

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

House met at expiration of recess.

THE SPEAKER ANNOUNCED HE IS ABOUT TO SIGN:

Senate Bill No. 95.

Mr. Fred Pepper moved that 300 copies of House Bill No. 364 be printed.

Motion prevailed.

Mr. Benson moved that the House recess until the call of the Chair.

Motion prevailed.

Same Day.

House met at expiration of recess.

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

House Substitute for House Bill No. 1.

An Act making appropriation for the expenses of the State Government for each of the two fiscal years ending June 30, 1940 and June 30, 1941.

And returned the same to the House.

Mr. Draper, on behalf of the Committee on Education to whom had been referred House Bill No. 385, entitled:

An Act requiring the Board of School Trustees of the Claymont Special School District to provide for commercial courses.

Reported the same back to the House favorably.

NORMAN A. DRAPER, *Chairman*
 WILLIAM BIGGS
 FRANK H. THAWLEY
 HENRY M. CANBY
 EDW. S. KNIGHT

Mr. Manlove, on behalf of the Committee on Revised Statutes to whom had been referred House Bill No. 189, entitled:

An Act relating to Processors, Cannerymen, Brokers and Purchasers of farm products by competitive bidding, the licensing thereof by the State Board of Agriculture, providing for the furnishing of an indemnity bond for the protection of creditors before such license is issued, and penalties for the violation thereof.

Reported the same back to the House favorably.

GEORGE MANLOVE, *Chairman*
 FRED PEPPER
 RANDOLPH REYNOLDS
 JOHN A. HARTMAN
 HENRY M. CANBY

Mr. Manlove, on behalf of the Committee on Revised Statutes to whom had been referred House Bill No. 218, 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 House favorably.

GEORGE MANLOVE, *Chairman*
 FRED PEPPER
 RANDOLPH REYNOLDS
 HENRY M. CANBY

Mr. Manlove, on behalf of the Committee on Revised Statutes to whom had been referred Senate Bill No. 155, entitled:

An Act to amend Chapter 82 of the Revised Code of the State of Delaware, 1935, as amended relating to Weights and Measures, by specifying and defining Solid Fuels covered herein and the Legal Standard Ton of Solid Fuels and the sale of same by weight in this State, and providing for the furnishing of weight or delivery tickets, and the reweighing of same, and for the appointment of licensed weighmasters in connection therewith, and providing for the marking of all vehicles transporting Solid Fuels, and providing for the place of weighing Solid Fuels brought into the State by motor truck, and providing for the issuance and signing of certificates of origin for Solid Fuels brought into the State by motor truck, and providing for the appointment of Deputy Regulators of Weights and Measures for the several Counties and further providing for the enforcement and penalties for violations of this Act relating to the transportation, sale and delivery of Solid Fuels within this State.

Reported the same back to the House favorably.

GEORGE MANLOVE, *Chairman*
 RANDOLPH REYNOLDS
 FRED PEPPER
 HENRY M. CANBY
 JOHN A. HARTMAN

Mr. Buckingham, on behalf of the Committee on Temperance to whom had been referred House Substitute for House Bill No. 83, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, in reference to potable and non-potable alcohol from a distillery to a manufacturer.

Reported the same back to the House favorably.

FRANK H. BUCKINGHAM, *Chairman*
 ELMER E. BENSON
 HARVEY E. MOORE
 GEORGE MANLOVE
 ABNER WOODWARD

Mr. Bailey on motion for leave introduced House Substitute for House Bill No. 354, entitled:

An Act creating a State Exhibit Real Estate Board, naming its members, describing its powers and duties and making certain appropriations thereto for the purpose of erecting exhibition buildings, stalls and booths.

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

Mr. Bailey on motion for leave introduced House Substitute for House Bill No. 353, entitled:

An Act creating a State prize award Board and naming its members, for the purpose of distributing awards to Delawareans, for Agricultural and Home Economics Exhibits, and making certain appropriations thereto for those purposes.

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

Mr. Gordy on motion for leave introduced House Substitute for House Bill No. 406 entitled:

An Act to regulate the sale and handling of insecticides, Fungicides and Livestock remedies, to provide for their registration, and for other purposes.

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

Mr. Leach on motion for leave introduced House Substitute for House Bill No. 66, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, relative to Motor Vehicles, relieving any person whose License has been suspended from furnishing proof of financial responsibility, Insurance or Bond after three years from Date of suspension herein set forth.

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

Mr. Pennington, on behalf of the Committee on Insurance and Banking to whom had been referred Senate Bill No. 25, entitled:

An Act to amend the Revised Code of Delaware, 1935, by defining "Gross Premiums" when referring to Insurance Companies on Insurance Policies.

Reported the same back to the House favorably.

WM. K. PENNINGTON, *Chairman*
C. FRED FIFER
FRED BROWN
NORMAN A. DRAPER

On motion of Mr. Brown, 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.

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

On request the privilege of the floor was given to Rev. Willis.

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Barr, Benson, Bierlin, Brown, Burton, Canby, Draper, Gordy, Hartman, Kellum, Leach, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, Reynolds, Knight, A. G. Smith, Staats, Thawley, Mr. Speaker—22.

NAYS—Messrs, Bailey, Benson, Biggs, Buckingham, Burris, Fifer, Manlove, Rambo, Woodward—9.

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

And was ordered to the Senate for Concurrence.

THE SPEAKER ANNOUNCED HE IS ABOUT TO SIGN:

House Substitute for House Bill No. 1.

On motion of Mr. Benson 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.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Rambo, Reynolds, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—33.

NAYS—None.

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

And was ordered to the Senate for Concurrence.

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

An Act naming and designating the Park created at "The Rocks" on the Christina 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.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Rambo, Reynolds, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—33.

NAYS—None.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Canby, 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.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burton, Canby, Draper, Fifer, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Rambo, Reynolds, Knight, A. G. Smith, Stein, Woodward, Mr. Speaker—28.

NAYS—Messrs, Bailey, Burris, Gordy, Staats, Thawley—5.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Leach, House Bill No. 298, entitled:

An Act to amend Chapter 164 of the Revised Code of Delaware, 1935, relating to the State Athletic Commission by providing additional conditions for the Bonds required to be given by licensees to the Commission and for the deposit and disbursement of moneys Collected and realized by the Commission under the provisions of said Chapter.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Rambo, Reynolds, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—33.

NAYS—None.

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

And was ordered to the Senate for Concurrence.

Mr. Benson moved that the House recess until 4:10 o'clock P. M.

Motion prevailed.

Same Day 4:10 o'clock P. M.

House met at expiration of recess.

Mr. Knight moved that 200 copies of House Bill No. 259 be printed.

Motion prevailed.

Mr. Benson moved that the House adjourn until 11 o'clock A. M., Monday, March 20th, 1939.

Motion prevailed.

FORTY-NINTH LEGISLATIVE DAY

Dover, Delaware, March 20th, 1939, 11 o'clock A. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll Called.

Members present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlovè, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

Clerk proceeded to read the Journal of the Previous Session when Mr. Benson moved so much be considered the reading of the Journal and the Journal be approved.

Motion prevailed.

The Chair presented 57 communications.

Endorsing House Bill No. 125.

Relative to a United States Housing Authority slum clearance project for the City of Wilmington.

The Chair presented 18 communications.

Endorsing House Bill No. 27.

Relative to Fair Trade.

The Chair presented communications from Mrs. Emalea P. Warner, and Mrs. N. O. Rowe, Wilmington.

Protesting against House Bill No. 303.

Relative to the hours of employment of Females in the State of Delaware.

The Chair presented eight communications, signed by 151 teachers, representing the following public schools of the City of Wilmington: Bayard Junior High School, Willard Hall Jr. High School, William P. Bancroft School, No. 21 School, No. 5 School, No. 24 School, S. G. Elbert School, and the Howard High School.

Endorsing Senate Bills, Nos. 38 and 165.

Relative to a State wide retirement system for teachers in the public schools of the State of Delaware, and the restoration of the principle of salary increments for satisfactory service of Public school employes of the State of Delaware.

The Chair presented communications from the Kingswood and Union Epworth leagues of Wilmington, and the Scott M. E. Church of Townsend, signed by 14, 31, and 8 persons, respectively.

Protesting against all legislation pending before the General Assembly, designed to legalize the Showing of Motion Pictures on Sundays; House Bill No. 59, legalizing Bowling on Sunday; House Bills No. 288 and 289, relative to the operation of pin ball machines; or any, or all laws, to liberalize the liquor traffic or to allow, or liberalize, gambling in the State of Delaware.

Mr. Moore presented seven communications.

Endorsing House Bill No. 234.

Relative to the protection of milk producers and guaranteeing payment for milk and to safeguard testing, weighing, and measuring of milk sold by farmers to dealers.

Mr. Benson moved that the House recess until 11:55 o'clock A. M.

Motion prevailed.

Same Day 11:55 o'clock A. M.

House met at expiration of recess.

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

House Substitute for House Bill No. 1:

An Act making appropriation for the expenses of the State Government for each of the two fiscal years ending June 30, 1940 and June 30, 1941.

Mr. Benson moved that the House recess until 1:30 o'clock P. M.

Motion prevailed.

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

House met at expiration of recess.

Mr. Benson moved that the House recess until the call of the Chair.

Motion prevailed.

Same day.

House met at expiration of recess.

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

Senate Substitute for Senate Bill No. 213.

An Act appropriating Thirty Thousand Dollars for the purpose of erecting an addition to the Newport Public School, District No. 106-C, in New Castle County to provide for an addition of five classrooms to the Junior High School.

And presented the same to the House.

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

Senate Concurrent Resolution No. 14.

In respect to the death of W. Vernon Steene a former member of the General Assembly.

And presented the same to the House.

Mr. Benson, on behalf of the Committee on Appropriations to whom had been referred House Bill No. 46, entitled:

An Act to provide for the Vocational Rehabilitation and Placement of Physically Disabled Persons, and to make Appropriations for the same.

Reported the same back to the House favorably.

ELMER E. BENSON, *Chairman*
FRANK R. ZEBLEY
R. E. PINDER
GEORGE MANLOVE
HENRY M. CANBY

Mr. Benson, on behalf of the Committee on Appropriations to whom had been referred 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.

Reported the same back to the House favorably.

ELMER E. BENSON, *Chairman*
HENRY M. CANBY
GEORGE MANLOVE
FRANK R. ZEBLEY

Mr. Canby, on behalf of the Committee on Judiciary and Crime 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 House favorably.

HENRY M. CANBY, *Chairman*
ELLWOOD S. LEACH
FRED PEPPER
WM. K. PENNINGTON
JOHN A. HARTMAN

Mr. Canby, on behalf of the Committee on Judiciary and Crime to whom had been referred 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.

Reported the same back to the House favorably.

HENRY M. CANBY, *Chairman*
ELLWOOD S. LEACH
FRED PEPPER
WM. K. PENNINGTON
JOHN A. HARTMAN

Mr. Canby, on behalf of the Committee on Judiciary and Crime to whom had been referred House Bill No. 371, entitled:

An Act to amend Chapter 250, Volume 29; Laws of Delaware, relating to the Court of Common Pleas, for New Castle County; and providing in certain cases for the service of Writs, Rules or Processes of said Court outside of said County.

Reported the same back to the House favorably.

HENRY M. CANBY, *Chairman*
ELLWOOD S. LEACH
FRED PEPPER
WM. K. PENNINGTON
JOHN A. HARTMAN

Mr. Brown on motion for leave introduced 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.

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

Mr. Bierlin on motion for leave introduced House Substitute for House Bill No. 92, entitled:

An Act to amend Chapter 135 of Volume 29, Laws of Delaware, in relation to Curbstone Markets in the City of Wilmington.

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

The Chair presented Senate Substitute for Senate Bill No. 213, entitled:

An Act to amend Chapter 45 of the Revised Code of Delaware, 1935, relative to County Treasurer and Collection of Taxes in Sussex County, providing that purchaser of property at Tax Sale in Sussex County shall receive a Title Free and Clear of all Liens and Encumbrances.

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

Mr. Bierlin moved that 200 copies of House Substitute for House Bill No. 92 be printed.

Motion prevailed.

Mr. Rhodes moved that House Bill No. 226 and House Bill No. 228 be stricken from the Calendar.

Motion prevailed.

On motion of Mr. Benson, Senate Concurrent Resolution No. 14, entitled:

In respect to the death of W. Vernon Steene, a former member of the Senate of the General Assembly.

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

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

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

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

And was ordered returned to the Senate.

On motion of Mr. Kellum, House Bill No. 385, entitled:

An Act requiring the Board of School Trustees of the Claymont Special School District to provide for commercial courses.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

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

And was ordered to the Senate for Concurrence.

Mr. Benson moved that the members on committees report to the House at ten o'clock A. M., each day.

On the question "Shall the motion Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

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

Mr. Benson moved that the House adjourn until 11 o'clock A. M., Tuesday, March 21st, 1939.

Motion prevailed.

FIFTIETH LEGISLATIVE DAY

Dover, Delaware, March 21st, 1939, 11 o'clock A. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll Called.

Members present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

Clerk proceeded to read the Journal of the Previous Session when Mr. Benson moved so much be considered the reading of the Journal and the Journal be approved.

Motion prevailed.

The Chair presented a communication from Homer C. Kinsler, Wilmington.

Endorsing House Bill No. 125.

Relative to a United States Housing Authority slum clearance project for the City of Wilmington.

The Chair presented seven communications.

Endorsing House Bill No. 27.

Relative to Fair Trade.

Mr. Moore presented eight communications.

Endorsing House Bill No. 234.

Relative to the protection of milk producers and guaranteeing payment for milk and to safeguard testing, weighing, and measuring of milk sold by farmers to dealers.

The Chair presented a communication from The American Legion, Department of Delaware, signed by Samuel Engle Burr, New Castle, Department Commander.

Protesting against the failure of the House to pass favorably upon House Substitute for House Bill No. 263.

