

tag seeds not in conformity with this Act; Penalties 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. 184.

An Act adopting the American Holly as the State Tree.

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. 103.

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

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. 250.

An Act to amend Chapter 60 of the Revised Code of the State of Delaware (1935) entitled "General Elections."

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. 198.

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

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. 197.

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

And 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. Benson, on behalf of the Committee on Appropriations to whom had been referred House Bill No. 459, entitled :

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

Reported the same back to the House favorably.

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

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

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

Reported the same back to the House favorably.

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

THE SPEAKER ANNOUNCED HE IS ABOUT TO SIGN:

Senate Substitute for Senate Bill No. 152.

Senate Concurrent Resolution No. 18.

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

House Bill No. 41. Approved by Governor April 7, 1939.

Mr. Brown: Mr. Speaker, any business before the House?

Mr. Brown: I move the House proceed to reconsider Senate Substitute for House Bill No. 31, which was returned to the House 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. Leach seconded the motion.

Mr. Speaker: You have heard the motion.

The question before the House is:

"Shall the House on reconsideration agree to pass Senate Substitute for House Bill No. 31, 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, Hartman, McGuigan, Moore, Newnam, Pinder, Rambo, A. G. Smith, Staats, Stein—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 over the objections of the Governor to the contrary notwithstanding.

Mr. Canby moved that the rules of the House be suspended for the purpose of considering House Bill No. 459.

Motion prevailed.

On motion of Mr. Canby, House Bill No. 459, entitled:

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

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. Canby, House Bill No. 471, entitled:

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

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.

On motion of Mr. Canby, House Bill No. 472, entitled:

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

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. 473, entitled:

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

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. Leach, Senate Bill No. 10, entitled:

An Act for the relief of the indigent Sick Resident in 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, 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. Kellum, Senate Substitute for Senate Bill No. 91, entitled:

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

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. Canby, Senate Bill No. 170, entitled :

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

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.

The Chair presented Senate Bill No. 18, entitled:

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

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. 103, entitled:

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

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

The Chair presented Senate Bill No. 107 with Senate Amendment No. 1, entitled:

An Act to appropriate Five Hundred Dollars (\$500.00) for a Special Commission to study Sex Education in the Public Schools and to report its findings and recommendations to the General Assembly meeting in 1941.

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

The Chair presented Senate Bill No. 173, entitled:

An Act relative to the Observance of American Education Week.

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

The Chair presented Senate Bill No. 184, entitled:

An Act adopting the American Holly as the State Tree.

Which was given first and second reading. The second by title

only, and referred to the Committee on Education.

The Chair presented Senate Bill No. 197, entitled:

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

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. 198, entitled:

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

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

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

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

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 Substitute for Senate Substitute for Senate Bill No. 194, entitled:

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

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

The Chair presented Senate Substitute for Senate Bill No. 209, entitled:

An Act to amend Article 9, Chapter 21, of the Revised Code of the State of Delaware, 1935, by redefining Agricultural Seeds; making it unlawful for the sale of seeds containing more than 3 per cent by weight of Weed Seeds," authorizing State Board of Agriculture to seize and tag seeds not in conformity with this Act; Penalties therefor.

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 House Bill No. 17, entitled:

An Act to amend Chapter 108, Revised Code of Delaware, 1935, relating to Compensation of Bailiffs in Kent County, Delaware.

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

The Chair presented Senate Substitute for House Bill No. 250, entitled:

An Act to amend Chapter 60 of the Revised Code of the State of Delaware (1935) entitled "General Elections."

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

On motion of Mr. Brown, Senate Substitute for Senate Substitute for Senate Bill No. 220, entitled:

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

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.

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:

House Substitute for House Bill No. 221.

House Bill No. 295.

House Bill No. 296.

House Bill No. 332.

House Substitute for House Bill No. 335.

Mr. Canby moved that House Bills Nos. 242, 244, 297, 317, 370, 420, 432, 433, 439, be stricken from the Calendar.

Motion prevailed.

Mr. Kellum moved that House Substitute for House Bill No. 384 be stricken from the Calendar.

Motion prevailed.

Mr. Manlove, on behalf of the Committee on Revised Statutes to whom had been referred House Bill No. 149 with Senate Amendment, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, entitled, "State Highway Department," by providing for the establishment of a Public Highway Drainage System; authorizing the State Highway Department to construct ditches and drains and to take over existing ditches and drains affecting Public Highways, and to maintain, regulate and control the same; and by providing for the punishment of persons wilfully or negligently injuring ditches and drains; and by providing the power of eminent domain.

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 Senate Bill No. 260, entitled:

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

Reported the same back to the House favorably.

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

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

Motion prevailed.

Same Day.

House met at expiration of recess.

Mr. Knight, on behalf of the Committee on Elections to whom had been referred Senate Substitute for Senate Bill No. 250, entitled:

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

Reported the same back to the House favorably.

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

Hon. Josiah Marvel, Jr., Secretary of State, was admitted with a message from his Excellency the Governor, Richard Cann McMullen.

STATE OF DELAWARE
 EXECUTIVE DEPARTMENT

April 10, 1939

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

GENTLEMEN:

I have already pointd out the necessity of seeking new sources of

revenue for the State. This is imperative, not only for the adequate carrying on of the work of the present State agencies on a sound financial basis, but also to assure the natural growth of these agencies so as to meet the requirements demanded by the present social order.

The General welfare of all of our people must be paramount. Human suffering must be alleviated and poverty and want must be banished from our State. It is only by foresight and planning that a systematic approach can be made to these present and future social and welfare problems. The hit or miss methods of dealing with these problems long prevailing in this State should be outlawed by the insistent demand for a permanent plan on the part of our State. Your deliberations during this present session of the General Assembly have not as yet tangibly touched upon these problems. I feel sure there is yet time for your studied consideration of them.

RELIEF: Two years ago I requested the enactment of legislation which would permanently provide for the problem of relief. This plea was ignored and you are familiar with how the emergency was met by placing the administration of relief under the supervision of the Old Age Welfare Commission with monies contributed by the Levy Courts of the counties and the General Fund of our State. No attempt has been made by this General Assembly to squarely meet this problem. I again renew my recommendation made in my message at your convening, that legislation be enacted providing a permanent set-up for the administration of relief and providing for the raising of revenue to care for the needy citizens of our State.

TEACHERS' SALARIES, RETIREMENT PLAN AND PENSION PLAN: This General Assembly has overlooked or ignored legislation relating to teachers' salaries; a teachers' retirement plan, and pensions not only for State employees, but also for the aged citizens of the State. Again I urge action on your part to enact legislation providing for such measures together with the raising of the revenue necessary to make them effective.

MOSQUITO CONTROL: In 1933 our State, together with the Federal Government inaugurated a system of mosquito control. It was upon the assurance of the executives of this State that this project would receive State aid that the Federal Government made expenditures here in order to carry out this work. I have always felt that the word of a State, like an individual, should be as good as its bond,

and that Delaware is now under obligation to the Federal Government. Without the maintenance of the work already established under the mosquito control project, irreparable loss will result and the benefits already derived will be entirely destroyed. Some provision should be made by this General Assembly for the maintenance of this work.

STATE INSTITUTIONS: The increasing complexities of our existence make necessary the growth of State institutions to care for those less fortunate than ourselves. Overcrowded conditions prevail in many of our State Institutions. Permanent improvements should be made and funds provided to see that none of our citizens are prevented from receiving the aid which modern society requires the State to give. Particularly I refer to the Edgewood Sanatorium; the Delaware State Hospital; Brandywine Sanatorium; the Welfare Home, and the Ferris Industrial School, as State agencies which present conditions require more support and aid from the State.

No longer can the State of Delaware ignore the social and humane duty of adequately providing for its citizens, who because of no fault of their own, are unable to obtain medical assistance and the necessities of life. This General Assembly should consider and pass legislation to provide and protect the unfortunates of our State upon a permanent long-range plan.

