of estate; revocation of letters of Administration and vacation of decree upon proof that presumed decedent is alive; costs.

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

The Chair presented House Bill No. 217 with House Amendments Nos. 1 and 2, entitled:

An Act for the Regulation of Outdoor Advertising.

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. 134, entitled:

An Act to appropriate the sum of Nine Hundred and Seventy-Three Dollars and Eighty-Seven Cents to Pure Oil Company to reimburse it for penalty paid to the State of Delaware in Motor Fuel Taxes.

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

The Chair presented House Substitute for House Bill No. 132 with House Amendment No. 1, entitled:

An Act appropriating money out of the State Treasury for the payment of the claim of Reuben Paris against the State.

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

The Chair presented House Substitute for House Bill No. 377, entitled:

An Act appropriating money out of the State Treasury for the payment of claim of Floyd Shultie against the State arising out of the death of their daughter, Frances E. Shultie.

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

The Chair presented House Substitute for House Bill No. 458, entitled:

An Act amending Chapter 166 of the Revised Code of Delaware, 1935, by authorizing and directing the Delaware State Highway Department to take over and maintain all dirt streets in all towns and villages in the State of Delaware.

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. 464, entitled:

An Act authorizing the State of Delaware to borrow moneys from the State School Fund and Funds allocated to the State Highway Department for use of the General Fund.

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

Mr. Sylvester presented for reading a communication from the Delaware State Grange.

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

Senate Bill No. 306, with the Governor's veto message, entitled:

An Act to amend Chapter 57 of the Revised Code of the State of Delaware, 1935, entitled "Department of Elections for the City of Wilmington" by providing for the establishment of a Department of Elections for New Castle County.

And returned the same to the Senate with the Governor's objections to the contrary notwithstanding.

Mr. Sylvester requested that Senate Bill No. 49, entitled:

An Act to amend Article 5 of Chapter 60, Revised Code of Delaware, 1935, relating to General Elections; absentee ballot.

Be stricken from the Calendar.

The request was granted.

Mr. Heal moved that the Senate recess until 1:30 o'clock P. M.

Motion prevailed.

Same Day, 1:30 o'clock P. M.

Senate met at expiration of recess.

Lieutenant-Governor Edward W. Cooch presiding.

Mr. Heal moved that the Senate recess until the call of the Chair.

Motion prevailed.

Same Day, Later

Senate met at the call of the Chair.

The President Pro Tem announced he is about to sign.

House Bill No. 175.

House Bill No. 186.

House Bill No. 316.

House Bill No. 372.

House Bill No. 374.

House Bill No. 375.

House Bill No. 376.

House Bill No. 407.

House Bill No. 468.

House Bill No. 475.

House Bill No. 56.

House Bill No. 67.

House Bill No. 68.

House Bill No. 71.

House Bill No. 165.

House Bill No. 274.

House Bill No. 105 with Senate Amendment No. 1.

House Concurrent Resolution No. 18.

House Concurrent Resolution No. 5.

House Substitute for House Bill No. 39.

House Substitute for House Bill No. 44.

House Substitute for House Bill No. 22 with House Amendment No. 1.

House Substitute for House Bill No. 380.

Mr. Hannam, on behalf of the Committee on Finance, to whom had been referred; Senate Substitute for Senate Bill No. 263, entitled:

An Act providing for the Auditing of Tax Books of Tax Collectors formerly collecting taxes in New Castle County; uncollected taxes to be collected by Delinquent Tax Collectors, providing for release of Bond under certain conditions.

Reported the same back to the Senate favorably.

H. M. HANNAM
BENJAMIN F. SIMMONS
PAUL R. RINARD
HAROLD W. T. PURNELL

Mr. Hannam, on behalf of the Committee on Claims, to whom had been referred, Senate Bill No. 164, entitled:

An Act appropriating certain moneys to Major James W. Cannon to pay claim against the State of Delaware.

Reported the same back to the Senate favorably.

H. M. HANNAM
PAUL R. RINARD
GEORGE R. CLARK
ALDEN P. SHORT

Mr. Brown, on behalf of the Committee on Elections, to whom had been referred, Senate Bill No. 248, entitled:

An Act to amend Chapter 56 of the Revised Code of the State of Delaware (1935) entitled "Registration of Voters."

Reported the same back to the Senate favorably with Senate Substitute for Senate Bill No. 248.

C. E. BROWN
BURTON S. HEAL
H. M. HANNAM
BENJAMIN F. SIMMONS

Mr. Brown, on behalf of the Committee on Elections, to whom had been referred, Senate Bill No. 315, entitled:

An Act creating a Department of Elections for Kent County; describing its Powers and Duties.

Reported the same back to the Senate favorably.

C. E. BROWN
H. M. HANNAM
BENJAMIN F. SIMMONS
BURTON S. HEAL

On motion of Mr. Clark, Senate Bill No. 190, entitled:

An Act to provide for Commercial Courses in the Delaware City High School and to appropriate Funds 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. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

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. Hendricks, Senate Amendment No. 1 to Senate Bill No. 191, entitled:

An Act providing for the Restoration of the Burial Vaults at Barratt's Chapel of Governor George Truitt and Family, and appropriating Funds therefor.

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

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

NAYS—None.

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

On motion of Mr. Hendricks, Senate Bill No. 191 with Senate Amendment No. 1, entitled:

An Act providing for the Restoration of the Burial Vaults at Barratt's Chapel of Governor George Truitt and Family, and appropriating Funds 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 as amended pass the Senate?"

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

YEAS—Messrs. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

NAYS—None.

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

Ordered to the House for concurrence.

Mr. Heal reported that the President of the Senate had signed Senate Bill No. 306, entitled:

An Act to amend Chapter 57 of the Revised Code of the State of Delaware, 1935, entitled "Department of Elections for the City of Wilmington" by providing for the establishment of a Department of Elections for New Castle County.

With the objections of the Governor notwithstanding.

Mr. Hendricks, on behalf of the Committee on Revised Statutes, to whom had been referred, House Bill No. 473, entitled:

An Act to amend Chapter 98 of the Revised Code of Delaware, 1935, entitled "Settlement of Personal Estates, Register of Wills" relating to acquittances from Guardian or Trustee; Form thereof; by providing for filing thereof with Register and prescribing how treated in account before Register.

Reported the same back to the Senate favorably.

J. B. HENDRICKS
PAUL R. RINARD
EDWARD ABRAHAM, JR.
C. E. BROWN

Mr. Hendricks, on behalf of the Committee on Revised Statutes, to whom had been referred, House Bill No. 373, entitled:

An Act to amend Chapter 117 of the Revised Code of Delaware, 1935, as amended by Chapter 206 of the Laws of Delaware, 1937, relating to settlement of Personal Estates, by adding a new Section to be known as Section 35A of Chapter 117 Revised Code of Delaware, 1935, defining the term "Principal" in accounting and distribution of Trust Funds.

Reported the same back to the Senate favorably.

J. B. HENDRICKS
EDWARD ABRAHAM, JR.
PAUL R. RINARD
C. E. BROWN

Mr. Hendricks, on behalf of the Committee on Revised Statutes, to whom had been referred, House Bill No. 472, entitled:

An Act to amend Chapter 117 of the Revised Code of Delaware, 1935, by defining the term "Principal" in Accounting and Distribution of Trust Funds.

Reported the same back to the Senate favorably.

J. B. HENDRICKS
EDWARD ABRAHAM, JR.
PAUL R. RINARD
C. E. BROWN

Mr. Hendricks, on behalf of the Committee on Revised Statutes, to whom had been referred, House Bill No. 471, entitled:

An Act to repeal all of Chapter 206, Volume 41, Laws of Delaware, 1937, entitled "An Act to amend Chapter 117 of the Revised Code of Delaware, 1935, by adding a new Section to be known as Section 35A, defining the term "Principal" in Accounting and Distribution of Trust Funds.

Reported the same back to the Senate favorably.

J. B. HENDRICKS
EDWARD ABRAHAMS, JR.
PAUL R. RINARD
C. E. BROWN

Mr. Hendricks, on behalf of the Committee on Revised Statutes, to whom had been referred, House Bill No. 470, entitled:

An Act to amend Chapter 133 of the Revised Code of Delaware, 1935, relating to Executions with reference to Writs of Possession.

J. B. HENDRICKS
EDWARD ABRAHAMS, JR.
PAUL R. RINARD
C. E. BROWN

Mr. Hannam moved that all bills read in for the balance of the day's session be by title only.

Motion prevailed.

Mr. Steele, on behalf of the Committee on Miscellaneous, to whom had been referred, Senate Bill No. 210, entitled:

An Act authorizing the use of Prisoners on Mosquito Control Work under the General Supervision of the Mosquito Control Commission; providing for Guards; appropriation of Five Thousand Dollars to cover cost of transportation and other necessary expenses.

Reported the same back to the Senate favorably.

