

Mr. Hitchens, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred House Substitute for House Bill No. 228, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled, "Fish, Oysters and Game," by exempting members of the Armed Forces on furlough from the provisions thereof requiring licenses for hunting and fishing.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
R. H. YERKES  
W. DEANE JOHNSTON  
H. H. LAWSON  
H. B. McDOWELL, JR.

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

Senate Concurrent Resolution No. 25, entitled:

Providing for a Study of the Public School System of this State.

And returned the same to the Senate.

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

Senate Bill No. 7, entitled:

An Act appropriating certain Monies for the Support and Maintenance of the District Library Commissions of the State of Delaware.

And returned the same to the Senate.

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

Senate Bill No. 9, entitled:

An Act to amend Chapter 208, Volume 24, Laws of Delaware, entitled "An Act to Reincorporate the Town of Felton", by providing for the Collection of Taxes Assessed by said Town.

And returned the same to the Senate.

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

Senate Bill No. 15 with Senate Amendment No. 1, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" by changing the Dates of the Open Season in certain cases.

And returned the same to the Senate.

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

Senate Bill No. 19, entitled:

An Act to authorize "The Council of Newark" to have full Power and Authority over all Trees planted and to be planted in any of the streets, highways, lanes and alleys of the said Town, and to cause the removal of Trees dangerous to Public Travel on said streets or injurious to sidewalks, curbs, sewers or drains.

And returned the same to the Senate.

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

Senate Bill No. 20, entitled:

An Act to authorize and empower "The Council of Newark" to have full Power and Authority over any and/or all buildings deemed to be a fire menace and/or structurally unsafe.

And returned the same to the Senate.

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

Senate Bill No. 21, entitled:

An Act authorizing and empowering "The Council of Newark" to acquire by purchase and/or condemnation proceedings additional land, either within or without the boundaries of said Town, for the improvement and/or construction of additions to the Water and/or Sewer Systems of said Town.

And returned the same to the Senate.

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

Senate Bill No. 46 with Senate Amendment No. 1, entitled:

An Act to amend An Act changing the Name of "The Town of Dover" to "The City of Dover" and establishing a Charter therefor, with respect to Hours of Voting, and Liability for Capitation Tax.

And returned the same to the Senate.

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

Senate Bill No. 86, entitled:

An Act proposing an amendment to Section 25 of Article 2 of the Constitution of the State of Delaware relating to Zoning.

And returned the same to the Senate.

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

Senate Bill No. 94, entitled:

An Act conferring upon the State Board of Health the Power to Regulate and Inspect Sanatoria, Rest Homes, Nursing Homes, Boarding Homes and Related Institutions.

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 144, entitled:

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

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 145 with House Amendment No. 1, entitled:

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

And returned the same to the Senate for concurrence.

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

Senate Substitute for Senate Bill No. 162 with House Amendment No. 1, entitled:

An Act to amend Chapter 167 of the Revised Code of Delaware, 1935, relating to Aeronautics by providing for the Acquisition, Establishment, Construction, Enlargement, Improvement, Maintenance, Equipment, Operation and Regulation of Airports, other Air Navigation Facilities, and Airport Protection Privileges by Municipalities and providing the Right of Condemnation for such Purposes; Defining Terms; Declaring the Ownership and Operation of Airports, other Air Navigation Facilities and Airport Protection Privileges to be for Public, Governmental and Municipal Purposes; providing for the Issuance of Bonds and for Levying of Taxes for Airport Purposes; Granting Specific Powers; Permitting the Acceptance of Federal Aid; Authorizing Joint Action by Municipalities and by Municipalities and the State; providing for the Appointment of Joint Boards or Commissions and Granting to Municipalities or Municipalities and the State, Acting Jointly, the Powers granted a Single Municipality, and providing for Assistance to other Municipalities.

And returned the same to the Senate for concurrence.

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

Senate Substitute for Senate Bill No. 206, entitled:

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

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 220, entitled:

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

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 235, entitled:

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

And returned the same to the Senate.

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

House Bill No. 129, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, relating to Motor Vehicles by providing for the Expiration of Annual Licenses.

And presented the same to the Senate.

Mr. Binder moved that House Bill No. 61 with House Amendment No. 1 be restored to the Calendar.

Motion prevailed.

On motion of Mr. Yerkes, House Bill No. 61 with House Amendment No. 1, entitled:

An Act to amend Chapter 86 of the Revised Code of Delaware, 1935, relating to Divorce, by providing that Full Faith and Credit shall be given to Decree of Divorce by Foreign Courts.

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

Upon request the privilege of the floor was given to Mr. Robert H. Richards, Jr.

Mr. Yerkes moved that action on House Bill No. 61 with House Amendment No. 1 be deferred until after dinner.

Motion prevailed.

On motion of Mr. Yerkes, House Bill No. 131, entitled:

An Act to amend 4318 Section 3 Article 1 Chapter 116 of the Revised Code of Delaware, 1935, in reference to the Compensation of the Probation Officer in Sussex County.

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

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

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

YEAS—Messrs. Ayres, Binder, Edmonds, Evans, Hitchens, Jones, Johnston, Lawson, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—12.

NAYS—Messrs. Bailey, Butler, Hastings—3.

NOT VOTING—Mr. McDowell—1.

ABSENT—Mr. McGuigan—1.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Substitute for House Bill No. 231, entitled:

An Act to increase salaries and wages of all employees of New Castle County excepting elected officials, who receive their checks or pay from New Castle County Levy Court, by ten per centum, for duration of existing wars and one year thereafter.

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

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

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

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

NAYS—Mr. Bailey—1.

ABSENT—Mr. Hastings—1.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Substitute for House Bill No. 266 with House Amendment No. 1, entitled:

An Act creating a "Legislative Reference Bureau of Delaware" and defining its Powers and Duties and making an Appropriation therefor.

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

Upon request the privilege of the floor was given to Mr. Harry K. Hoch, Esq.

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

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

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

NAYS—Messrs. Ayres, Bailey, Butler, McDowell, McGuigan—5.

ABSENT—Messrs. Hastings, Lawson—2.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Substitute for House Bill No. 271, entitled:

An Act to authorize the State Board of Education to use certain Unexpended Moneys heretofore appropriated for Repairs to Colored Schools under its Control.

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

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

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

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

NAYS—None.

ABSENT—Messrs. Edmonds, Hastings, McGuigan—3.

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

Ordered returned to the House.

The Chair presented House Amendment No. 1 to Senate Substitute for Senate Bill No. 145, entitled:

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

Which was read.

Mr. Yerkes moved that House Amendment No. 1 to Senate Substitute for Senate Bill No. 145 be adopted.

Motion prevailed.

On motion of Mr. Yerkes, Senate Substitute for Senate Bill No. 145 with House Amendment No. 1, entitled:

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

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

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

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

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

NAYS—None.

ABSENT—Messrs. Hastings, McGuigan—2.

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

On motion of Mr. Yerkes, House Substitute for House Bill No. 272, entitled:

An Act to amend An Act known and cited as the "Unemployment Compensation Law," being Chapter 258 of the Laws of Delaware, 1937, as amended, by making certain changes in the Administrative provisions thereof.

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

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

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

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

NAYS—None.

ABSENT—Mr. McGuigan—1.

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

Ordered returned to the House.

The Chair presented House Substitute for House Bill No. 296, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relating to Alcoholic Liquor, Wines and Beers.

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

The Chair presented House Bill No. 129, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, relating to Motor Vehicles by providing for the Expiration of Annual Licenses.

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

The Chair presented House Bill No. 295, entitled:

An Act to amend Chapter 100 of the Revised Code of Delaware, 1935, relating to Inns, Theaters, and Public Conveyances.

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

The Chair presented House Bill No. 167, entitled:

An Act to amend Chapter 100 of the Revised Code of Delaware, 1935, as amended, relating to General Provisions respecting the Police by Prohibiting Smoking in Trackless Trolleys and Gasoline Engine Propelled Buses used as a Public Conveyance for Carrying Passengers; providing Penalty for Offense and Jurisdiction of Court to try such Offense.

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

The Chair presented House Substitute for House Bill No. 302 with House Amendment No. 1, entitled:

An Act providing for the Election of the Board of Education of Claymont Special School District, in New Castle County.

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

On motion of Mr. Yerkes, House Substitute for House Bill No. 228, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled, "Fish, Oysters and Game," by exempting members of the Armed Forces on furlough from the provisions thereof requiring licenses for hunting and fishing.

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

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

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

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

NAYS—None.

ABSENT—Mr. McGuigan—1.

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

Ordered returned to the House.

Mr. Yerkes moved that the Senate recess until 7:45 o'clock P. M.

Motion prevailed.

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Same Day, 8:30 o'clock P. M.

Senate met at expiration of recess.

The Chair presented House Amendments Nos. 1 and 2 to Senate Bill No. 116 with Senate Amendments Nos. 1 and 2, entitled:

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

Which were read.

Mr. Yerkes moved that House Amendments Nos. 1 and 2 to Senate Bill No. 116 with Senate Amendments Nos. 1 and 2 be adopted.

Motion prevailed.

Lieutenant-Governor Elbert N. Carvel presiding.

On motion of Mr. Yerkes, Senate Bill No. 116 with Senate Amendments Nos. 1 and 2 and House Amendments Nos. 1 and 2, entitled:

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

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

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

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

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

NAYS—None.

ABSENT—Messrs. Jones, Lawson—2.

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

The President announced he is about to sign:

House Bill No. 1.

House Bill No. 14.

House Bill No. 31.

House Bill No. 32.

House Substitute for House Bill No. 37.

House Bill No. 42.

House Substitute for House Bill No. 44.

House Bill No. 48.

House Bill No. 49.

House Bill No. 51.

House Bill No. 55.

House Bill No. 56.

The President announced he is about to sign:

House Bill No. 57.

House Bill No. 63.

House Bill No. 89.

House Bill No. 95.

House Bill No. 68.

House Bill No. 112.

The Chair presented House Amendment No. 1 to Senate Substitute for Senate Bill No. 162, entitled:

An Act to amend Chapter 167 of the Revised Code of Delaware, 1935, relating to Aeronautics by providing for the Acquisition, Establishment, Construction, Enlargement, Improvement, Maintenance, Equipment, Operation and Regulation of Airports, other Air Navigation Facilities, and Airport Protection Privileges by Municipalities and providing the Right of Condemnation for such Purposes; Defining Terms; Declaring the Ownership and Operation of Airports, other Air Navigation Facilities and Airport Protection Privileges to be for Public, Governmental and Municipal Purposes; providing for the Issuance of Bonds and for Levying of Taxes for Airport Purposes; Granting Specific Powers; Permitting the Acceptance of Federal Aid; Authorizing Joint Action by Municipalities and by Municipalities and the State; providing for the Appointment of Joint Boards or Commissions and Granting to Municipalities or Municipalities and the State, Acting Jointly, the Powers granted a Single Municipality, and providing for Assistance to other Municipalities.

• Which was read.

Mr. Yerkes moved that House Amendment No. 1 to Senate Substitute for Senate Bill No. 162 be adopted.

Motion prevailed.

On motion of Mr. Yerkes, Senate Substitute for Senate Bill No. 162 with House Amendment No. 1, entitled:

An Act to amend Chapter 167 of the Revised Code of Delaware, 1935, relating to Aeronautics by providing for the Acquisition, Establishment, Construction, Enlargement, Improvement, Maintenance, Equipment, Operation and Regulation of Airports, other Air Navigation Facilities, and Airport Protection Privileges by Municipalities and providing the Right of Condemnation for such Purposes; Defining Terms; Declaring the Ownership and Operation of Airports, other Air Navigation Facilities and Airport Protection Privileges to be for Public, Governmental and Municipal Purposes; providing for the Issuance of Bonds and for Levying of Taxes for Airport Purposes; Granting Specific Powers; Permitting the Acceptance of Federal Aid; Authorizing Joint Action by Municipalities and by Municipalities and the State; providing for the Appointment of Joint Boards or Commissions and Granting to Municipalities or Municipalities and the State, Acting Jointly, the Powers granted a Single Municipality, and providing for Assistance to other Municipalities.