OLD AGE WELFARE: Too long has the State of Delaware refused to cooperate with the Federal Government in matching grants to provide for the social welfare of our citizens. I recommend that prompt action be taken so as to make possible our State availing itself of this Federal aid. This only can be done by prompt and definite action. The failure so far of your body to act in this connection has lost many benefits to those in need and sickness in our State, particularly has it placed in jeopardy the payment of Old Age assistance. The Old Age Welfare Commission recently received notice from the Federal authorities of the contemplated withdrawal of Federal funds, thus forcing a substantial reduction in the number of people now receiving old age assistance in this State because of the failure of your body to act.

These problems and conditions demand action and again may I

repeat, is there not yet time for public service and public welfare to be the focal point of this General Assembly?

Respectfully yours,

RICHARD C. McMULLEN
Governor.

On motion of Mr. Benson, House Substitute for House Bill No. 187, entitled:

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

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. 187.

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

Mr. Benson moved that 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, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, Moore, Newnam, Penuel, Fred Pepper, Reynolds, Knight, Staats, Stein, Thawley, Woodward, Mr. Speaker—27.

NAYS—Messrs, McGuigan, Pinder, Rambo, Rhodes—4.

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, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, Moore, Penuel, Fred Pepper, Reynolds, Knight, A. G. Smith, Stein, Thawley, Woodward, Mr. Speaker—25.

NAYS—Messrs, Bailey, McGuigan, Newnam, Pinder, Rambo, Rhodes, Staats—7.

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. Kellum, House Substitute for House Bill No. 216 with Senate Amendment No. 1, 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.

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, 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 as amend-

ed having received the required constitutional majority, passed the House.

And was ordered to the Senate for Concurrence.

On motion of Mr. Buckingham, House Substitute for 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.

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. 219.

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

Mr. Buckingham moved that the Amendment be adopted.

Mr. Benson 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, 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.

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, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Rambo, Rhodes, Knight, A. G. Smith, Staats, Stein, Woodward, Mr. Speaker—30.

NAYS—Messrs, Brown, Hartman, Pinder, Reynolds, Thawley—5.

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

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

Mr. Leach moved that 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, Brown, Bucking-

ham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes; Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—33.

NAYS—Messrs, Biggs, Moore—2.

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

NAYS—Messrs, Biggs, Gordy, Moore, A. G. Smith Thawley—5.

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. Canby, Senate Bill No. 90, entitled:

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

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, Bucking-

ham, 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, Thawley, Woodward, Mr. Speaker—32.

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. 153, entitled:

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

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, Manlove, 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 bill having received the required constitutional majority passed the House.

And was ordered returned to the Senate.

On motion of Mr. Canby, 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 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 returned to the Senate.

Mr. Buckingham, on behalf of the Committee on Temperance to whom had been referred Senate Substitute for Senate Substitute for Senate Bill No. 194, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, entitled "Alcoholic Liquor, Wines and Beer," Relating to the cancellation and suspension of Licenses; making it Unlawful to sell Alcoholic Liquors during certain hours, in certain places.

Reported the same back to the House favorably.

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

Mr. Brown moved that the House suspend rules for the purpose

of considering Senate Substitute for Senate Substitute for Senate Bill No. 194.

Motion prevailed.

On motion of Mr. Brown, Senate Substitute for Senate Substitute for Senate Bill No. 194, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, entitled, "Alcoholic Liquor, Wines and Beer," Relating to the cancellation and suspenson of Licenses, making it unlawful to sell Alcoholic Liquors during certain hours, in certain places.

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, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, McGuigan, Newnam, Pennington, Penuel, Fred Pepper, Rambo, Reynolds, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—28.

NAYS—Messrs, Bailey, Biggs, Manlove, Moore, Pinder, Rhodes—6.

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 moved that the House suspend rules for the purpose of considering Senate Bill No. 260.

Motion prevailed.

On motion of Mr. Canby, Senate Bill No. 260, entitled:

An Act providing for a Temporary Commission to study Approp-

riate Legislation needed to eliminate Possible Duplication of Taxes based on Domicile.

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.

Mr. Benson, on behalf of the Committee on Appropriations to whom had been referred House Bill No. 128, entitled:

An Act relating to the marketing of Peaches.

Reported the same back to the House favorably.

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

Mr. Benson moved that the House adjourn until 11 o'clock, A. M., Tuesday, April 11th, 1939.

Motion prevailed.

SIXTY-FIFTH LEGISLATIVE DAY

Dover, Delaware, April 11th, 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 Delaware Highway Users Conference, signed by R. J. McCormick, chairman.

Protesting against legislation pending before the General Assembly of the State of Delaware, designed to divert money from the State Highway Fund for purposes other than the building, re-building and policing of Delaware's highways; opposing Senate Bill No. 135, relative to railway grade crossings; opposing diversion of highway funds for the dredging of the Indian River; and supporting the proposal of the Governor to the General Assembly for the appointment of a Commission to study and develop a proper tax program for the State of Delaware.

The Chair presented a communication from the Delaware State Beauticians' Association.

Protesting against Senate Bill No. 256.

Relative to the examination and registration of those who desire to engage in the occupation of Beauty Culture.

The Chair presented communications from Mrs. Frances Buckson, Townsend, and H. B. Deputy, Wilmington.

Protesting against House Bill No. 217.

Relative to Outdoor Billboard advertising.

The Chair presented a communication from the Laurel 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 a petition, signed by 35 persons.

Endorsing House Bill No. 27.

Relative to Fair Trade.

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. 72.

An Act providing for the payment of a portion of the costs by the State Highway Department of the dredging of the channel of Indian River.

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. 120.

An Act to amend Chapter 65 of the Revised Code of Delaware of 1935, relating to Corporations, by providing for the Method of Transferring Shares of Certificates of Stock.

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. 19.

Requesting the House to return to the Senate House Bill No. 112.

And presented the same to the House.

The Chair presented Senate Concurrent Resolution No. 19, entitled:

Requesting the House to return to the Senate, House Bill No. 112.

On motion of Mr. Brown, Senate Concurrent Resolution No. 19, entitled:

Requesting the House to return to the Senate, House Bill No. 112.

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, 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.

The Chair presented Senate Substitute for Senate Bill No. 120, entitled:

An Act to amend Chapter 65 of the Revised Code of Delaware, of 1935, relating to Corporations, by providing for the Method of Transferring Shares of Certificates of Stock.

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

Mr. Zebley, on behalf of the Committee on Claims to whom had been referred House Bill No. 134, entitled:

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

Reported the same back to the House favorably.

FRANK R. ZEBLEY, *Chairman*
FRANK H. BUCKINGHAM
ELMER E. BENSON
GEORGE MANLOVE

Mr. Zebley, on behalf of the Committee on Claims to whom had been referred Senate Bill No. 52, entitled:

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

Reported the same back to the House favorably.

FRANK R. ZEBLEY, *Chairman*
FRANK H. BUCKINGHAM
ELMER E. BENSON
GEORGE MANLOVE

Mr. Zebley, on behalf of the Committee on Claims to whom had been referred House Joint Resolution No. 6, entitled:

Appropriating certain moneys out of the State Treasury to pay certain claims against the State, relative to expenses incurred by the Supreme Court.

Reported the same back to the House favorably.

FRANK R. ZEBLEY, *Chairman*
FRANK H. BUCKINGHAM
ELMER E. BENSON
GEORGE MANLOVE

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

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

Reported the same back to the House favorably.

FRANK R. ZEBLEY, *Chairman*
ELMER E. BENSON
GEORGE MANLOVE
FRANK H. BUCKINGHAM

The Chair presented Senate Substitute for Senate Bill No. 72, entitled:

An Act providing for the payment of a portion of the costs by the State Highway Department of the dredging of the channel of Indian River.

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

Mr. Pennington, on behalf of the Committee on Insurance and Banking to whom had been referred Senate Substitute for Senate Substitute for Senate Bill No. 305, entitled:

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

Reported the same back to the House favorably.

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

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. 221.

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.

House Bill No. 295.