DAVID W. STEELE
ALDEN P. SHORT
J. B. HENDRICKS
BURTON S. HEAL

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

An Act to amend Chapter 6 of the Revised Code of Delaware, 1935, relating to State Revenue; providing for the exemption of dealers in grains and commercial feeds, fruits and vegetables, poultry and coal.

Reported the same back to the Senate favorably.

DAVID W. STEELE
ALDEN P. SHORT
J. B. HENDRICKS
BURTON S. HEAL

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

An Act authorizing the Appointment of a Commission to commemorate "Delaware Day;" Duties thereof.

Reported the same back to the Senate favorably.

DAVID W. STEELE
ALDEN P. SHORT
J. B. HENDRICKS
BURTON S. HEAL

Mr. Steele, on behalf of the Committee on Miscellaneous, to whom had been referred, Senate Bill No. 187, entitled:

An Act extending jurisdiction of Harbor Master of Port of Lewes and Lewes and Rehoboth Canal to include Indian River Inlet, Rehoboth Bay and Delaware Breakwater; authority to Stop and Board any Vessel within his jurisdiction suspected of violation of law; authority to make arrests on view; salary and expenses.

Reported the same back to the Senate favorably.

DAVID W. STEELE
ALDEN P. SHORT
J. B. HENDRICKS
BURTON S. HEAL

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

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, relative to Levy Courts providing for the Relief and Care of the Indigent Sick of Sussex County.

Reported the same back to the Senate favorably with Senate Substitute for Senate Substitute for Senate Bill No. 257.

J. B. HENDRICKS
PAUL R. RINARD
EDWARD ABRAHAMS, JR.
C. E. BROWN

Mr. Heal, on behalf of the Committee on Passed Bills, reported to the Senate that he had delivered to the Secretary of State, the following:

Senate Bill No. 306, entitled:

An Act to amend Chapter 57 of the Revised Code of the State of Delaware, 1935, entitled "Department of Elections for the City of Wilmington" by providing for the establishment of a Department of Elections for New Castle County.

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

Senate Bill No. 261—Approved April 14, 1939.

Senate Substitute for Senate Bill No. 91—Approved April 14, 1939.

Senate Bill No. 35—Approved April 14, 1939.

Senate Bill No. 73—Approved April 14, 1939.

Senate Bill No. 75—Approved April 14, 1939.

Senate Bill No. 81—Approved April 14, 1939.

Senate Bill No. 82—Approved April 14, 1939.

Senate Bill No. 83—Approved April 14, 1939.

Senate Bill No. 85—Approved April 14, 1939.

Senate Bill No. 157—Approved April 14, 1939.

Senate Bill No. 192—Approved April 14, 1939.

Senate Bill No. 251—Approved April 14, 1939.

Mr. Clark, on behalf of the Committee on Buildings and Highways, to whom had been referred, Senate Bill No. 181, entitled:

An Act authorizing and directing State Highway Department to construct at its own cost a Drainage Sewer along right of way of State Highway through Unincorporated Town or Development known as Stockdale.

Reported the same back to the Senate favorably.

GEORGE R. CLARK
HAROLD W. T. PURNELL
BURTON S. HEAL
C. E. BROWN

Mr. Hendricks, on behalf of the Committee on Revised Statutes, to whom had been referred, House Bill No. 151, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, in reference to Tariff of Licenses, for the Sale of Alcoholic Liquors, Wines and Beer.

Reported the same back to the Senate favorably.

J. B. HENDRICKS
PAUL R. RINARD
C. E. BROWN
EDWARD ABRAHAM, JR.

Mr. Hendricks, on behalf of the Committee on Revised Statutes, to whom had been referred, House Substitute for Senate Bill No. 160, entitled:

An Act to amend 1445, Section 105, Revised Code of Delaware, 1935, by providing the procedure to be followed in cases where the Purchaser of Real Estate sold at Tax Sale dies before receiving a deed therefor.

Reported the same back to the Senate favorably.

J. B. HENDRICKS
EDWARD ABRAHAM, JR.
PAUL R. RINARD
C. E. BROWN

Mr. Hendricks, on behalf of the Committee on Revised Statutes, to whom had been referred, Senate Bill No. 172, entitled:

An Act to amend Chapter 78 of the Revised Code of Delaware, 1935, entitled "Negotiable Instruments," relating to Armistice Day and Election Day.

Reported the same back to the Senate favorably.

J. B. HENDRICKS
PAUL R. RINARD
C. E. BROWN
EDWARD ABRAHAM, JR.

On motion of Mr. Clark, Senate Substitute for Senate Bill No. 248, entitled:

An Act to amend Chapter 56 of the Revised Code of the State of Delaware (1935) entitled "Registration of Voters."

Was taken up for consideration and read a third time, by title, 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. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

NAYS—None.

Ordered to the House for concurrence.

On motion of Mr. Clark, Senate Substitute for Senate Bill No. 249, entitled:

An Act to amend Chapter 58 of the Revised Code of the State of Delaware (1935) entitled "Primary Elections."

Was taken up for consideration and read a third time, by title, 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. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

NAYS—None.

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

Ordered to the House for concurrence.

Mr. Simmons requested that Senate Substitute for Senate Bill No. 238, entitled:

An Act appropriating moneys from the State Treasury for the purpose of paying maturities on certain Highway Improvement Bonds and State Aid Road Bonds issued by the Levy Courts of New Castle, Kent and Sussex Counties, and maturing during the Fiscal Biennium of the State of Delaware, ending June 30, 1941.

Be restored to the Calendar.

The request was granted.

On motion of Mr. Heal for Mr. Steele, Senate Bill No. 308, entitled:

An Act authorizing and empowering the State Highway Department to sell certain Public Lands to any Person, Association or Group of Persons who have erected thereon a Building or Buildings; State Highway Department to convey Lands to a Trustee if deemed advisable; Method of Determining a Reasonable Price for said Lands.

Was taken up for consideration and read a third time, by title, 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. Abrahams, Brown, Clark, Hannam, Heal, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—10.

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. Rinard, Senate Substitute for House Bill No. 57, entitled:

An Act to amend Chapter 71 of the Revised Code of Delaware, 1935, relating to Bonds for School Building programs for Free Public Schools by providing for the amount of Bonds, Text of Bonds, Maturity of Bonds.

Was taken up for consideration and read a third time, by title, 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. Abrahams, Brown, Clark, Hannam, Heal, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—10.

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. Heal, House Substitute for House Bill No. 119, entitled:

An Act appropriating certain moneys to Equitable Trust Company, a corporation of the State of Delaware, Executor of the Estate of W. Miller Shaw, deceased, to pay a certain claim against the State of Delaware, arising from an overpayment of the Delaware Estate Tax.

Was taken up for consideration and read a third time, by title, 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. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

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. Clark, House Bill No. 170, entitled:

An Act to amend Chapter 157 of the Revised Code of Delaware, 1935, relating to the State Board of Chiropody, the members thereof, the term of office and vacancies.

Was taken up for consideration and read a third time, by title, 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. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

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. Clark, House Bill No. 171, entitled:

An Act to amend Chapter 157 of the Revised Code of Delaware, 1935, relating to application for Certificate to Practice Chiropody, Fee and Qualification of applicant.

Was taken up for consideration and read a third time, by title, 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. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

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. Heal, House Bill No. 273, entitled:

An Act authorizing the conveyance of certain lands owned by the State of Delaware, situated in South Murderkill Hundred, Kent County, in exchange for certain other lands in said Hundred required for State Highway purposes, and now owned by Clarence T. Postles and Annabelle Postles, his wife.

Was taken up for consideration and read a third time, by title, 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. Abrahams, Brown, Clark, Hannam, Heal, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—10.

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. Clark, House Substitute for House Bill No. 315, entitled:

An Act to amend Chapter 30 of the Revised Code of Delaware, 1935, regulating the practice of Dentistry, Dental Surgery and Oral Hygiene in the State of Delaware.

Was taken up for consideration and read a third time, by title, 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. Abrahams, Brown, Clark, Hannam, Heal, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—10.

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. Purnell, House Substitute for House Bill No. 366, entitled:

An Act to amend Article 3 of Chapter 43 of the Revised Code of Delaware, 1935, relative to the Levy Court of Sussex County by providing Levy Court Districts and additional Levy Court Commissioners; salaries.

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

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Hannam, Heal, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—10.

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. Heal, House Bill No. 459, entitled:

An Act to promote the Public Health, Safety, Protection of Public Property and Welfare by creating a State Commission for the purpose of financially assisting and enabling such Institutions, Departments, or Agencies in the State of Delaware, etc.

Was taken up for consideration and read a third time, by title, 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. Abrahams, Brown, Clark, Hannam, Heal, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—10.

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. Heal, House Bill No. 466, entitled:

An Act to provide that the Receipts and Moneys of the State be deposited in and disbursed from one General Fund on and after July 1, 1941, and making exceptions of certain receipts and moneys therefrom.