Relative to appropriating money to the American Legion, Department of Delaware.

Mr. Brown presented a communication from Mrs. James N. Ginn, President, Federation of Jewish Women's Organizations of Delaware.

Endorsing House Bill No. 29.

Relative to appropriating funds to the Service Bureau for Foreign Born People.

The Chair presented five communications, signed by 170 teachers and faculty members, representing the following public schools of the City of Wilmington: Warner Junior High School, Pierre S. duPont High School, Mary C. I. Williams School, No. 19 School, and No. 30 School.

Endorsing Senate Bills, Nos. 38 and 165.

Relative to a State wide retirement system for teachers in the public schools of the State of Delaware, and the restoration of the principle of salary increments for satisfactory service of Public School employes of the State of Delaware.

The Chair presented communications signed by 62 persons, representing Immanuel Methodist Episcopal Church, Townsend, the Madley Epworth League of Wilmington, and the Stanton Epworth League of near Wilmington.

Protesting against all legislation pending before the General Assembly, designed to legalize the Showing of Motion Pictures on Sundays; House Bill No. 59, legalizing Bowling on Sunday; House Bills No. 288 and 289, relative to the operation of pin ball machines; or any, or all laws, to liberalize the liquor traffic or to allow, or liberalize, gambling in the State of Delaware.

The Chair presented eight communications from members of the Friendship Bible Class of the Grace M. E. Church, Wilmington, and other individuals.

Protesting against House Bill No. 303.

Relative to the hours of employment of Females in the State of Delaware.

The Chair presented a communication from the Delaware Highway Users Conference, Wilmington, signed by R. J. McCormick, chairman.

Endorsing House Bills Nos. 31, 41, 44, 72, 73, 122, 175, 187, 198, 199, 202, 311, 443, and 452; and Senate Bills Nos. 197, 199, 247, 267, and 280; and

Protesting against House Bills Nos. 32, 60, 121, 148, 149, 172, 190, 249, 250, 409, 410, 445; and Senate Bills Nos. 72, 162, 163, 181, 200, 216, 264, and 277.

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

Senate Bill No. 109.

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 presented the same to the House.

Mr. Pierce, Secretary of the Senate, being admitted, informed the

House that the Senate had passed and requested the concurrence of the House in the following:

Senate Concurrent Resolution No. 15.

Modifying Senate Resolution No. 11 in reference to introduction of new Bills.

And presented the same to the House.

The Chair presented Senate Concurrent Resolution No. 15, entitled:

Modifying and changing Senate Concurrent Resolution No. 11 in reference to introduction of new bills.

On motion of Mr. Benson, Senate Concurrent Resolution No. 15, entitled:

Modifying and changing Senate Concurrent Resolution No. 11 in reference to introduction of new bills.

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

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

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

NAYS—None.

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

And was ordered returned to the Senate.

The Chair presented 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.

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

Mr. Knight, on behalf of the Committee on Elections to whom had been referred House Bill No. 112, entitled:

An Act designating those Representative Districts which shall comprise the First, Second and Third Levy Court Districts of Kent County.

Reported the same back to the House favorably.

EDWARD S. KNIGHT, *Chairman*
THOMAS A. KELLUM
ELLWOOD S. LEACH
VERNER P. BURTON

Mr. Knight, on behalf of the Committee on Elections to whom had been referred House Substitute for House Bill No. 216, entitled:

An Act to amend Chapter '60 of the Revised Code of Delaware, 1935, by defining the Boundaries of the Election Districts in the Sixth Representative District in New Castle County.

Reported the same back to the House favorably.

EDWARD S. KNIGHT, *Chairman*
ELLWOOD S. LEACH
THOMAS A. KELLUM
VERNER P. BURTON
ALLEN G. SMITH

Mr. Benson moved that the House recess until the call of the Chair.

Motion prevailed.

Same Day.

House met at expiration of recess.

Mr. Benson, on behalf of the Committee on Appropriations to whom had been referred House Bill No. 238, 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 Income Tax," being Chapter 11, Volume 41, Laws of Delaware.

Reported the same back to the House favorably.

ELMER E. BENSON, *Chairman*
HENRY M. CANBY
GEORGE MANLOVE
FRANK R. ZEBLEY

Mr. Manlove, on behalf of the Committee on Revised Statutes to whom had been referred House Bill No. 185, entitled:

An Act to amend Chapter 21, 625, Sec. 58 of the Revised Code, relating to Commercial Feeding Stuffs.

Reported the same back to the House favorably.

GEORGE MANLOVE, *Chairman*
RANDOLPH REYNOLDS
FRED PEPPER
HENRY M. CANBY

Mr. Benson moved that the House recess until 1:15 o'clock P. M.

Motion prevailed.

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

House met at expiration of recess.

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

House Joint Resolution No. 3—Approved March 17, 1939.

House Joint Resolution No. 4—Approved March 17, 1939.

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

Senate Bill No. 304.

An Act making an appropriation to The Delaware State Employment Bureau for the expenses of said Bureau.

And presented the same to the House.

Mr. Brown on motion for leave introduced House Substitute for House Bill No. 205, entitled:

An Act to amend 4334 Section 19 of Chapter 116 of the Revised Code of Delaware, 1935, relating to the Juvenile Court of New Castle County and the appointment of Probation Officers therefor.

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

Mr. Bierlin on motion for leave introduced House Substitute for House Bill No. 335, entitled:

An Act providing for attachment of wages of employees of the State, County, District or any Municipality.

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

The Chair presented Senate Bill No. 304, entitled:

An Act making an appropriation to the Delaware State Employment Bureau for the expenses of said Bureau.

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

Mr. Benson moved that the House recess until the call of the Chair.

Motion prevailed.

Same Day.

House met at expiration of recess.

Mr. Benson, on behalf of the Committee on Appropriations to whom had been referred Senate Bill No. 304, entitled:

An Act making an appropriation to the Delaware State Employment Bureau for the expenses of said Bureau.

Reported the same back to the House favorably.

ELMER E. BENSON, *Chairman*
FRANK R. ZEBLEY
HENRY M. CANBY
GEORGE MANLOVE
RICHARD E. PINDER

THE SPEAKER ANNOUNCED HE IS ABOUT TO SIGN:

Senate Concurrent Resolution No. 14.

Senate Concurrent Resolution No. 15.

Mr. Canby moved that the House suspend rules for the purpose to consider Senate Bill No. 304.

Motion prevailed.

On motion of Mr. Canby, Senate Bill No. 304, entitled:

An Act making an appropriation to the Delaware State Employment Bureau for the expenses of said Bureau.

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

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

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

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

And was ordered returned to the Senate.

Mr. Kellum on motion for leave introduced House Substitute for House Bill No. 384, 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.

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

On motion of Mr. Canby, House Substitute for House Bill No. 83, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, in reference to potable and non-potable alcohol from a distillery to a manufacturer.

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

Mr. Canby moved that House Substitute for House Bill No. 83 be adopted in lieu of House Bill No. 83.

Motion prevailed.

On the question "Shall the Substitute Bill Pass the House?"

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pindner, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Buckingham, House Bill No. 174, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, in regard to the issuing of Liquor Licenses.

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

Mr. Buckingham offered House Amendment No. 1 to House Bill No. 174.

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

On the question "Shall the Amendment Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Fifer, Gordy, Hartman, Kellum, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—33.

NAYS—None.

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

On the question "Shall the Bill as amended Pass the House?"

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Fifer, Gordy, Hartman, Kellum, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—33.

NAYS—None.

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

And was ordered to the Senate for Concurrence.

Mr. Bailey moved that House Substitute for House Bill No. 353 and House Substitute for House Bill No. 354 be stricken from the Calendar.

Motion prevailed.

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

Reported the same back to the House favorably.

EDW. S. KNIGHT, *Chairman*
ELLWOOD S. LEACH
THOMAS A. KELLUM
VERNER P. BURTON
ALLEN G. SMITH

Mr. Benson moved that the House adjourn until 11 o'clock A. M., Thursday, March 23rd, 1939.

Motion prevailed.

FIFTY-FIRST LEGISLATIVE DAY

Dover, Delaware, March 23rd, 1939, 11 o'clock, A.M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll Called.

Members present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

Clerk proceeded to read the Journal of the Previous Session when Mr. Benson moved so much be considered the reading of the Journal and the Journal be approved.

Motion prevailed.

The Chair presented 68 communications.

Endorsing House Bill No. 125.

Relative to a United States Housing Authority slum clearance project for the City of Wilmington.

The Chair presented a petition signed by 38 persons, and eight separate communications.

Endorsing House Bill No. 27.

Relative to Fair Trade.

The Chair presented 34 communications.

Endorsing House Bill No. 173.

Relative to the Barber Industry of the City of Wilmington.

The Chair presented 64 communications.

Protesting against House Bill No. 9.

Relative to the abolishment of the present three-member Board of Game and Fish Commissioners of the State of Delaware.

The Chair presented a communication and circular from the United Farmers and Sportsmen of Delaware, signed by the President, Pat Morgan.

Endorsing House Bill No. 9.

Relative to the abolishment of the present three-member Board of Game and Fish Commissioners of the State of Delaware.

Mr. Benson presented a communication from the Wilmington Milk Dealers Association, Wilmington, signed by W. L. Rickards, President.

Protesting against House Bill No. 234.

Relative to the protection of milk producers and guaranteeing payment for milk and to safeguard testing, weighing, and measuring of milk sold by farmers to dealers.

Mr. Moore presented a communication from C. S. Clark, New Castle.

Endorsing House Bill No. 234.

Relative to the protection of milk producers and guaranteeing payment for milk and to safeguard testing, weighing, and measuring of milk sold by farmers to dealers.

The Chair presented a communication from the Delaware Automobile Association, Wilmington.

Placing the Association on record as favoring improvement of

Delaware's present system of State Highways; greater safety on the highways; installation and maintenance of street and highway lighting in rural and suburban communities by the State Highway Department; and designation of the registration period for motor vehicles from April 1 to April 1 of each year; employment of gasoline tax funds and other motor vehicle and highway taxes entirely for the benefit of the sources from which the revenue is derived.

The Chair presented communications from the Wilmington Annual Conference of the Methodist Episcopal Church, representing 28,000 members in the State of Delaware; the Mt. Pleasant M. E. Church Charge, Dover, and the Pencader Presbyterian Church, Glasgow.

Protesting against all legislation pending before the General Assembly, designed to legalize the Showing of Motion pictures on Sundays; House Bill No. 59, legalizing Bowling on Sunday; House Bills No. 288 and 289, relative to the operation of pin ball machines; or any, or all laws, to liberalize the liquor traffic or to allow, or liberalize, gambling in the State of Delaware.

The Chair presented the following communication.

Newark, Delaware.

3-18-1939.

Hon. Frank R. Zebley,

Speaker of the House and Members:

The family of Comrade Richard Gilpin Buckingham wish to express their keen appreciation of your very kind and thoughtful expression of sympathy. For this we are truly grateful.

(signed)

MARY M. B. EASTBURN

(for the family)

Mr. Newnam presented communications signed by 29 teachers of the John Bassett Moore Public School, Smyrna.

Endorsing House Bills No. 160 and 399, and Senate Bill No. 38.

Relative to a State wide retirement system for teachers in the public schools of the State of Delaware, and the restoration of the principle of salary increments for satisfactory service of Public School employes of the State of Delaware.

The Chair presented a communication from Pencader Grange No. 60, Newark, Delaware.

Endorsing House Bill No. 92.

Relative to Curbstone Markets in the City of Wilmington.

The Chair presented three communications.

Protesting against House Bill No. 303.

Relative to the hours of employment of Females in the State of Delaware.

The Chair presented a communication from the National Association of Power Engineers, Inc., Wilmington No. 1, of Delaware.

Endorsing House Bill No. 19.

Relative to the licensing of Engineers and Boiler Operators.

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

Senate Bill No. 146.

An Act to amend Chapter 133 of the Revised Code of Delaware, 1935, relative to Executors; providing that the Wages or Salaries of all employees of any Board, Bureau, Commission or Department of the State of Delaware, or any political subdivision thereof, shall be subject to Attachment Process; service of such process shall be made upon the State Treasurer.

And presented the same to the House.

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

Senate Bill No. 144.

An Act to amend Chapter 121 of the Revised Code of Delaware, 1935, relative to Justices' Jurisdiction in Civil Cases for Debt ; providing for the Issuance of Attachment Process against State Employees.

And presented the same to the House.

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

Senate Bill No. 251.

An Act requiring the State Board of Education to provide for Commercial Courses in the High School of Delaware City.

And presented the same to the House.

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

Senate Bill No. 71.

An Act to authorize Savings Banks and Savings Societies to pension their Officers, Clerks and other Employees.

And presented the same to the House.

Mr. Manlove, on behalf of the Committee on Revised Statutes to whom had been referred Senate Bill No. 62, entitled:

An Act authorizing the State Forester to appoint State Forest Officers ; Duties and Powers.

Reported the same back to the House favorably.

GEORGE MANLOVE, *Chairman*
 RANDOLPH REYNOLDS
 FRED PEPPER
 HENRY M. CANBY
 JOHN A. HARTMAN

Mr. Manlove, on behalf of the Committee on Revised Statutes to whom had been referred House Substitute for House Bill No. 224, 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," being Chapter 14, Volume 41, Laws of Delaware, 1937, relating to Occupational Licenses.

Reported the same back to the House favorably.

GEORGE MANLOVE, *Chairman*
 FRED PEPPER
 RANDOLPH REYNOLDS
 HENRY M. CANBY
 JOHN A. HARTMAN

Mr. Zebley on motion for leave introduced House Substitute for House Bill No. 312, entitled:

An Act to create a commission to regulate the construction and maintenance of billboards along the Public Highways of the State.

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

The Chair presented Senate Bill No. 71, entitled:

An Act to authorize Savings Banks and Savings Societies to pension their Officers, Clerks and other Employees.