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

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

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

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

NAYS—None.

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

On motion of Mr. Yerkes, House Bill No. 52, entitled:

An Act amending Chapter 148, Volume 42, Laws of Delaware, Creating the Office of Vice-Chancellor by Increasing the Salary of the Vice-Chancellor.

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

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

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

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

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Bill No. 61 with House Amendment No. 1, entitled:

An Act to amend Chapter 86 of the Revised Code of Delaware, 1935, relating to Divorce, by providing that Full Faith and Credit shall be given to Decree of Divorce by Foreign Courts.

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

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

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

YEAS—Messrs. Ayres, Bailey, Binder, Edmonds, Evans, Hastings, Jones, Johnston, Lawson, Mr. President Pro Tem—10.

NAYS—Messrs. Butler, Hitchens, McDowell, McGuigan, Rhodes, Weigel, Yerkes—7.

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

Ordered returned to the House.

Mr. Rhodes, on behalf of the Committee on Temperance, to whom had been referred, House Substitute for House Bill No. 296, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relating to Alcoholic Liquor, Wines and Beers.

Reported the same back to the Senate favorably.

GEO. W. RHODES  
W. DEANE JOHNSTON  
JOHN R. HITCHENS  
JAS. S. EVANS  
FRED S. BAILEY

Mr. Weigel, on behalf of the Committee on Municipal Corporations, to whom had been referred Senate Bill No. 39, entitled:

An Act to amend An Act to Re-Incorporate the Town of Lewes, being Chapter 170, Volume 43, Laws of Delaware, by providing that Candidates for Election to any Municipal Office in the said Town, in addition to Present Qualifications, also must be Freeholders or Leaseholders and to have had their Deeds or Leases recorded in the Recorder's Office at Georgetown at least Three Months prior to the Date of Election, and by further providing that Voters at a Town Election must have resided in the Town of Lewes at least Six Months prior to the Election, and must have paid all Town Taxes assessed during the Two Years next prior to the Election and must have made Payment thereof not later than December 16th of the Calendar Year just preceding the Election Date, and by further providing that no "Summer Resident" shall be permitted to vote at a Town Election unless such Summer Resident pays a Property Tax upon Property located in the said Town.

Reported the same back to the Senate favorably.

SAMUEL WEIGEL, JR.  
GEO. E. BINDER  
H. H. LAWSON  
J. S. EVANS

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred House Bill No. 129, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, relating to Motor Vehicles by providing for the Expiration of annual Licenses.

Reported the same back to the Senate favorably.

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

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred House Bill No. 295, entitled:

An Act to amend Chapter 100 of the Revised Code of Delaware, 1935, relating to Inns, Theaters, and Public Conveyances.

Reported the same back to the Senate favorably.

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

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred House Bill No. 167, entitled:

An Act to amend Chapter 100 of the Revised Code of Delaware, 1935, as amended, relating to General Provisions respecting the Police by Prohibiting Smoking in Trackless Trolleys and Gasoline Engine Propelled Buses used as a Public Conveyance for Carrying Passengers; providing Penalty for Offense and Jurisdiction of Court to try such Offense.

Reported the same back to the Senate favorably.

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

The Chair reported a communication from the Governor, which he referred to the Executive Committee.

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

An Act to amend An Act entitled "An Act to Incorporate the Town of Blades" being Chapter 155, Volume 28, Laws of Delaware, as amended, with reference to the Qualifications of Electors.

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

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

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

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

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Bill No. 135, entitled:

An Act to amend Chapter 568, Volume 17, Laws of Delaware, entitled "An Act to Incorporate the Town of Magnolia by Changing the Time and Date of Holding Annual Election.

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

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

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

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

NAYS—None.

ABSENT—Mr. McDowell—1.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Substitute for House Bill No. 156, entitled:

An Act Proposing an amendment to Article V of the Constitution of the State of Delaware relating to Elections.

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

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

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

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

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

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

Mr. McDowell, on motion for leave, requested that House Substitute for House Bill No. 156, entitled:

An Act Proposing an amendment to Article V of the Constitution of the State of Delaware relating to Elections.

Be reconsidered.

Motion prevailed.

On motion of Mr. McDowell, House Substitute for House Bill No. 156, entitled:

An Act Proposing an amendment to Article V of the Constitution of the State of Delaware relating to Elections.

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

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

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

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

NAYS—None.

Ordered returned to the House.

On motion of Mr. Yerkes, House Bill No. 138, entitled:

An Act making Appropriations for the Payment of Permanent Increases in the Salaries of certain Employees of the State for the Fiscal Years beginning July 1, 1945, and July 1, 1946, and ending June 30, 1946, and June 30, 1947, respectively.

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

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

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

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

NAYS—None.

ABSENT—Mr. Johnston—1.

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

Ordered returned to the House.

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred House Bill No. 144, entitled:

An Act to amend Chapter 6, of the Revised Code of Delaware, 1935, in reference to Non-Resident Peddlers and Auctioneers.

Reported the same back to the Senate favorably.

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

Mr. Jones, on behalf of the Committee on Agriculture, to whom had been referred House Substitute for House Bill No. 240, entitled:

An Act prohibiting the throwing or depositing on Farm Lands of Substances Injurious to Farm Vehicle Tires or Parts and prescribing Penalties for Violations.

Reported the same back to the Senate favorably.

HARRY H. JONES  
H. H. LAWSON  
GEO. W. RHODES  
R. H. YERKES  
JOHN R. BUTLER

Mr. Johnston, on behalf of the Committee on Education, to whom had been referred House Substitute for House Bill No. 302 with House Amendment No. 1, entitled:

An Act providing for the Election of the Board of Education of Claymont Special School District, in New Castle County.

Reported the same back to the Senate favorably.

W. DEANE JOHNSTON  
H. H. JONES  
H. H. LAWSON  
GEO. E. BINDER

On motion of Mr. Yerkes, House Substitute for House Bill No. 287, entitled:

An Act to provide for the Increase in the Salaries of School Teachers of the State of Delaware and making Appropriation therefor.

Was taken up for consideration.

Mr. Yerkes moved that action on House Substitute for House Bill No. 287 be deferred.

Motion prevailed.

On motion of Mr. Yerkes, Senate Bill No. 60, entitled:

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

Was taken up for consideration.

Mr. Yerkes moved that action on Senate Bill No. 60 be deferred.

Motion prevailed.

On motion of Mr. Yerkes, Senate Substitute for Senate Bill No. 245, entitled:

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

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

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

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

YEAS—Messrs. Bailey, Binder, Butler, Evans, Jones, Johnston, Yerkes—7.

NAYS—Messrs. Edmonds, Hastings, Hitchens, Rhodes, Weigel, Mr. President Pro Tem—6.

NOT VOTING—Messrs. Lawson, McDowell, McGuigan—3.

ABSENT—Mr. Ayres—1.

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

Mr. Evans, on motion for leave, introduced Senate Amendment No. 1 to Senate Substitute for Senate Substitute for Senate Bill No. 168, entitled:

An Act to create a State Board of Public Contracts and to Regulate Public Contracts made on behalf of the State, or of any Subdivision or Agency thereof, for the Erection of any Building, Structure or Edifice financed in whole or in part with Public Funds.

Which was read.

Mr. Evans moved that Senate Amendment No. 1 to Senate Substitute for Senate Substitute for Senate Bill No. 168 be adopted.

Motion prevailed.

On motion of Mr. Evans, Senate Substitute for Senate Substitute for Senate Bill No. 168 with Senate Amendment No. 1, entitled:

An Act to create a State Board of Public Contracts and to Regulate Public Contracts made on behalf of the State, or of any Subdivision or Agency thereof, for the Erection of any Building, Structure or Edifice financed in whole or in part with Public Funds.

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

Upon request the privilege of the floor was given to Mr. Stewart Lynch.

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

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

YEAS—Messrs. Bailey, Binder, Butler, Edmonds, Evans, Hastings, Jones, Johnston, McDowell, Rhodes, Weigel, Yerkes—12.

NAYS—Messrs. Hitchens, Lawson, Mr. President Pro Tem—3.

ABSENT—Messrs. Ayres, McGuigan—2.

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

Ordered to the House for concurrence.

On motion of Mr. Evans, Senate Substitute for Senate Bill No. 170, entitled:

An Act to amend Article I of Chapter 160 of the Revised Code of Delaware, 1935, entitled "State Housing Board" by Striking Out the Second Sentence of Section 5 of said Chapter and Substituting a New Second Sentence, Authorizing the State Board of Housing to Employ a Secretary.

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

Upon request the privilege of the floor was given to Hon. Stewart Lynch.

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

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

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

**NAYS**—None.

**ABSENT**—Messrs. Ayres, McGuigan—2.

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

Ordered to the House for concurrence.

Mr. Evans, on motion for leave, introduced Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 249, entitled:

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

Which was read.

Mr. Evans moved that Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 249 be adopted.

Motion prevailed.

On motion of Mr. Evans, Senate Substitute for Senate Bill No. 249 with Senate Amendment No. 1, entitled:

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

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

Upon request the privilege of the floor was given to Mr. Stewart Lynch.

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

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

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

NAYS—Mr. Edmonds—1.

ABSENT—Messrs. Ayres, McGuigan—2.

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

Ordered to the House for concurrence.

Mr. Evans, on motion for leave, introduced Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 201, entitled:

An Act to Require Competitive Bidding in Connection with the Purchase of Supplies or the Letting of Contracts or the Construction, Alteration, or Repair of Buildings, and providing Penalties.

Which was read.

Mr. Evans moved that Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 201 be adopted.

Motion prevailed.

On motion of Mr. Evans, Senate Substitute for Senate Bill No. 201 with Senate Amendment No. 1, entitled:

An Act to Require Competitive Bidding in Connection with the Purchase of Supplies or the Letting of Contracts or the Construction, Alteration, or Repair of Buildings, and providing Penalties.

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

Upon request the privilege of the floor was given to Mr. Stewart Lynch.

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

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

YEAS—Messrs. Bailey, Binder, Butler, Evans, Hastings—5.

NAYS—Messrs. Edmonds, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—11.

ABSENT—Mr. Ayres—1.

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

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

Senate Bill No. 6, entitled:

An Act appropriating Money to certain Hospitals in the State of Delaware.

Senate Bill No. 8, entitled:

An Act appropriating Money to the G. A. R., Department of Delaware.

Senate Bill No. 41, entitled:

An Act appropriating Money to Board of Managers of the Council of State Governments.

Senate Bill No. 134, entitled:

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

Senate Substitute for Senate Bill No. 164, entitled:

An Act appropriating Money for Certain Expenses of the Supreme Court.

Senate Bill No. 159, entitled:

An Act to amend Chapter 16 of the Revised Code of Delaware, 1935, entitled "Auditor of Accounts," by Limiting the Price which may be Paid for Passenger Motor Vehicles by State Departments, Boards or Commissions.

Senate Substitute for Senate Bill No. 278, entitled:

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

Senate Substitute for Senate Bill No. 136, entitled:

An Act to amend Chapter 25 of the Revised Code of Delaware, 1935, entitled, "Department of Health," by making Further Provisions for the Examination, Treatment, and Quarantine of Persons known or reasonably suspected of being Infected with a Venereal Disease.

Senate Substitute for Senate Bill No. 195, entitled:

An Act Authorizing and Directing the State Board of Health to Make a Survey of the Existing Public and Private Hospitals and Health Centers of the State; to Evaluate their Sufficiency; to Compile Data and Conclusions; and to Provide for the Acceptance and Expenditure of Federal Grants.

Senate Substitute for Senate Joint Resolution No. 5, entitled:

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

Senate Concurrent Resolution No. 27, entitled:

Providing for the Adjournment of the Senate and House of Representatives until Monday, April 16, 1945.