Was taken up for consideration and read a third time, by title, 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. Abrahams, Brown, Clark, Hannam, Heal, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—10.

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. Clark, on behalf of the Committee on Buildings and Highways, to whom had been referred, Senate Bill No. 313, entitled:

An Act to amend Chapter 4 of the Revised Code of Delaware, 1935, by providing for a Superintendent of all State owned Buildings at the State Capitol.

Reported the same back to the Senate favorably with Senate Amendment No. 1.

GEORGE R. CLARK

BURTON S. HEAL

C. E. BROWN

HAROLD W. T. PURNELL

On motion of Mr. Heal, House Bill No. 467, entitled:

An Act to provide for the establishment of a permanent Budget Commission and defining the powers and duties thereof.

Was taken up for consideration and read a third time, by title, 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. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

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. Simmons, Senate Amendment No. 1 to Senate Bill No. 313, entitled:

An Act to amend Chapter 4 of the Revised Code of Delaware, 1935, by providing for a Superintendent of all State owned Buildings at the State Capitol.

Was taken up for consideration and read a third time, by title, 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. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Simmons, Mr. President Pro Tem—10.

NAYS—Mr. Short—1.

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

On motion of Mr. Simmons, Senate Bill No. 313 with Senate Amendment No. 1, entitled:

An Act to amend Chapter 4 of the Revised Code of Delaware, 1935, by providing for a Superintendent of all State owned Buildings at the State Capitol.

Was taken up for consideration and read a third time, by title, 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. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Simmons, Mr. President Pro Tem—10.

NAYS—Mr. Short—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. Purnell, Senate Substitute for Senate Substitute for Senate Bill No. 257, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, relative to Levy Courts providing for the Relief and Care of the Indigent Sick of Sussex County.

Was taken up for consideration and read a third time, by title, 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. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

NAYS—None.

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

Ordered to the House for concurrence.

Mr. Hendricks, on behalf of the Committee on Revised Statutes, to whom had been referred, House Substitute for House Substitute for House Bill No. 224 with House Amendment No. 1, entitled:

An Act to amend An Act entitled "An Act to amend Chapter 6 of the Revised Code of the State of Delaware of 1935, relating to Occupational Licenses.

Reported the same back to the Senate favorably.

J. B. HENDRICKS
EDWARD ABRAHAM, JR.
PAUL R. RINARD
C. E. BROWN

Upon request of Mr. Rinard the privilege of the floor was given to Harold T. F. Dougherty of the State Tax Department, to talk on House Substitute for House Substitute for House Bill No. 224 with House Amendment No. 1.

Mr. Heal moved that the Senate adjourn until 10 o'clock A. M., Monday, April 17, 1939.

Motion prevailed.

SIXTY-EIGHTH LEGISLATIVE DAY

April 17, 1939, 10:30 o'clock A. M.

Senate met pursuant to adjournment.

President Pro Tem David W. Steele presiding.

Prayer by the Chaplain, Rev. Frank A. Baker.

Roll called.

Members Present — Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—17.

Secretary proceeded to read the Journal of the Previous Session, when Mr. Heal 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:

Senate Substitute for Senate Bill No. 286 with Senate Amendment No. 2.

Senate Substitute for Senate Bill No. 154.

Senate Bill No. 129.

Senate Bill No. 118.

Senate Bill No. 103.

Senate Bill No. 84.

Senate Bill No. 18.

Senate Bill No. 77 with Senate Amendment No. 1.

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

House Joint Resolution No. 11, entitled:

Designating "Our Delaware" as the official song of this State.

And presented the same to the Senate.

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

House Bill No. 299 with House Amendment No. 1, entitled:

An Act to authorize the Levy Court of New Castle County to appropriate money to regularly organized and motorized Fire Companies in New Castle County, outside of the City of Wilmington.

And presented the same to the Senate.

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

House Bill No. 477, entitled:

An Act appropriating money out of the State Treasury for the payment of claim of Calvin G. McKay against the State.

And presented the same to the Senate.

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

House Bill No. 476, entitled:

An Act to create a State Commission for the purpose of promoting the General Welfare of the citizens of the State of Delaware and making an appropriation thereto for the purpose of encouraging the Commemoration and observance of Memorial and Patriotic Holidays; and for the Burial of Indigent Soldiers, Sailors and Marines.

And presented the same to the Senate.

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

Senate Bill No. 318, entitled:

An Act to provide for the sale of two (2) shares of the Class C Preferred Stock, two (2) shares of the Common Stock, Scrip Certificate for 36/100ths of one Share of the Class C Preferred Stock and Scrip Certificate for 36/100ths of one Share of the Common Stock of Munson Line, Incorporated, owned by the State of Delaware.

And returned the same to the Senate.

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

Senate Bill No. 173, entitled:

An Act relative to the Observance of American Education Week.

And returned the same to the Senate.

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

Senate Bill No. 184, entitled:

An Act adopting the American Holly as the State Tree.

And returned the same to the Senate.

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

Senate Bill No. 197, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, relating to Motor Vehicles, by providing that immediate family of deceased person after notice to the Motor Vehicle Department may continue to operate Motor Vehicle of deceased upon deceased's License Plates.

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 218, entitled:

An Act amending Chapter 39 of the Revised Code of Delaware, 1935, as amended, relating to Mother's Pension Commission, by prohibiting political activity of Executive Officials and Employees; providing for the presentation of records and papers and redefining "Dependent Child" so that it may conform with the Federal Law.

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 250, entitled:

An Act to amend Chapter 60 of the Revised Code of the State of Delaware (1935) entitled "General Elections," by changing the Time and Manner of Voting.

And returned the same to the Senate.

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

Senate Bill No. 305 with Senate Amendments Nos. 1 and 2, entitled:

An Act to amend Chapter 20 of the Revised Code of Delaware, 1935, as amended by Chapter 80, Volume 41, Laws of Delaware, defining Mutual Benefit Association; requirement of filing Certificate of Incorporation; Certificate of Authority required; existing Mutual Benefit Associations obtaining new Certificates of Authority; guaranty fund, how constituted; benefit fund, how created, uses of; Certificates of Membership, approved by Insurance Commissioner, conditions thereto; schedule of benefits, age limitation; doing business in and outside State; agreement, how constituted; general powers and duties of Insurance Commissioner; annual statements; fees, paid to whom, when; investments, how made; mergers how affected; Violations and Penalties.

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 269, entitled:

An Act to amend An Act entitled "An Act providing for the creation and appointment of a State Board of Chiropractic Examiners, defining its powers and duties; regulating the Practice of Chiropractic; providing for the licensing of Chiropractors and prescribing penalties for any violations of this Act," by authorizing the State Board to refuse to issue or reissue a license for certain reasons and making it unlawful to practice Chiropractic without Certificate from the State Board of Chiropractic Examiners.

And returned the same to the Senate.

Mr. Heal moved that the Senate recess until 1:30 o'clock P. M.

Motion prevailed.

Same Day, 1:30 o'clock P. M.

Senate met at expiration of recess.

Lieutenant-Governor Edward W. Cooch presiding.

The Chair presented a communication, which was read, as follows:

DELAWARE SOCIETY SONS OF THE AMERICAN REVOLUTION

WILMINGTON, DELAWARE

WHEREAS, the State of Delaware has been negligent in honoring the memory of Robert Kirkwood, Delaware's outstanding Revolutionary Hero, and

WHEREAS, the Delaware Society of the Sons of the American Revolution in annual meeting at Wilmington, Delaware, April 15, 1939, wish to call the attention of all Delawareans to this neglect and

THEREFORE, BE IT RESOLVED that the General Assembly now in session be and are hereby requested to name that portion of Delaware Highway between Wilmington and Delaware-Maryland Line via Marshallton and running past his old home near Newark, be designated "Robert Kirkwood Boulevard."

The President announced he is about to sign:

Senate Bill No. 184.

Senate Substitute for Senate Bill No. 269.

Senate Bill No. 197.

Senate Bill No. 318.

Senate Substitute for Senate Bill No. 218.

Senate Bill No. 173.

Mr. Heal moved that all House Bills be read in this afternoon by title only, such action be under suspension of rules.

The Chair presented House Bill No. 476, entitled:

An Act to create a State Commission for the purpose of promoting the General Welfare of the citizens of the State of Delaware and making an appropriation thereto for the purpose of encouraging the Commemoration and observance of Memorial and Patriotic Holidays; and for the Burial of Indigent Soldiers, Sailors and Marines.

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

The Chair presented House Bill No. 477, entitled:

An Act appropriating money out of the State Treasury for the payment of claim of Calvin G. McKay against the State.

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

The Chair presented House Bill No. 299 with House Amendments No. 1, entitled,

An Act to authorize the Levy Court of New Castle County to appropriate money to regularly organized and motorized Fire Companies in New Castle County, outside of the City of Wilmington.