An Act authorizing and directing the State Treasurer to pay out of the State Highway Fund any appropriation that may hereafter be made for the operation and maintenance of the Motor Vehicle Department of the State of Delaware.

House Bill No. 296.

An Act authorizing and directing the State Treasurer to pay out of the State Highway Fund upon warrants signed by the Motor Vehicle Commissioner such sum or sums as shall be necessary to defray the expenses of the annual Motor Vehicle Inspection Campaign not to ex-

ceed in the aggregate the sum of Ten Thousand Dollars (\$10,000.00) per year.

House Substitute for House Bill No. 332.

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

House Substitute for House Bill No. 335.

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

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

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

Reported the same back to the House favorably.

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

Mr. Zebley, on behalf of the Committee on Miscellaneous to whom had been referred Senate Bill No. 198, entitled:

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

Reported the same back to the House favorably.

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

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

to whom had been referred Senate Substitute for Senate Bill No. 120, entitled:

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

Reported the same back to the House favorably.

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

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

Reported the same back to the House favorably.

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

THE SPEAKER ANNOUNCED HE IS ABOUT TO SIGN:

Senate Bill No. 153.

Senate Bill No. 90.

Senate Bill No. 170.

Senate Bill No. 10.

Senate Bill No. 260.

Senate Substitute for Senate Substitute for Senate Bill No. 194.

Senate Substitute for Senate Substitute for Senate Bill No. 220.

Senate Substitute for Senate Bill No. 91.

Senate Substitute for Senate Bill No. 221.

On motion of Mr. Fifer, House Bill No. 128, entitled:

An Act relating to the marketing of peaches.

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

Mr. Fifer offered House Amendment No. 1 to House Bill No. 128.

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

Mr. Fifer moved that the Amendment be adopted.

Mr. Burton 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, 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 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, 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 bill as amended having received the required constitutional majority, passed the House.

And was ordered to the Senate for Concurrence.

On motion of Mr. Benson, House Substitute for House Bill No. 260, entitled:

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

Which was 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, Brown, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Stein, Thawley, Woodward, Mr. Speaker—29.

NAYS—Messrs, Bailey, Biggs, Buckingham, Manlove, Pinder, Staats—6.

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. Brown moved that the rules of the House be suspended for the

purpose of considering House Substitute for House Bill No. 119.

Motion prevailed.

On motion of Mr. Brown, House Substitute for House Bill No. 119, entitled:

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

Which was 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, Staats, Thawley, Woodward, Mr. Speaker—33.

NAYS—Mr. A. G. Smith—1.

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 2:00 o'clock P. M.

Motion prevailed.

Same Day 2:00 o'clock P. M.

House met at expiration of recess.

On motion for leave, Mr. Benson introduced House Resolution No. 39, entitled:

Appropriating certain money out of the State Treasury to pay part of certain expenses of the House of Representatives connected with the present Session thereof.

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, 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—32.

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.

THE SPEAKER ANNOUNCED HE IS ABOUT TO SIGN:

House Substitute for House Bill No. 216 as Amended.

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

Senate Substitute for House Bill No. 31 with the Governor's objections.

An Act to amend Chapter 165 as amended of the 1935 Revised Code of State of Delaware by providing that the Motor Vehicle Depart-

ment shall be a Department of the State Highway Department.

And returned the same to the House.

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

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

Reported the same back to the House favorably.

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

Mr. Bierlin, on behalf of the Committee on Agriculture to whom had been referred Senate Substitute for Senate Bill No. 223, entitled:

An Act to amend Article 13, Chapter 21, of the Revised Code of Delaware, 1935, entitled "Marketing of Cantaloupes," by making it unlawful to buy, sell or ship Cantaloupes unless mature, redefining method of determining Maturity.

Reported the same back to the House favorably.

GEORGE T. BIERLIN, *Chairman*
ABNER WOODWARD
WILLIAM BIGGS.

On motion of Mr. Zebley, House Bill No. 5, entitled:

An Act authorizing the borrowing of money and the creation of a debt by or in behalf of the State of Delaware for the erection, construction, equipment, repairs and improvements of buildings at institutions of the State, and the issuance of bonds 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, Kellum, Leach, Manlove, Pennington, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Woodward, Mr. Speaker—21.

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 of Mr. Penuel, House Bill No. 149 with Senate Amendment No. 1, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, entitled, "State Highway Department," by providing for the establishment of a Public Highway Drainage System; authorizing the State Highway Department to construct ditches and drains and to take over existing ditches and drains affecting Public Highways, and to maintain, regulate and control the same; and by providing for the punishment of persons wilfully or negligently injuring ditches and drains; and by providing the power of eminent domain.

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, Draper, 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 as amended having received the required constitutional majority, passed the House.

Mr. Canby moved that the rules of the House be suspended for the purpose of considering House Bill No. 470.

Motion prevailed.

On motion of Mr. Canby, House Bill No. 470, entitled:

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

Which was 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, Biggs, Brown, Buckingham, Burris, Burton, Canby, Gordy, Hartman, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Peniel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—30.

NAYS—Messrs, Bierlin, Draper, Kellum, Reynolds—4.

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. Bailey, House Joint Resolution No. 10, entitled:

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

Was taken up for consideration and read a third time, by paragraphs, in order to pass the 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, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, 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—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. Benson moved that the House recess until 3:40 o'clock P. M.

Motion prevailed.

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

House met at expiration of recess.

THE SPEAKER ANNOUNCED HE IS ABOUT TO SIGN:

Senate Substitute for House Bill No. 31 with the Governor's objections notwithstanding.

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

Modifying Resolution in Reference to new Business.

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, Draper, 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—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.

The Chair presented a communication from his Excellency the Governor, Richard Cann McMullen.

STATE OF DELAWARE

EXECUTIVE DEPARTMENT
DOVER

Apr. 11, 1939

RICHARD C. McMULLEN
GOVERNOR

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

GENTLEMEN :

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

“The Delaware Citizens Association is confident that the plan for a

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

Respectfully yours,

RICHARD C. McMULLEN
Governor.

ejn.

Mr. Benson presented the following statement.

There are some people that don't know when to come in out of the rain. The Governor has again seen fit to hurl at this General Assembly, empty phrases without any attempt to offer any constructive suggestions which, I note, is conspicuous by its absence in the message delivered by him at the convening of the 107th General Assembly.

This body is vitally concerned with the general welfare of the people of this state and we are trying to alleviate human suffering in a measure that has been followed during the past sessions of our State Legislatures. The Governor has had the opportunity to reply to the charge that he and his partisans have formed a bloc to deprive various institutions and agencies in the State of Delaware from receiving contributions in an effort to assist them to alleviate suffering, to assist the sick, the aged and to protect public property. Is our Governor blind to these necessities which an adamant and arbitrary group of partisans refuse to recognize being actuated, purely by a motive of political retaliation and revenge at the expense of the people of the State of Delaware?

It appears to me that making any remark to these meaningless messages at this belated date by the Governor is merely lending dignity to remarks that should otherwise be treated with the silent contempt that they deserve. The Chief Executor speaks of Mosquito Control and of Long-Range Planning but to quote him, "ignores the social and humane duties of adequately providing for the citizens of the State of Delaware who because of no fault of their own are unable to obtain Medical assistance and the necessities of life." We have, through other means, been forced to create agencies to take care of this situation and we leave the responsibility of ignoring the needy and other institutions of this state

by withholding from them their customary necessary appropriations, with those members of the General Assembly together with the Chief Executor who fail to see their duty to the citizens of this State.

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. 216 with Senate Amendment No. 1.

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.

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

House Bill No. 78 Approved Apr. 11, 1939.

House Bill No. 79 Approved Apr. 11, 1939.

House Bill No. 80 Approved Apr. 11, 1939.

House Bill No. 82 Approved Apr. 11, 1939.

House Bill No. 83 Approved Apr. 11, 1939.

House Bill No. 84 Approved Apr. 11, 1939.

House Bill No. 174 Approved Apr. 11, 1939.

Mr. Benson moved that the House adjourn until 11 o'clock, A. M., Wednesday, April 12th, 1939.