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

The Chair presented Senate Bill No. 144, entitled:

An Act to amend Chapter 121 of the Revised Code of Delaware,

1935, relative to Justices' Jurisdiction in Civil Cases for Debt; providing for the Issuance of Attachment Process against State Employees.

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

The Chair presented Senate Bill No. 146, entitled:

An Act to amend Chapter 133 of the Revised Code of Delaware, 1935, relative to Executors, providing that the Wages or Salaries of all employees of any Board, Bureau, Commission or Department of the State of Delaware, or any political subdivision thereof, shall be subject to Attachment Process; service of such process shall be made upon the State Treasurer.

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

The Chair presented Senate Bill No. 251, entitled:

An Act requiring the State Board of Education to provide for Commercial Courses in the High School of Delaware City.

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

Mr. Benson moved that the House recess until the call of the Chair.

Motion prevailed.

Same Day.

House met at expiration of recess.

Mr. Benson moved that the House recess until 1:45 o'clock P. M.

Motion prevailed.

Same Day 1:45 o'clock P. M.

House met at expiration of recess.

THE SPEAKER ANNOUNCED HE IS ABOUT TO SIGN:

Senate Bill No. 304.

Mr. Draper on motion for leave introduced House Substitute for House Bill No. 53, entitled :

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, relating to School Busses.

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

Mr. Leach on motion for leave introduced House Substitute for House Bill No. 156, entitled :

An Act to prohibit open market sales of Prison made goods.

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

On motion of Mr. Draper, House Concurrent Resolution No. 13, entitled :

WHEREAS, in the Providence of Almighty God, death has come to Mrs. Charlotte W. Hayes, a beloved resident of Wilmington, Delaware; and

WHEREAS, William E. Hayes, her son, has been Legislative Correspondent for the past thirty years, and has served with eminent fairness to the General Assembly and the public; and

WHEREAS, it is fitting and proper that this General Assembly give public expression and extend its sympathy to the family of the late Mrs. Charlotte W. Hayes; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF DELAWARE THE SENATE CONCURRING THEREIN:

That this General Assembly does hereby express its sincere regret at the death of Mrs. Charlotte W. Hayes; and

That we extend to the family of William E. Hayes the sincere

sympathy of this General Assembly in this, their hour of bereavement, and

That a copy of these resolutions be entered in the Journal and a copy sent to Mr. Hayes.

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

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

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

NAYS—None.

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

And was ordered to the Senate for Concurrence.

Mr. Buckingham, on behalf of the Committee on Temperance to whom had been referred House Bill No. 221, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, prohibiting the sale of Alcoholic Liquor in Grocery Stores, Delicatessen Shops, or Cigar Stores.

Reported the same back to the House favorably.

FRANK H. BUCKINGHAM, *Chairman*
 GEORGE MANLOVE
 ABNER WOODWARD
 HARVEY E. MOORE
 ELMER E. BENSON

Mr. Buckingham, on behalf of the Committee on Temperance to whom had been referred House Bill No. 219, 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.

Reported the same back to the House favorably.

FRANK H. BUCKINGHAM, *Chairman*
 GEORGE MANLOVE
 ABNER WOODWARD
 HARVEY E. MOORE
 ELMER E. BENSON

On motion of Mr. Rhodes, House Substitute for House Bill No. 224, 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," being Chapter 14, Volume 41, Laws of Delaware, 1937, relating to Occupational Licenses.

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

Mr. Rhodes offered House Amendment No. 1 to House Substitute for House Bill No. 224.

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

On the question "Shall the Amendment Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

NAYS—None.

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

Mr. Rhodes moved that House Substitute for House Bill No. 224 be adopted in lieu of House Bill No. 224.

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

On the question "Shall the Motion Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, McGuigan, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes Knight, Staats, Stein, Thawley, Woodward, Mr. Speaker—31.

NAYS—Messrs, Biggs, Moore, A. G. Smith—3.

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

On the question "Shall the Bill as amended Pass the House?"

Mr. Rhodes moved that action be deferred on House Substitute for House Bill No. 224.

Motion prevailed.

On motion of Mr. Draper, 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.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

NAYS—None.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Canby, 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.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

So the question was decided in the affirmative and the bill

having received the required constitutional majority passed the House.

And was ordered to the Senate for Concurrence.

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.

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

Mr. Brown moved that House Substitute for House Bill No. 380 be adopted in lieu of House Bill No. 380 .

Which was taken up for consideration in order to pass the House.

On the question "Shall the Motion Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

NAYS—None.

So the question was decided in the affirmative and the motion having received the required constitutional majority passed the House.

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Rhodes, Knight,

A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Canby, Senate Bill No. 25, entitled:

An Act to amend the Revised Code of Delaware, 1935, by defining "Gross Premiums" when referring to Insurance Companies and Insurance Policies.

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

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

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Woodward, Mr. Speaker—33.

NAYS—Messrs, Stein, Thawley—2.

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

And was ordered returned to the Senate.

On motion of Mr. Benson, Senate Bill No. 155, entitled:

An Act to amend Chapter 82 of the Revised Code of the State of Delaware, 1935, as amended, relating to Weights and Measures, by specifying and defining Solid Fuels covered herein and the Legal Standard Ton of Solid Fuels and the sale of same by weight in this State, and providing for the furnishing of weight or delivery tickets, and the

reweighing of same, and for the appointment of licensed weighmasters in connection therewith, and providing for the marking of all vehicles transporting Solid Fuels, and providing for the place of weighing Solid Fuels brought into the State by motor truck, and providing for the issuance and signing of certificates of origin for Solid Fuels brought into the State by motor truck, and providing for the appointment of Deputy Regulators of Weights and Measures for the several Counties and further providing for the enforcement and penalties for violations of this Act relating to the transportation, sale and delivery of Solid Fuels within this State.

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

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

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, McGuigan, Newnam, Pennington, Penuel, Fred Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—31.

NAYS—Messrs, Biggs, Manlove, Moore—3.

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

And was ordered returned to the Senate.

On motion of Mr. Benson, House Bill No. 185, entitled:

An Act to amend Chapter 21, 625, Sec. 58 of the Revised Code, relating to Commercial Feeding Stuffs.

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

On request the privilege of the floor was given to Mr. Hanson.

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Pennington, Fred Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Stein, Thawley, Woodward, Mr. Speaker—30.

NAYS—Messrs, Fifer, Newnam, Staats—3.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Benson, House Concurrent Resolution No. 14, entitled:

Extending Courtesy of a Hearing to the Women's Joint Legislative Committee.

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

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

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Draper, Fifer, Gordy, Hartman, Kellum, Leach, McGuigan, Moore, Newnam, Pennington, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—32.

NAYS—None.

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

And was ordered to the Senate for Concurrence.

On motion for leave, Mr. Benson introduced House Resolution No. 31, entitled:

Authorizing payments on account to attaches and employees of the House of Representatives.

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

On the question "Shall the Resolution Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Draper, Fifer, Gordy, Hartman, Kellum, Leach, McGuigan, Moore, Newnam, Pennington, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—32.

NAYS—None.

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

Mr. Knight on motion for leave introduced House Substitute for House Bill No. 342, entitled:

An Act appropriating Eighteen Hundred Dollars to the State Board of Health for salary and expenses for the services of an additional Milk Inspector.

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

Mr. Benson moved that the House adjourn until 11 o'clock, A. M., Friday, March 24th, 1939.

Motion prevailed.

FIFTY-SECOND LEGISLATIVE DAY

Dover, Delaware, March 24th, 1939, 11 o'clock, A. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Baker.

Roll Called.

Members present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

Clerk proceeded to read the Journal of the Previous Session when Mr. Benson moved so much be considered the reading of the Journal and the Journal be approved.

Motion prevailed.

The Chair presented communications from Guy A. Harshware, President, and James R. Collins, secretary, respectively, of the Delaware Game and Fish Protective Association, and 69 separate communications.

Protesting against House Bill No. 9.

Relative to the abolishment of the present three-member Board of Game and Fish Commissioners of the State of Delaware.

The Chair presented a communication from Labor's Non-Partisan League of Delaware and 11 separate communications.

Endorsing House Bill No. 125.

Relative to a United States Housing Authority slum clearance project for the City of Wilmington.

The Chair presented 64 communications.

Endorsing House Bill No. 173.

Relative to the Barber Industry of the City of Wilmington.

The Chair presented three communications.

Endorsing House Bill No. 27.

Relative to Fair Trade, particularly favoring the Motor Fuel Amendment to the Bill.

The Chair presented a communication from the Medical Society of Delaware, signed by Meredith I. Samuel, M. D., President.

Inviting members of the House of Representatives to be guests of the Society at the Delaware Academy of Medicine, Wilmington, March 28, at 8:30 P. M., to hear an address by Dr. M. E. Martin, Chief Medical Examiner of New York City, on the subject of "The Advantages of State Medical Examiner in contrast to present Coroner's Office."

The Chair presented a communication from Trinity Epworth League of Wilmington, signed by 18 persons.

Protesting against all legislation pending before the General Assembly, designed to legalize the Showing of Motion Pictures on Sundays; House Bill No. 59, legalizing Bowling on Sunday; House Bills No. 288 and 289, relative to the operation of pin ball machines; or any, or all laws, to liberalize the liquor traffic or to allow, or liberalize, gambling in the State of Delaware.

The Chair presented a communication from Josephine duPont, Wilmington.

Protesting against House Bills Nos. 22 and 159.

Relative to hours and other regulations in connection with employment of Females in the State of Delaware.

The Chair presented a communication from R. Edna Minker, Wilmington.

Protesting against House Bill No. 303.

Relative to the hours of employment of Females in the State of Delaware.

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

House Joint Resolution No. 14, entitled:

Extending courtesy of a hearing to the Women's Joint Legislative Committee.

And returned the same to the House.

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

House Concurrent Resolution No. 13.

Expressing sympathy at the death of Mrs. Charlotte W. Hayes.

And returned the same to the House.

Mr. Zebley, on behalf of the Committee on Miscellaneous to whom had been referred House Substitute for House Bill No. 332, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1935, entitled "State Revenue" in relation to Escheats.

Reported the same back to the House favorably.

FRANK R. ZEBLEY, *Chairman*
ABNER WOODWARD
FRANK H. BUCKINGHAM
NORMAN A. DRAPER

On motion for leave, Mr. Draper introduced House Resolution No. 32, entitled:

Extending Felicitations to Honorable Frank H. Buckingham on the occasion of his Birthday Anniversary.

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

On the question "Shall the Resolution Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs. Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

NAYS—None.

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

Mr. Benson moved that the House recess until 1:45 o'clock P. M.
Motion prevailed.

Same Day 11:55 o'clock A. M.

House met at expiration of recess.

The Speaker announced he is about to sign:

House Concurrent Resolution No. 13.

House Concurrent Resolution No. 14.

Mr. Benson moved that the House recess until 1:45 o'clock A. M.
Motion prevailed.

Same Day 1:45 o'clock P. M.

House met at expiration of recess.

Mr. Canby moved that House Bill Nos. 242, 243, 247, 434, 435, 436, 437, 441 be stricken from the Calendar.

Motion prevailed.

THE SPEAKER ANNOUNCED HE IS ABOUT TO SIGN:

Senate Bill No. 25.

Senate Bill No. 155.

Mr. Fifer moved that Senate Bill No. 53 be referred back to the Committee on Public Lands and Buildings.

Motion prevailed.

Mr. Woodward, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred House Bill No. 70, entitled:

An Act to amend Chapter 74 of the Revised Delaware Code of 1935 relating to Fish, Oysters and Game, by providing for open season for Bow and Arrow Hunting.

Reported the same back to the House on its merits.

ABNER WOODWARD, *Chairman*
JOHN W. RAMBO
RANDOLPH REYNOLDS
WM. K. PENNINGTON
F. W. PEPPER

Mr. Pennington, on behalf of the Committee on Insurance and Banking, to whom had been referred Senate Joint Resolution No. 1, entitled:

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

Reported the same back to the House favorably.

WM. K. PENNINGTON, *Chairman*
RICHARD E. PINDER
C. FRED FIFER
FRED BROWN
NORMAN A. DRAPER

Mr. Manlove, on behalf of the Committee on Revised Statutes, to whom had been referred House Substitute for House Bill No. 335, entitled:

An Act providing for attachment of wages of employees of the State, County, District or any Municipality.

Reported the same back to the House favorably.

GEORGE MANLOVE, *Chairman*
 RANDOLPH REYNOLDS
 FRED PEPPER
 HENRY M. CANBY

Mr. Benson moved that the House recess until the call of the Chair.

Motion prevailed.

Same Day

House met at expiration of recess.

On motion of Mr. Draper, House Bill No. 46 entitled:

An Act to provide for the Vocational Rehabilitation and Placement of Physically Disabled Persons, and to make Appropriations for the same.

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

Mr. Draper offered House Amendment No. 1 to House Bill No. 46.

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

On the question "Shall the Amendment Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs. Bailey, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Hartman, Kellum, Leach,

Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—32.

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

On request the privilege of the floor was given to Dr. Heim.

On the question "Shall the Bill as amended Pass the House?"

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

YEAS—Messrs. Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burton, Canby, Draper, Fifer, Kellum, Leach, Manlove, Pennington, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Stein, Woodward, Mr. Speaker—23.

NAYS—Messrs. Bailey, Burris, Gordy, Hartman, McGuigan, Moore, Newnam, Pinder, Rambo, A. G. Smith, Staats, Thawley—12.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Knight, House Bill No. 112 entitled:

An Act designating those Representative Districts which shall comprise the First, Second and Third Levy Court Districts of Kent County.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs. Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burton, Canby, Draper, Fifer, Kellum, Leach, Manlove, Pennington,

Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Woodward, Mr. Speaker—22.