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

The Chair presented House Joint Resolution No. 11, entitled:

Designating "Our Delaware" as the official song of this State.

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

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

Senate Bill No. 18, entitled:

An Act appropriating certain money for the construction and equipment of a new State Armory in the Town of Georgetown or in the vicinity thereof.

Senate Bill No. 77 with Senate Amendment No. 1, entitled:

An Act amending Chapter 197, Laws of Delaware, 1937, regulating the taking of sand from the beaches along the Delaware River and Delaware Bay and Atlantic Ocean by exempting gravel from the provisions thereof.

Senate Bill No. 84, entitled:

An Act to amend 1176, Section 30, Chapter 43, Revised Code of Delaware, 1935, relating to Authorizing the Levy Court of New Castle County to Borrow upon the Faith and Credit of New Castle County.

Senate Bill No. 103, entitled:

An Act to provide Mileage Fees to be charged for Privately Owned Vehicles used in the State's Business.

Senate Bill No. 118, entitled:

An Act to amend Chapter 8 of the Revised Code of Delaware, 1935, relative to Public Arms and Defense by providing Allowances to Officers for Uniform and Equipment.

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

Senate Bill No. 129, entitled:

An Act to amend Article 2 of Chapter 25 of the Revised Code of the State of Delaware, 1935, by making Certified Copies or Photostatic Copies of Births, Deaths and Marriages prima facie evidence in Courts; Fees to be charged by the State Registrar for furnishing the same.

Senate Substitute for Senate Bill No. 154, entitled:

An Act appropriating money out of the State Treasury to pay a Claim of the Estate of William Winder Laird, deceased, against the State of Delaware.

Senate Substitute for Senate Bill No. 286 with Senate Amendment No. 2, entitled:

An Act to amend Chapter 259, Volume 41 of the Laws of Delaware, relative to State Park Commission, authorizing the borrowing of money and the creation of a debt by or in behalf of the State of Delaware for the development and laying out and General Improvement of Public Park Lands by the State Park Commission and the issuance of Bonds thereof.

Mr. Sylvester, on motion for leave, introduced Senate Concurrent Resolution No. 20, entitled:

SENATE CONCURRENT RESOLUTION NO. 20

MODIFYING AND CHANGING SENATE CONCURRENT RESOLUTION NO. 11 AS MODIFIED, IN REFERENCE TO INTRODUCTION OF NEW BILLS.

BE IT RESOLVED, by the Senate, the House of Representatives concurring therein, that Senate Concurrent Resolution No. 11, as modified, be and the same is hereby further modified and changed so as to permit the introduction and consideration of the following:

AN ACT to authorize and empower the Levy Court of Kent County to borrow money and issue Bonds therefor upon the Faith and Credit of Kent County notwithstanding any Debt or other Limitation imposed by any General or Special Law including Paragraph 1235, Section 89 of the Revised Code of Delaware, 1935.

AN ACT to authorize and empower the Levy Court of Sussex County to borrow money and issue Bonds therefor upon the Faith and Credit of Sussex County notwithstanding any Debt or other Limitation imposed by any General or Special Law including Paragraph 1235, Section 89 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 Finance.

Mr. Hendricks, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred, House Joint Resolution No. 10, entitled:

Requesting that Migratory Waterfowl Season open November 1, 1939, instead of October 16, 1939.

Reported the same back to the Senate favorably.

J. B. HENDRICKS
DAVID W. STEELE
ALDEN P. SHORT
BURTON S. HEAL

Mr. Steele requested that Senate Bill No. 14, entitled:

An Act relative to the Coroner of Sussex County: Providing for Mileage necessarily travelled and increasing amount allowed for Jurors.

Be recommitted to the Committee on Miscellaneous.

The request was granted.

Mr. Heal requested that Senate Bill No. 16, entitled:

An Act to regulate the practices of professional engineering and land surveying; creating a State Board of Registration for Professional Engineers and Land Surveyors; defining its powers and duties; requirements for registration; regulating examination of applicants for registration; providing for issuance and revocation of Certificates of Registration; unlawful to engage in construction of public work unless plans and specifications and estimates prepared by registered engineer; and providing penalties.

Be recommitted to the Committee on Miscellaneous.

The request was granted.

Mr. Heal moved that the Senate adjourn until 10:30 o'clock A. M., Tuesday, April 18, 1939.

Motion prevailed.

SIXTY-NINTH LEGISLATIVE DAY

April 18, 1939, 10:30 o'clock A. M.

Senate met pursuant to adjournment.

Lieutenant-Governor Edward W. Cooch presiding.

Prayer by the Chaplain, Rev. Frank A. Baker.

Roll called.

Members Present — Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—16.

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

Motion prevailed.

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

SENATE RESOLUTION NO. 48

BE IT RESOLVED BY THE SENATE OF THE STATE OF DELAWARE, That the State Librarian be and she is hereby authorized to draw on the State Treasurer, the sum of One Hundred Dollars (\$100.00) to cover the expenditures for postage stamps to be used in connection with the official business of the Present Session of the Senate and that the State Treasurer is hereby authorized and directed to pay such sum to the State Librarian out of the moneys in the General Fund of the State Treasury.

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. Abrahams, Brown, Clark, Gooden, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons—13.

NAYS—None.

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

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

Senate Bill No. 30—Approved April 17, 1939.

House Substitute for Senate Bill No. 61—Approved April 17, 1939.

Mr. Hendricks, on behalf of the Committee on Revised Statutes, to whom had been referred, House Substitute for Senate Bill No. 80, entitled:

An Act to amend Chapter 98 of the Revised Code of Delaware, 1935, relative to Settlement of Personal Estates by providing for hearing concerning absence and circumstances thereof of persons presumed to be dead; granting of Letters on Estate of such person to party interested; distribution of estate; revocation of Letters of Administration and vacation of decree upon proof that presumed decedent is alive; costs.

Reported the same back to the Senate favorably.

J. B. HENDRICKS
EDWARD ABRAHAMS, JR.
PAUL R. RINARD
C. E. BROWN

Mr. Hendricks, on behalf of the Committee on Revised Statutes, to whom had been referred, House Bill No. 282, entitled:

An Act to amend Chapter 150 of the Revised Code of Delaware, 1935, entitled "Offenses Against Private Property," relating to the issuance of Worthless Cheques for valuable consideration and providing a penalty.

Reported the same back to the Senate favorably.

J. B. HENDRICKS
EDWARD ABRAHAMS, JR.
PAUL R. RINARD
C. E. BROWN

Mr. Hendricks, on behalf of the Committee on Revised Statutes, to whom had been referred, Senate Bill No. 319, entitled:

An Act to amend Chapter 117 of the Revised Code of Delaware, 1935, as amended by Chapter 206, Volume 42, Laws of Delaware, 1937, in relation to Investments by Trustees, Guardians and other Fiduciaries.

Reported the same back to the Senate favorably.

J. B. HENDRICKS
EDWARD ABRAHAMS, JR.
PAUL R. RINARD
C. E. BROWN

On motion for leave, Mr. Purnell presented Senate Amendment No. 1 to Senate Bill No. 58, entitled:

An Act making it unlawful to operate a steam generating boiler, using wood, coal, or coke for fuel unless equipped with an effective spark arresting device; defining an effective spark arresting device, and providing penalties for the violations thereof.

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. Abrahams, Brown, Clark, Derrickson, Gooden, Heal, Hendricks, Moody, Poore, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—14.

NAYS—Mr. Moore—1.

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

On motion of Mr. Purnell, Senate Bill No. 58 with Senate Amendment No. 1, entitled:

An Act making it unlawful to operate a steam generating boiler, using wood, coal, or coke for fuel unless equipped with an effective spark arresting device; defining an effective spark arresting device, and providing penalties for the violations 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 as amended pass the Senate?"

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Heal, Hendricks, Moody, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—13.

NAYS—Messrs. Moore, Poore—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. Steele, on behalf of the Committee on Miscellaneous, to whom had been referred, Senate Bill No. 16, entitled:

An Act to regulate the practices of professional engineering and land surveying; creating a State Board of Registration for Professional Engineers and Land Surveyors; defining its powers and duties; requirements for registration; regulating examination of applicants for registration; providing for issuance and revocation of Certificates of Registration; unlawful to engage in construction of public work unless plans and specifications and estimates prepared by registered engineer; and providing penalties.

Reported the same back to the Senate favorably with Senate Substitute for Senate Bill No. 16, entitled:

An Act to regulate the practices of professional engineering and land surveying; creating a State Board of Registration for Professional Engineers and Land Surveyors; defining its powers and duties; requirements for registration; regulating examination of applicants for registration; providing for issuance and

revocation of Certificates of Registration; unlawful to engage in construction of public work unless plans and specifications and estimates prepared by Registered Engineer; and providing penalties.

DAVID W. STEELE
BURTON S. HEAL
ALDEN P. SHORT
J. B. HENDRICKS

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

An Act relative to the Coroner of Sussex County; Providing for Mileage necessarily travelled and increasing amount allowed for Jurors.