Motion prevailed.

SIXTY-SIXTH LEGISLATIVE DAY

Dover, Delaware, April 12th, 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, 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 a communication from John A. Price, Salisbury, Md., and the Laurel Produce Association, Inc., Laurel, Delaware.

Protesting against Senate Bill No. 223.

Relative the Marketing of Cantaloupes.

Mr. Stein presented a communication from J. E. Dutton and Son, Seaford, Delaware.

Protesting against House Bill No. 217.

Relative to Outdoor Billboard advertising.

Mr. F. W. Pepper, on motion for leave, introduced House Substitute for House Bill No. 458 entitled:

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

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

Mr. Bierlin, on motion for leave, introduced House Substitute for House Bill No. 337 entitled :

An Act to amend Chapter 71 of the Revised Code of Delaware, 1935, entitled "Free Public Schools" by providing transportation for school children under certain conditions not otherwise provided for.

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

Mr. Zebley, on behalf of the Committee on Claims, to whom had been referred 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.

Reported the same back to the House favorably.

FRANK R. ZEBLEY, *Chairman*
GEORGE MANLOVE
ELMER E. BENSON
FRANK H. BUCKINGHAM

Mr. Zebley, on behalf of the Committee on Claims, to whom had been referred House Substitute for House Bill No. 132, entitled :

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

Reported the same back to the House favorably.

FRANK R. ZEBLEY, *Chairman*
ELMER E. BENSON
FRANK H. BUCKINGHAM
GEORGE MANLOVE

Mr. Zebley, on behalf of the Committee on Claims, to whom had been referred House Bill No. 377, entitled:

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

Reported the same back to the House favorably.

FRANK R. ZEBLEY, *Chairman*
ELMER E. BENSON
FRANK H. BUCKINGHAM
GEORGE MANLOVE

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

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.

Passed over Governor's objections thereto notwithstanding.

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 House Bill No. 127 be referred back to the Committee on Appropriations.

Motion prevailed.

Mr. Benson moved that the House recess until 2.00 o'clock P. M.

Motion prevailed.

Same Day 2.00 o'clock P. M.

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 Bill No. 150.

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.

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. 169.

An Act to amend Chapter 158 of the Revised Code of Delaware, 1935, entitled "Board of Budget Directors" relating to the allotment of appropriations and approval thereof.

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. 204.

An Act to amend 2611, Section 113 of Chapter 70 of the Revised Code of Delaware, 1935, relating to commitments to the Commission for the Feeble-Minded from other Institutions, and stating the requirements therefor.

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. 474.

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

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 Substitute for House Bill No. 241.

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

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. 76.

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

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. 129.

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

And 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 Substitute for House Bill No. 17.

An Act providing for Stenographic Services for the Court of Chancery.

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. 17.

Modifying Resolution in reference to new business.

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. 2.

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

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. 99.

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

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. 236.

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

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. 469.

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

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. 129.

An Act relating to the State Board of Agriculture and relating to the grading, marketing and selling of dropped apples packed in closed packages.

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 Substitute for House Bill No. 205.

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.

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 139 with House Amendment No. 1.

An Act appropriating certain money to the University of Delaware for the purpose of establishing Scholarships for Students at Delaware College, University of Delaware.

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 Substitute for Senate Bill No. 241 with Senate Amendment No. 1.

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

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. 286 with Senate Amendment No. 2.

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

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. 269.

An Act to amend An Act entitled "An Act providing for the creation and appointment of a State Board of Chiropractic Examiners, defining its powers and duties; regulating the Practice of Chiropractic;

providing for the licensing of Chiropractors and prescribing penalties for any violations of this Act," being Chapter 261 of Volume 41, Laws of Delaware, by prescribing Educational Requirements for Applicants, and authorizing the State Board to refuse to issue or reissue a license for certain reasons.

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. 154.

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

And 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. 165.

An Act providing for the Restoration of the principle of salary increments for satisfactory service of Public School Employees of this State; and making appropriations therefor.

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. 206.

An Act to amend Chapter 4 of the 1935 Revised Code of the State of Delaware, in relation to the State House by changing the Days and Hours during which the State House shall be kept open.

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. 218.

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

And presented the same to the House.

Mr. Fifer, on behalf of the Committee on Public Lands and Buildings, to whom had been referred Senate Bill No. 77 with Senate Amendment No. 1, entitled:

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

Reported the same back to the House favorably.

C. FRED FIFER, *Chairman*
HERMAN H. STAATS
F. W. PEPPER
GEORGE W. RHODES
FRED BROWN

Mr. Manlove, on behalf of the Committee on Revised Statutes, to whom had been referred Senate Bill No. 197, entitled:

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

Reported the same back to the House favorably.

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

Mr. Canby, on motion for leave, introduced House Substitute for House Bill No. 377 entitled:

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

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

The Chair presented Senate Substitute for Senate Bill No. 154, entitled:

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

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. 129, entitled:

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

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. 206, entitled:

An Act to amend Chapter 4 of the 1935 Revised Code of the State of Delaware, in relation to the State House by changing the Days and Hours during which the State House shall be kept open.

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. 165, entitled:

An Act providing for the Restoration of the principle of salary increments for satisfactory service of Public School Employees of this State; and making appropriations therefor.

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

The Chair presented Senate Substitute for Senate Bill No. 241 with Senate Amendment No. 1, entitled:

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

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. 286 with Senate Amendment No. 2, entitled:

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

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

The Chair presented Senate Substitute for Senate Bill No. 218, entitled:

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

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. 269, entitled:

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

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

Mr. Zebley, on behalf of the Committee on Claims to whom had been referred House Substitute for House Bill No. 377, entitled:

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

Reported the same back to the House favorably.

FRANK R. ZEBLEY, *Chairman*
ELMER E. BENSON
GEORGE MANLOVE
FRANK H. BUCKINGHAM

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 as amended—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 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. 464, entitled:

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

Reported the same back to the House favorably.

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

The Speaker announced he is about to sign:

Senate Concurrent Resolution No. 19.

Mr. Rhodes, on behalf of the Committee on Public Health, to whom had been referred Senate Substitute for Senate Bill No. 269, entitled:

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

Reported the same back to the House favorably.

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

On motion of Mr. Benson, House Bill No. 134, entitled:

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

Which was 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, Manlove, McGuigan, Moore, Newnam, 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.

On motion of Mr. Kellum, House Bill No. 217 entitled:

An Act for the regulation of Outdoor Advertising.

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

Mr. Kellum offered House Amendment No. 1 to House Bill No. 217.

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

Mr. Kellum moved that the amendment be adopted.

Mr. Benson 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, Brown, Buckingham, Burris, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Penuel, Fred Pepper,

F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—32.

NAYS—Mr. Burton—1.

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

Mr. Kellum offered House Amendment No. 2 to House Bill No. 217.

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

Mr. Kellum moved that the amendment be adopted.

Mr. Benson 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, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, Staats, Stein, Thawley, Woodward, Mr. Speaker—32.

NAYS—Messrs. Leach, A. G. Smith—2.

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 Mr. Green.

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, Biggs, Brown, Buckingham, Burton, Canby, Draper, Fifer, Kellum, Manlove, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Woodward, Mr. Speaker—19.

NAYS—Messrs. Bailey, Bierlin, Burris, Gordy, Hartman, Leach, McGuigan, Moore, Newnam, Pinder, Rambo, A. G. Smith, Staats, Stein, Thawley—15.

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. Biggs, House Substitute for House Bill No. 335 entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, in reference to Advertising.

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, Biggs, Brown, Buckingham, Burton, Canby, Kellum, Leach, Manlove, McGuigan, Fred Pepper, Knight, Woodward, Mr. Speaker—15.

NAYS—Messrs. Bailey, Bierlin, Burris, Draper, Fifer, Gordy, Hartman, Moore, Newnam, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley—18.

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

On motion of Mr. Canby, Senate Bill No. 52, entitled:

An Act to appropriate to Justis Davidson the sum of Three Hundred Fifty-Eight Dollars and Seventy-Five Cents (\$358.75) to

refund said sum improperly collected as a part of the Inheritance Tax under the Will of Joseph Davidson.