NAYS—Messrs. Bailey, Burris, Gordy, Hartman, McGuigan, Moore, Newnam, Pinder, Rambo, A. G. Smith, Staats, Stein, Thawley—13.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Kellum, House Substitute for House Bill No. 216 entitled:

An Act to amend Chapter 60 of the Revised Code of Delaware, 1935, by defining the Boundaries of the Election Districts in the Sixth Representative District in New Castle County.

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

Mr. Kellum moved that House Substitute for House Bill No. 216 be adopted in lieu of House Bill No. 216.

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

On the question "Shall the Motion Pass the House?"

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

YEAS—Messrs. Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

NAYS—None.

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

On the question "Shall the Substitute Bill Pass the House?"

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

YEAS—Messrs. Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burton, Canby, Draper, Fifer, Kellum, Leach, Manlove, Pennington, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Woodward, Mr. Speaker—22.

NAYS—Messrs. Bailey, Burris, Gordy, Hartman, McGuigan, Moore, Newnam, Pinder, Rambo, A. G. Smith, Staats, Stein, Thawley—13.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Canby, House Bill No. 238 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 Income Tax," being Chapter 11, Volume 41, Laws of Delaware.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs. Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—33.

NAYS—NONE.

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

And was ordered to the Senate for Concurrence.

Mr. Zebley, on behalf of the Committee on Miscellaneous to whom had been referred Senate Substitute for Senate Bill No. 213, entitled:

An Act to amend Chapter 45 of the Revised Code of Delaware, 1935, relative to County Treasurer and Collection of Taxes in Sussex County, providing that purchaser of property at Tax Sale in Sussex County shall receive a Title Free and Clear of all Liens and Encumbrances.

Reported the same back to the House favorably.

FRANK R. ZEBLEY, *Chairman*
ABNER WOODWARD
FRANK H. BUCKINGHAM
NORMAN A. DRAPER

Mr. Benson moved that the House adjourn until 12 o'clock, noon, Saturday, March 25th, 1939.

Motion prevailed.

FIFTY-THIRD LEGISLATIVE DAY

Dover, Delaware, March 25th, 1939, 12 o'clock, noon.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Baker.

Roll Called.

Members present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris Burton, Canby, Draper, Fifer, Gordy Hartman, Kellum, Leach, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

Clerk proceeded to read the Journal of the Previous Session when Mr. Benson moved so much be considered the reading of the Journal and the Journal be approved.

Motion prevailed.

Mr. Pierce, Secretary of the Senate, being admitted, informed the House that the Senate had passed Senate Substitute for Senate Bill No. 224 title "An Act to Amend Chapter 166 of the Revised Code of Delaware, 1935, Providing For Reorganization of the State Highway Department, By Increasing the Membership Thereof." Such passage in the Senate being over the objections of the Governor to the contrary notwithstanding.

And presented the same to the House with the objections of the Governor thereto.

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

March 24, 1939

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

GENTLEMEN:

I return herewith, without my approval, Senate Substitute for Senate Bill No. 224, entitled "An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, providing for Reorganization of the State Highway Department by increasing the Membership thereof."

This bill is designed to reorganize the State Highway Department by increasing the members thereof and establishing a board consisting of seven members without the Governor of the State. This bill names the persons who shall be members of the Department. It has all of the vices that were inherent in Senate Substitute for House Bill No. 30. The reasons for my disapproval of that bill are applicable to this present bill.

Here again is a bill whose sole purposes is an attempt to oust from office the present personnel of the State Highway Department. Here again is a measure solely seeking political patronage at public expense. So long as the attention of the General Assembly is directed to bills of this character, so long will the vital needs and the welfare of the people of our state be unaided and forgotten.

Our system of State Government to which we have been accustomed throughout many years should not be over-thrown as ruthlessly as that exercised by a European dictator. Insofar as the operation of the Highway Department is concerned, this bill is more vicious than Senate Substitute for House Bill No. 30, as by its provisions, it makes possible a further shift in the policy and personnel of the Department within a two-year period and disrupts the orderly administration of the people's business.

I emphasize the dangerous precedent set by such legislation and I am satisfied that the continued attention of this General Assembly to

purely partisan matters will result in the disregarding and denial of the needs of our citizens.

No attempt has been made to create a non-partisan Department, but the desire of this Legislature as expressed in this bill is only to make the Highway Department a political adjunct to the Republican party. This appears the more so when consideration is given to the voting down of the amendments presented to this bill by the Democratic members of the Legislature, which, if adopted would have taken the Department entirely out of politics.

Changing or ripping out all present laws might also have the tendency to discourage the incorporation of various Companies or firms who have in the past looked to our State as a favorable place to locate. The results of your action during this session in the year 1939 will have far-reaching effects on our State for good or evil on all future sessions of our General Assembly.

Much has been written and spoken about the operation of the Highway Department being disrupted and numerous changes made in the Engineering Department. Such is not true. Since the Democratic Party gained control of the Highway Department, no changes have been made in the personnel of the Chief Engineer's Office except three positions which were filled on the Chief Engineer's recommendation.

Two County Resident Engineers were replaced with two graduate Civil Engineers.

The administration of the Highway fund, together with the budgeted expenditures have not been changed. Maintenance costs have not doubled as stated by one of the Senators, but were lower in 1938 than in 1936 under the former administration.

1936 . . .	\$1,086,894.78
1937 . . .	908,245.78
1938 . . .	1,011,059.24

There has been no dissention among the present membership of the Highway Commission. Any requests made by the Republican Members for road improvements or construction have always been complied with, and I can see no reason except partisan political greed for increasing this Department.

Again may I ask that more studied and sober thought be given to the welfare of the State in your reconsideration of this Bill, and I again appeal to your better judgement as a group of honorable, high-minded men with the best interests of our State at heart to seriously consider all angles of the measure before making it a law.

Respectfully,

RICHARD C. McMULLEN

Governor.

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

Senate Substitute for Senate Bill No. 232.

An Act to amend Article 4 of Chapter 166 of the Revised Code of Delaware, 1935, relating to the Salaries of State Police.

And presented the same to the House.

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

Senate Bill No. 261.

An Act adopting the "Blue Hen Chicken" as the Official Bird of the State of Delaware.

And presented the same to the House.

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

House Bill No. 65.

An Act to amend Chapter 6 of the Revised Code of Delaware, 1935, in relation to State Revenue by providing for Occupational Licenses for Transient or Itinerant Photographers.

And returned the same to the House.

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

House Bill No. 143 with House Amendment No. 1.

An Act regulating the Sale and Possession of Barbital and other Hypnotic Drugs.

And returned the same to the House.

Mr. Benson moved that the House accept the invitation of the 301st Anniversary of the Founding of the Colony of New Sweden, to be held in Old Swedes Church, Wilmington.

Motion prevailed.

On motion of Mr. Benson, Senate Substitute for Senate Bill No. 213, entitled:

An Act to amend Chapter 45 of the Revised Code of Delaware, 1935, relative to County Treasurer and Collection of Taxes in Sussex County, providing that purchaser of property at Tax Sale in Sussex County shall receive a Title Free and Clear of all Liens and Encumbrances.

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

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

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

So the question was decided in the affirmative and the bill having

received the required constitutional majority passed the House.

And was ordered returned to the Senate.

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

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

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

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

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds Rhodes, Knight, A. G. Smith, Staats, Stein, Woodward, Mr. Speaker—33.

NAYS—Mr. Thawley—1.

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

And was ordered returned to the Senate.

Mr. Benson moved that the House adjourn until 11 o'clock, A. M., Monday, March 27th, 1939.

Motion prevailed.

FIFTY-FOURTH LEGISLATIVE DAY

Dover, Delaware, March 27th, 1939, 11 o'clock, A. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll Called.

Members present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

Clerk proceeded to read the Journal of the Previous Session when Mr. Benson moved so much be considered the reading of the Journal and the Journal be approved.

Motion prevailed.

The Chair presented a communication from the Friendship Bible Class of Grace M. E. Church, Wilmington.

Protesting against House Bill No. 303.

Relative to the hours of employment of Females in the State of Delaware.

Mr. Leach presented a communication from the Russian Brotherhood Organization of the United States of America, and the St. Michael's Russian Orthodox Church, Wilmington.

Relative to Adult Education Centers in the State of Delaware.

The Chair presented a communication from the Delaware Game and Fish Protective Association signed by A. S. Rickards, chairman.

Protesting against House Bill No. 255.

Relative to the open season on game fish in the State of Delaware.

The Chair presented a communication from the Board of Game and Fish Commissioners, Dover.

Relative to House Bill No. 9.

THE SPEAKER ANNOUNCED HE IS ABOUT TO SIGN:

House Bill No. 65.

The Chair presented Senate Bill No. 232, entitled:

An Act to amend Article 4 of Chapter 166 of the Revised Code of Delaware, 1935, relating to the Salaries of State Police.

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

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

Senate Bill No. 35.

An Act to amend Chapter 20, Revised Code of Delaware, 1935, as amended by Chapter 79, Volume 41, Laws of Delaware, 1937, relative to Insurance Department and providing additional requirements for Certificate of Authority.

And presented the same to the House.

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

House Bill No. 41.

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, in reference to Motor Vehicles: number plates to be furnished by the Department; special number plates to be furnished by the Department; providing date of registration; renewal of registration;

registration by manufacturers and dealers; registration by non-residents; suspension of registration upon notice of theft or embezzlement.

And returned the same to the House.

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

Senate Bill No. 94.

An Act to amend Chapter 131 of the Revised Code of Delaware, 1935, relative to Juries; providing for the exemption of legally licensed practicing Optometrists from service as Jurors.

And presented the same to the House.

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

Senate Bill No. 43.

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 House.

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

Senate Bill No. 192.

An Act requiring the reporting of Handicapped Children in every School District to the State Board of Education and requiring Special Training therefor.

And presented the same to the House.

Mr. Pierce, Secretary of the Senate, being admitted, informed the

House that the Senate had passed and requested the concurrence of the House in the following:

Senate Bill No. 93.

An Act to amend Chapter 31 of the Revised Code of Delaware, 1935, relative to Delaware State Board of Examiners in Optometry; qualifications for examination; increasing fee for re-examination; providing for compensation and expenses; increasing annual registration fee and revocation of certificate for non-payment.

And presented the same to the House.

The Chair presented Senate Bill No. 261, entitled:

An Act adopting the "Blue Hen Chicken" as the Official Bird of the State of Delaware.

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

Mr. Manlove, on behalf of the Committee on Revised Statutes to whom had been referred 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 Operator's and Chauffeur's Licenses; Notary Fees, charging unlawful Notary Fees, misdemeanor; penalty, what application shall contain; providing License Fees; providing Expiration date of License.

Reported the same back to the House favorably.

GEORGE MANLOVE, *Chairman*
FRED PEPPER
RANDOLPH P. REYNOLDS
HENRY M. CANBY

Mr. Manlove, on behalf of the Committee on Revised Statutes to whom had been referred 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.

Reported the same back to the House favorably.

GEORGE MANLOVE, *Chairman*
FRED PEPPER
RANDOLPH P. REYNOLDS
HENRY M. CANBY

Mr. Benson moved that the House recess until the call of the Chair.

Motion prevailed.

Same Day.

House met at expiration of recess.

Mr. Benson: Mr. Speaker any business before the House?

Mr. Benson: I move the House proceed to reconsider Senate Substitute for Senate Bill No. 224 which was returned to the Senate without the approval of the Governor, together with his objections, and the House agrees to pass the Substitute Bill, the objections of the Governor to the contrary notwithstanding.

Mr. Barr seconded the motion.

Speaker: You have heard the motion.

The question before the House is:

"Shall the House on reconsideration agree to pass Senate Substitute for Senate Bill No. 224, the objections of the Governor to the contrary notwithstanding."

Question on the motion: "Shall the Substitute Bill pass the House over the Governor's objections."

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs. Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burton, Canby, Draper, Fifer, Kellum, Leach, Manlove, Pennington, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Woodward, Mr. Speaker—22.

NAYS—Messrs. Bailey, Burris, Gordy, Hartman, McGuigan, Moore, Newnam, Pinder, Rambo, A. G. Smith, Staats, Stein, Thawley—13.

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

And was ordered returned to the Senate over the objections of the Governor to the contrary notwithstanding.

Mr. Benson moved that the House recess until 1:45 o'clock P. M.

Motion prevailed.

Same Day 1:45 o'clock P. M.

House met at expiration of recess.

The Chair presented Senate Bill No. 35, entitled:

An Act to amend Chapter 20, Revised Code of Delaware, 1935, as amended by Chapter 79, Volume 41, Laws of Delaware, 1937, relative to Insurance Department and providing additional requirements for Certificate of Authority.

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

THE SPEAKER ANNOUNCED HE IS ABOUT TO SIGN:

Senate Bill No. 213.

Senate Joint Resolution No. 1.

The Chair presented Senate Bill No. 43, 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 Claims.

The Chair presented Senate Bill No. 93, entitled :

An Act to amend Chapter 31 of the Revised Code of Delaware, 1935, relative to Delaware State Board of Examiners in Optometry ; qualifications for examination ; increasing fee for re-examination ; providing for compensation and expenses ; increasing annual registration fee and revocation of certificate for non-payment.

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

The Chair presented Senate Bill No. 94, entitled :

An Act to amend Chapter 131 of the Revised Code of Delaware, 1935, relative to Juries ; providing for the exemption of legally licensed practicing Optometrists from service as Jurors.

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

The Chair presented Senate Bill No. 192, entitled :

An Act requiring the reporting of Handicapped Children in every School District to the State Board of Education and requiring Special Training therefor.

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

THE SPEAKER ANNOUNCED HE IS ABOUT TO SIGN :

House Bill No. 41.

House Bill No. 143 as Amended.

Mr. Pennington, on behalf of the Committee on Insurance and Banking to whom had been referred House Bill No. 147, entitled :

An Act to amend Chapter 117 of the Revised Code of the State of Delaware of 1935, as amended by Chapter 206, Volume 41, Laws of Delaware.

Reported the same back to the House favorably.