Senate Concurrent Resolution No. 26, entitled:

With reference to Representation of the State of Delaware at the Funeral Exercises to be conducted in the City of Washington for the Honorable Franklin D. Roosevelt, late President of the United States.

H. H. LAWSON

Mr. Rhodes, on motion for leave, requested that Senate Substitute for Senate Bill No. 245 be restored to the Calendar.

Request granted.

On motion for leave, Mr. Lawson asked that Senate Substitute for Senate Joint Resolution No. 7, entitled:

Relative to the Military Training of Youth.

Be taken from the table.

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

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

YEAS — Messrs. Binder, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—12.

NAYS—Messrs. Bailey, Butler, McDowell, McGuigan—4.

ABSENT—Mr. Ayres—1.

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

On motion of Mr. Lawson, Senate Substitute for Senate Joint Resolution No. 7, entitled:

Relative to the Military Training of Youth.

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

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

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

YEAS—Messrs. Edmonds, Evans, Hitchens, Rhodes, Weigel, Yerkes—6.

NAYS—Messrs. Ayres, Bailey, Butler, Hastings, Jones, Johnston, McDowell, McGuigan—8.

NOT VOTING—Mr. Lawson—1.

ABSENT—Messrs. Binder, Mr. President Pro Tem—2.

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

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

Senate Bill No. 106, entitled:

An Act proposing an amendment to Article III of the Constitution of the State of Delaware, relating to the Terms of Office of Sheriffs and Coroners.

And returned the same to the Senate.

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

Senate Bill No. 30, entitled:

An Act authorizing "The Town of Frankford" to borrow Thirty Thousand Dollars (\$30,000.00) and to Issue Bonds therefor for the purpose of redeeming and refunding certain Outstanding Bonds of "The Town of Frankford."

And returned the same to the Senate.

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

Senate Bill No. 26, entitled:

An Act making an appropriation to the Commissioners of Millsboro for reimbursing the Town of Millsboro for the Construction of Connecting Concrete Streets Between Highways.

And returned the same to the Senate.

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

Senate Bill No. 104, entitled:

An Act to authorize the Commissioners of Millsboro to borrow One Hundred Thousand Dollars (\$100,000.00), and to issue Bonds to secure the Payment thereof, for the purpose of providing a Sewer System for the Town of Millsboro and to Control and Regulate the same.

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 166 with Senate Amendment No. 1, entitled:

An Act to amend Chapter 65 of the Revised Code of the State of Delaware of 1935, relating to Corporations.

And returned the same to the Senate.

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

Motion prevailed.



Same Day, Later

Senate met at expiration of recess.

The President announced he is about to sign:

Senate Bill No. 90.

Senate Bill No. 112.

Senate Bill No. 111.

Senate Bill No. 7.

Senate Substitute for Senate Bill No. 185 as amended.

Senate Substitute for Senate Bill No. 197 as amended.

Senate Substitute for Senate Bill No. 206.

Senate Bill No. 20.

Senate Bill No. 19.

Senate Bill No. 9.

Senate Substitute for Senate Bill No. 153.

Senate Substitute for Senate Bill No. 275.

Senate Concurrent Resolution No. 25.

The President announced he is about to sign:

Senate Bill No. 217.

Senate Bill No. 209.

Senate Substitute for Senate Bill No. 220.

Senate Bill No. 21.

Senate Bill No. 86.

Senate Bill No. 94.

Senate Substitute for Senate Bill No. 144.

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

House Substitute for House Bill No. 233, entitled:

An Act establishing a State Bureau of Criminal Investigation under the State Highway Department and providing for the supervision and operation thereof by the Delaware State Police; defining the Powers and Duties and Personnel of such Bureau; authorizing law enforcement agents in certain institutions to fingerprint and photograph certain persons; requiring Law Enforcement Officers and certain Public Officers and Officials to furnish Fingerprint Records and other statistics to such Bureau; making certain records competent evidence, making certain acts and conduct unlawful, and providing penalties.

And presented the same to the Senate.

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

House Substitute for House Bill No. 349, entitled:

An Act to appropriate certain Moneys to the State Board of Education to pay Operating Expenses of New Castle Special School District for remainder of Fiscal Year ending June 30, 1945.

And presented the same to the Senate.

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

House Substitute for House Bill No. 314, entitled:

An Act proposing a certain amendment to Section 25 of Article 2 of the Constitution of the State of Delaware relating to Zoning.

And presented the same to the Senate.

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

House Bill No. 58, entitled:

An Act proposing an amendment to Article IV of the Constitution of the State of Delaware, relating to the Judiciary.

And presented the same to the Senate.

While taking the vote on Senate Substitute for Senate Joint Resolution No. 7, Mr. Lawson moved that the Senate recess. The Chair didn't recognize him at that time. However, the Chair admitted it was in error by not recognizing Senator Lawson's motion and offers apology.

Mr. McDowell moved that Senate Substitute for Senate Joint Resolution No. 7 be restored to the Calendar.

Motion prevailed.

The President announced he is about to sign:

House Bill No. 64.

House Bill No. 83.

House Bill No. 100.

House Substitute for House Bill No. 103.

House Bill No. 102.

House Substitute for House Bill No. 123, as amended.

House Bill No. 131.

House Substitute for House Bill No. 132.

House Bill No. 135.

House Bill No. 137.

House Bill No. 170.

House Bill No. 178.

The President announced he is about to sign:

House Bill No. 186.

House Bill No. 194.

House Substitute for House Bill No. 197.

House Bill No. 207.

House Substitute for House Bill No. 228.

House Substitute for House Bill No. 230.

House Substitute for House Bill No. 231.

House Substitute for House Bill No. 271.

House Substitute for House Bill No. 272.

Mr. Holliday, Clerk of the House, being admitted, informed the Senate that the House had not concurred in the following:

Senate Bill No. 180, entitled:

An Act to amend Chapter 170, of the Revised Code of Delaware, 1935, with reference to the Court of Common Pleas for Kent County, by Increasing the Salary of the Judge of said Court.

And returned the same to the Senate.

Mr. Holliday, Clerk of the House, being admitted, informed the Senate that the House had not concurred in the following:

Senate Bill No. 205, entitled:

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

And returned the same to the Senate.

On motion of Mr. Lawson, Senate Substitute for Senate Joint Resolution No. 7, entitled:

Relative to the Military Training of Youth.

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

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

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

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

YEAS—Messrs. Binder, Edmonds, Evans, Hitchens, Lawson, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—9.

NAYS—Messrs. Ayres, Bailey, Butler, Hastings, Jones, Johnston, McDowell, McGuigan—8.

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

Ordered to the House for concurrence.

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

House Substitute for House Bill No. 208 with House Amendment No. 1, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, to authorize and empower the State Highway Department to issue Revenue Bonds to defray the cost of construction of a crossing over the Delaware River.

And presented the same to the Senate.

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred House Substitute for House Bill No. 354, entitled:

An Act to amend Chapter 12 of the Revised Code of Delaware, 1935, as amended, relating to "Salaries of State Officers" by increasing the Salaries of the Governor, Secretary of State, Auditor of Accounts, State Treasurer and Insurance Commissioner.

Reported the same back to the Senate favorably.

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

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

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

Reported the same back to the Senate favorably.

HARRY H. JONES  
GEO. W. RHODES  
H. H. LAWSON  
SAMUEL WEIGEL, JR.  
WILLIAM H. AYRES

On motion of Mr. Yerkes, House Substitute for House Bill No. 293, entitled:

An Act to amend Chapter 82 of the Revised Code of Delaware, 1935, as amended, relating to Weights and Measures, by providing that the Regulator have the authority to require Tare Weight of Vehicles.

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

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

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

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

NAYS—None.

ABSENT—Mr. Johnston—1.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Substitute for House Bill No. 287, entitled:

An Act to provide for the Increase in the Salaries of School Teachers in the State of Delaware and making Appropriation therefor.

Was taken up for consideration.

On motion for leave, Mr. McDowell introduced Senate Amendment No. 1 to House Substitute for House Bill No. 287.

Mr. McDowell moved the adoption of Senate Amendment No. 1 to House Substitute for House Bill No. 287.

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

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

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

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

ABSENT—Mr. Johnston—1.

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

On motion of Mr. Yerkes, House Substitute for House Bill No. 287, entitled:

An Act to provide for the Increase in the Salaries of School Teachers in the State of Delaware and making Appropriation therefor.

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

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

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

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

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Substitute for House Bill No. 305, entitled:

An Act to amend Chapter 45 of the Revised Code of Delaware, 1935, entitled "County Treasurers and Collection of Taxes," with reference to the Receiver of Taxes and County Treasurer for Kent County, his Election, Term, and Duties, redemption of property sold for Taxes, Notices, Penalties and Times for the Performance of certain work of the office.

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

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

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

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

NAYS—None.

ABSENT—Mr. Edmonds—1.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Substitute for House Bill No. 316, entitled:

An Act to amend Chapter 49 of the Revised Code of Delaware, 1935, by providing for increase in the Salaries of the Coroner's Physician for New Castle County and the Chief Deputy Coroner for New Castle County.

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

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

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

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

NAYS—None.

ABSENT—Messrs. Ayres, Edmonds—2.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Bill No. 118, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1935, as amended, relating to State Revenue, by providing for Payment of Services to Distributors of Motor Fuel for Collecting Motor Fuel Tax.

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

Upon request the privilege of the floor was given to Mr. Horace Daniels.

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

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

YEAS — Messrs. Bailey, Binder, Butler, Evans, Hastings, Hitchens, Jones, Johnston, McDowell, McGuigan, Weigel, Yerkes, Mr. President Pro Tem—13.

NAYS—Messrs. Edmonds, Lawson, Rhodes—3.

ABSENT—Mr. Ayres—1.

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

Ordered returned to the House.

On motion of Mr. Yerkes, Senate Substitute for Senate Bill No. 245, entitled:

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

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

Upon request the privilege of the floor was given to Mr. Melvin Hopkins, Esq.

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

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

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

NAYS—Messrs. Edmonds, Rhodes—2.

ABSENT—Mr. Hastings—1.

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

Ordered to the House for concurrence.

Motion of Mr. Ayres with reference to the Title of Senate Substitute for Senate Bill No. 223:

Mr. President:

Under the authority of Rule No. 21 of the Rules of the Senate for the 1945 Regular Session, I move to correct the Title of Senate Substitute for Senate Bill No. 223 by substituting the word "for" for the word "fro" where the same appears between the words "required" and "same", in said title. This is obviously a typographical error.

Mr. Ayres moved that the motion be adopted.

Motion prevailed.

On motion of Mr. Yerkes, House Substitute for House Bill No. 317, entitled:

An Act to amend Chapter 53 of the Revised Code of Delaware, 1935, as amended, relating to the Salaries of certain County Officers, by providing for an Increase in the Salary of the Coroner for New Castle County.

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

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

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

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

NAYS—None.

ABSENT—Messrs. Bailey, Hastings—2.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Substitute for House Bill No. 319, entitled:

An Act to Supplement Chapter 75, of the Revised Code of Delaware, relating to the Public Welfare by providing aid to the Needy Blind Consistent with Title X of the Federal Social Security Act.

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

Upon request the privilege of the floor was given to Dr. Cummings.

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

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

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

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Substitute for House Bill No. 322 with House Amendment No. 1, entitled:

An Act to amend Chapter 92 of the Revised Code of Delaware, 1935, as amended, relating to Conveyances.