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, 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 returned to the Senate.

On motion of Mr. Manlove, Senate Bill No. 80, entitled:

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

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

Mr. Manlove offered House Substitute for Senate Bill No. 80.

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

Mr. Manlove moved that the House Substitute be adopted in lieu of Senate Bill No. 80.

Mr. Brown seconded the motion.

On the question "Shall the Substitute 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, 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 Substitute Bill having received the required constitutional majority, was adopted.

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, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, 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 Substitute Bill having received the required constitutional majority, passed the House.

And was ordered returned to the Senate.

On motion of Mr. Leach, 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 taken up for consideration and read in order to pass the House.

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

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, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Woodward, Mr. Speaker—21.

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

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.

The Speaker announced he is about to sign :

House Bill No. 2.

House Bill No. 76.

House Bill No. 99.

House Bill No. 129.

House Bill No. 150.

House Bill No. 169.

House Bill No. 204.

House Bill No. 236.

House Bill No. 469.

House Bill No. 474.

House Substitute for House Bill No. 205.

House Bill No. 139 as Amended.

House Concurrent Resolution No. 17.

On motion of Mr. Canby, Senate Substitute for Senate Bill No. 12, entitled :

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

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, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Woodward, Mr. Speaker—21.

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. McGuigan, Senate Bill No. 198, entitled:

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

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, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Mr. Speaker—30.

NAYS—Messrs. Barr, Burton, Reynolds, Woodward—4.

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., Thursday, April 13th, 1939.

Motion prevailed.

SIXTY-SEVENTH LEGISLATIVE DAY

Dover, Delaware, April 13th, 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 Dr. A. C. Smoot, Georgetown.

Endorsing Senate Bill No. 18.

Relative to the construction and equipment of a proposed new State Armory in the Town of Georgetown.

The Chair presented a communication from Mildred Webb, Hartley.

Endorsing Senate Bill No. 165.

Relative to the restoration of salary increments to teachers in the Public Schools of the State of Delaware.

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

House Bill No. 38.

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.

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. 105 with Senate Amendment No. 1.

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

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. 87.

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

And presented the same to the House.

Mr. Zebley, on behalf of the Committee on Claims, to whom had been referred Senate Substitute for Senate Bill No. 154, entitled:

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

Reported the same back to the House favorably.

FRANK R. ZEBLEY, *Chairman*
ELMER E. BENSON
FRANK H. BUCKINGHAM
GEORGE MANLOVE

Mr. Zebley, on behalf of the Committee on Miscellaneous, to whom had been referred Senate Bill No. 84, entitled:

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

Reported the same back to the House favorably.

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

Mr. Zebley, on behalf of the Committee on Miscellaneous, to whom had been referred Senate Bill No. 165, entitled:

An Act providing for the Restoration of the principle of salary increments for satisfactory service of Public School Employees of this State; and making appropriations therefor.

Reported the same back to the House favorably.

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

Mr. Benson, on behalf of the Committee on Appropriations, to whom had been referred Senate Bill No. 118, entitled:

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

Reported the same back to the House favorably.

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

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

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

Reported the same back to the House favorably.

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

Mr. Benson, on motion for leave, introduced House Bill No. 476, entitled :

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

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

The Chair presented Senate Bill No. 87, entitled :

An Act to amend Chapter 18 of the Revised Code of the State of Delaware, 1935, relating to State Detectives by repealing 455 Section 1 of said Chapter and the Offices of State Detective created thereby, by enacting a new Section in lieu thereof providing for the appointment of

State Detectives by the Attorney General and for the assignment of the State Detectives of the Attorney General's Department, by amending 457 Section 3 of said Chapter with reference to the removal of State Detectives; and repealing all Acts or parts of Acts inconsistent therewith.

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

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

House Bill No. 46, Approved April 12, 1939.

House Bill No. 87, Approved April 12, 1939.

Mr. Draper, on behalf of the Committee on Education to whom had been referred Senate Bill No. 173, entitled:

An Act relative to the Observance of American Education Week.
Reported the same back to the House favorably.

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

Mr. Canby, on behalf of the Committee on Judiciary and Crime to whom had been referred Senate Bill No. 129, entitled:

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

Reported the same back to the House favorably.

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

Mr. Manlove, on behalf of the Committee on Revised Statutes to whom had been referred Senate Substitute for Senate Bill No. 218, entitled:

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

Reported the same back to the House favorably.

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

Mr. Draper, on behalf of the Committee on Education to whom had been referred Senate Bill No. 184, entitled:

An Act adopting the American Holly as the State Tree.

Reported the same back to the House favorably.

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

The Chair presented House Bill No. 105 with Senate Amendment No. 1, entitled:

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

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

Mr. Fifer, on behalf of the Committee on Public Lands and Buildings to whom had been referred House Substitute for House Bill No. 458, entitled:

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

Reported the same back to the House favorably.

C. FRED FIFER, *Chairman*

F. W. PEPPER

FRED BROWN

GEORGE W. RHODES

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

Modifying Resolution in reference to New Business 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, 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 resolution 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 the call of the Chair.

Motion prevailed.

Same Day.

House met at expiration of recess.

Mr. Manlove, on behalf of the Committee on Revised Statutes, to whom had been referred House Bill No. 105 with Senate Amendment No. 1, entitled :

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

Reported the same back to the House favorably.

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

The Speaker announced he is about to sign :

House Bill No. 38.

House Substitute for House Bill No. 17.

House Bill No. 149 as amended.

House Substitute for House Bill No. 241.

Mr. Benson moved that the House recess until 2:15 o'clock P. M.

Motion prevailed.

Same Day, 2:15 o'clock P. M.

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 Concurrent Resolution No. 5.

Authorizing the Observance of Flag Week.

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 Substitute for House Bill No. 222 with House Amendment No. 1.

An Act to amend Chapter 36 of the Revised Code of Delaware, 1935, relating to the Public Archives 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 Substitute for House Bill No. 380.

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

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. 68.

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

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. 67.

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

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. 274.

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

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. 165.

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

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. 71.

An Act to amend Chapter 36 of the Revised Code of Delaware, 1935, by providing that a copy of all plans for future State Buildings be filed with the State Archives Commission.

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. 306 Accompanied by the Governor's Veto.

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 with the Governor's objections notwithstanding.

Mr. Brown, on motion for leave introduced House Substitute for House Bill No. 308, entitled :

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, entitled "Alcoholic Liquor, Wines and Beer," making it unlawful to sell during certain hours ; on certain days ; and in certain places.

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

Mr. Knight, on motion for leave introduced House Substitute for House Bill No. 393, entitled:

An Act prohibiting a child under fourteen years of age being put in custody of any bullet-rifle, revolver, pistol, shot gun or any other firearm.

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

Mr. Zebley, on motion for leave introduced House Substitute for House Bill No. 410, entitled:

An Act to amend Chapter 65 of the Revised Code of Delaware, 1915—as amended [Chapter 65 of the Revised Code of Delaware, 1935—as amended] by adding a new article thereto, providing for the Organization of Tunnel Corporations.

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

Mr. Canby moved that House Bills Nos. 237, 245, 248, 249, 250 and 306 be stricken from the Calendar.

Motion prevailed.

Mr. Bailey moves that House Bills Nos. 397, 398, 399, 400, 401, 402, 403, 451 be stricken from the Calendar.

Motion prevailed.

Mr. Benson moved that House Bill No. 42 be stricken from the Calendar.

Motion prevailed.

Mr. Canby moved that the rules of the House be suspended for the purpose of considering House Bill No. 105 with Senate Amendment No. 1.

Motion prevailed.

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

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

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, 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 bill as amended having received the required constitutional majority, passed the House.

And was ordered to the Senate for Concurrence.

On motion of Mr. Zebley, House Substitute for House Bill No. 132, entitled:

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

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

Mr. Zebley offered House Amendment to House Substitute for House Bill No. 132.