Reported the same back to the Senate favorably with Senate Substitute for Senate Bill No. 14, entitled:

An Act relative to the Coroner of Sussex County; Providing for Mileage necessarily travelled and employment of a Secretary.

DAVID W. STEELE
BURTON S. HEAL
ALDEN P. SHORT
J. B. HENDRICKS

Mr. Steele, on behalf of the Committee on Miscellaneous, to whom had been referred, Senate Bill No. 69, entitled:

An Act to facilitate the Cooperation of the State of Delaware with other Units of Government and to establish an Unpaid Commission for that purpose.

Reported the same back to the Senate favorably.

DAVID W. STEELE
BURTON S. HEAL
ALDEN P. SHORT
J. B. HENDRICKS

Mr. Rinard, on behalf of the Committee on Judiciary, to whom had been referred, Senate Bill No. 3, entitled:

An Act to amend Chapter 116 of the 1935 Revised Code of the State of Delaware as amended relative to the Jurisdiction and Powers of the Juvenile Court of Kent and Sussex Counties.

Reported the same back to the Senate favorably with Senate Substitute for Senate Bill No. 3, entitled:

An Act to amend Chapter 116 of the Revised Code of the State of Delaware, as amended, relative to the Jurisdiction and Powers of the Juvenile Court of Kent and Sussex Counties by providing for the Compensation of the Probation Officers, and Actual Expenses incurred in the performance of their duties.

PAUL R. RINARD
GEORGE R. CLARK
HAROLD W. T. PURNELL
BENJAMIN F. SIMMONS

On motion of Mr. Purnell, House Substitute for Senate Bill No. 160, entitled:

An Act to amend 1445, Section 105, Revised Code of Delaware, 1935, by providing the procedure to be followed in cases where the Purchaser of Real Estate sold at Tax Sale dies before receiving a deed 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. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—16.

NAYS—None.

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

On motion of Mr. Hendricks, Senate Bill No. 164, entitled:

An Act appropriating certain moneys to Major James W. Cannon to pay claim against the State of Delaware.

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

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Poore, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—12.

NAYS—Mr. Moody—1.

NOT VOTING—Messrs. Derrickson, Gooden, Moore—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. Heal, Senate Bill No. 181, entitled:

An Act authorizing and directing State Highway Department to construct at its own cost a Drainage Sewer along right of way of State Highway through Unincorporated Town or Development known as Stockdale.

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. Abrahams, Brown, Clark, Derrickson, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—12.

NAYS—Messrs. Gooden, Moody, Moore, Poore—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.

Mr. Clark, on behalf of the Committee on Buildings and Highways, to whom had been referred, Senate Bill No. 162, entitled:

An Act to provide for the protection from Erosion of the Beach Front opposite the City of Rehoboth Beach, Sussex County, Delaware.

Reported the same back to the Senate favorably with Senate Substitute for Senate Bill No. 162, entitled:

An Act to provide for the protection from Erosion of the Beach Front of the Atlantic Ocean from the Maryland and Delaware Boundary line to the point of Cape Henlopen.

GEORGE R. CLARK
BURTON S. HEAL
HAROLD W. T. PURNELL
C. E. BROWN
FRANK MOODY

Mr. Clark, on behalf of the Committee on Buildings and Highways, to whom had been referred, Senate Substitute for Senate Bill No. 302, entitled:

An Act authorizing Motor Vehicle Commissioner to make such Rules and Regulations as may be necessary and proper in order to conform to the Rules and Regulations of the Interstate Commerce Commission and to establish a more Uniform Motor Vehicle Code and more Uniform Traffic Rules and Regulations.

Reported the same back to the Senate favorably.

GEORGE R. CLARK
HAROLD W. T. PURNELL
C. E. BROWN
BURTON S. HEAL

On motion of Mr. Purnell, Senate Bill No. 187, entitled:

An Act extending jurisdiction of Harbor Master of Port of Lewes and Lewes and Rehoboth Canal to include Indian River Inlet, Rehoboth Bay and Delaware Breakwater; authority to stop and board any vessel within his jurisdiction suspected of violation of Law; authority to make arrests on view; salary and expenses.

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. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

NAYS—Messrs. Derrickson, Gooden, Moody, Moore, Poore—5.

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

Ordered to the House for concurrence.

On motion of Mr. Purnell, Senate Substitute for Senate Bill No. 258, entitled:

An Act authorizing the Appointment of a Commission to commemorate "Delaware Day;" Duties 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. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Heal, Senate Substitute for Senate Bill No. 263, entitled:

An Act providing for the Auditing of Tax Books of Tax Collectors formerly collecting taxes in New Castle County; uncollected taxes to be collected by Delinquent Tax Collectors, providing for release of Bond under certain conditions.

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

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Rinard, Senate Bill No. 270, entitled:

An Act to provide for the seizure, condemnation and forfeiture to the State of Delaware of all Vehicles knowingly used in or in connection with the commission of any Felony or in the violation of Article 42 of Chapter 100 of the Revised Code of Delaware, 1935, relating to Narcotic Drugs or knowingly and voluntarily used in or in connection with the flight or escape of any person who has committed any Felony or who has violated the provisions of the aforesaid law relating to Narcotic Drugs.

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. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered to the House for concurrence.

Mr. Heal moved that the Senate recess until 1:30 o'clock P. M.

Motion prevailed.

Same Day, 1:30 o'clock P. M.

Senate met at expiration of recess.

On motion of Mr. Heal, Senate Substitute for House Bill No. 106 with House Amendment No. 1, entitled:

An Act authorizing the appointment of a Commission to consider the feasibility of an appropriate crossing of the Delaware River.

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. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Moore, Purnell, Rinard, Short, Mr. President Pro Tem—12.

NAYS—Messrs. Moody, Poore—2.

NOT VOTING—Mr. Hendricks—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. Heal, House Joint Resolution No. 10, entitled:

Requesting that Migratory Waterfowl Season open November 1, 1939, instead of October 16, 1939.

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. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Mr. President Pro Tem—15.

NAYS—None.

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.

Mr. Hendricks, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred, House Substitute for House Bill No. 290, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" relating to the License Fees for Non-Residents to fish in the Waters of this State.

Reported the same back to the Senate favorably with Senate Substitute for House Substitute for House Bill No. 290, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" relating to the License Fees for Non-Residents to fish in the Waters of Indian River, Rehoboth Bay, Assawoman Bay and its Tributaries.

J. B. HENDRICKS
ALDEN P. SHORT
BURTON S. HEAL
DAVID W. STEELE

Mr. Hendricks, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred, House Bill No. 291, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" relating to nets used for fishing, size of mesh, and use thereof in Tidal Waters.

Reported the same back to the Senate favorably with Senate Substitute for House Bill No. 291, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" relating to Nets used for Fishing, Size of Mesh, and use thereof in Tidal Waters.

J. B. HENDRICKS
ALDEN P. SHORT
BURTON S. HEAL
DAVID W. STEELE

Mr. Hendricks, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred, House Bill No. 292, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, in relation to selling and offering for sale, Hard and Peeler Crabs caught in Indian River and Rehoboth Bay or any of their Tributaries.

Reported the same back to the Senate favorably with Senate Substitute for House Bill No. 292, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, providing for the Possession, Sale and Offering for sale of Hard and Peeler Crabs caught in Indian River and Rehoboth Bay or any of their Tributaries.

J. B. HENDRICKS
ALDEN P. SHORT
BURTON S. HEAL
DAVID W. STEELE

Mr. Hendricks, on behalf of the Committee on Revised Statutes, to whom had been referred, Senate Bill No. 311, entitled:

An Act proposing an amendment to Section 15 of Article II of the Constitution of the State of Delaware, providing for the Limitation of Expenses of the General Assembly.

Reported the same back to the Senate favorably.

J. B. HENDRICKS
EDWARD ABRAHAM, JR.
PAUL R. RINARD
C. E. BROWN

Mr. Brown, on behalf of the Committee on Municipal Corporations, to whom had been referred, Senate Bill No. 228, entitled:

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

Reported the same back to the Senate favorably.

C. E. BROWN
BURTON S. HEAL
J. B. HENDRICKS
H. M. HANNAM

Mr. Heal moved that all rules be suspended and that such suspension cover the business considered during the remainder of today's session.

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Moody, Purnell, Rinard, Simmons, Mr. President Pro Tem—11.

NAYS—Messrs. Derrickson, Gooden, Moore, Poore—4.

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

On motion of Mr. Steele, Senate Bill No. 15, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1935, relating to State Revenue; providing for the exemption of dealers in grains and commercial feeds, fruits and vegetables, poultry and coal.

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 Attorney Howard W. Bramhall.