WM. K. PENNINGTON, *Chairman*
FRED BROWN
C. FRED FIFER
NORMAN A. DRAPER
RICHARD E. PINDER

Mr. Pennington, on behalf of the Committee on Insurance and Banking to whom had been referred Senate Bill No. 71, entitled:

An Act to authorize Savings Banks and Savings Societies to pension their Officers, Clerks and other Employees.

Reported the same back to the House favorably.

WM. K. PENNINGTON, *Chairman*
FRED BROWN
C. FRED FIFER
NORMAN A. DRAPER

Mr. Barr on motion for leave introduced House Substitute for House Bill No. 366, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, in relation to the Levy Court of Sussex County, providing for Five Levy Court Districts and Five Levy Court Commissioners; qualifications and salaries.

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

On motion for leave, Mr. Benson introduced House Resolution No. 33, entitled:

Authorizing State Librarian to issue Stamps to Document Clerk.

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

On the question "Shall the Resolution Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

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

Mr. Benson moved that the House recess until the call of the Chair.

Motion prevailed.

Same Day.

House met at expiration of recess.

On motion of Mr. Benson, Senate Substitute for House Bill No. 31, entitled:

An Act to amend Chapter 165 as amended of the 1935 Revised Code of the State of Delaware by providing that the Motor Vehicle Department shall be a Department of the State Highway Department.

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

Mr. McGuigan offered House Amendment No. 1 to Senate Substitute for House Bill No. 31.

Mr. Canby moved that the Amendment be laid on the table.

Motion prevailed.

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burton, Canby, Draper, Fifer, Kellum, Leach, Manlove, Pennington, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Woodward, Mr. Speaker—22.

NAYS—Messrs, Bailey, Burris, McGuigan, Moore, Newnam, Pinder, Rambo, A. G. Smith, Staats, Stein, Thawley—11.

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

Mr. Leach moved that House Bills Nos. 158, 194, 197 be stricken from the Calendar.

Motion prevailed.

Mr. Zebley moved that House Bills Nos. 22, 26, 28, 72, 73, 166, 314 be stricken from the Calendar.

Motion prevailed.

THE SPEAKER ANNOUNCED HE IS ABOUT TO SIGN:

Senate Substitute for House Bill No. 31.

On motion of Mr. Zebley, House Bill No. 305, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, by including the facilities of the Delaware Automobile Association to be used by the State Highway Department in conducting its Educational Campaign on State and Highway Safety.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Rambo, Reynolds, Rhodes, Knight, Stein, Woodward, Mr. Speaker—29.

NAYS—Messrs, Bailey, Pinder, A. G. Smith, Staats, Thawley—5.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Rhodes, House Substitute for House Bill No. 332, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1935, entitled "State Revenue" in relation to Escheats.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burton, Canby, Draper, Fifer, Kellum, Leach, Manlove, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Woodward, Mr. Speaker—20.

NAYS—Messrs, Bailey, Burris, Gordy, Hartman, McGuigan, Moore, Newnam, Pinder, Rambo, A. G. Smith, Staats, Stein, Thawley—13.

So the question was decided in the affirmative and the bill having

received the required constitutional majority, passed the House.

And was ordered to the Senate for Concurrence.

On motion of Mr. Bierlin, House Substitute for House Bill No. 335, entitled:

An Act providing for attachment of wages of employees of the State, County, District or any Municipality.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Brown, Senate Bill No. 62, entitled:

An Act authorizing the State Forester to appoint State Forest Officers; Duties and Powers.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—Mr. Newnam—1.

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

And was ordered returned to the Senate.

Mr. Benson moved that the House adjourn until 11:45 o'clock, A. M., Tuesday, March 28th, 1939.

Motion prevailed.

FIFTY-FIFTH LEGISLATIVE DAY

Dover, Delaware, March 28th, 1939, 11:45 o'clock, A. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll Called.

Members present—Bailey, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—31.

Clerk proceeded to read the Journal of the Previous Session when Mr. Canby moved so much be considered the reading of the Journal and the Journal be approved.

Motion prevailed.

The Chair presented two communications.

Endorsing House Bill No. 125

Relative to a United States Housing Authority slum clearance project for the City of Wilmington.

The Chair presented a communication from Delaware Post No. 1, The American Legion, Wilmington.

Endorsing Senate Bill No. 261.

Relative to the adoption of the "Blue Hen Chicken" as the Official Bird of the State of Delaware.

The Chair presented a communication from Mrs. Howard D.

Jones, Wilmington.

Protesting against House Bill No. 303.

Relative to the hours of employment of Females in the State of Delaware.

The Chair presented a petition signed by 28 persons.

Endorsing House Bill No. 27.

Relative to Fair Trade.

The Chair presented a communication from the Brack-Ex Epworth League of Wilmington.

Protesting against all legislation pending before the General Assembly, designed to legalize the Showing of Motion Pictures on Sundays; House Bill No. 59, legalizing Bowling on Sunday; House Bills No. 288 and 289, relative to the operation of pin ball machines; or any, or all laws, to liberalize the liquor traffic, or to allow, or liberalize, gambling in the State of Delaware.

Mr. Bierlin presented a communication from W. A. Johnson, Greenwood.

Endorsing House Substitute for House Bill No. 92.

Relative to curbstome markets in the City of Wilmington.

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

House Bill No. 65.

An Act to amend Chapter 6 of the Revised Code of Delaware, 1935, in relation to State Revenue by providing for Occupational Licenses for Transient or Itinerant Photographers.

House Bill No. 143

An Act regulating the Sale and Possession of Barbital and other Hypnotic Drugs.

House Bill No. 41.

An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, as Amended, in reference to motor vehicles: number plates to be furnished by the Department; special number plates to be furnished by the Department; providing date of registration; renewal of registration; registration by manufacturers and dealers; registration by non-residents; suspension of registration upon notice of theft or embezzlement.

Senate Substitute for House Bill No. 31.

An Act to amend Chapter 165 as amended of the 1935 Revised Code of the State of Delaware by providing that the Motor Vehicle Department shall be a Department of the State Highway Department.

Mr. Canby, on behalf of the Committee on Judiciary and Crime to whom had been referred House Bill No. 367, entitled:

An Act providing for the licensing of Pin Ball Machines and other games played with balls and plungers or other device; penalty; license fees to be paid to Levy Courts of Counties for benefit of indigent poor; unlawful to permit any person under Eighteen Years of Age to operate machines; penalty.

Reported the same back to the House favorably.

HENRY M. CANBY, *Chairman*
WM. K. PENNINGTON
ELLWOOD S. LEACH
FRED PEPPER

Mr. Canby, on behalf of the Committee on Judiciary and Crime to whom had been referred House Substitute for House Bill No. 205, entitled:

An Act to amend 4334 Section 19 of Chapter 116 of the Revised Code of Delaware, 1935, relating to the Juvenile Court of New Castle County and the Appointment of Probation Officers therefor.

Reported the same back to the House favorably.

HENRY M. CANBY, *Chairman*
WM. K. PENNINGTON
ELLWOOD S. LEACH
FRED PEPPER

Mr. Manlove, on behalf of the Committee on Revised Statutes to whom had been referred Senate Bill No. 29, entitled:

An Act to amend Chapter 175 of the Revised Code of Delaware, 1915, relating to the Delaware Workmen's Compensation Law, and effecting the interpretation thereof and definitions therein.

Reported the same back to the House favorably.

GEORGE MANLOVE, *Chairman*
FRED PEPPER.
HENRY M. CANBY
JOHN A. HARTMAN
RANDOLPH REYNOLDS

Mr. Manlove, on behalf of the Committee on Revised Statutes to whom had been referred Senate Bill No. 61, entitled:

An Act to amend 723, Section 15 of the 1935 Revised Code of the State of Delaware by giving to the State Forestry Department the right to lease or assign a right in State Forest Lands for a period not exceeding ten years.

Reported the same back to the House favorably.

GEORGE MANLOVE, *Chairman*
FRED PEPPER
HENRY M. CANBY
JOHN A. HARTMAN
RANDOLPH REYNOLDS

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

Reported the same back to the House favorably.

EDW. S. KNIGHT, *Chairman*
 THOMAS A. KELLUM
 VERNER P. BURTON
 ELLWOOD S. LEACH

Mr. Moore on motion for leave introduced House Substitute for House Bill No. 234, entitled:

An Act to amend Article 8, Chapter 21 of the Revised Code of Delaware, 1935, relating to Milk and Milk products, and Ice Cream; by providing for the protection of the Public Health and the prevention of fraud and deception, by regulating the weight, measure, testing, buying and selling of Milk and Cream; providing for the examination and appointment of certified testers and the issuing of licenses and making of tests, and providing penalties by providing for the payment of license fees, requiring Bonds to secure producers, permitting and regulating fresh samples, supervising the weighing and measuring of Milk, filing of methods of buying or receiving Milk and prices therefor, prohibiting discrimination by buyers between Milk producers, requiring the delivery of statements to producers, requiring certain records to be kept and reports made, making an appropriation of license fees and repealing the mercantile tax with regard to licensees under this Article.

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

Mr. Canby moved that the House recess until 1:15 o'clock P. M.

Motion prevailed.

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

House met at expiration of recess.

Mr. Benson moved that the House recess until the call of the Chair.

Motion prevailed.

Same Day.

House met at expiration of recess.

Mr. Benson moved that the House prepare to go to the Senate for Joint Session.

Motion prevailed.

Mr. Heal moved that the Senate and House go into Joint Session in pursuance of House Concurrent Resolution No. 14.

Entitled: Extending courtesy of a hearing to the Women's Joint Legislative Committee.

Motion prevailed.

Mr. Heal moved that the President of the Senate preside over the Joint Session. ,

Motion prevailed.

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

Mr. Heal asked for the privilege of the floor for the following:

MISS EMILY P. BISSELL
MRS. EDMUND GANGWERE
MISS ETTA J. WILSON
MRS. SADIE HARRISON
MRS. EVELYN KILLEN
MRS. RICHARD STUCKLEN
MRS. SCHWARTZ
MRS. E. PAUL duPONT

Mr. Heal moved that the Secretary of the Senate and the Chief Clerk of the House compare their Journals.

Motion prevailed.

The Secretary of the Senate announced that the Secretary of the Senate and the Chief Clerk of the House had compared their Journals and found that they agreed.

Mr. Heal moved that the two Houses do now separate.

Motion prevailed.

On motion of Mr. Benson, 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.

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

On request the privilege of the floor was given to Mr. Albert Young.

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, Stein, Woodward, Mr. Speaker—30.

NAYS—Messrs, Bailey, Gordy, A. G. Smith, Staats, Thawley—5.

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

And was ordered to the Senate for Concurrence.

THE SPEAKER ANNOUNCED HE IS ABOUT TO SIGN:

Senate Bill No. 62.

On motion of Mr. Canby, House Bill No. 147, entitled:

An Act to amend Chapter 117 of the Revised Code of the State of Delaware of 1935, as amended by Chapter 206, Volume 41, Laws of Delaware.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

NAYS—None.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Benson, 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 Operator's and Chauffeur's Licenses; Notary Fees, charging unlawful Notary Fees, misdemeanor; penalty, what application shall contain; providing License Fees; providing Expiration date of License.

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

On request the privilege of the floor was given to Mr. Albert Young.

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Kellum, Leach, Manlove, McGuigan, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Rambo, Reynolds, Rhodes, Knight, Stein, Woodward, Mr. Speaker—28.

NAYS—Messrs, Bailey, Hartman, Moore, Pinder, A. G. Smith, Staats, Thawley—7.

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

And was ordered to the Senate for Concurrence.

Mr. Zebley, on behalf of the Committee on Miscellaneous to whom had been referred House Bill No. 235, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware, 1935, in relation to State Revenue.

Reported the same back to the House favorably.

FRANK R. ZEBLEY, *Chairman*
FRANK H. BUCKINGHAM
NORMAN A. DRAPER
ABNER WOODWARD

Mr. Benson moved that the House adjourn until 11 o'clock, A. M., Wednesday, March 29th, 1939.

Motion prevailed.

FIFTY-SIXTH LEGISLATIVE DAY

Dover, Delaware, March 29th, 1939, 11 o'clock, A. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll Called.

Members present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

Clerk proceeded to read the journal of the Previous Session when Mr. Benson moved so much be considered the reading of the Journal and the Journal be approved.

Motion prevailed.

The Chair presented 38 communications.

Endorsing House Bill No. 125.

Relative to a United States Housing Authority slum clearance project for the City of Wilmington.

The Chair presented a communication from The Independent Motion Picture Theatre Owners of Lower Delaware, signed by George M. Schwartz, President.

Protesting against Senate Bill No. 152.

Relative to legalizing the Showing of Motion Pictures on Sundays.

The Chair presented a communication from the Suburban Advisory

Council, Gordon Heights, Delaware.

Endorsing House Bill No. 218.

Relative to the creation of a building inspector and building code for the rural sections of New Castle County outside of Wilmington.

Mr. Rhodes, on behalf of the Committee on Public Health to whom had been referred Senate Bill No. 93, entitled:

An Act to amend Chapter 31 of the Revised Code of Delaware, 1935, relative to Delaware State Board of Examiners in Optometry; qualifications for examination; increasing fee for re-examination; providing for compensation and expenses; increasing annual registration fee and revocation of certificate for non-payment.

Reported the same back to the House favorably.

GEORGE W. RHODES, *Chairman*
MANFORD PENUEL
JOSEPH S. NEWNAM
C. FRED FIFER
FRED BROWN

Mr. Benson moved that the House recess until the call of the Chair.

Motion prevailed.

Same Day.

House met at expiration of recess.

Mr. Pennington, on behalf of the Committee on Insurance and Banking to whom had been referred Senate Bill No. 24, entitled:

An Act to amend 509, Section 48 of Chapter 20, Revised Code of Delaware, 1935, relative to Insurance Department, providing as to effect of warranties in application for insurance when accompanying policy.