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

Mr. Zebbley moved that the Amendment be adopted.

Mr. Canby 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, Canby, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Woodward, Mr. Speaker—29.

NAYS—Messrs. Burton, Draper, Fred Pepper—3.

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, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Canby, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Pinder, Rambo, Reynolds, Rhodes, Knight, Staats, Woodward, Mr. Speaker—24.

NAYS—Messrs. Barr, Burton, Draper, Penuel, Fred Pepper—5.

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. F. W. Pepper moved that the rules of the House be suspended for the purpose of considering House Substitute for House Bill No. 458.

Motion prevailed.

On motion of Mr. F. W. Pepper, House Substitute for House Bill No. 458, entitled:

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

Which was 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, 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.

Mr. Zebley, on behalf of the Committee on Miscellaneous to whom had been referred Senate Substitute for Senate Bill No. 286 with Senate Amendment No. 1., entitled :

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

Reported the same back to the House favorably.

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

Mr. Brown moved that the rules of the House be suspended for the purpose of considering Senate Bill No. 18 and Senate Substitute for Senate Bill No. 286 with Senate Amendment No. 1.

Motion prevailed.

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

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

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, 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 as amended 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 House Substitute for House Bill No. 393, entitled:

An Act prohibiting a child under Fourteen Years of Age being put in custody of any bullet-rifle, revolver, pistol, shot gun or any other firearm.

Reported the same back to the House favorably.

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

Mr. Zebley, on behalf of the Committee on Miscellaneous to who had been referred Senate Bill No. 18, entitled:

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

Reported the same back to the House favorably.

FRANK R. ZEBLEY, *Chairman*
NORMAN A. DRAPER
FRANK H. BUCKINGHAM
ABNER WOOWARD
R. O. GORDY

THE SPEAKER ANNOUNCED HE S ABOUT TO SIGN:

Senate Substitute for Senate Bill No. 120.

Senate Bill No. 109.

Senate Bill No. 52.

Senate Bill No. 198.

On motion of Mr. Brown, Senate Bill No. 18, entitled:

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

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. Ralph Baker.

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

Mr. Zebley offered House Amendment No. 1.

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

Mr. Canby moved that the Amendment be adopted.

Mr. Zebley 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, 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.

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, Draper, Gordy, 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—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 returned to the Senate.

On motion of Mr. Canby, Senate Bill No. 77 with Senate Amendment, No. 1, entitled.

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

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, 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—34.

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 returned to the Senate.

On motion of Mr. Canby, Senate Bill No. 84, entitled:

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

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, Moore, Pennington, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Woodward, Mr. Speaker—23.

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

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. 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. 21.

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

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. 119.

An Act appropriating Money to Arthur Hauber for the Payment of his Claim against 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 passed and requested the concurrence of the House in the following:

Senate Bill No. 132.

An Act appropriating Certain Moneys to Harvey B. Biggs to pay Claim against 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 passed and requested the concurrence of the House in the following:

Senate Bill No. 171.

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

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. 204.

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

And presented the same to the House.

Mr. Brown moved that the rules of the House be suspended for the purpose of considering Senate Bill No. 103.

Motion prevailed.

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

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

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

Mr. Brown offered House Amendment No. 1 to Senate Bill No. 103.

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

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

Mr. Benson seconded the motion.

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

NAYS—Mr. Pinder—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 moved that the rules of the House be suspended for the purpose of considering Senate Bill No. 118, Senate Bill No. 129, and Senate Bill No. 154.

Motion prevailed.

On motion of Mr. Canby, Senate Bill No. 118, entitled:

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

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, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, 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 returned to the Senate.

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

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

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, 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, Woodward, Mr. Speaker—32.

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. Canby, Senate Substitute for Senate Bill No. 154, entitled:

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

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, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Pennington, Penuel, Fred Pepper, F. W. Pepper, Rambo, Rhodes, Knight, Staats, Woodward Mr. Speaker—26.

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. 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. 318.

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

And 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. 316.

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

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. 259.

An Act authorizing the Levy Court of Kent County to appropriate County monies to David C. Harrison Post No. 14, Inc., American Legion, for the Maintenance of Ambulance.

And presented the same to the House.

The Chair presented Senate Bill No. 21, entitled:

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

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

The Chair presented Senate Bill No. 204, entitled:

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

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

The Chair presented Senate Bill No. 119, entitled:

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

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. 132, entitled:

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

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. 171, entitled:

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

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

On motion of Mr. Canby, House Substitute for House Bill No. 377, entitled:

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

Which was taken up for consideration and read in order to pass 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, Bailey, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Canby, Fifer, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Woodward, Mr. Speaker—27.

NAYS—Messrs, Barr, Burton, Draper, Gordy, Penuel, Fred Pepper, Thawley—7.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Fred Pepper, House Bill No. 160, entitled:

An Act to appropriate \$20,000.00 per year for a Pension Fund to be paid to Retired and Disabled Public School Teachers.

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

Mr. Fred Pepper offered House Amendment No. 1 to House Bill No. 160.

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

Mr. Fred Pepper moved that 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, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Penuel, 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 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, Barr, Benson, Brown, Buckingham, Burton, Draper, Kellum, Leach, Manlove, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Woodward, Mr. Speaker—17.

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 as amended not having received the required constitutional majority was lost.

The Chair presented Senate Bill No. 318, entitled:

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

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

The Chair presented Senate Bill No. 316, entitled:

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

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

The Chair presented Senate Bill No. 259, entitled:

An Act authorizing the Levy Court of Kent County to appropriate County monies to David C. Harrison Post No. 14, Inc., American Legion, for the Maintenance of Ambulance.

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

Mr. Benson on motion for leave introduced House Substitute for House Bill No. 394, entitled:

An Act making an appropriation to the State Military Board for the purpose of making necessary repairs to State-Owned Armories located at Dover, Laurel, Newark and New Castle, Delaware.

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

Mr. Benson on motion for leave introduced House Substitute for House Bill No. 464, entitled:

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

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

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. 39.

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.

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 Substitute for House Bill No. 44.

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

And returned the same to the House.

Mr. Benson, on behalf of the Committee on Appropriations to whom had been referred House Substitute for House Bill No. 464, entitled:

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

Reported the same back to the House favorably.

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

Mr. Canby moved that the rules of the House be suspended for the purpose of considering House Substitute for House Bill No. 464.

Motion prevailed.

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

House Bill No. 56.

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

And returned the same to the House.

On motion of Mr. Benson, House Substitute for House Bill No. 464, entitled:

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

Which was 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, Pennington, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Woodward, Mr. Speaker—21.

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. Benson moved that the House adjourn until 11 o'clock, A. M., Friday, April 14th, 1939.

Motion prevailed.

SIXTY-EIGHTH LEGISLATIVE DAY

Dover, Delaware, April 14th, 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 approv'd.

Motion prevailed.

The Chair presented communications from the Electrical Trade Association of Wilmington, and 38 other business concerns and individuals of Wilmington and vicinity.

Endorsing House Bill No. 27.

Relative to Fair Trade.

The Chair presented a communication from the Wilmington Chamber of Commerce, signed by Gerrish Gassaway, manager.

Protesting against House Bill No. 141.

Relative to the creation of a Workmen's Compensation Bureau.

The Chair presented a communication from C. H. Simmons, of the

S. D. Peverley Company, Middletown.

Endorsing House Bill No. 408.

Relative to the repair of the Commodore McDonough burial lot at McDonough.

The Chair presented a communication from Mrs. Hazel W. Hopkins, Americanism Chairman, American Legion Auxiliary, Department of Delaware.

Relative to "Girls' State" day in Delaware, April 29, 1939.

The Chair presented a communication from the Legislative Committee of The Delaware State Grange, signed by Frank F. Yearsley, Chairman.

Urging increased road construction and maintenance in the State of Delaware, and protesting against legislation designed to divert money from the State Highway Fund to the General Fund.

The Chair presented a communication from Dr. Conwell Banton, Wilmington.

Protesting against the defeat of House Bill No. 5.