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Rinard, House Bill No. 471, entitled:

An Act to repeal all of Chapter 206, Volume 41, Laws of Delaware, 1937, entitled "An Act to amend Chapter 117 of the Revised Code of Delaware, 1935, by adding a new Section to be known as Section 35A, defining the term "Principal" in Accounting and Distribution of Trust Funds.

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

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

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

YEAS—Messrs. Abrahams, Brown, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Rinard, House Bill No. 472, entitled:

An Act to amend Chapter 117 of the Revised Code of Delaware, 1935, by defining the term "Principal" in Accounting and Distribution of Trust Funds.

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

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Rinard, House Bill No. 473, entitled:

An Act to amend Chapter 98 of the Revised Code of Delaware, 1935, entitled "Settlement of Personal Estates, Register of Wills" relating to acquittances from Guardian or Trustee; Form thereof; by providing for filing thereof with Register and prescribing how treated in account before Register.

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. Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—15

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Rinard, House Bill No. 373, entitled:

An Act to amend Chapter 117 of the Revised Code of Delaware, 1935, as amended by Chapter 206 of the Laws of Delaware, 1937, relating to Settlement of Personal Estates, by adding a new Section to be known as Section 35A of Chapter 117 Revised Code of Delaware, 1935, defining the term "Principal" in Accounting and Distribution of Trust Funds.

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

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Clark, Senate Bill No. 69, entitled:

An Act to facilitate the Cooperation of the State of Delaware with other Units of Government and to establish an Unpaid Commission for that purpose.

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. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

NAYS—Messrs. Derrickson, Gooden, Moody, Moore, Poore—5.

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

Ordered to the House for concurrence.

Mr. Hannam, on behalf of the Committee on Claims, to whom had been referred, House Bill No. 134, entitled:

An Act to appropriate the sum of Nine Hundred and Seventy-Three Dollars and Eighty-Seven Cents to Pure Oil Company to reimburse it for penalty paid to the State of Delaware in Motor Fuel Taxes.

Reported the same back to the Senate favorably.

H. M. HANNAM
PAUL R. RINARD
GEORGE R. CLARK
ALDEN P. SHORT

Mr. Hannam, on behalf of the Committee on Claims, to whom had been referred, House Substitute for House Bill No. 131 with House Amendment No. 1, entitled:

An Act appropriating money out of the State Treasury for the payment of the claim of Reuben Paris against the State.

Reported the same back to the Senate favorably.

H. M. HANNAM
ALDEN P. SHORT
PAUL R. RINARD
GEORGE R. CLARK

Mr. Hannam, on behalf of the Committee on Claims, to whom had been referred, House Bill No. 477, entitled:

An Act appropriating money out of the State Treasury for the payment of claim of Calvin G. McKay against the State.

Reported the same back to the Senate favorably.

H. M. HANNAM
PAUL R. RINARD
GEORGE R. CLARK
ALDEN P. SHORT

Mr. Hannam, on behalf of the Committee on Finance, to whom had been referred, House Substitute for House Bill No. 464, entitled:

An Act authorizing the State of Delaware to borrow moneys from the State School Fund and Funds allocated to the State Highway Department for use of the General Fund.

Reported the same back to the Senate favorably.

H. M. HANNAM
HAROLD W. T. PURNELL
PAUL R. RINARD
J. H. MOORE
BENJAMIN F. SIMMONS

Mr. Hannam, on behalf of the Committee on Finance, to whom had been referred, House Bill No. 299 with House Amendment No. 1, entitled:

An Act to authorize the Levy Court of New Castle County to appropriate money to regularly organized and motorized Fire Companies in New Castle County, outside of the City of Wilmington.

Reported the same back to the Senate favorably.

H. M. HANNAM
HAROLD W. T. PURNELL
PAUL R. RINARD
BENJAMIN F. SIMMONS
J. H. MOORE

Mr. Hannam, on behalf of the Committee on Finance, to whom had been referred, Senate Substitute for Senate Bill No. 281, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, by authorizing the Levy Courts of the various Counties to appropriate County monies to the various Fire Companies of each County for maintenance of ambulance service.

Reported the same back to the Senate favorably.

H. M. HANNAM
PAUL R. RINARD
HAROLD W. T. PURNELL
BENJAMIN F. SIMMONS
J. H. MOORE

Mr. Hannam, on behalf of the Committee on Finance, to whom had been referred, Senate Bill No. 43 with House Amendment No. 1, entitled:

An Act appropriating money out of the State Treasury for the payment of claim of Frank S. Webb against the State.

Reported the same back to the Senate favorably.

H. M. HANNAM
PAUL R. RINARD
HAROLD W. T. PURNELL
BENJAMIN F. SIMMONS
J. H. MOORE

On motion of Mr. Heal, House Bill No. 282, entitled:

An Act to amend Chapter 150 of the Revised Code of Delaware, 1935, entitled "Offenses Against Private Property," relating to the issuance of Worthless Cheques for valuable consideration and providing a penalty.

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. Abrahams, Brown, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Steele, Senate Substitute for Senate Bill No. 14, entitled:

An Act relative to the Coroner of Sussex County; Providing for Mileage necessarily travelled and employment of a Secretary.

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

Mr. Steele requested that action be deferred on Senate Substitute for Senate Bill No. 14.

The request was granted.

On motion of Mr. Heal, Senate Bill No. 311, entitled:

An Act proposing an amendment to Section 15 of Article II of the Constitution of the State of Delaware, providing for the Limitation of Expenses of the General Assembly.

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. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

NAYS—Messrs. Derrickson, Gooden, Moody, Moore, Poore—5.

Messrs. Heal and Rinard requested that their vote be changed to nay, so the roll call as announced, was as follows:

YEAS — Messrs. Abrahams, Brown, Clark, Hannam, Hendricks, Purnell, Short, Simmons, Mr. President Pro Tem—9.

NAYS—Messrs. Derrickson, Gooden, Heal, Moody, Moore, Poore, Rinard—7.

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

On motion of Mr. Heal, Senate Bill No. 315, entitled:

An Act creating a Department of Elections for Kent County; describing its Powers and Duties.

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. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Simmons, Mr. President Pro Tem—10.

NAYS—Messrs. Derrickson, Gooden, Moody, Moore, Poore, Short—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.

On motion of Mr. Steele, Senate Substitute for House Substitute for House Bill No. 290, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" relating to the License Fees for Non-Residents to fish in the Waters of Indian River, Rehoboth Bay, Assawoman Bay and its Tributaries.

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. Abrahams, Brown, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Poore, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—14.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Steele, Senate Substitute for House Bill No. 291, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" relating to Nets used for Fishing, Size of Mesh, and use thereof in Tidal Waters.

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. Abrahams, Brown, Derrickson, Hannam, Heal, Hendricks, Moody, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—12.

NAYS—None.

NOT VOTING—Mr. Gooden—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. Steele, Senate Substitute for House Bill No. 292, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, providing for the Possession, Sale and Offering for sale of Hard and Peeler Crabs caught in Indian River and Rehoboth Bay or any of their Tributaries.

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. Abrahams, Brown, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—13.

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. Purnell, Senate Substitute for Senate Bill No. 3, entitled:

An Act to amend Chapter 116 of the Revised Code of the State of Delaware, as amended, relative to the Jurisdiction and Powers of the Juvenile Court of Kent and Sussex Counties by providing for the Compensation of the Probation Officers, and Actual Expenses incurred in the performance of their duties.

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. Abrahams, Brown, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Mr. President Pro Tem—9.

NAYS—Messrs. Derrickson, Gooden, Moody—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. Purnell, House Substitute for Senate Bill No. 80, entitled:

An Act to amend Chapter 98 of the Revised Code of Delaware, 1935, relative to Settlement of Personal Estates by providing for hearing concerning absence and circumstances thereof of persons presumed to be dead; granting of Letters on Estate of such person to party interested; distribution of estate; revocation of Letters of Administration and vacation of decree upon proof that presumed decedent is alive; costs.

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. Abrahams, Brown, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Poore, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—14.

NAYS—None.

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

On motion of Mr. Purnell, Senate Bill No. 210, entitled:

An Act authorizing the use of Prisoners on Mosquito Control Work under the General Supervision of the Mosquito Control Commission; providing for Guards; appropriation of Five Thousand Dollars to cover cost of transportation and other necessary expenses.

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

Mr. Purnell requested that Senate Bill No. 210 be recommitted to the Committee on Miscellaneous.

The request was granted.

Mr. Purnell, on behalf of the Committee on Temperance, to whom had been referred, Senate Bill No. 312, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relative to Alcoholic Liquor, Wines and Beer by increasing the Membership of the "Delaware Liquor Commission," and providing for the organization thereof.

Reported the same back to the Senate favorably.

HAROLD W. T. PURNELL
C. E. BROWN
BURTON S. HEAL
BENJAMIN F. SIMMONS

On motion of Mr. Rinard, Senate Bill No. 319, entitled:

An Act to amend Chapter 117 of the Revised Code of Delaware, 1935, as amended by Chapter 206, Volume 42, Laws of Delaware, 1937, in relation to Investments by Trustees, Guardians and other Fiduciaries.