Reported the same back to the House favorably.

WM. K. PENNINGTON, *Chairman*
 FRED BROWN
 RICHARD E. PINDER
 NORMAN A. DRAPER
 C. FRED FIFER

Mr. Brown, on behalf of the Committee on Corporations Municipal to whom had been referred House Bill No. 271, entitled:

An Act changing the Corporate Name of "The Commissioners of Wyoming" to "The Town of Wyoming" and establishing a Charter therefor.

Reported the same back to the House favorably.

FRED BROWN, *Chairman*
 ELMER E. BENSON
 NORMAN A. DRAPER
 WM. K. PENNINGTON

Mr. Brown, on behalf of the Committee on Corporations Municipal to whom had been referred House Bill No. 272, entitled:

An Act changing the Corporate Name of "The Commissioners of Camden" to "The Town of Camden" and establishing a Charter therefor.

Reported the same back to the House favorably.

FRED BROWN, *Chairman*
 ELMER E. BENSON
 NORMAN A. DRAPER
 WM. K. PENNINGTON

Mr. Manlove, on behalf of the Committee on Revised Statutes to whom had been referred House Bill No. 122, entitled:

An Act making it unlawful to operate an automobile owned by the State of Delaware unless same bears certain identification marks and emblems.

Reported the same back to the House favorably.

GEORGE MANLOVE, *Chairman*
FRED PEPPER
JOHN A. HARTMAN

Mr. Knight moved that House Bill No. 446 be stricken from the Calendar.

Motion prevailed.

Mr. Benson moved that the House recess until 2:30 o'clock P. M.

Motion prevailed.

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

House met at expiration of recess.

Mr. Benson, on behalf of the Committee on Appropriations to whom had been referred House Bill No. 127, entitled:

An Act to create a Commission to determine any damage that might have been sustained by property owners of Newark, Delaware, as the result of the creation of an overhead bridge.

Reported the same back to the House favorably.

ELMER E. BENSON, *Chairman*
GEORGE MANLOVE
FRANK R. ZEBLEY
HENRY M. CANBY

Miss Elizabeth Newkirk, being admitted, presented a message from his Excellency the Governor, Richard C. McMullen.

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

Mar. 29, 1939

*To the Honorable, the House of Representatives,
The 107th General Assembly, State of Delaware,
Dover, Delaware.*

GENTLEMEN :

I return herewith, House Substitute for House Bill No. 1, which I have approved with the following exceptions:

Code F—6—8e State Treasurer for \$75.00 in each year of the biennium.

Code F—10—12e State Auditor for \$92.00 in each year of the biennium.

These two items are inadequate to provide legitimate expenses for the attendance of the State Treasurer and State Auditor at the annual conventions of the National Association of State Auditors, Treasurers and Comptrollers. The federal licensing of corporations, as proposed in Congress, is tentatively on the program of the Association's next meeting. In this Delaware has a large stake and should be represented. While I commend economy in general, I consider this unwise for Delaware at this time, and I, therefore, request that a larger amount be granted on these two items.

Code 1—18a—18e Old Age Welfare Commission-Pension Account.

The following recommendations are made in lieu of those appearing in the Budget Bill:

	For the Year Ending June 30, 1940	For the Year Ending June 30, 1941
Salaries and Wages	\$24,000.00	\$24,000.00
Office Expense	4,200.00	4,200.00
Travel	4,200.00	4,200.00
Operation	167,300.00	167,300.00
Equipment	300.00	300.00
TOTAL	\$200,000.00	\$200,000.00

In making this recommendation for a change in the allotment of the appropriation, I realize that the Legislature has adopted the recommendations I made in January. Since then, however, due to Federal requirements as to personnel, office management and travel needs, and to the provisions of your House Bill No. 169, realignments in these appropriations are necessary. On the surface it would appear that administrative costs are being increased at the expense of pensions, but such is not the case when the Old Age Welfare Commission, Special Account, composed of Federal grants-in-aid, is considered. By adopting this recommendation the State will appropriate more for administrative costs and less for pensions, but the same in Governor's message on House Substitute for House Bill No. 1. total; but it will receive sufficient Federal monies for pensions to compensate it for these adjustments.

Code G—2, State Insurance Commissioner, \$30,000.00 for the year ending June 30, 1941.

This amount appears excessive at this time. For many years custom has been to carry insurance on buildings where little, if any, hazard exists. I believe some are over-insured. On such buildings the State should adopt a self-insuring policy, rather than hand out insurance policies as a type of political patronage. The State Insurance Commissioner should report in full as to all policies to the 1941 Legislature. Then if additional funds are needed there will be ample time for the 1941 Legislature to vote them by a supplementary appropriation act. This appropriation should be reduced by \$10,000.00 to \$12,000.00.

K—6a—6f, State Board of Agriculture, Bureau of Markets, \$3,600.00 for each year of the biennium.

The reduction of this appropriation from the \$5,500.00 recommended by me threatens to cost our Delaware farmers many times the cost of the attempted savings. The Bureau of Markets has cooperated with the farmer to better his greatest problem, that of finding good markets for his produce. The reduction is unsound and the original amount of this appropriation as recommended should be restored.

L—5—7d Parole Board, Salary of Parole Officer \$1,800.00 for each year of the biennium.

Delaware has had no parole racket because paroles in this State have been handled cleanly and efficiently. The major credit for this belongs to the parole officer. Reducing his salary from \$2,400.00 to \$1,800.00 certainly indicates no appreciation for his meritorious and conscientious service. Rather is it petty politics. The amount of this reduction should be restored.

I respectfully call to your attention the three following situations created by this Budget Bill:

(1) The operations of the State Board of Agriculture will be drastically curtailed, especially in the fields of controlling the diseases of livestock and of inspecting farm products. The State's service to our farmers will be greatly impaired.

(2) The Mosquito Control Commission will have insufficient funds to maintain the marshes drained by Federal authorities, although I agree that we cannot now afford to continue with a new drainage program. I do believe we should take care of what has been done for us.

(3) The State Housing Commission is legislated out of operation because of no appropriation. There will exist no central housing body where plans can be formulated to improve housing conditions, especially in Wilmington, where the need is so great.

Respectfully yours,

RICHARD C. McMULLEN,
Governor.

Mr. Benson moved that House Substitute for House Bill No. 1 be restored to the Calendar.

Motion prevailed.

Mr. Benson moved that the House recess until the call of the Chair.

Motion prevailed.

Same Day.

House met at expiration of recess.

On motion of Mr. Zebley, House Bill No. 70, entitled:

An Act to amend Chapter 74 of the Revised Delaware Code of 1935 relating to fish, oysters and game, by providing for open season for Bow and Arrow Hunting.

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

On request the privilege of the floor was given to Mr. W. D. Rand.

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Bailey, Benson, Biggs, Canby, Kellum, Moore, Newnam, Reynolds, Stein, Woodward, Mr. Speaker—11.

NAYS—Messrs, Barr, Bierlin, Brown, Buckingham, Burris, Burton, Draper, Fifer, Gordy, Hartman, Leach, Manlove, McGuigan, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Rhodes, Knight, A. G. Smith, Staats, Thawley—24.

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

On motion of Mr. Brown, House Substitute for House Bill No. 205, entitled:

An Act to amend 4334 Section 19 of Chapter 116 of the Revised Code of Delaware, 1935, relating to the Juvenile Court of New Castle County and the Appointment of Probation Officers therefor.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burton, Canby, Draper, Fifer, Kellum, Leach, Manlove, Pennington, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Woodward, Mr. Speaker—22.

NAYS—Messrs, Bailey, Burris, Gordy, Hartman, McGuigan, Moore, Newnam, Pinder, Rambo, A. G. Smith, Staats, Stein, Thawley—13.

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

And was ordered to the Senate for Concurrence.

Mr. Pierce, Secretary of the Senate, being admitted, informed the House that the Senate had passed and requested the Concurrence of the House in the following:

Senate Concurrent Resolution No. 16.

Modifying and changing Senate Concurrent Resolution No. 11 as modified in reference to Introduction of New Bills.

And presented the same to the House.

On motion of Mr. Barr, 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 pro-

viding Levy Court Districts and additional Levy Court Commissioners; salaries.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burton, Canby, Draper, Fifer, Kellum, Leach, Manlove, Pennington, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Woodward, Mr. Speaker—22.

NAYS—Messrs, Bailey, Burris, Gordy, Hartman, McGuigan, Moore, Newnam, Pinder, Rambo, A. G. Smith, Staats, Stein, Thawley—13.

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

And was ordered to the Senate for Concurrence.

The Chair presented Senate Concurrent Resolution No. 16, entitled:

Modifying and changing Senate Concurrent Resolution No. 11 (as modified) in reference to introduction of New Bills.

On motion of Mr. Benson, Senate Concurrent Resolution No. 16, entitled:

Modifying and Changing Senate Resolution No. 11 (as modified) in Reference to Introduction of New Bills.

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

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

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

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burton, Canby, Draper, Fifer, Kellum, Leach, Manlove, Pennington, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Woodward, Mr. Speaker—22.

NAYS—Messrs, Bailey, Burris, Gordy, Hartman, McGuigan, Moore, Newnam, Pinder, Rambo, A. G. Smith, Staats, Stein, Thawley—13.

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

And was ordered returned to the Senate.

Mr. Benson moved that the House adjourn until 11 o'clock, A. M., Thursday, March 30th, 1939.

Motion prevailed.

FIFTY-SEVENTH LEGISLATIVE DAY

Dover, Delaware, March 30th, 1939, 11 o'clock, A. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll Called.

Members present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

Clerk proceeded to read the Journal of the Previous Session when Mr. Benson moved so much be considered the reading of the Journal and the Journal be approved.

Motion prevailed.

The Chair presented 36 communications.

Endorsing House Bill No. 125.

Relative to a United States Housing Authority slum clearance project for the City of Wilmington.

The Chair presented a communication from the Grande Loggia Dello Stato Delaware, Wilmington.

Endorsing House Bill No. 29.

Relative to the State Service Bureau for Foreign Born Residents of the State of Delaware.

The Chair presented a communication signed by 44 students of the University of Delaware, Newark.

Endorsing the Blue Hen as the Official Delaware State Bird.

The Chair presented a communication from Hockessin Grange, P. of H., No. 4, Hockessin.

Protesting against all legislation pending before the General Assembly designed to bring about the diversion of funds collected for the State Highways.

The Chair presented a communication from Fannie E. Steele, Millsboro.

Endorsing the Adult Education program in the State of Delaware.

The Chair presented a communication from the congregation of Grace M. E. Church, Millsboro.

Protesting against all legislation pending before the General Assembly to legalize the Showing of Motion Pictures on Sundays, or to liberalize the liquor traffic.

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

Senate Bill No. 73.

An Act to amend An Act entitled "An Act to establish a System of Unemployment Compensation for the unemployed citizens of the State of Delaware, without liability on the part of the State of Delaware, to be administered by a Commission and its newly created agencies, requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls, to provide moneys for the payments of compensation to certain unemployed persons, providing procedure and administrative details for the determination, payment and collection of such contributions, and the payment of such compensation providing for cooperation with the Federal Government and its Agencies, creating certain special funds in the custody of the State Treasurer and prescribing penalties for the violation of the provisions

of this Act," said Act being Chapter 258 of Volume 41, Laws of Delaware, 1937.

And presented the same to the House.

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

Senate Substitute for Senate Bill No. 74.

An Act to amend An Act known and cited as the "Unemployment Compensation Law," being Chapter 258 of the Laws of Delaware, 1937, by providing that in certain cases of disqualification for benefits the unemployment must be due directly to a stoppage of work because of a labor dispute.

And presented the same to the House.

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

Senate Bil No. 75.

An Act to relieve certain employers engaged in Interstate Commerce from liability to pay contributions with respect to wages payable for employment occurring after June 30, 1939, pursuant to the provisions of the Unemployment Compensation Law of this State, to exclude individuals employed by such employers from the system of Unemployment Compensation established by the Unemployment Compensation Law of this State with respect to unemployment occurring after June 30, 1939, to provide for the transfer of certain funds from the Unemployment Trust Fund Account of this State in the Unemployment Trust Fund established and maintained pursuant to Section 904 of the Social Security Act of the Congress of the United States of America, as amended, to the Railroad Unemployment Insurance Account established and maintained pursuant to Section 10 of the Railroad Unemployment Insurance Act of the Congress of the United States of America in said Unemployment Trust Fund and for other purposes.

And presented the same to the House.

Mr. Rhodes on motion for leave introduced House Substitute for House Bill No. 222, entitled:

An Act to amend Chapter 36 of the Revised Code of Delaware, 1935, relating to the Public Archives Commission.

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

The Chair presented Senate Bill No. 73, entitled:

An Act to amend An Act entitled "An Act to establish a System of Unemployment Compensation for the unemployed citizens of the State of Delaware, without liability on the part of the State of Delaware, to be administered by a Commission and its newly created agencies, requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls, to provide moneys for the payments of compensation to certain unemployed persons, providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its Agencies, creating certain special funds to the custody of the State Treasurer and prescribing penalties for the violation of the provisions of this Act," said Act being Chapter 258 of Volume 41, Laws of Delaware, 1937.

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

The Chair presented Senate Substitute for Senate Bill No. 74, 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 providing that in certain cases of disqualification for benefits the unemployment must be due directly to a stoppage of work because of a labor dispute.

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

The Chair presented Senate Bill No. 75, entitled:

An Act to relieve certain employers engaged in Interstate Commerce from liability to pay contributions with respect to wages payable for employment occurring after June 30, 1939, pursuant to the provisions of the Unemployment Compensation Law of this State, to exclude individuals employed by such employers from the system of Unemployment Compensation established by the Unemployment Compensation Law of this State with respect to unemployment occurring after June 30, 1939, to provide for the transfer of certain funds from the Unemployment Trust Fund Account of this State in the Unemployment Trust Fund established and maintained pursuant to Section 904 of the Social Security Act of the Congress of the United States of America, as amended, to the Railroad Unemployment Insurance Account established and maintained pursuant to Section 10 of the Railroad Unemployment Insurance Act of the Congress of the United States of America in said Unemployment Trust Fund and for other purposes.