Relative to the construction, equipment, repair and improvement of buildings at the Edgewood Sanatorium.

Mr. Benson, on behalf of the Committee on Appropriations to whom had been referred House Substitute for House Bill No. 394, entitled:

An Act making an appropriation to the State Military Board for the purpose of making necessary repairs on State Owned Armories located at Dover, Laurel, Newark and New Castle, Delaware.

Reported the same back to the House favorably.

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

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

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

Reported the same back to the House favorably.

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

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. 2.

An Act to make valid the Record of legal instruments which have not been properly acknowledged.

House Substitute for House Bill No. 17.

An Act providing for stenographic services for the Court of Chancery.

House Bill No. 38.

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.

House Bill No. 76.

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

House Bill No. 99.

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

House Bill No. 129.

An Act relating to the State Board of Agriculture and relating to the grading, marketing and selling of dropped apples packed in closed packages.

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

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, entitled, "State Highway Department," by providing for the establishment of a Public Highway Drainage System; authorizing the State Highway Department to construct ditches and drains and to take over existing ditches and drains affecting Public Highways, and to maintain regulate and control the same; and by providing for the punishment of persons wilfully or negligently injuring ditches and rains; and by providing the power of eminent domain.

House Bill No. 150.

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

House Bill No. 169.

An Act to amend Chapter 158 of the Revised Code of Delaware, 1935, entitled "Board of Budget Directors" relating to the allotment of appropriations and approval thereof.

House Bill No. 204.

An Act to amend 2611, Section 113 of Chapter 70 of the Revised Code of Delaware, 1935, relating to commitments to the Commission for the Feeble-Minded from other Institutions and stating the requirements therefor.

House Substitute for House Bill No. 205.

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.

House Bill No. 236.

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

House Bill No. 469.

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

House Substitute for House Bill No. 241.

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

House Bill No. 139 as Amended.

An Act appropriating certain money to the University of Delaware for the purpose of establishing Scholarships for Students at Delaware College, University of Delaware.

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. 474.

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

House Concurrent Resolution No. 17.

Modifying Resolution in reference to New Business.

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

House that the Senate had concurred in the following:

Senate Substitute for House Substitute for House Bill No. 91.

An Act to regulate and control the construction of Water and Sewer Systems, Building and House Drainage Systems, and Gas Lines; the registration of persons engaged therein and in the construction and installation of Oil Burning Equipment and Air Conditioning and providing for the supervision thereof in New Castle County outside of the City of Wilmington.

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. 175.

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, in reference to Operators' and Chauffeurs' Licenses; non-resident, 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.

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. 186.

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

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. 18.

Modifying Resolution in Reference to New Business.

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. 316.

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

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. 372.

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.

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. 374.

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

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. 375.

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

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. 376.

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

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. 407.

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

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. 475.

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

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. 468.

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

And returned the same to the House.

Mr. Manlove, on behalf of the Committee on Revised Statutes to whom had been referred House Bill No. 299, entitled:

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

Reported the same back to the House favorably.

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

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: Mr. Speaker is there any business before the House?

Mr. Brown: I move the House proceed to reconsider Senate

Bill No. 306, which was returned to the Senate without the approval of the Governor, together with his objections and the House agree to pass Senate Bill No. 306, the objections of the Governor to the contrary notwithstanding.

Mr. Leach seconded the motion.

Mr. Speaker: You have heard the motion.

The question before the House is:

"Shall the House on reconsideration agree to pass Senate Bill No. 306, the objections of the Governor to the contrary notwithstanding?"

Question on the motion "Shall the Senate Bill No. 306 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 with the Governor's objections to the contrary notwithstanding.

The Chair presented Senate Substitute for House Substitute for House Bill No. 91, entitled:

An Act to regulate and control the construction of water and sewer systems, building and house drainage systems, gas lines and oil burning equipment and air conditioning; the registration of persons engaged in the work and supervision thereof in the several Counties of the State of Delaware outside the City of Wilmington.

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

Mr. Benson on motion for leave introduced House Bill No. 477, entitled:

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

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

Mr. Zebley, on behalf of the Committee on Miscellaneous to whom had been referred Senate Bill No. 57, entitled:

An Act to repeal Article 12 of Chapter 70 of the Revised Code of Delaware, 1935, relating to the Delaware Commission for the Feeble-Minded and to enact a new Article in lieu thereof establishing a Commission for the Mentally Deficient.

Reported the same back to the House favorably.

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

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

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

Reported the same back to the House favorably.

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

Mr. Brown moved that the rules of the House be suspended for the 68th Legislative Day.

Mr. Knight 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, Burton, Canby, Draper, Fifer, Kellum, Manlove, Pennington, Penuel, 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 motion having received the required constitutional majority, passed the House.

On motion of Mr. Benson, House Bill No. 466, entitled:

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

Which was 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, 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—21.

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. 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.

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

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

Reported the same back to the House favorably.

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

Mr. Leach presented the following communication.

3609 Washington Street.
Wilmington, Delaware.
April 14, 1939.

Hon. Ellwood S. Leach.
House of Representatives.
Dover, Delaware.

Dear Mr. Leach:

As the widow of Howard L. Boyd, Superintendent of Police, of this City, I am privileged to address you, and, through you, the mem-

bers of the General Assembly. My husband, who died suddenly January 29, 1937, lacked six months of completing fifteen years of continuous service in the Police Department, a condition that would have qualified me to receive a pension of one-quarter of his annual salary of \$4,600. Because of the unsatisfactory financial status of the Pension Fund, however, the Trustees of this Fund have not supported House Bill No. 37, which you were good enough to introduce. This would have been an Enabling Act giving the Trustees and the Directors of the Department of Public Safety the authority to allow me the above pension in their discretion. Owing to this lack of support, the Bill has not been urged.

Based upon an assurance of aid given me personally by Governor McMullen, within the past week, I would respectfully request the Legislature to allow me a nominal pension of \$25 a month in recognition of the valiant work done by my husband in the interest of the public. As the members of your honorable body know, Mr. Boyd entered the service as a patrolman and advanced in successive stages, wholly upon his merits, to the top. While a patrolman, he was shot several times and critically injured in capturing two robbers at night, a fact that should be an element in my behalf. While he seemingly recovered, it is not unlikely this may have been a factor in causing his early death; a very serious injury received in the performance of his duty.

Governor McMullen was closely associated officially with my husband in the Harrison Street M. E. Church, of which I have also long been a member. Several days ago when I called the Governor and requested his support, as our Chief Executive, in the matter of a pension, he assured me that he would only be too glad to do everything within his power to this end and gave me definite assurance that he would approve any measure to this effect. Aside from their official connection in the church, he and Mr. Boyd were personal friends.

With this assurance on the part of the Governor and in recognition of my husband's public services, I would respectfully ask the General Assembly to grant me this allowance.

Thanking you, I am,
Sincerely yours.
HELEN M. BOYD

THE SPEAKER ANNOUNCED HE IS ABOUT TO SIGN:

House Substitute for House Bill No. 39.

House Substitute for House Bill No. 44.

House Bill No. 56.

House Bill No. 67.

House Bill No. 68.

House Bill No. 71.

House Bill No. 105 as Amended.

House Bill No. 165.

House Substitute for House Bill No. 222.

House Bill No. 274.

House Substitute for House Bill No. 380.

House Concurrent Resolution No. 5.

Mr. Brown moved that House Bill No. 318 be stricken from the Calendar.

Motion prevailed.

Mr. Biggs moved that House Bill No. 356, 357, 358, 359, 360, 361, 452 be stricken from the Calendar.

Motion prevailed.

Mr. Zebley, on behalf of the Committee on Claims to whom had been referred House Bill No. 477, entitled:

An Act appropriating money out of the State Treasury for the Payment of Claim of Calvin G. McKay against the State.

Reported the same back to the House favorably.