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

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

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

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

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Substitute for House Bill No. 334 with House Amendment No. 1, entitled:

An Act to amend Article 2 of Chapter 116 of the Revised Code of the State of Delaware, 1935, relating to the Juvenile Court of the City of Wilmington and New Castle County; by conferring jurisdiction of persons over the age of Eighteen Years, within a family, charged with certain offenses; defining the word Child; authorizing the Judge of the Juvenile Court to adopt a Seal, make and publish General Rules and keep Records pertaining to said Court; making said Court one of general jurisdiction authorizing the Judge of the Juvenile Court to appoint a Clerk, fixing the Term and Salary thereof and defining the powers and duties of said Clerk; authorizing the Judge of the Juvenile Court to Select and Appoint a Director and Probation Officers and other Employees as shall be deemed necessary, defining their Qualifications, fixing their Salaries, Duties and Powers; and fixing the Maximum Annual Expenses of the said Court.

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

Upon request the privilege of the floor was given to Judge Elwood Melson.

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

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

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

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

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

Ordered returned to the House.

On motion of Mr. Hitchens, Senate Bill No. 39, entitled:

An Act to amend An Act to Re-Incorporate the Town of Lewes, being Chapter 170, Volume 43, Laws of Delaware, by providing that Candidates for Election to any Municipal Office in the said Town, in addition to Present Qualifications, also must be Freeholders or Leaseholders and to have had their Deeds or Leases recorded in the Recorder's Office at Georgetown at least Three Months prior to the Date of Election, and by further providing that Voters at a Town Election must have resided in the Town of Lewes at least Six Months prior to the Election, and must have paid all Town Taxes assessed during the Two Years next prior to the Election and must have made Payment thereof not later than December 16th of the Calendar Year just preceding the Election Date, and by further providing that no "Summer Resident" shall be permitted to vote at a Town Election unless such Summer Resident pays a Property Tax upon Property located in the said Town.

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

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

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

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

NAYS—None.

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

Ordered to the House for concurrence.

The Chair presented House Substitute for House Bill No. 349, entitled:

An Act to appropriate certain Moneys to the State Board of Education to pay Operating Expenses of New Castle Special School District for remainder of Fiscal Year ending June 30, 1945.

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

The Chair presented House Substitute for House Bill No. 314, entitled:

An Act proposing a certain amendment to Section 25 of Article 2 of the Constitution of the State of Delaware relating to Zoning.

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

The Chair presented House Substitute for House Bill No. 233, entitled:

An Act establishing a State Bureau of Criminal Investigation under the State Highway Department and providing for the supervision and operation thereof by the Delaware State Police; defining the Powers and Duties and Personnel of such Bureau; authorizing law enforcement agents in certain institutions to fingerprint and photograph certain persons; requiring Law Enforcement Officers and certain Public Officers and Officials to furnish Fingerprint Records and other statistics to such Bureau; making certain records competent evidence, making certain acts and conduct unlawful, and providing penalties.

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

The Chair presented House Bill No. 58, entitled:

An Act proposing an amendment to Article IV of the Constitution of the State of Delaware, relating to the Judiciary.

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

The Chair presented House Substitute for House Bill No. 208 with House Amendment No. 1, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, to authorize and empower the State Highway Department to issue Revenue Bonds to defray the cost of construction of a crossing over the Delaware River.

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

The Chair moved that the Senate recess for five minutes.

Motion prevailed.



Same Day, Later

Senate met at expiration of recess.

On motion of Mr. Ayres, Senate Substitute for Senate Bill No. 223, entitled:

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

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

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

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

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

**NAYS**—None.

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

Ordered to the House for concurrence.

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred House Substitute for House Bill No. 208 with House Amendment No. 1, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, to authorize and empower the State Highway Department to issue Revenue Bonds to defray the cost of construction of a crossing over the Delaware River.

Reported the same back to the Senate favorably.

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

The President announced he is about to sign:

Senate Bill No. 30.

Senate Bill No. 207 as amended.

Senate Bill No. 96 as amended.

Senate Bill No. 46 as amended.

Senate Substitute for Senate Bill No. 235 as amended.

Senate Bill No. 106..

Senate Bill No. 104.

Senate Bill No. 26.

Senate Bill No. 15 as amended.

Senate Substitute for Senate Bill No. 145 as amended.

Mr. Binder, on behalf of the Committee on Judiciary, to whom had been referred, House Bill No. 58, entitled:

An Act proposing an amendment to Article IV of the Constitution of the State of Delaware, relating to the Judiciary.

Reported the same back to the Senate favorably.

GEO. E. BINDER  
SAMUEL WEIGEL, JR.  
HARRY H. JONES  
JOHN R. HITCHENS

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred House Substitute for House Bill No. 314, entitled:

An Act proposing a certain amendment to Section 25 of Article 2 of the Constitution of the State of Delaware relating to Zoning.

Reported the same back to the Senate favorably.

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

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred House Substitute for House Bill No. 233, entitled:

An Act establishing a State Bureau of Criminal Investigation under the State Highway Department and providing for the supervision and operation thereof by the Delaware State Police; defining the powers and duties and personnel of such bureau; authorizing law enforcement agents in certain institutions to fingerprint and photograph certain persons; requiring law enforcement officers and certain public officers and officials to furnish fingerprint records and other statistics to such bureau; making certain records competent evidence, making certain acts and conduct unlawful, and providing penalties.

Reported the same back to the Senate favorably.

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

The President Pro Tem announced he is about to sign:

House Bill No. 52 as amended.

House Bill No. 62 as amended.

House Bill No. 138.

House Substitute for House Bill No. 156.

House Bill No. 174 as amended.

House Bill No. 190 as amended.

House Substitute for House Bill No. 209 as amended.

House Bill No. 266 as amended.

Mr. Jones, on motion for leave, introduced Senate Bill No. 299, entitled:

An Act authorizing the State of Delaware to borrow Eighty Thousand Dollars and to Issue Bonds therefor for the purpose of erecting an addition to the building in Dover housing the Department of Agriculture and for additional equipment and alterations needed to conduct Diagnostic and Control Work of said Department.

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

On motion of Mr. Bailey, Senate Substitute for Senate Bill No. 243, entitled:

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

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

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

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

YEAS—Messrs. Ayres, Bailey, Butler, Hitchens, Jones, Johnston, Lawson, McDowell, Yerkes—9.

NAYS—Messrs. Binder, Edmonds, Evans, Hastings, McGuigan, Rhodes, Weigel, Mr. President Pro Tem—8.

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

Ordered to the House for concurrence.

Mr. Lawson moved that the Senate adjourn until Tuesday, April 17, 1945 at 11 o'clock A. M.

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

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

YEAS—Messrs. Bailey, Butler, Hastings, Johnston, Lawson, McGuigan, Mr. President Pro Tem—7.

NAYS—Messrs. Ayres, Binder, Edmonds, Evans, Hitchens, Rhodes, Weigel, Yerkes—8.

ABSENT—Messrs. Jones, McDowell—2.

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

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

Motion prevailed.

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Same Day, Later

Senate met at expiration of recess.

On motion of Mr. Mulholland, House Bill No. 159, entitled:

An Act to authorize the Mayor and Council of New Castle to Borrow Money and Issue Bonds therefor for the Sum of Twenty-Five Thousand Dollars to take care of any Emergency Requirements of the Sewer Commission and/or the Board of Water and Light Commissioners of the City of New Castle.

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

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

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

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

**NAYS**—Messrs. Butler, Lawson, McDowell—3.

**ABSENT**—Mr. Bailey—1.

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

Ordered returned to the House.

On motion for leave, Mr. Edmonds introduced Senate Resolution No. 54, entitled:

#### SENATE RESOLUTION NO. 54

Appropriating Money out of the State Treasury to pay Certain Expenses connected with the Present Session of the 110th General Assembly.

**BE IT RESOLVED**, by the Senate of the 110th General Assembly of the State of Delaware, that the following amounts be and the same are hereby appropriated out of any money in the General Fund of the State Treasury for the payment of certain expenses connected with the present session of the 110th General Assembly of the State of Delaware, which said expenses are hereby declared to be proper and reasonable expenses actually incurred by the President and by the respective members of the Senate for traveling expenses, commonly called mileage expenses, in traveling from their respective homes to Dover and in returning from Dover to their respective homes, in the performance of their duties as President and Members of the Senate, during the present Legislative Session thereof, and the Auditor of Accounts is hereby authorized and fully empowered and directed to approve and properly execute warrants for, and the State Treasurer is hereby authorized and fully empowered and directed to pay to the President and the respective members of the Senate hereinafter named, the respective amounts set opposite their respective names, viz:

William H. Ayres .....	\$650.00
Fred S. Bailey .....	379.00
George E. Binder .....	650.00
John R. Butler .....	467.00

George P. Edmonds .....	650.00
James S. Evans .....	650.00
Irvin T. Hastings .....	589.00
John R. Hitchens .....	467.00
Harry H. Jones .....	136.00
William Deane Johnston .....	56.00
Harvey H. Lawson .....	650.00
Harris B. McDowell, Jr. ....	465.00
J. Carl McGuigan .....	650.00
George W. Rhodes .....	518.50
Samuel Weigel, Jr. ....	162.20
Robert H. Yerkes .....	422.20
Harry H. Mulholland .....	468.60
Elbert N. Carvel .....	589.00

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

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

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

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

NAYS—None.

ABSENT—Mr. Hastings—1.

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

Mr. McDowell moved that the Senate recess.

Motion lost.

Mr. McGuigan moved that the Senate adjourn until April 17, 1945, at 11 o'clock A. M.

Motion lost.

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

Motion prevailed.

Same Day, Later

Senate met at expiration of recess.

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

House Substitute for House Bill No. 315 with House Amendment No. 1, entitled:

An Act appropriating certain Money for Henrix J. Krebs School, at Newport, Delaware, for Repairs, Replacements and Completion of certain New Additions to said School and for Salaries for New Teachers for said New Addition.

And presented the same to the Senate.

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

House Substitute for Senate Substitute for Senate Bill No. 273, entitled:

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

And returned the same to the Senate for concurrence.

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

House Substitute for House Bill No. 203 with House Amendment No. 1, entitled:

An Act to provide for the Construction of Additional Facilities at Rosehill and Minquadale Schools in Rosehill-Minquadale School District No. 47, New Castle County, making appropriation therefor, and authorizing said School District to Borrow Money and Issue Bonds for the Payment thereof.

And presented the same to the Senate.

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

House Concurrent Resolution No. 13, entitled:

Creating a State Advisory Committee on Labor and appropriating Money for the Expenses thereof.

And presented the same to the Senate.

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

Senate Joint Resolution No. 6, entitled:

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

And returned the same to the Senate.

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

Senate Bill No. 61, entitled:

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

And returned the same to the Senate.

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

Senate Bill No. 64, entitled:

An Act to regulate the Assignment of Accounts receivable by providing for the Filing for Recording and Indexing of an Affidavit setting forth the Intention of the Transferor to assign the same and by prescribing the Form and the Effect of the Assignment thereof.

And returned the same to the Senate.

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

Senate Bill No. 82, entitled:

An Act making Appropriation to the State Highway Department of certain Unused Funds for the Construction and Reconstruction of Roads, Highways and Bridges of the State and for Expenditures incidental thereto.

And returned the same to the Senate.

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

Senate Bill No. 87, entitled:

An Act to amend Chapter 168 of the Revised Code of Delaware, 1935, entitled "Regional Planning," as amended, by Chapter 266, Volume 43, Laws of Delaware, with reference to the Membership of the Regional Planning Commission of New Castle County.

And returned the same to the Senate.

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

Senate Bill No. 91, entitled:

An Act to amend Chapter 197, Volume 41, Laws of Delaware, as amended by Chapter 178, Volume 42, Laws of Delaware, Regulating the taking of Sand from the Beaches along the Delaware River and Delaware Bay and Atlantic Ocean by Exempting Gravel therefrom; Prohibiting the taking of Sand from certain areas.

And returned the same to the Senate.

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

Senate Bill No. 148 with Senate Amendment No. 1, entitled:

An Act to Name that Part of the Delaware State Highway leading from the City of Wilmington through the City of Dover to the Delaware-Maryland Line at Delmar and being a Part of U. S. Route No. 13, the duPont Parkway.