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

Mr. Brown moved that the House recess until the call of the Chair.

Motion prevailed.

Same Day.

House met at expiration of recess.

Mr. Benson moved that the House recess until 1:30 o'clock P. M.

Motion prevailed.

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

House met at expiration of recess.

Mr. Fred Pepper on motion for leave introduced House Substitute for House Bill No. 290, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oyster and Game" relating to the License fees for non-residents to fish in the waters of this State.

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

Mr. Buckingham on motion for leave introduced House Substitute for House Bill No. 9, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, relating to Fish, Oysters and Game, by abolishing the present Three-Member Board of Game and Fish Commissioners and establishing a new Board of Game and Fish Commissioners to be composed of Seven Members, of whom at least Three shall be Farmers.

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

Mr. Benson moved that the House recess until the call of the Chair.

Motion prevailed.

Same Day.

House met at expiration of recess.

Mr. Zebley, on behalf of the Committee on Miscellaneous to whom had been referred House Substitute for House Bill No. 9, entitled:

An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, relating to Fish, Oysters and Game, by abolishing the present Three-Member Board of Game and Fish Commissioners and establishing a new Board of Game and Fish Commissioners to be composed of seven members, of whom at least three shall be farmers.

Reported the same back to the House favorably.

FRANK R. ZEBLEY, *Chairman*
FRANK H. BUCKINGHAM
NORMAN A. DRAPER
REESE O. GORDY

THE SPEAKER ANNOUNCED HE IS ABOUT TO SIGN:

Senate Concurrent Resolution No. 16.

Mr. Benson, on behalf of the Committee on Appropriations to whom had been referred Senate Bill No. 251, entitled:

An Act requiring the State Board of Education to provide for Commercial Courses in the High School of Delaware City.

Reported the same back to the House favorably.

ELMER E. BENSON, *Chairman*
HENRY M. CANBY
GEORGE MANLOVE
FRANK R. ZEBLEY

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

Senate Bill No. 306.

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 presented the same to the House.

On motion for leave, Mr. Benson introduced House Resolution No. 34, entitled:

Authorizing payments on account to attaches and employees of the House of Representatives.

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

On the question "Shall the Resolution Pass the House?"

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman,

Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

NAYS—None.

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

The Chair presented 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 was given first and second reading. The second by title only, and referred to the Committee on Judiciary and Crime.

On motion of Mr. Zebley, 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.

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

On request the privilege of the floor was given to Dr. Blum.

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

NAYS—None.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Zebley, 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 Chiropraxy, Fee and Qualification of applicant.

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

On request the privilege of the floor was given to Dr. Blum.

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Canby, House Bill No. 235, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware, 1935, in relation to State Revenue.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burton, Canby, Draper, Kellum, Leach, Manlove, Moore, Newnam, Pennington, Penuel, Fred Pepper, Pinder, Reynolds, Rhodes, Knight, Woodward, Mr. Speaker—23.

NAYS—Messrs, Burris, Fifer, Gordy, Hartman, McGuigan, F. W. Pepper, Rambo, A. G. Smith, Staats, Stein, Thawley—11.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Canby, Senate Bill No. 24, entitled :

An Act to amend 509, Section 48 of Chapter 20, Revised Code of Delaware, 1935, relative to Insurance Department, providing as to effect of warranties in application for insurance when accompanying policy.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

NAYS—None.

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

And was ordered returned to the Senate.

On motion of Mr. Canby, Senate Bill No. 29, entitled :

An Act to amend Chapter 175 of the Revised Code of Delaware, 1915, relating to the Delaware Workmen's Compensation Law, and effecting the interpretation thereof and definitions therein.

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

On the question "Shall the Bill Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows :

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Woodward, Mr. Speaker—34.

NAYS—Mr. Thawley—1.

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

And was ordered returned to the Senate.

On motion of Mr. Rhodes, Senate Bill No. 93, entitled :

An Act to amend Chapter 31 of the Revised Code of Delaware, 1935, relative to Delaware State Board of Examiners in Optometry; qualifications for examination; increasing fee for re-examination; providing for compensation and expenses; increasing annual registration fee and revocation of certificate for non-payment.

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

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

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Woodward, Mr. Speaker—34.

NAYS—Mr. Thawley—1.

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

And was ordered returned to the Senate.

Mr. Canby, on behalf of the Committee on Judiciary and Crime to whom had been referred 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.

Reported the same back to the House favorably.

ELLWOOD S. LEACH
WM. K. PENNINGTON
FRED PEPPER
HENRY M. CANBY, *Chairman*

Mr. Benson moved that the House adjourn until 12 o'clock, noon, Friday, March 31st, 1939.

Motion prevailed.

FIFTY-EIGHTH LEGISLATIVE DAY

Dover, Delaware, March 31st, 1939, 11 o'clock, A. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll Called.

Members present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

Clerk proceeded to read the Journal of the Previous Session when Mr. Benson moved so much be considered the reading of the Journal and the Journal be approved.

Motion prevailed.

The Chair presented a Petition, comprised of 115 separate petitions, containing a total of 2,434 individual signers, 533 of whom are residents of the City of Wilmington, and the remainder of the State of Delaware.

Endorsing House Substitute for House Bill No. 9.

Relative to the abolishment of the present Board of Game and Fish Commissioners and the establishment of a new seven-member Commission.

The Chair presented seven communications.

Protesting against House Bill No. 27.

Relative to Fair Trade.

The Chair presented a communication from the Oak Hill Community League, Townsend, Delaware.

Endorsing the Adult Education program in the State of Delaware.

The Chair presented a communication from the Board of Examiners in Optometry, State of Delaware.

Endorsing Senate Bill No. 94.

Relative to exempting legally licensed practising Optometrists for Jury Service.

The Chair presented a communication from Gerrish Gassaway, Manager of the Chamber of Commerce, Wilmington.

Relative to the Governor's veto of the items in the General Appropriation Bill for travel.

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

House Bill No. 84.

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relating to the cancellation or suspension of licenses for the sale of alcoholic liquor, wines and beer and the disposition of alcoholic liquor, wines and beer by the Commission.

And returned the same to the House.

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

House Bill No. 87.

An Act to amend Chapter 169 of the Revised Code of Delaware, 1935, in reference to the right of an accused person to elect to be tried by the Court of Common Pleas of New Castle County; duty of the Justice of the Peace and the arresting officer to advise the accused of his right to so elect; effect upon jurisdiction.

And returned the same to the House.

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

House Bill No. 82.

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, tariff of license fees, seizures and transportation of Alcoholic Liquors.

And returned the same to the House.

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

House Bill No. 80.

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relating to the sale of alcoholic liquor in quantities larger than one bottle to individuals practicing medicine, surgery, obstetrics and dentistry, or any individual practicing the profession of a veterinary surgeon.

And returned the same to the House.

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

House Bill No. 79.

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, in reference to the authority of Delaware Liquor Commission to negotiate agreements with other states of the United States with regard to the manufacture, importation, sale and transportation of alcoholic liquors.

And returned the same to the House .

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

House Bill No. 78.

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, in reference to selling Alcoholic Liquors during certain hours on certain days and in certain places.

And returned the same to the House.

Mr. Pierce, Secretary of the Senate, being admitted, informed the House that the senate had passed and requested the concurrence of the House in the following :

Senate Bill No. 76 with Senate Amendment No. 1.

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 definition of "Base Period," changing the definition of "Benefit Year, exempting part-time officers of certain organizations, changing the definition of "Unemployment," defining "Wages" with reference to jobs, making subject to this Act any employing unit which is an employer under Title IX of the Federal Social Security Act, requiring contributions from certain Fraternal Benefit Societies, giving a new definition of "Weekly Benefit Amount," giving a new definition of the "Duration of Benefits," restating the conditions by which unemployed individual become eligible for benefits, reducing and making uniform the periods of disqualification for certain causes, providing that no individual may receive duplicate benefits under a State or Federal Unemployment Compensation Law, and by increasing the period within which refunds may be claimed.

And presented the same to the House.

Mr. Pierce, Secretary of the Senate, being admitted, informed the House that the senate had passed and requested the concurrence of the House in the following :

Senate Substitute for Senate Bill No. 221.

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.

And presented the same to the House.

The Chair presented Senate Bill No. 76 as amended, 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 definition of "Base Period," changing the definition of "Benefit Year, exempting part-time officers of certain organizations, changing the definition of "Unemployment," defining "Wages" with reference to jobs, making subject to this Act any employing unit which is an employer under Title IX of the Federal Social Security Act, requiring contributions from certain Fraternal Benefit Societies, giving a new definition of "Weekly Benefit Amount," giving a new definition of the "Duration of Benefits," restating the conditions by which unemployed individual become eligible for benefits, reducing and making uniform the periods of disqualification for certain causes, providing that no individual may receive duplicate benefits under a State or Federal Unemployment Compensation Law, and by increasing the period within which refunds may be claimed.

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

The Chair presented 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.

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

Mr. Canby, on behalf of the Committee on Judiciary and Crime to whom had been referred Senate Bill No. 76 as amended, 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 definition of "Base Period," changing the definition of "Benefit Year, exempting part-time officers of certain organizations, changing the definition of "Unemployment," defining "Wages" with reference to jobs, making subject to this Act any employing unit which is an employer under Title IX of the Federal Social Security Act, requiring contributions from certain Fraternal Benefit Societies, giving

a new definition of "Weekly Benefit Amount," giving a new definition of the "Duration of Benefits," restating the conditions by which unemployed individual become eligible for benefits, reducing and making uniform the periods of disqualification for certain causes, providing that no individual may receive duplicate benefits under a State or Federal Unemployment Compensation Law, and by increasing the period within which refunds may be claimed.

Reported the same back to the House favorably:

HENRY M. CANBY, *Chairman*
ELLWOOD S. LEACH
WM. K. PENNINGTON
FRED PEPPER
JOHN A. HARTMAN

Mr. Canby moved that the House recess until 12:20 o'clock P. M.
Motion prevailed.

Same Day 12:20 o'clock P. M.

House met at expiration of recess.

Mr. Canby moved that the rules of the House be suspended for the purpose of considering Senate Substitute for Senate Bill No. 76 as amended.

Motion prevailed.

On motion of Mr. Canby, Senate Bill No. 76 as amended, 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 definition of "Base Period," changing the definition of "Benefit Year, exempting part-time officers of certain organizations, changing the definition of "Unemployment," defining "Wages" with reference to jobs, making subject to this Act any employing unit which is an employer under Title IX of the Federal Social Security Act, requiring contributions from certain Fraternal Benefit Societies, giving a new definition of "Weekly Benefit Amount," giving a new definition of the "Duration of Benefits," restating the conditions by which unemployed individual become eligible for benefits, reducing and making uniform

the periods of disqualification for certain causes, providing that no individual may receive duplicate benefits under a State or Federal Unemployment Compensation Law, and by increasing the period within which refunds may be claimed.

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

On the question, "Shall the Bill as amended Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—33

NAYS—Mr. Draper—1.

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

And was ordered returned to the Senate.

On motion of Mr. Brown, House Bill No. 93, entitled:

An Act to amend Chapter 113, Volume 32, Laws of Delaware, entitled "An Act providing for a Police Pension Fund for members of the Police force of the City of Wilmington.

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

On the question "Shall the Bill Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burton, Canby, Draper, Fifer, Kellum, Leach, Manlove, Penning-

ton, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Woodward, Mr. Speaker—22.

NAYS—Messrs, Bailey, Burris, Gordy, Hartman, McGuigan, Moore, Newnam, Pinder, Rambo, A. G. Smith, Staats, Stein, Thawley—13.

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

On motion for leave, Mr. Benson introduced House Resolution No. 35, entitled:

Authorizing part payment on printing expenses.

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

On the question "Shall the Resolution Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

NAYS—None.

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

Mr. Benson moved that the House recess until 2:30 o'clock P. M.

Motion prevailed.

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

House met at expiration of recess.

Mr. Benson moved that the House recess until the call of the Chair.

Motion prevailed.

Same Day.

House met at expiration of recess.

THE SPEAKER ANNOUNCED HE IS ABOUT TO SIGN:

House Bill No. 78.

House Bill No. 79.

House Bill No. 80.

House Bill No. 82.

House Bill No. 84.

House Bill No. 87.

On motion of Mr. Brown 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 was taken up for consideration and read in order to pass the House.

On the question "Shall the Bill Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burton, Canby, Draper, Fifer, Kellum, Leach, Manlove, Pennington, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Woodward, Mr. Speaker—22.

NAYS—Messrs, Bailey, Burris, Gordy, Hartman, McGuigan

Moore, Newnam, Pinder, Rambo, A. G. Smith, Staats, Stein, Thawley—13.

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

And was ordered returned to the Senate.

On motion of Mr. Buckingham House Substitute for House Bill No. 9, entitled:

An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, relating to Fish Oysters and Game, by abolishing the present three-member Board of Game and Fish Commissioners and establishing a new Board of Game and Fish Commissioners to be composed of seven members; of whom at least three shall be farmers.

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

Mr. Buckingham offered House Amendment No. 1 to House Substitute for House Bill No. 9.

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

On the question "Shall the Amendment Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Bierlin, Biggs, Brown, Buckingham, Burris, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Penuel, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Mr. Speaker—28.

NAYS—None.

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

Mr. Bailey moved that action be deferred on House Substitute for

House Bill No. 9 as amended.

Motion lost.

On the question "Shall the Bill as amended Pass the House?"

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

YEAS—Messrs, Bierlin, Biggs, Burris, Fifer, Hartman, Leach, Manlove, Moore, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Mr. Speaker—15.