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. Abrahams, Brown, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered to the House for concurrence.

Mr. Heal moved that the Senate adjourn until 10 o'clock A. M., Thursday, April 20, 1939.

Motion prevailed.

SEVENTIETH LEGISLATIVE DAY

April 20, 1939, 10 o'clock A. M.

Senate met pursuant to adjournment.

Lieutenant-Governor Edward W. Cooch presiding.

Prayer by the Chaplain, Rev. Frank A. Baker.

Roll called.

Members Present—Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—16.

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

Motion prevailed.

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

SENATE CONCURRENT RESOLUTION NO. 21

WHEREAS, at the convening of the 107th General Assembly the public was assured that the session would be concluded in sixty days, but instead thereof, seventy days have already elapsed; and

WHEREAS, the public was likewise assured that the expense of this session would be kept at a moderate amount, but instead thereof the cost has now exceeded that of all previous sessions; and

WHEREAS, a proposed amendment to the Constitution fixing an excessive limit for the cost of future sessions rightly failed of passage in the Senate; and

WHEREAS, all business remaining on the calendars may, with diligence be disposed of in a few hours; and

WHEREAS, prolongation of this session is causing an unwarranted expense to the State.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF DELAWARE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN, that at the hour of six o'clock P. M., on Thursday, April 20, 1939, both Houses of the 107th General Assembly shall adjourn Sine Die.

Mr. Moore moved that rules be suspended and action proceed on Senate Concurrent Resolution No. 21, entitled:

Relative to Adjournment Sine Die on Thursday, April 20, 1939.

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

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

YEAS—Messrs. Derrickson, Gooden, Moody, Moore, Poore, Sylvester—6.

NAYS—Messrs. Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—10.

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

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

Senate Bill No. 190, entitled:

An Act to provide for Commercial Courses in the Delaware City High School and to appropriate Funds therefor.

And returned the same to the Senate.

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

House Substitute for House Bill No. 394, entitled:

An Act making an appropriation to the State Military Board for the purpose of making necessary repairs on State owned Armories located at Dover, Laurel, Newark and New Castle, Delaware.

And presented the same to the Senate.

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

House Joint Resolution No. 6, entitled:

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

And presented the same to the Senate.

The President announced he is about to sign:

House Substitute for Senate Bill No. 80.

House Substitute for Senate Bill No. 250.

Senate Substitute for Senate Bill No. 250.

Senate Bill No. 305 with Senate Amendments Nos. 1 and 2.

Mr. Hannam moved that House Substitute for House Bill No. 187 with House Amendment No. 1, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware of 1935, relating to Motor Vehicles by providing for an increase in the combined gross weight of certain vehicles and loads.

Be recommitted to the Committee on Revised Statutes.

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

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

YEAS—Messrs. Brown, Hannam, Heal, Hendricks, Moore, Poore, Purnell, Rinard, Short—9.

NAYS—Messrs. Derrickson, Gooden, Moody, Simmons, Sylvester—5.

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

Mr. Rinard moved that Senate Bill No. 151, entitled:

An Act providing that information acquired by a Physician, Surgeon, Professional or Registered Nurse while attending a Patient in a Professional Capacity shall be privileged.

Be stricken from the Calendar.

Motion prevailed.

Mr. Rinard moved that Senate Bill No. 247, entitled:

An Act to create a "State Police Commission," to transfer to said Commission all of the existing jurisdiction and authority of the State Highway Department over the State Police and all the property and physical assets, books, documents and records of the State Highway Department relating to or used by or in the business of the State Police, granting certain specific authority to said Commission with respect to officers, agents, employees and with respect to the making of rules and regulations, making appropriations for the operation and maintenance of said Commission, and repealing all Acts or parts of Acts inconsistent therewith.

Be stricken from the Calendar.

Motion prevailed.

The President announced he is about to sign:

House Substitute for House Bill No. 119.

House Bill No. 170.

House Bill No. 273.

House Substitute for House Bill No. 315.

House Bill No. 171.

House Bill No. 466.

House Bill No. 459.

House Bill No. 467.

House Substitute for House Bill No. 366.

Mr. Brown requested that Senate Bill No. 174, entitled:

An Act creating a new Election District by dividing the Second Election District of the Second Representative District in Sussex County.

Be stricken from the Calendar.

The request was granted.

Mr. Brown requested that Senate Bill No. 70, entitled:

An Act to appropriate certain money to the Town Commissioners of Bridgeville to pay one-half the costs of the construction of a Sewer to connect the Bridgeville Colored School with the Sewer System of the Town of Bridgeville.

Be stricken from the Calendar.

The request was granted.

The Chair presented House Substitute for House Bill No. 394, entitled:

An Act making an appropriation to the State Military Board for the purpose of making necessary repairs on State owned Armories located at Dover, Laurel, Newark and New Castle, Delaware.

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

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

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

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

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

Motion prevailed.

Same Day, 2 o'clock P. M.

Senate met at expiration or recess.

Mr. Rinard requested that Senate Bill No. 169, entitled:

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

Be stricken from the Calendar.

The request was granted.

Mr. Rinard requested that Senate Substitute for Senate Bill No. 177, entitled:

An Act to amend Chapter 175 of the Revised Code of Delaware, 1935, relative to Duty of the Employer to furnish Hospital Services, Medicine and Supplies, etc., to Employees.

Be stricken from the Calendar.

The request was granted.

Mr. Clark requested that Senate Bill No. 108, entitled:

An Act appropriating certain moneys to Waller Paving Company, Inc., a Corporation of the State of Maryland, to pay certain claims against the State of Delaware.

Be stricken from the Calendar.

The request was granted.

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

House Substitute for Senate Bill No. 80, entitled:

An Act to amend Chapter 98 of the Revised Code of Delaware, 1935, relative to Settlement of Personal Estates by providing for hearing concerning absence and circumstances thereof of persons presumed to be dead; granting of Letters on Estate of such person to party interested; distribution of estate; revocation of letters of Administration and vacation of decree upon proof that presumed decedent is alive; costs.

Senate Bill No. 318, entitled:

An Act to provide for the sale of two (2) shares of the Class C Preferred Stock, two (2) shares of the Common Stock, Scrip Certificate for 36/100ths of one Share of the Class C Preferred Stock and Scrip Certificate for 36/100ths of one Share of the Common Stock of Munson Line, Incorporated, owned by the State of Delaware.

Senate Bill No. 184, entitled:

An Act adopting the American Holly as the State Tree.

Senate Substitute for Senate Bill No. 218, entitled:

An Act amending Chapter 39 of the Revised Code of Delaware, 1935, as amended, relating to Mother's Pension Commission, by prohibiting political activity of Executive Officials and Employees; providing for the presentation of records and papers and redefining "Dependent Child" so that it may conform with the Federal Law.

Senate Bill No. 197, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, relating to Motor Vehicles, by providing that immediate family of deceased person after notice to the Motor Vehicle Department may continue to operate Motor Vehicle of deceased upon deceased's License Plates.

Senate Bill No. 173, entitled:

An Act relative to the Observance of American Education Week.

Senate Substitute for Senate Bill No. 250, entitled:

An Act to amend Chapter 60 of the Revised Code of the State of Delaware (1935) entitled "General Elections," by changing the Time and Manner of Voting.

Mr. Heal, 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. 269, entitled:

An Act to amend An Act entitled "An Act providing for the creation and appointment of a State Board of Chiropractic Examiners, defining its powers and duties; regulating the Practice of Chiropractic; providing for the licensing of Chiropractors and prescribing penalties for any violations of this Act," by authorizing the State Board to refuse to issue or reissue a license for certain reasons and making it unlawful to practice Chiropractic without Certificate from the State Board of Chiropractic Examiners.

House Substitute for Senate Bill No. 160, entitled:

An Act to amend 1445, Section 105, Revised Code of Delaware, 1935, by providing the procedure to be followed in cases where the Purchaser of Real Estate sold at Tax Sale dies before receiving a deed therefor.

Senate Bill No. 305 with Senate Amendments Nos. 1 and 2, entitled:

An Act to amend Chapter 20 of the Revised Code of Delaware, 1935, as amended by Chapter 80, Volume 41, Laws of Delaware, defining Mutual Benefit Association; requirements of filing Certificate of Incorporation; Certificate of Authority required; existing Mutual Benefit Associations obtaining new Certificates of Authority; guaranty fund, how constituted; benefit fund, how created, uses of; Certificates of Membership, approved by Insurance Commissioner, conditions thereto; schedule of benefits, age limitation; doing business in and outside State; agreement, how constituted; general powers and duties of Insurance Commissioner; annual statements; fees, paid to whom, when; investments, how made; mergers how effected; Violations and Penalties.

The President announced he is about to sign:

House Bill No. 282.

House Bill No. 373.

House Bill No. 471.