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 151, entitled:

An Act authorizing the Levy Court of Kent County to Borrow Money and to Issue Bonds therefor, for the Purpose of Redeeming and Refunding Certain Outstanding Bonds of Kent County.

And returned the same to the Senate.

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

Senate Bill No. 183 with Senate Amendment No. 1, entitled:

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

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 194, entitled:

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

And returned the same to the Senate.

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

Senate Substitute for Senate Substitute for Senate Bill No. 198, entitled:

An Act Appropriating the Sum of Three Thousand Dollars (\$3,000.00) to Elijah S. Hughes in Payment of Services rendered by him in the Office of County Comptroller for Kent County.

And returned the same to the Senate.

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

Senate Bill No. 218, entitled:

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

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 250, entitled:

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

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 255 with Senate Amendment No. 1, entitled:

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

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 256, entitled:

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

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 276, entitled:

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

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 297, entitled:

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

And returned the same to the Senate.

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

Senate Bill No. 298, entitled:

An Act Granting the Consent of the General Assembly of the State of Delaware to the Acquisition by the United States of a Certain Tract or Parcel of Land in Lewes and Rehoboth Hundred, Sussex County, Delaware, and Ceding Jurisdiction to the United States for Certain Purposes.

And returned the same to the Senate.

The President announced he is about to sign:

House Bill No. 118.

House Substitute for House Bill No. 287.

House Substitute for House Bill No. 293.

House Substitute for House Bill No. 305.

House Substitute for House Bill No. 316.

House Substitute for House Bill No. 317.

House Substitute for House Bill No. 319.

House Substitute for House Bill No. 322.

House Substitute for House Bill No. 334 as amended.

Mr. Lawson moved that the Senate adjourn until 11 o'clock A. M., Wednesday, April 18, 1945.

Motion lost.

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

Senate Bill No. 109—Approved April 13, 1945.

Senate Bill No. 31—Approved April 13, 1945.

Senate Bill No. 44—Approved April 13, 1945.

Senate Bill No. 124—Approved April 13, 1945.

Senate Substitute for Senate Bill No. 227—Approved April 13, 1945.

Senate Substitute for Senate Bill No. 228—Approved April 13, 1945.

Senate Substitute for Senate Bill No. 230—Approved April 13, 1945.

#### H. H. LAWSON

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

Senate Bill No. 9, entitled:

An Act to amend Chapter 208, Volume 24, Laws of Delaware, entitled "An Act to Reincorporate the Town of Felton", by providing for the Collection of Taxes Assessed by said Town.

Senate Substitute for Senate Bill No. 144, entitled:

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

Senate Bill No. 94, entitled:

An Act conferring upon the State Board of Health the Power to Regulate and Inspect Sanatoria, Rest Homes, Nursing Homes, Boarding Homes and Related Institutions.

Senate Bill No. 19, entitled:

An Act to authorize "The Council of Newark" to have full Power and Authority over all Trees planted and to be planted in any of the streets, highways, lanes and alleys of the said Town, and to cause the removal of Trees dangerous to Public Travel on said streets or injurious to sidewalks, curbs, sewers or drains.

Senate Substitute for Senate Bill No. 185 with Senate Amendment No. 1, entitled:

An Act appropriating Certain Moneys for the Clinical, Medical and Surgical Treatment of Honorably Discharged Veterans who have served in any War in which the United States has been engaged, who are Residents of the State of Delaware, and providing a Method of Payment for such Treatment.

Senate Substitute for Senate Bill No. 206, entitled:

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

Senate Bill No. 20, entitled:

An Act to authorize and empower "The Council of Newark" to have full Power and Authority over any and/or all buildings deemed to be a fire menace and/or structurally unsafe.

Senate Substitute for Senate Bill No. 197 with Senate Amendment No. 1, entitled:

An Act to provide for the Regulation, Control and Licensing of Harness Racing in the State of Delaware.

Senate Bill No. 86, entitled:

An Act proposing an amendment to Section 25 of Article 2 of the Constitution of the State of Delaware relating to Zoning.

Senate Bill No. 7, entitled:

An Act appropriating certain Monies for the Support and Maintenance of the District Library Commissions of the State of Delaware.

Senate Bill No. 21, entitled:

An Act authorizing and empowering "The Council of Newark" to acquire by purchase and/or condemnation proceedings additional land, either within or without the boundaries of said Town, for the improvement and/or construction of additions to the Water and/or Sewer Systems of said Town.

Senate Substitute for Senate Bill No. 220, entitled:

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

Senate Substitute for Senate Bill No. 145, entitled:

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

Senate Bill No. 15 with Senate Amendment No. 1, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" by changing the Dates of the Open Season in certain cases.

Senate Bill No. 26, entitled:

An Act making an appropriation to the Commissioners of Millsboro for reimbursing the Town of Millsboro for the Construction of Connecting Concrete Streets Between Highways.

Senate Bill No. 104, entitled:

An Act to authorize the Commissioners of Millsboro to borrow One Hundred Thousand Dollars (\$100,000.00), and to issue Bonds to secure the Payment thereof, for the purpose of providing a Sewer System for the Town of Millsboro and to Control and Regulate the same.

Senate Bill No. 106, entitled:

An Act proposing an amendment to Article III of the Constitution of the State of Delaware, relating to the Terms of Office of Sheriffs and Coroners.

Senate Substitute for Senate Bill No. 235 with Senate Amendment No. 1, entitled:

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

H. H. LAWSON

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

Senate Bill No. 90, entitled:

An Act to amend Chapter 113 of the Revised Code of Delaware, 1935, entitled "Prothonotary," by providing for the Notification of the Motor Vehicle Commissioner by the Prothonotaries of the Issuing of Writs of Certiorari in certain cases involving Violation of the Motor Vehicle Laws of the State of Delaware.

Senate Bill No. 111, entitled:

An Act appropriating Certain Monies to the University of Delaware, Agricultural Extension Service, for the purpose of making available to Dairymen information on Improved Methods of Dairy Cattle Breeding, Management, and Milk Production.

Senate Bill No. 112, entitled:

An Act appropriating Certain Monies to the University of Delaware, Agricultural Experiment Station, for the purpose of providing Research, Demonstration, Improved Breeding Stock and and Improved Breeding Methods for the Dairyman.

Senate Bill No. 30, entitled:

An Act authorizing "The Town of Frankford" to borrow Thirty Thousand Dollars (\$30,000.00) and to Issue Bonds therefor for the purpose of redeeming and refunding certain Outstanding Bonds of "The Town of Frankford."

Senate Substitute for Senate Bill No. 153, entitled:

An Act to amend Chapter 151 of Volume 44, Laws of Delaware, 1935, providing for a Delaware Commission of Shell Fisheries, and defining the Powers and Duties thereof, by prescribing certain Rules and Regulations to Govern the Work of said Commission and the Leasing of Acreage in the Areas over which said Commission has been given Jurisdiction.

Senate Bill No. 207 with Senate Amendment No. 1, entitled:

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

Senate Bill No. 209, entitled:

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

Senate Bill No. 217, entitled:

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

Senate Bill No. 96 with Senate Amendment No. 1, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, relating to Motor Vehicles, by providing for Limitations on Privilege of Overtaking and Passing.

Senate Substitute for Senate Bill No. 275, entitled:

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

Senate Concurrent Resolution No. 25, entitled:

Providing for a Study of the Public School System of this State.

Senate Bill No. 46 with Senate Amendment No. 1, entitled:

An Act to amend An Act changing the Name of "The Town of Dover" to "The City of Dover" and establishing a Charter therefor, with respect to Hours of Voting, and Liability for Capitation Tax.

H. H. LAWSON

The Chair presented House Concurrent Resolution No. 13, entitled:

Creating a State Advisory Committee on Labor and appropriating Money for the Expenses thereof.

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

Creating a State Advisory Committee on Labor and appropriating Money for the Expenses thereof.

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

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

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

YEAS—Messrs. Bailey, Binder, Butler, Evans, Hastings, Hitchens, Jones, Johnston, McDowell, McGuigan, Rhodes, Yerkes, Mr. President Pro Tem—13.

NAYS—Messrs. Edmonds, Lawson, Weigel—3.

ABSENT—Mr. Ayres—1.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Substitute for House Bill No. 354, entitled:

An Act to amend Chapter 12 of the Revised Code of Delaware, 1935, as amended, relating to "Salaries of State Officers" by increasing the Salaries of the Governor, Secretary of State, Auditor of Accounts, State Treasurer and Insurance Commissioner.

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

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

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

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

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Bill No. 214, entitled:

An Act to amend Chapter 116 of the Revised Code of Delaware, 1935, as amended, entitled, "Juvenile Delinquents and Probation," relating to Salaries of the Probation Officers of the Juvenile Court of Kent and Sussex Counties.

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

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

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

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

NAYS—Messrs. Hastings, Johnston—2.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Bill No. 168, entitled:

An Act to amend Chapter 100 of the Revised Code of Delaware, 1935, as amended, relating to General Provisions respecting the Police by Prohibiting Smoking in Trackless Trolley Coaches and Gasoline Engine Propelled Buses used as a Public Conveyance for Carrying Passengers; Providing Penalty for Offense and Jurisdiction of Court to try such Offense.

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

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

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

YEAS—Messrs. Binder, Edmonds, Evans, Hitchens, Jones, Lawson, Rhodes, Weigel, Yerkes—9.

NAYS—Messrs. Ayres, Bailey, Butler, Hastings, McDowell, Mr. President Pro Tem—6.

ABSENT—Messrs. Johnston, McGuigan—2.

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

The Chair presented Senate Substitute for Senate Bill No. 273 with House Substitute, entitled:

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

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

The Chair presented House Substitute for House Bill No. 315 with House Amendment No. 1, entitled:

An Act appropriating certain Money for Henrix J. Krebs School, at Newport, Delaware, for Repairs, Replacements and Completion of certain New Additions to said School and for Salaries for New Teachers for said New Addition.

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

The Chair presented House Substitute for House Bill No. 203 with House Amendment No. 1, entitled:

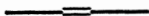
An Act to provide for the Construction of Additional Facilities at Rosehill and Minquadale Schools in Rosehill-Minquadale School District No. 47, New Castle County, making appropriation therefor, and authorizing said School District to Borrow Money and Issue Bonds for the Payment thereof.

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

Mr. Ayres moved that House Bill No. 168 be restored to the Calendar.

Motion prevailed.

The Chair declared the Senate recessed until the call of the Chair.



Same Day, Later

Senate met at the call of the Chair.

The Chair declared a recess until 8 o'clock A. M.



Same Day, Later

Senate met at expiration of recess.

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

Senate Substitute for Senate Bill No. 165 with House Amendment No. 1, entitled:

An Act to amend Chapter 167 of the Revised Code of Delaware, 1935, relating to Aeronautics by providing for the Development and Regulation thereof within this State; creating a State Aeronautics Commission and the Office of Director of Aeronautics; prescribing the Powers and Duties of such Commission and Director; providing for Cooperation with Federal Government and Disposition of Federal Funds by such Commission; providing for Regulation of Aircraft, Airmen, Airports and Air Instruction by such Commission; providing for the Acquisition, by Condemnation or Otherwise, of Airports and Protection Privileges and the Leasing and Sale thereof; providing for the Operation of State Airports; providing for Review of Orders of such Commission, and prescribing Penalties.

And returned the same to the Senate for concurrence.

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred Senate Substitute for Senate Bill No. 273 with House Substitute, entitled:

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

Reported the same back to the Senate favorably.

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

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred House Substitute for House Bill No. 203 with House Amendment No. 1, entitled:

An Act to provide for the Construction of Additional Facilities at Rosehill and Minquadale Schools in Rosehill-Minquadale School District No. 47, New Castle County, making Appropriation therefor, and authorizing said School District to Borrow Money and Issue Bonds for the Payment thereof.

Reported the same back to the Senate favorably.