FRANK R. ZEBLEY, *Chairman*
ELMER E. BENSON
FRANK H. BUCKINGHAM
GEORGE MANLOVE

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 motion for leave introduced House Substitute for

House Bill No. 310, entitled:

An Act to amend an Act entitled "An Act to reincorporate the Town of Laurel," being Chapter 164, Volume 29, Laws of Delaware, by authorizing the Mayor and Council of Laurel to raise by Taxation a sum not in excess of Twenty-Two Thousand Dollars for General Expenses and the Fire Department; Mayor to have deciding vote in case of a tie in the Council, Powers of the Mayor; Council authorized to borrow money for Current Expenses.

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

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

An Act to amend Chapter 8 of the Revised Code of Delaware, 1935, relative to Public Arms and Defense by providing for the Qualifications of the Adjutant General.

Reported the same back to the House favorably.

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

On motion of Mr. Benson, House Bill No. 477, entitled:

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

Which was 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, Newnam, Pennington, Penuel, Fred Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, Woodward, Mr. Speaker—26.

NAYS—Messrs, Bailey, Burris, Gordy, Moore, A. G. Smith, Staats—6.

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 Bill No. 299, entitled:

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

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

Mr. Brown offered House Amendment No. 1 to House Bill No. 299.

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

Mr. Brown moved that the Amendment be adopted to House Bill No. 299.

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, 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—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, 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—11.

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. Canby, Senate Bill No. 173, entitled:

An Act relative to the Observance of American Education Week.

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, Woodward, Mr. Speaker—32.

NAYS—Mr. Gordy—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. Canby, Senate Bill No. 184, entitled:

An Act adopting the American Holly as the State Tree.

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—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. McGuigan, Senate Bill No. 197, entitled :

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

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 Substitute for Senate Bill No. 218, entitled:

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

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 returned to the Senate.

On motion of Mr. Brown, Senate Substitute for Senate Bill No. 250, entitled:

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

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 returned to the Senate.

On motion of Mr. Rhodes, Senate Bill No. 269, entitled :

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

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 returned to the Senate.

On motion of Mr. Canby, Senate Substitute for Senate Substitute for Senate Bill No. 305 with Senate Amendments No. 1 and No. 2, entitled:

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

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, Draper, Fifer, Hartman, Kellum, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Thawley, Woodward, Mr. Speaker—32.

NAYS—Mr. Leach—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. Canby, Senate Bill No. 318, entitled:

An Act to provide for the sale of two (2) shares of the Class C

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

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, 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. Benson on motion for leave introduced House Joint Resolution No. 11, entitled :

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

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

Mr. Zebley, on behalf of the Committee on Miscellaneous to whom had been referred House Joint Resolution No. 11, entitled :

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

Reported the same back to the House favorably.

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

On motion of Mr. Benson, House Joint Resolution No. 11, entitled :

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

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, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, 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 to the Senate for Concurrence.

THE SPEAKER ANNOUNCED HE IS ABOUT TO SIGN:

House Bill No. 175.

House Substitute for House Bill No. 186.

House Bill No. 316.

House Bill No. 372.

House Bill No. 374.

House Bill No. 375.

House Bill No. 376.

House Bill No. 407.

House Bill No. 468.

House Bill No. 475.

House Concurrent Resolution No. 18.

Mr. F. W. Pepper moved that House Bill No. 140, 192, 293, be stricken from the Calendar.

Motion prevailed.

Mr. Benson moved that the House adjourn until 11 o'clock, A. M., Monday, April 17th, 1939.

Motion prevailed.

SIXTY-NINTH LEGISLATIVE DAY

Dover, Delaware, April 17th, 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, Burriss, 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, 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 133 communications.

Protesting against House Bill No. 27.

Relative to Fair Trade.

The Chair presented 21 communications.

Endorsing House Bill No. 27.

Relative to Fair Trade.

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 Substitute for Senate Bill No. 257.

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

And 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. 313 with Senate Amendment No. 1.

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

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. 308.

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

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. 249.

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

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. 248.

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

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. 191 and Senate Amendment No. 1.

An Act providing for the Restoration of the Burial Vaults at Barratt's Chapel of Governor George Truitt and Family, and appropriating Funds 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. 190.

An Act to provide for Commercial Courses in the Delaware City High School and to appropriate Funds therefor.

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. 466.

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

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. 459.

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

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 Substitute for House Bill No. 366.

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.

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. 467.

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

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 Substitute for House Bill No. 119.

An Act appropriating certain moneys to Equitable Trust Com-

pany, a corporation of the State of Delaware, Executor of the Estate of W. Miller Shaw, deceased, to pay a certain claim against the State of Delaware, arising from an overpayment of the Delaware Estate Tax.

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. 170.

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.

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. 171.

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

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. 273.

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

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 Substitute for House Bill No. 315.

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

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:

Senate Substitute for House Bill No. 57.

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

And returned the same to the House.

Mr. Benson moved that Senate Bill No. 116 be referred back to the Committee on Miscellaneous.

Motion prevailed.

Mr. Buckingham moved that Senate Bill No. 21 be referred back to the Committee on Temperance.

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. Knight moved that House Bills Nos. 258, 340, 341, be stricken from the Calendar.

Motion prevailed.

Mr. Brown moved that House Bills Nos. 206, 207, 208, 210, 319, 381, 321, be stricken from the Calendar.

Motion prevailed.

Mr. Benson moved that the House recess until 2:00 o'clock P. M.

Motion prevailed.

Same Day 2:00 o'clock P. M.

House met at expiration of recess.

The Chair presented Senate Bill No. 190, entitled:

An Act to provide for Commercial Courses in the Delaware City High School and to appropriate Funds therefor.

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

The Chair presented Senate Bill No. 191, entitled:

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

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

The Chair presented Senate Substitute for Senate Bill No. 249, entitled:

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

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

THE SPEAKER ANNOUNCED HE IS ABOUT TO SIGN:

Senate Bill No. 18.

Senate Substitute for Senate Bill No. 286 as amended.

Senate Substitute for Senate Bill No. 154.

Senate Bill No. 103.

Senate Bill No. 118.

Senate Bill No. 129.

Senate Bill No. 84.

Senate Bill No. 77 as amended.

The Chair presented Senate Substitute for Senate Bill No. 248, entitled:

An Act to amend Chapter 56 of the Revised Code of the State of Delaware (1935) entitled: "Registration of Voters" by changing manner of selections and appointment of Registration Officers in New Castle County.

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

The Chair presented Senate Substitute for House Bill No. 57, entitled:

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

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

The Chair presented Senate Substitute for Senate Substitute for Senate Bill No. 257, entitled:

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

Indigent Sick of Sussex County.

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. 308, entitled:

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

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. 313 with Senate Amendment No. 1, entitled:

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

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

Mr. Rhodes moved that House Bill No. 27 be stricken from the Calendar.

Motion prevailed.

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

House Substitute for House Bill No. 335 Approved April 14th, 1939.

House Bill No. 225 Approved April 14th, 1939.

House Bill No. 227 Approved April 14th, 1939.

House Bill No. 229 Approved April 14th, 1939.

House Bill No. 230 Approved April 14th, 1939.

House Bill No. 231 Approved April 14th, 1939.

House Bill No. 232 Approved April 14th, 1939.

House Bill No. 233 Approved April 14th, 1939.

House Bill No. 235 Approved April 14th, 1939.

House Bill No. 238 Approved April 14th, 1939.

Senate Substitute for House Bill No. 239 Approved April 14th, 1939.

House Bill No. 298 Approved April 14th, 1939.

House Bill No. 440 Approved April 14th, 1939.

Mr. Benson, on behalf of the Committee on Appropriations to whom had been referred Senate Bill No. 190, entitled:

An Act to provide for Commercial Courses in the Delaware City High School and to appropriate Funds therefor.

Reported the same back to the House favorably.

ELMER E. BENSON, *Chairman*

HENRY M. CANBY

GEORGE MANLOVE

FRANK R. ZEBLEY

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. 376.

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

House Substitute for House Bill No. 380.

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

House Bill No. 407.

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

House Bill No. 468.

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

House Bill No. 475.

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

House Bill No. 274 .

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

House Bill No. 316.

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

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