House Bill No. 472.

House Bill No. 473.

Upon request of Mr. Heal, the privilege of the floor was given to Dr. Leo Blumberg of the Engineering Department of the University of Delaware, who spoke on Senate Substitute for Senate Bill No. 16, entitled:

An Act to regulate the practice of Professional Engineering and Land Surveying; creating a State Board of Registration for Professional Engineers and Land Surveyors; defining its Powers and Duties; Requirements for Registration; Regulating Examination of Applicants for Registration; providing for issuance and revocation of Certificates of Registration; unlawful to engage in Construction of Public Work unless Plans and Specifications and Estimates prepared by Registered Engineer; and providing Penalties.

Mr. Heal moved that the Senate adjourn until 10 o'clock, A. M., Friday, April 21, 1939.

Motion prevailed.

SEVENTY-FIRST LEGISLATIVE DAY

April 21, 1939, 10 o'clock A. M.

Senate met pursuant to adjournment.

Lieutenant-Governor Edward W. Cooch presiding.

Prayer by the Chaplain, Rev. Frank A. Baker.

Roll called.

Members Present—Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—16.

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

Motion prevailed.

The Secretary of State presented Senate Substitute for Senate Bill No. 152 with the Governor's veto, as follows:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

April 21, 1939

To the Honorable, the Senate
107th General Assembly, State of Delaware
Dover, Delaware

Gentlemen:

I herewith return, without my approval, Senate Substitute for Senate Bill No. 152, entitled "An Act to amend Chapter 153 of the Revised Code of Delaware, 1935, relative to Offenses Against Religion by Legalizing Motion Pictures on Sunday after two o'clock P. M. in Incorporated Cities having a population of more than 25,000; providing that this Act shall not become effective unless ratified at Special Election."

This bill is designed to permit the exhibition of motion pictures on Sunday in incorporated cities having a population of more than 25,000 provided, if at a referendum held for that purpose, a majority of the voters should ratify the legalizing of such exhibitions.

A great many of our citizens, as well as the religious leaders of our churches in the State deeply feel that there should be no tendency to sponsor or countenance matters which would tend to make Sundays and week days indistinguishable. The Sabbath Day should be kept apart from other days of the week.

This bill presents also a constitutional question. It may be well doubted whether under the Constitution of our State matters of referendum may be submitted to voters of the State or any of its political sub-divisions except under Article XIII relating to local option. The Constitution makes no provision for the submission of other questions to the voters. This doubt as to the constitutionality of this bill persuades me that it should not have my approval.

Respectfully yours,

RICHARD C. McMULLEN
Governor

Mr. Heal moved that the Senate recess until 1:30 o'clock P. M.

Motion prevailed.

Same Day, 1:30 o'clock P. M.

Senate met at expiration of recess.

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

Senate Substitute for Senate Substitute for Senate Bill No. 257, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, relative to Levy Courts providing for the Relief and Care of the Indigent Sick of Sussex County.

And returned the same to the Senate.

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

Senate Bill No. 58 with Senate Amendment No. 1, entitled:

An Act making it unlawful to operate a steam generating boiler, using wood, coal, or coke for fuel unless equipped with an effective spark arresting device; defining an effective spark arresting device, and providing penalties for the violations thereof.

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 263, entitled:

An Act providing for the Auditing of Tax Books of Tax Collectors formerly collecting taxes in New Castle County; uncollected taxes to be collected by Delinquent Tax Collectors, providing for release of Bond under certain conditions.

And returned the same to the Senate.

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

Senate Bill No. 319, entitled:

An Act to amend Chapter 117 of the Revised Code of Delaware, 1935, as amended by Chapter 206, Volume 42, Laws of Delaware, 1937, in relation to Investments by Trustees, Guardians and other Fiduciaries.

And returned the same to the Senate.

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

Senate Bill No. 270, entitled:

An Act to provide for the seizure, condemnation and forfeiture to the State of Delaware of all Vehicles knowingly used in or in connection with the commission of any Felony or in the violation of Article 42 of Chapter 100 of the Revised Code of Delaware, 1935, relating to Narcotic Drugs or knowingly and voluntarily used in or in connection with the flight or escape of any person who has committed any Felony or who has violated the provisions of the aforesaid law relating to Narcotic Drugs.

And returned the same to the Senate.

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

Senate Bill No. 315, entitled:

An Act creating a Department of Elections for Kent County; describing its Powers and Duties.

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 248, entitled:

An Act to amend Chapter 56 of the Revised Code of the State of Delaware (1935) entitled "Registration of Voters," by changing manner of selection and appointment of Registration Officers in New Castle County.

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 249, entitled:

An Act to amend Chapter 58 of the Revised Code of the State of Delaware (1935) entitled "Primary Elections."

And returned the same to the Senate.

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

House Joint Resolution No. 8 with House Amendment No. 1, entitled:

Creating a Commission to study the General Welfare needs of the Negro citizenry in the State of Delaware and appropriating the sum of Five Thousand Dollars for the use and purposes thereof.

And presented the same to the Senate.

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

House Bill No. 257, entitled:

An Act to amend Chapter 21 of the Revised Code of Delaware, 1935, providing for the payment for Cattle condemned for Tuberculosis and Bang's Disease.

And presented the same to the Senate.

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

House Substitute for House Bill No. 425 with House Amendment No. 1, entitled:

An Act to amend Chapter 71 of the Revised Code of Delaware, 1935, by providing full term electric lighting and power expense for all Free Public Schools within the State.

And presented the same to the Senate.

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

House Substitute for House Bill No. 270, entitled:

An Act to provide for the designing, copyrighting and use of a Delaware State Quality Label.

And presented the same to the Senate.

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

House Substitute for House Bill No. 337, entitled:

An Act to amend Chapter 71 of the Revised Code of Delaware, 1935, entitled "Free Public Schools" by providing transportation for school children under certain conditions not otherwise provided for.

And presented the same to the Senate.

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

House Concurrent Resolution No. 19, entitled:

Modifying Resolution in Reference to New Business.

And presented the same to the Senate.

Mr. Steele requested that Senate Substitute for Senate Bill No. 14, entitled:

An Act relative to the Coroner of Sussex County; providing for Mileage necessarily travelled and Employment of a Secretary.

Be recommitted to the Committee on Miscellaneous.

The request was granted.

The President announced he is about to sign:

Senate Substitute for House Bill No. 106 with House Amendment No. 1.

Senate Substitute for House Bill No. 290.

Senate Substitute for House Bill No. 291.

Senate Substitute for House Bill No. 292.

The Chair presented House Concurrent Resolution No. 19, entitled:

Modifying Resolution in Reference to New Business.

Mr. Heal moved that all rules be suspended and that action on House Concurrent Resolution No. 19 be placed in line for action.

On motion of Mr. Heal, House Concurrent Resolution No. 19, entitled:

Modifying Resolution in Reference to New Business.

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

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

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

YEAS—Messrs. Brown, Clark, Gooden, Hannam, Heal, Hendricks, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—14.

NAYS—None.

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.

Mr. Heal moved that the Senate recess until 5:30 o'clock P. M.

Motion prevailed.

Same Day, 5:30 o'clock P. M.

Senate met at expiration of recess.

The President announced he is about to sign:

Senate Bill No. 58 with Senate Amendment No. 1.

Senate Bill No. 190.

Senate Substitute for Senate Bill No. 248.

Senate Substitute for Senate Bill No. 249.

Senate Substitute for Senate Bill No. 257.

Senate Substitute for Senate Bill No. 263.

Senate Bill No. 270.

Senate Bill No. 315.

Senate Bill No. 319.

Mr. Heal moved that all rules be suspended for the balance of today's session.

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

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

YEAS—Messrs. Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—10.

NAYS — Messrs. Derrickson, Gooden, Moore, Poore, Sylvester—5.

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

Mr. Steele, on behalf of the Committee on Miscellaneous, to whom had been referred, House Bill No. 476, entitled:

An Act to create a State Commission for the purpose of promoting the General Welfare of the citizens of the State of Delaware and making an appropriation thereto for the purpose of encouraging the Commemoration and observance of Memorial and Patriotic Holidays; and for the Burial of Indigent Soldiers, Sailors and Marines.

Reported the same back to the Senate favorably with Senate Amendment No. 1.

DAVID W. STEELE
J. B. HENDRICKS
BURTON S. HEAL
ALDEN P. SHORT

Mr. Steele, on behalf of the Committee on Miscellaneous, to whom had been referred, Senate Bill No. 210, entitled:

An Act authorizing the use of Prisoners on Mosquito Control Work under the General Supervision of the Mosquito Control Commission; providing for Guards; appropriation of Five Thousand Dollars to cover cost of transportation and other necessary expenses.

Reported the same back to the Senate favorably with Senate Substitute for Senate Bill No. 210.

DAVID W. STEELE
ALDEN P. SHORT
J. B. HENDRICKS
BURTON S. HEAL