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

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred House Substitute for House Bill No. 315 with House Amendment No. 1, entitled:

An Act appropriating certain Money for Hendrix J. Krebs School, at Newport, Delaware, for Repairs, Replacements and Completion of certain New Additions to said School and for Salaries for New Teachers for said New Addition.

Reported the same back to the Senate favorably.

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

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

Senate Bill No. 119 with House Amendment No. 1, entitled:

An Act to amend Section 1, Chapter 90, Volume 44, Laws of Delaware, relating to New Castle County Assessments and Appeals.

And returned the same to the Senate for concurrence.

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

Senate Substitute for Senate Bill No. 223, entitled:

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

And returned the same to the Senate.

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

Senate Bill No. 88, entitled:

An Act to amend Chapter 99, Volume 43, Laws of Delaware entitled "An Act to provide for the Collection of Delinquent County Taxes in New Castle County."

And returned the same to the Senate.

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

Senate Bill No. 62, 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 or Certificates of Stock.

And returned the same to the Senate.

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

Senate Bill No. 205, entitled:

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

And returned the same to the Senate.

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

Senate Bill No. 180, entitled:

An Act to amend Chapter 170, of the Revised Code of Delaware, 1935, with reference to the Court of Common Pleas for Kent County, by Increasing the Salary of the Judge of said Court.

And returned the same to the Senate.

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

Senate Bill No. 210, entitled:

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

And returned the same to the Senate.

Mr. Bailey moved that House Amendment No. 1 to Senate Substitute for Senate Bill No. 162, entitled:

An Act to amend Chapter 167 of the Revised Code of Delaware, 1935, relating to Aeronautics by providing for the Acquisition, Establishment, Construction, Enlargement, Improvement, Maintenance, Equipment, Operation and Regulation of Airports, other Air Navigation Facilities, and Airport Protection Privileges by Municipalities and providing the Right of Condemnation for such Purposes; Defining Terms; Declaring the Ownership and Operation of Airports, other Air Navigation Facilities and Airport Protection Privileges to be for Public, Governmental and Municipal Purposes; providing for the Issuance of Bonds and for Levying of Taxes for Airport Purposes; Granting Specific Powers; Permitting the Acceptance of Federal Aid; Authorizing Joint Action by Municipalities and by Municipalities and the

State; providing for the Appointment of Joint Boards or Commissions and Granting to Muniicipalities or Municipalities and the State, Acting Jointly, the Powers granted a Single Municipality, and providing for Assistance to other Municipalities.

Be not adopted.

Motion prevailed.

Mr. Edmonds, on motion for leave, introduced Senate Amendment no. 1 to Senate Substitute for Senate Bill No. 162, entitled:

An Act to amend Chapter 167 of the Revised Code of Delaware, 1935, relating to Aeronautics by providing for the Acquisition, Establishment, Construction, Enlargement, Improvement, Maintenance, Equipment, Operation and Regulation of Airports, other Air Navigation Facilities, and Airport Protection Privileges by Municipalities and providing the Right of Condemnation for such Purposes; Defining Terms; Declaring the Ownership, and Operation of Airports, other Air Navigation Facilities and Airport Protection Privileges to be for Public, Governmental and Municipal Purposes; providing for the Issuance of Bonds and for Levying of Taxes for Airport Purposes; Granting Specific Powers; Permitting the Acceptance of Federal Aid; Authorizing Joint Action by Municipalities and by Municipalities and the State; providing for the Appointment of Joint Boards or Commissions and Granting to Municipalities or Municipalities and the State, Acting Jointly, the Powers granted a Single Municipality, and providing for Assistance to other Municipalities.

Which was read.

Mr. Edmonds moved that Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 162 be adopted.

Motion prevailed.

On motion of Mr. Edmonds, Senate Substitute for Senate Bill No. 162 with Senate Amendment No. 1, entitled:

An Act to amend Chapter 167 of the Revised Code of Delaware, 1935, relating to Aeronautics by providing for the Acquisition, Establishment, Construction, Enlargement, Improvement, Maintenance, Equipment, Operation and Regulation of Airports, other Air Navigation Facilities, and Airport Protection Privileges by Municipalities and providing the Right of Condemnation for such Purposes; Defining Terms; Declaring the Ownership and Operation of Airports, other Air Navigation Facilities and Airport Protection Privileges to be for Public, Governmental and

Municipal Purposes; providing for the Issuance of Bonds and for Levying of Taxes for Airport Purposes; Granting Specific Powers; Permitting the Acceptance of Federal Aid; Authorizing Joint Action by Municipalities and by Municipalities and the State; providing for the Appointment of Joint Boards or Commissions and Granting to Municipalities or Municipalities and the State, Acting Jointly, the Powers granted a Single Municipality, and providing for Assistance to other Municipalities.

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

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

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

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

NAYS—None.

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

Ordered to the House for concurrence.

The President announced he is about to sign:

Senate Substitute for Senate Bill No. 166 as amended.

Senate Bill No. 116 as amended.

Senate Substitute for Senate Bill No. 194.

Senate Bill No. 148 as amended.

Senate Substitute for Senate Bill No. 255 as amended.

Senate Bill No. 82.

Senate Bill No. 87.

Senate Bill No. 91.

Senate Bill No. 218.

Senate Substitute for Senate Bill No. 296.

Senate Substitute for Senate Bill No. 276.

Senate Substitute for Senate Bill No. 297.

Senate Joint Resolution No. 6.

The President announced he is about to sign:

Senate Bill No. 64.

Senate Bill No. 61.

Senate Bill No. 298.

Senate Substitute for Senate Bill No. 151.

Senate Substitute for Senate Substitute for Senate Bill No. 198.

Senate Bill No. 183 as amended.

Mr. Mulholland moved that the Senate concur in the action taken by the House in the defeat of Senate Amendment No. 1 to House Substitute for House Bill No. 302.

Motion prevailed.

On motion of Mr. Yerkes, House Substitute for House Bill No. 302 with House Amendment No. 1, entitled:

An Act providing for the Election of the Board of Education of Claymont Special School District, in New Castle County.

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

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

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

YEAS—Messrs. Ayres, Bailey, Binder, Butler, Hastings, Hitchens, Jones, Johnston, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—13.

NAYS—Messrs. Edmonds, Evans—2.

ABSENT—Lawson, McDowell—2.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Bill No. 91, entitled:

An Act to amend Chapter 142 of the Revised Code of Delaware, 1935, as amended, relating to Landlord and Tenant by providing for a Certain Notice to be given by the Landlord or Tenant for Termination of Farm Land Leases in New Castle County.

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

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

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

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

NAYS—Messrs. Jones, McDowell—2.

ABSENT—Mr. Lawson—1.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Bill No. 168, entitled:

An Act to amend Chapter 100 of the Revised Code of Delaware, 1935, as amended, relating to General Provisions respecting the Police by Prohibiting Smoking in Trackless Trolley Coaches and Gasoline Engine Propelled Buses used as a Public Conveyance for Carrying Passengers; providing Penalty for Offense and Jurisdiction of Court to try such Offense.

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

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

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

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

NAYS—None.

ABSENT—Messrs. Lawson, Johnston—2.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Substitute for House Bill No. 196, entitled:

An Act to amend An Act entitled "An Act to Reincorporate the Town of Smyrna," being Chapter 192, Volume 36, Laws of Delaware by providing for a Town Manager for the Town of Smyrna and abolishing the Office of Town Collector of the Town of Smyrna.

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

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

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

YEAS—Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, McDowell, McGuigan, Rhodes, Weigel, Yerkes—15.

NAYS—None.

ABSENT—Mr. Lawson, Mr. President Pro Tem—2.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Substitute for House Bill No. 212 with House Amendments Nos. 1, 2 and 3, entitled:

An Act to Reincorporate the Town of Milton.

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

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

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

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

**NAYS**—None.

**ABSENT**—Mr. Lawson, Mr. President Pro Tem—2.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Substitute for House Bill No. 213, entitled:

An Act to amend Chapter 158, Volume 43, Laws of Delaware, 1941, entitled "An Act to Reincorporate the Town of Bridgeville."

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

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

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

**YEAS**—Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes—16.

**NAYS**—None.

**ABSENT**—Mr. President Pro Tem—1.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Substitute for House Bill No. 239, entitled:

An Act to Reincorporate the Town of Delmar.

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

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

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

**YEAS**—Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes—16.

**NAYS**—None.

**ABSENT**—Mr. President Pro Tem—1.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Bill No. 262 with House Amendment No. 1, entitled:

An Act to Reincorporate the Town of Delaware City.

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

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

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

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

**NAYS**—None.

**ABSENT**—Mr. McDowell, Mr. President Pro Tem—2.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Substitute for House Bill No. 274, entitled:

An Act to amend Chapter 150 of the Revised Code of Delaware, 1935, relating to Conversion of Property as Bailee and Penalties.

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

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

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

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

NAYS—None.

ABSENT—Mr. President Pro Tem—1.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Substitute for House Bill No. 275, entitled:

An Act authorizing the Commissioners of the Town of Bethany Beach to Borrow Money and Issue Bonds for the purpose of Repairing Damage to Town Property caused by Hurricane; and providing for Annual Payment by the Levy Court of Sussex County to the Commisisoners of the Town of Bethany Beach from County Taxes collected on properties within the Limits of the Town of Bethany Beach, of certain moneys to be used in aid of the retirement of Bonds issued under the authority of this Act.

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

Upon request the privilege of the floor was given to Hon. Louis Drexler.

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

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

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

**NAYS**—None.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Substitute for House Bill No. 278, entitled:

An Act to amend Chapter 212, Volume 25, Laws of Delaware, 1909, entitled "An Act to Incorporate the Town of Bethany Beach and give it authority to Issue Bonds," as amended by Chapter 153, Laws of Delaware, 1941, providing for the Increase in the amount to be raised by Taxation.

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

Upon request the privilege of the floor was given to Hon. Louis Drexler.

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

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

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

**NAYS**—None.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Substitute for Senate Substitute for Senate Bill No. 273, entitled:

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

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

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

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

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

NAYS—None.

ABSENT—Mr. McDowell—1.

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

On motion for leave, Mr. Yerkes introduced Senate Concurrent Resolution No. 28, entitled:

Concerning a World Capital of Peace.

Mr. Yerkes moved that Senate Concurrent Resolution No. 28 be adopted.

Motion prevailed.

Ordered to the House for concurrence.

On motion of Mr. Yerkes, House Bill No. 129, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, relating to Motor Vehicles by providing for the Expiration of Annual Licenses.

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

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

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

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

NAYS—None.

ABSENT—Messrs. Bailey, Hitchens—2.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Bill No. 144, entitled:

An Act to amend Chapter 6, of the Revised Code of Delaware, 1935, in reference to Non-Resident Peddlers and Auctioneers.

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

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

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

YEAS—Messrs. Binder, Johnston, McDowell, Weigel, Mr. President Pro Tem—5.

NAYS—Messrs. Ayres, Bailey, Butler, Edmonds, Evans, Hastings, Jones, Lawson, McGuigan, Rhodes, Yerkes—11.

ABSENT—Mr. Hitchens—1.

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

Ordered returned to the House.

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

Senate Bill No. 58 with Senate Amendment No. 1:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, as amended, in relation to Salaries Payable to the Members of the Levy Court of New Castle County.

And returned the same to the Senate.

The Chair presented House Amendment No. 1 to Senate Bill No. 119, entitled:

An Act to amend Section 1, Chapter 90, Volume 44, Laws of Delaware relating to New Castle County Assessments and Appeals.

Mr. Mulholland moved that House Amendment No. 1 to Senate Bill No. 119 be adopted.

Motion prevailed.

On motion of Mr. Yerkes, Senate Bill No. 119 with House Amendment No. 1, entitled:

An Act to amend Section 1, Chapter 90, Volume 44, Laws of Delaware relating to New Castle County Assessments and Appeals.

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

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

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

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

NAYS—None.

ABSENT—Messrs. Binder, McDowell, Yerkes—3.