NAYS—Messrs, Bailey, Barr, Brown, Buckingham, Burton, Draper, Kellum, McGuigan, Newnam, Pinder, Rambo—11.

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

Mr. Brown moved that the vote on House Substitute for House Bill No. 9 as amended be reconsidered.

Mr. Buckingham seconded the motion.

On the question "Shall the motion Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Fifer, Gordy, Hartman, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—29.

NAYS—Messrs, Bailey, Barr, Draper, Kellum, Penuel, Freq Pepper—6.

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

Mr. Brown moved that House Substitute for House Bill No. 9 as amended be restored to the Calendar.

Motion prevailed.

Mr. Brown on motion for leave introduced House Substitute for House Bill No. 427, entitled:

An Act to amend Chapter 113, Volume 32, Laws of Delaware, entitled "An Act providing for a Police Pension Fund for members of the Police Force of the City of Wilmington."

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

Mr. Bierlin on motion for leave introduced House Substitute for House Bill No. 387, entitled:

An Act authorizing and directing the State Board of Agriculture to employ a full time Veterinarian, not engaged in private practice, for supervision over contagious diseases of live stock.

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

Mr. Moore on motion for leave introduced House Substitute for House Bill No. 426, entitled:

An Act authorizing the State Board of Agriculture to compile market information and statistics to aid in the sale of farm produce, livestock, poultry and their by-products, to distribute such information, to promote the more advantageous marketing of Delaware farm products, livestock, poultry and by-products, to design a Delaware quality label and make regulations relative to its use, to furnish inspectors, appropriation.

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

Mr. Fifer, on behalf of the Committee on Public Lands and Buildings to whom had been referred House Bill No. 285, entitled:

An Act appointing Clerk of the Peace of Sussex County as Custodian of the Sussex County Court House and Annex, with authority to appoint janitors and furnish supplies and equipment.

Reported the same back to the House favorably.

C. FRED FIFER, *Chairman*
F. W. PEPPER
FRED BROWN
GEORGE W. RHODES

Mr. Benson moved that the House recess until the call of the Chair.

Motion prevailed.

Same Day.

House met at expiration of recess.

THE SPEAKER ANNOUNCED HE IS ABOUT TO SIGN:

Senate Bill No. 306.

Senate Bill No. 24.

Senate Bill No. 93.

Senate Bill No. 29.

Mr. Benson moved that the House adjourn until 12 o'clock, noon,
Monday, April 3rd, 1939.

Motion prevailed.

FIFTY-NINTH LEGISLATIVE DAY

Dover, Delaware, April 3rd, 1939, 12 o'clock, noon.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll Called.

Members present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

Clerk proceeded to read the Journal of the Previous Session when Mr. Benson moved so much be considered the reading of the Journal and the Journal be approved.

Motion prevailed.

The Chair presented seven communications.

Protesting against House Bill No. 27.

Relative to Fair Trade.

The Chair presented two communications.

Endorsing House Bill No. 125.

Relative to a United States Housing Authority slum clearance project for the City of Wilmington.

The Chair presented a communication from the Yorklyn Parent-Teachers Association.

Endorsing the Adult Education program in the State of Delaware.

The Chair presented a communication from the Delaware Highway Users Conference, Wilmington.

Protesting proposals to consolidate all State funds into one General Fund.

The Chair presented communications from the Lay Delegates of the Wilmington Annual Conference of the Methodist Episcopal Church, representing 28,000 members in the State of Delaware; the Lillian Cade Union and the Hilles Union of the Women's Christian Temperance Union.

Protesting against all legislation pending before the General Assembly, designed to legalize the Showing of Motion Pictures on Sundays; House Bill No. 59, legalizing Bowling on Sunday; House Bills Nos. 288 and 289, relative to the operation of pin ball machines; or any, or all laws, to liberalize the liquor traffic or to allow, or liberalize, gambling in the State of Delaware.

The Chair presented communications from the following chapters of the Women's Christian Temperance Union: Hilles, Wilmington; Rising Sun and Lebanon, Camden; the Lillian Cade, Milton; and the Delaware State Federation, W. C. T. U.

Endorsing House Bills Nos. 114, 219, 220 and 221.

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

Senate Bill No. 89.

An Act for the organization of the Attorney General's Department of the State of Delaware, providing for the appointment by the Attorney General of Deputy Attorneys General including, in addition to those now authorized by Law, an additional Deputy Attorney General to the State Tax Department, a Deputy Attorney General to the State Highway Department, a Deputy Attorney General to the Delaware Liquor Commission and certain additional or Special Deputies, providing for the salaries of such Deputy Attorneys General and the manner of pay-

ment thereof, providing for the supervision, direction and control by the Attorney General of all the Legal Business and Affairs of the State Government, providing the respective duties of the Attorney General's Department and of the several Agencies of the State Government, prohibiting the employment of Attorneys to transact Legal Business for the several Agencies of the State of Delaware, except with the approval of the Attorney General, and repealing all Acts or parts of Acts inconsistent therewith.

And presented the same to the House.

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

Senate Substitute for Senate Bill No. 268.

An Act to amend Chapter 150 of the Revised Code of Delaware, 1935, relating to offenses against Private Property by making it a Felony to break and enter with intent to commit any Crime or Misdemeanor; and providing no Criminal Proceeding commenced prior to the approval of this Act shall be affected hereby.

And presented the same to the House.

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

Senate Substitute for Senate Bill No. 296.

An Act to amend 5296, Section 1 of the Revised Code of the State of Delaware, 1935, relating to Accomplices by conferring upon the Court discretion in the matter of Punishment under said Act.

And presented the same to the House.

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

House Bill No. 174 with House Amendment No. 1.

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, in regard to the issuing of Liquor Licenses.

And presented the same to the House.

Mr. Benson moved that the House recess until the call of the Chair.

Motion prevailed.

Same Day.

House met at expiration of recess.

Mr. Brown, on behalf of the Committee on Corporations Municipal to whom had been referred House Substitute for House Bill No. 427, entitled:

An Act to amend Chapter 13, Volume 32, Laws of Delaware entitled "An Act providing for Police Pension Fund for members of Police Force City of Wilmington."

Reported the same back to the House favorably.

FRED BROWN, *Chairman*
WM. K. PENNINGTON
ELMER E. BENSON
NORMAN A. DRAPER

Mr. Zebley, on behalf of the Committee on Miscellaneous to whom had been referred Senate Bill No. 261, entitled:

An Act adopting the "Blue Hen Chicken" as the Official Bird of the State of Delaware.

Reported the same back to the House favorably.

FRANK R. ZEBLEY, *Chairman*
FRANK H. BUCKINGHAM
ABNER WOODWARD
NORMAN A. DRAPER
REESE O. GORDY

Mr. Bierlin, on behalf of the Committee on Agriculture to whom had been referred House Substitute for House Bill No. 387, entitled:

An Act authorizing and directing the State Board of Agriculture to employ a full time Veterinarian not engaged in private practice for supervision over contagious diseases of live stock.

Reported the same back to the House favorably.

GEORGE T. BIERLIN, *Chairman*
 VERNER P. BURTON
 WILLIAM BIGGS
 ABNER WOODWARD
 REESE O. GORDY

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

House Bill No. 78.

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, in reference to selling Alcoholic Liquors, during certain hours on certain days and in certain places.

House Bill No. 79.

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, in reference to the authority of Delaware Liquor Commission to negotiate agreements with other states of the United States with regard to the manufacture, importation, sale and transportation of alcoholic liquors.

House Bill No. 80.

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relating to the sale of alcoholic liquor in quantities larger than one bottle to individuals practicing medicine, surgery, obstetrics and dentistry, or any individual practicing the profession of a veterinary surgeon.

House Bill No. 82.

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, tariff of license fees, seizures and transportation of alcoholic liquors.

House Bill No. 84.

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relating to the cancellation or suspension of licenses for the sale of alcoholic liquor, wines and beer and the disposition of alcoholic liquor, wines and beer by the Commission.

House Bill No. 87.

An Act to amend Chapter 169 of the Revised Code of Delaware, 1935, in reference to the right of an accused person to elect to be tried by the Court of Common Pleas of New Castle County; duty of the Justice of the Peace and the arresting officer to advise the accused of his right to so elect; effect upon jurisdiction.

Mr. Pennington, on behalf of the Committee on Insurance and Banking to whom had been referred House Substitute for House Bill No. 388, entitled:

An Act to amend Chapter 20 of the Revised Code of Delaware, 1935, prohibiting the sale of Life Insurance contracts to persons under Eighteen Years of Age without first securing the written consent of parent or guardian.

Reported the same back to the House favorably.

WM. K. PENNINGTON, *Chairman*
NORMAN A. DRAPER
C. FRED FIFER
'FRED BROWN
RICHARD E. PINDER

Mr. Pennington, on behalf of the Committee on Insurance and Banking to whom had been referred House Substitute for House Bill No. 389, entitled:

An Act to amend Chapter 20 of the Revised Code of Delaware,

1935, relating to interest due on Insurance Premium Loans and Policies Loans.

Reported the same back to the House on its merits.

WM. K. PENNINGTON, *Chairman*
FRED BROWN
RICHARD E. PINDER
C. FRED FIFER
NORMAN A. DRAPER

Mr. Pennington, on behalf of the Committee on Insurance and Banking to whom had been referred Senate Bill No. 35, entitled:

An Act to amend Chapter 20, Revised Code of Delaware, 1935, as amended by Chapter 79, Volume 41, Laws of Delaware, 1937, relative to Insurance Department and providing additional requirements for Certificate of Authority.

Reported the same back to the House favorably.

WM. K. PENNINGTON, *Chairman*
NORMAN A. DRAPER
C. FRED FIFER
FRED BROWN
RICHARD E. PINDER

Mr. Benson on motion for leave introduced House Substitute for House Bill No. 188, entitled:

An Act to amend Chapter 20, of the Revised Code of Delaware, 1935, as Amended by Chapter 79, Volume 41, Laws of Delaware, relating to Insurance Department and providing additional requirements for Certificate of Authority.

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

The Chair presented Senate Substitute for Senate Bill No. 268, entitled:

An Act to amend Chapter 150 of the Revised Code of Delaware,

1935, relating to offenses against Private Property by making it a Felony to break and enter with intent to commit any Crime or Misdemeanor; and providing no Criminal Proceeding commenced prior to the approval of this Act shall be affected hereby.

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

The Chair presented Senate Substitute for Senate Bill No. 296, entitled:

An Act to amend 5296, Section 1 of the Revised Code of the State of Delaware, 1935, relating to Accomplices by conferring upon the Court discretion in the matter of Punishment under said Act.

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

The Chair presented Senate Bill No. 89, entitled:

An Act for the organization of the Attorney General's Department of the State of Delaware, providing for the appointment by the Attorney General of Deputy Attorneys General including, in addition to those now authorized by Law, and additional Deputy Attorney General to the State Tax Department, a Deputy Attorney General to the State Highway Department, a Deputy Attorney General to the Delaware Liquor Commission and certain additional or Special Deputies, providing for the salaries of such Deputy Attorneys General and the manner of payment thereof, providing for the supervision, direction and control by the Attorney General of all the Legal Business and Affairs of the State Government, providing the respective duties of the Attorney General's Department and of the several Agencies of the State Government, prohibiting the employment of Attorneys to transact Legal Business for the several Agencies of the State of Delaware, except with the approval of the Attorney General, and repealing all Acts or parts of Acts inconsistent therewith.

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

Mr. Benson moved that the House recess until the call of the Chair.

Motion prevailed.

Same Day.

House met at expiration of recess.

THE SPEAKER ANNOUNCED HE IS ABOUT TO SIGN:

House Bill No. 174 as amended.

On motion of Mr. Canby, House Substitute for House Bill No.1, entitled.

An Act making appropriation for the expenses of the State Government for each of the two fiscal years ending June 30, 1940 and June 30, 1941.

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

Mr. Benson offered House Amendment No. 1 to House Substitute for House Bill No. 1.

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

Mr. Benson moved the Amendment be adopted.

Mr. Brown seconded the motion.

On the question "Shall the Amendment Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, McGuigan, Moore, Newnam, Pennington, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—33.

NAYS—None.

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

Mr. Benson offered House Amendment No. 2 to House Substitute for House Bill No.1.

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

Mr. Benson moved the Amendment be adopted.

Mr. Brown seconded the motion.

On the question "Shall the Amendment Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

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

Mr. Benson offered House Amendment No. 3 to House Substitute for House Bill No. 1.

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

Mr. Benson moved the Amendment be adopted.

Mr. Brown seconded the motion.

On the question "Shall the Amendment Pass the House?"

The Yeas and Nays were ordered, which being taken were as

follows :

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, McGuigan, Moore, Newnam, Pennington, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—33.

NAYS—None.

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

Mr. Benson offered House Amendment No. 4 to House Substitute for House Bill No. 1.

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

Mr. Benson moved the Amendment be adopted.

Mr. Buckingham seconded the motion.

On the question "Shall the Amendment Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows :

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

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

Mr. Benson offered House Amendment No. 5 to House Substitute for House Bill No. 1.

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

the House.

Mr. Benson moved the Amendment be adopted.

Mr. Leach seconded the motion.

On the question "Shall the Amendment Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

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

Mr. Benson offered House Amendment No. 6 to House Substitute for House Bill No. 1.

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

Mr. Benson moved the Amendment be adopted.

Mr. Barr seconded the motion.

On the question "Shall the Amendment Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS--None.

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

Mr. Benson offered House Amendment No. 7 to House Substitute for House Bill No. 1.

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

Mr. Benson moved the Amendment be adopted.

Mr. Brown seconded the motion.

On the question "Shall the Amendment Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

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

Mr. Benson offered House Amendment No. 8 to House Substitute for House Bill No. 1.

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

Mr. Benson moved the Amendment be adopted.

Mr. Buckingham seconded the motion.

On the question "Shall the Amendment Pass the House?"