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

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

Senate Substitute for Senate Bill No. 249 with Senate Amendment No. 1, entitled:

An Act authorizing the Establishment of Traveling Convalescent Clinics for the Psychiatric and Neurological Care of Veterans of World War II and their Immediate Families, providing for an Advisory Committee to Consult and Act with the

State Board of Trustees of the Delaware State Hospital at Farnhurst, and making an Appropriation to Effectuate the Purposes this Act.

And returned the same to the Senate.

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

Senate Substitute for Senate Substitute for Senate Bill No. 168 with Senate Amendment No. 1, entitled:

An Act to create a State Board of Public Contracts and to Regulate Public Contracts made on behalf of the State, or of any Subdivision or Agency thereof, for the Erection of any Building, Structure or Edifice financed in whole or in part with Public Funds.

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 170, entitled:

An Act to amend Article 1 of Chapter 160 of the Revised Code of Delaware, 1935, entitled "State Housing Board" by Striking Out the Second Sentence of Section 5 of said Chapter and Substituting a New Second Sentence, Authorizing the State Board of Housing to Employ a Secretary.

And returned the same to the Senate.

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

Senate Bill No. 99, entitled:

An Act to amend Chapter 54 of the Revised Code of Delaware, 1935, as amended, relating to State Old Age Welfare Commission and State Welfare Home by providing for Increase of Allowance as Assistance to Old Age Persons; and by providing for Appeal to any Person Aggrieved or Dissatisfied.

And returned the same to the Senate.

On motion of Mr. Yerkes, Senate Substitute for Senate Bill No. 165 with House Amendment No. 1, entitled:

An Act to amend Chapter 167 of the Revised Code of Delaware, 1935, relating to Aeronautics by providing for the Development and Regulation thereof within this State; creating a State Aeronautics Commission and the Office of Director of Aeronautics; prescribing the Powers and Duties of such Commission and Director; providing for Cooperation with Federal Government and Disposition of Federal Funds by such Commission; providing for Regulation of Aircraft, Airmen, Airports and Air Instruction by such Commission; providing for the Acquisition, by Condemnation or Otherwise, of Airports and Protection Privileges and the Leasing and Sale thereof; providing for the Operation of State Airports; providing for Review of Orders of such Commission, and prescribing Penalties.

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

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

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

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

NAYS—None.

ABSENT—Mr. Binder—1.

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

Mr. Hitchens, on motion for leave, introduced Senate Amendment No. 1 to House Bill No. 195, entitled:

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

Mr. Hitchens moved that Senate Amendment No. 1 to House Bill No. 195 be adopted.

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

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

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

NAYS—None.

ABSENT—Mr. Hastings—1.

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

On motion of Mr. Yerkes, House Bill No. 195 with Senate Amendment No. 1, entitled:

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

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

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

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

YEAS — Messrs. Ayres, Bailey, Binder, Butler, Evans, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Yerkes, Mr. President Pro Tem—13.

NAYS—Messrs. Edmonds, Rhodes—2.

ABSENT—Messrs. Hastings, Weigel—2.

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

Ordered returned to the House for concurrence.

On motion of Mr. McDowell, Senate Bill No. 120, entitled:

An Act appropriating certain Monies to the State Soil Conservation Commission for the purpose of of Cleaning Out and Draining the Tributary of the Sassafras River located in New Castle County.

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

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

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

YEAS—Messrs. Ayres, Butler, Hastings, Hitchens, Jones, Lawson, McDowell, McGuigan, Yerkes—9.

NAYS—Messrs. Binder, Edmonds, Evans, Johnston, Rhodes, Weigel, Mr. President Pro Tem—7.

ABSENT—Mr. Bailey—1.

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

Ordered to the House for concurrence.

On motion of Mr. Mulholland, House Substitute for House Bill No. 208 with House Amendment No. 1, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, to authorize and empower the State Highway Department to issue Revenue Bonds to defray the Cost of Construction of a Crossing over the Delaware River.

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

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

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

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

NAYS—None.

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

Ordered returned to the House.

On motion for leave, Mr. Mulholland introduced Senate Concurrent Resolution No. 29, entitled:

In Respect to the Delaware River Crossing.

Mr. Mulholland moved that Senate Concurrent Resolution No. 29 be adopted.

Motion prevailed.

Ordered to the House for concurrence.

The Chair recognized Hon. Walter W. Bacon, Governor of Delaware.

Mr. Hitchens, on motion for leave, requested that Senate Substitute for Senate Bill No. 201 with Senate Amendment No. 1 be restored to the Calendar.

Motion prevailed.

The President announced he is about to sign:

House Substitute for House Bill No. 354.

House Bill No. 214.

House Bill No. 159.

House Bill No. 115 as amended.

House Concurrent Resolution No. 13.

On motion of Mr. Hitchens, Senate Substitute for Senate Bill No. 201 with Senate Amendment No. 1, entitled:

An Act to Require Competitive Bidding in Connection with the Purchase of Supplies or the Letting of Contracts or the Construction, Alteration, or Repair of Buildings, and providing Penalties.

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

Upon request the privilege of the floor was given to Mr. Stewart Lynch, Esq.

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

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

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

NAYS—Messrs. Bailey, McDowell, McGuigan—3.

ABSENT—Mr. Ayres—1.

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

Ordered to the House for concurrence.

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

Senate Concurrent Resolution No. 28, entitled:

Concerning a World Capital of Peace.

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 286 with Senate Amendment No. 1, entitled:

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

And returned the same to the Senate.

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

Senate Bill No. 89, entitled:

An Act to amend Chapter 45 of the Revised Code of Delaware, 1935, as amended, by Chapter 92, Volume 44, Laws of Delaware, entitled "County Treasurer and Collection of Taxes," in relation to the Salaries of the Deputies, Clerks, Delinquent Tax Investigators, Bookkeepers and Stenographer of the Receiver of Taxes and County Treasurer for New Castle County.

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 296, entitled:

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

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 238, entitled:

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

And returned the same to the Senate.

On motion of Mr. Mulholland, House Bill No. 273, entitled:

An Act to amend Chapter 169 of the Revised Code of Delaware, 1935, in relation to the Salary of the Bailiff of the Court of Common Pleas for New Castle County.

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

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

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

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

NAYS—None.

ABSENT—Mr. Ayres—1.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Bill No. 295, entitled:

An Act to amend Chapter 100 of the Revised Code of Delaware, 1935, relating to Inns, Theaters, and Public Conveyances.

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

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

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

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

NAYS—None.

ABSENT—Mr. Ayres—1.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Substitute for House Bill No. 296, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relating to Alcoholic Liquor, Wines and Beers.

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

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

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

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

NAYS—None.

ABSENT—Mr. Ayres—1.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Substitute for House Substitute for House Bill No. 308, entitled:

An Act appropriating certain Monies out of the State Treasury to pay a claim to J. E. Wallace Wallin for Services rendered the State Board of Education.

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

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

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

YEAS—Messrs. Binder, Butler, Evans, Hastings, Jones, McGuigan, Yerkes—7.

NAYS—Messrs. Edmonds, Hitchens, Johnston, Lawson, McDowell, Rhodes, Weigel, Mr. President Pro Tem—8.

ABSENT—Messrs. Ayres, Bailey—2.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Substitute for House Substitute for House Bill No. 309, entitled:

An Act to amend Chapter 65 of the Revised Code of Delaware, 1935, as amended, relating to Corporations, by providing for certain proceedings for Renewal, Extension and Restoration of Charters.

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

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

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

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

NAYS—None.

ABSENT—Messrs. Ayres, Bailey—2.

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

Ordered returned to the House.

The President announced he is about to sign:

Senate Bill No. 205.

Senate Bill No. 62.

Senate Bill No. 180.

Senate Bill No. 88.

Senate Substitute for Senate Bill No. 223.

Senate Bill No. 210.

Mr. Lawson, on motion for leave, introduced Senate Amendment No. 1 to House Substitute for House Bill No. 345, entitled:

An Act to provide for the Relief of Persons under Contract for the Transportation of School Children to the Public Schools of Delaware and making an Appropriation therefor.

Mr. Lawson moved the adoption of Senate Amendment No. 1 to House Substitute for House Bill No. 345.

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

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

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

NAYS—Mr. Edmonds—1.

ABSENT—Messrs. Ayres, Bailey—2.

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

On motion of Mr. Yerkes, House Substitute for House Bill No. 345 with Senate Amendment No. 1, entitled:

An Act to provide for the Relief of Persons under Contract for the Transportation of School Children to the Public Schools of Delaware and making an Appropriation therefor.

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

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

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

YEAS—Messrs. Ayres, Binder, Butler, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—14.

NAYS—Messrs. Edmonds, Evans—2.

ABSENT—Mr. Bailey—1.

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

Ordered returned to the House for concurrence.

On motion of Mr. Yerkes, House Substitute No. 4 for House Bill No. 359 with House Amendment No. 1, entitled:

An Act to amend Article 1, Chapter 43 of the Revised Code of the State of Delaware, 1935, relating to the Levy Court of New Castle County, and providing for the creation of sanitary districts for the purpose of providing for the installation and maintenance of sewerage systems and treatment plants in whole or in part, for the issuing of certificates of indebtedness and/or bonds to secure the payment in whole or in part of such improvements, and providing for the assessment of costs and the levying of such taxes for the payment of interest on such certificates of indebtedness and for bonds, for the retirement on the same, and for the operation and maintenance costs of said sewerage systems and sewage treatment plants.

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

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

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

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

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Substitute for House Bill No. 294, entitled:

An Act to amend Chapter 82 of the Revised Code of Delaware, 1935, as amended, relating to Weights and Measures, by giving the power of arrest to the Regulators of Weights and Measures, and authorizing the Carrying of a Deadly Weapon.

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

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

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

YEAS—Messrs. Binder, Butler, Evans, Hitchens, Johnston, Weigel, Mr. President Pro Tem—7.

NAYS—Messrs. Ayres, Bailey, Edmonds, Hastings, Jones, Lawson, McDowell, McGuigan, Rhodes—9.

NOT VOTING—Mr. Yerkes—1.

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

Ordered returned to the House.

Mr. Mulholland, on behalf of the Committee on Miscellaneous, to whom had been referred, House Bill No. 8 with House Amendment No. 1, entitled:

An Act to amend Chapter 54 of the Revised Code of Delaware, 1935, as amended, relating to the State Old Age Welfare Commission.

Reported the same back to the Senate on its merits with Senate Amendment No. 1.

HARRY H. MULHOLLAND  
G. P. EDMONDS  
GEO. W. RHODES  
R. H. YERKES

On motion for leave, Mr. Mulholland introduced Senate Amendment No. 1 to House Bill No. 8 with House Amendment No. 1, entitled:

An Act to amend Chapter 54 of the Revised Code of Delaware, 1935, as amended, relating to the State Old Age Welfare Commission.

Mr. Mulholland moved that Senate Amendment No. 1 to House Bill No. 8 with House Amendment No. 1 be adopted.

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

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

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

NAYS—None.

ABSENT—Mr. McGuigan—1.

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

Mr. Mulholland moved that action be deferred on House Bill No. 8 with House Amendment No. 1 and Senate Amendment No. 1.

Motion prevailed.

#### EXECUTIVE SESSION

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

Motion prevailed.

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Same Day, Later

Senate met in regular session.

Mr. Mulholland moved that the Senate recess for one and one-half hours.

Motion prevailed.

Same Day, Later

Senate met at expiration of recess.

On motion of Mr. Mulholland, House Bill No. 8 with House Amendment No. 1 and Senate Amendment No. 1, entitled:

An Act to amend Chapter 54 of the Revised Code of Delaware, 1935, as amended, relating to the State Old Age Welfare Commission.

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

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

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

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

NAYS—None.

ABSENT—Mr. McGuigan—1.

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

Ordered returned to the House for concurrence.

The President announced he is about to sign:

Senate Substitute for Senate Bill No. 249.

Senate Bill No. 58 as amended.

Senate Bill No. 119 as amended.

Senate Substitute for Senate Bill No. 170.

Senate Bill No. 89.

Senate Substitute for Senate Bill No. 238.

Senate Substitute for Senate Bill No. 296.

House Substitute for House Bill No. 273.

On motion for leave, Mr. Jones introduced Senate Concurrent Resolution No. 55, entitled:

# SENATE CONCURRENT RESOLUTION NO. 55

Making an Appropriation for Certain Expenses in Connection with the General Assembly of the State of Delaware.

BE IT RESOLVED, by the Senate, the House of Representatives concurring therein, that the following amounts are hereby appropriated to pay certain expenses in connection with the work of the General Assembly, the same being expenses connected with the Special Session called in March A. D. 1944 and the regular Session of the General Assembly which convened in January 1945, and that the State Treasurer is hereby authorized and directed to pay to the respective persons and company hereinafter named the respective amounts set opposite the respective names:

Diamond State Telephone Company .....	\$75.54
connecting charges, local service charges, and other expenses connected with the legislative session;	
Vera G. Davis .....	50.00
Compiling Journal of the 1944 Special Session;	
Hon. John F. Lynn .....	50.00
Compiling Journal of the 1944 Special Session;	
Isabel S. Sypherd .....	200.00
Supply room clerk, being balance of Compensation;	
George Wilson .....	100.00
Janitor, for legislative rooms, being balance of compensation;	
James H. Bastian .....	22.00
Service on typewriters;	
Secretary of State .....	2,000.00
on account of printing Journals of 1945 Session of the General Assembly, and to be available for the purpose until the first day of July, A. D. 1946.	

FURTHER BE IT RESOLVED, that this Resolution is in the nature of an Appropriation Bill and the amounts hereby appropriated are to be paid out of the General Fund of the State Treasury not otherwise appropriated.

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

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

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

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

**NAYS**—None.

**ABSENT**—Mr. Evans—1.

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

Ordered to the House for concurrence.

On motion for leave, Mr. Jones introduced Senate Resolution No. 56, entitled:

#### SENATE RESOLUTION NO. 56

Appropriating Certain Money out of the General Fund of the State Treasury to Pay Members of the Senate Allowances as Compensation for certain Services as Officers and Committee Members.

BE IT RESOLVED by the Senate of the 110th General Assembly of the State of Delaware that the following amounts be and they hereby are appropriated out of any money in the General Fund of the State Treasury, for the payment of allowances as compensation for certain services as officers and committee members, being expenses connected with the present Session of the 110th General Assembly, and the State Treasurer is hereby authorized to pay to the respective persons hereinafter named the respective sums set opposite their respective names:

Robert H. Yerkes, Majority Floor Leader.....	\$400.00
William H. Ayres, Minority Floor Leader .....	400.00
Harvey H. Lawson, Chairman Passed Bills Committee.	400.00
James S. Evans, Chairman Executive Committee .....	400.00
Harry S. Jones, Chairman Claims Committee .....	400.00
William Deane Johnston, Chairman Printing Committee	400.00
Fred S. Bailey, Member of Temperance Committee....	100.00
George E. Binder, Member of Banking and Insurance Committee .....	100.00
John R. Butler, Member of Claims Committee .....	100.00
George P. Edmonds, Member of Finance Committee...	100.00

Irvin T. Hastings, Member of Labor Committee.....	100.00
John R. Hitchens, Member of Buildings and Highways Committee .....	100.00
Harris B. McDowell, Jr., Member of Fish, Oysters and Game Committee .....	100.00
J. Carl McGuigan, Member of Elections Committee....	100.00
George W. Rhodes, Member of Public Health Committee	100.00
Samuel Weigel, Jr., Member of Municipal Corporations Committee .....	100.00
Harry H. Mulholland, Member of Miscellaneous Com- mittee .....	100.00

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

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

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

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

NAYS—None.

ABSENT—Mr. Evans—1.

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

On motion for leave, Mr. Jones introduced Senate Resolution No. 57, entitled:

#### SENATE RESOLUTION NO. 57

Paying Certain Expenses of the Senate.

BE IT RESOLVED by the Senate of the 110th General Assembly that the following amount be and the same is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, on account of expenses connected with the present Session, viz:

The Diamond State Telephone Co., for certain telephone expenses .....	\$141.83
Tel. No. 2334	
Local Service	
4-10-45 to 4-12-45 Inc. ....	\$ .35
Tolls 3-11-45 to	
4-12-45 Inc. ....	141.48
Total .....	<u>\$141.83</u>

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

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

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

NAYS—None.

ABSENT—Mr. McDowell—1.

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

On motion for leave, Mr. Jones introduced Senate Resolution No. 58, entitled:

#### SENATE RESOLUTION NO. 58

Appropriating Certain Money out of the General Fund of the State Treasury to Pay Allowances as Compensation of the Officers and Employees of the Senate, being Expenses connected with the Present Session of the Senate of the 110th General Assembly.

BE IT RESOLVED, by the Senate of the State of Delaware, that the following amounts be and they are hereby appropriated out of any money in the General Fund of the State Treasury, as allowances for the compensation of the officers and employees of the Senate, being expenses connected with the present Session of the 110th General Assembly, and the State Treasurer is hereby authorized and directed to pay to the respective persons hereinafter named the respective sums set opposite their respective names; provided, however, that any sum or sums heretofore paid to any officer or employee whose name is hereinafter listed as part of an allowance for compensation for services rendered during the 110th Session of the General Assembly shall be deducted from the amount set opposite his or her name so that the total paid to the persons named shall not be in excess of the amounts set forth as below:

William F. Wilgus, Jr., Secretary of the Senate.....	\$ 500.00
William F. Wilgus, Jr., Secretary of the Senate.....	1,600.00
Janis Clendaniel, Secretary to the President Pro Tem..	1,100.00
John Lynn, Assistant Secretary.....	1,100.00
Robert Armstrong, Reading Clerk.....	1,100.00

E. Cowgill Barnard, Reading Clerk.....	1,100.00
William P. Jensen, Bill Clerk.....	1,000.00
Nan Laws Woods, Assistant Bill Clerk.....	800.00
W. B. Dorey, Document Clerk.....	800.00
Carl Simpson, Document Clerk.....	800.00
Columbus Januzzio, Sergeant-at-Arms.....	800.00
James W. Cannon, Jr., Seregant-at-Arms.....	800.00
H. Rodney Smith, Sergeant-at-Arms.....	800.00
Harry C. Nickle, Seregant-at-Arms.....	800.00
Henry B. Johnson, Page.....	800.00
Harold Hill, Telephone Messenger.....	800.00
James Bell, Telephone Messenger.....	800.00
Rev. Ernest N. Wright, ( Chaplain.....	800.00
Calvin Ball, Cloak Room Attendant.....	800.00
Harry E. Hudson, Mail Clerk.....	800.00
George Tingar, Mail Clerk.....	800.00
Heber F. Scott, Door Tender.....	800.00
Wm. J. Storey, Door Tender.....	800.00
Ozella S. Cullen, Attorney's Messenger.....	800.00
Marie D. Sapp, Stenographer.....	800.00
F. Virginia Banning, Stenographer.....	800.00
Anne B. Price, Stenographer.....	800.00

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

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

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

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

NAYS—None.

ABSENT—Messrs. Johnston, Lawson—2.

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

The President announced he is about to sign:

House Substitute for House Bill No. 302 as amended.

House Substittue for House Bill No. 278.

House Substitute for House Bill No. 275.

The President announced he is about to sign:

House Substitute for House Bill No. 274.

House Bill No. 262 as amended.

House Substitute for House Bill No. 239.

House Substitute for House Bill No. 213.

House Bill No. 212 as amended.

House Substitute for House Bill No. 196.

House Bill No. 168.

House Bill No. 129.

House Bill No. 91.

House Bill No. 129.

On motion of Mr. Yerkes, House Bill No. 261 with House Amendment No. 1, entitled:

An Act to amend Chapter 49 of the Revised Code of Delaware, 1935, relating to Coroners, by providing that the Coroner have the power to order an autopsy in certain cases.

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

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

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

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

NAYS—None.

ABSENT—Messrs. Ayres, Rhodes—2.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Substitute for House Bill No. 315 with House Amendment No. 1, entitled:

An Act appropriating certain money for Henrix J. Krebs School, at Newport, Delaware, for Repairs, Replacements and Completion of certain New Additions to said School and for Salaries for New Teachers for said New Addition.

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

Upon request the privilege of the floor was given to Mr. Joseph Erigo, Esq.

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

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

YEAS — Messrs. Binder, Edmons, Evans, Hitchens, McGuigan, Rhodes—6.

NAYS — Messrs. Ayres, Bailey, Butler, Hastings, Jones, Johnston, Lawson, McDowell, Weigel, Yerkes, Mr. President Pro Tem—11.

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

Ordered returned to the House.

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

Motion prevailed.

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Same Day, Later

Senate met at the call of the Chair.

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

Senate Substitute for Senate Substitute for Senate Bill No. 198, entitled:

An Act Appropriating the Sum of Three Thousand Dollars (\$3,000.00) to Elijah S. Hughes in Payment of Services rendered by him in the Office of County Comptroller for Kent County.

Senate Substitute for Senate Bill No. 151, entitled:

An Act authorizing the Levy Court of Kent County to Borrow Money and to Issue Bonds therefor, for the Purpose of Redeeming and Refunding Certain Outstanding Bonds of Kent County.

Senate Bill No. 298, entitled:

An Act Granting the Consent of the General Assembly of the State of Delaware to the Acquisition by the United States of a Certain Tract or Parcel of Land in Lewes and Rehoboth Hundred, Sussex County, Delaware, and Ceding Jurisdiction to the United States for Certain Purposes.

Senate Substitute for Senate Bill No. 276, entitled:

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

Senate Substitute for Senate Bill No. 297, entitled:

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

Senate Bill No. 61, entitled:

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

Senate Substitute for Senate Bill No. 256, entitled:

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

Senate Substitute for Senate Bill No. 194, entitled:

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

Senate Bill No. 64, entitled:

An Act to regulate the Assignment of Accounts receivable by providing for the Filing for Recording and Indexing of an Affidavit setting forth the Intention of the Transferor to assign the same and by prescribing the Form and the Effect of the Assignment thereof.

Senate Bill No. 82, entitled:

An Act making Appropriation to the State Highway Department of certain Unused Funds for the Construction and Reconstruction of Roads, Highways and Bridges of the State and for Expenditures incidental thereto.

Senate Bill No. 87, entitled:

An Act to amend Chapter 168 of the Revised Code of Delaware, 1935, entitled "Regional Planning," as amended, by Chapter 266, Volume 43, Laws of Delaware, with reference to the Membership of the Regional Planning Commission of New Castle County.

Senate Bill No. 91, entitled:

An Act to amend Chapter 197, Volume 41, Laws of Delaware, as amended by Chapter 17, Volume 42, Laws of Delaware, Regulating the taking of Sand from the Beaches along the Delaware River and Delaware Bay and Atlantic Ocean by Exempting Gravel therefrom; Prohibiting the taking of Sand from certain areas.

Senate Bill No. 218, entitled:

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

Senate Substitute for Senate Bill No. 250, entitled:

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

Senate Bill No. 183 with Senate Amendment No. 1, entitled:

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

Senate Bill No. 148 with Senate Amendment No. 1, entitled:

An Act to Name that Part of the Delaware State Highway leading from the City of Wilmington through the City of Dover to the Delaware-Maryland Line at Delmar and being a Part of U. S. Route No. 13, the duPont Parkway.

Senate Substitute for Senate Bill No. 255 with Senate Amendment No. 1, entitled:

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

H. H. LAWSON

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

Senate Substitute for Senate Bill No. 166 with Senate Amendment No. 1, entitled:

An Act to amend Chapter 65 of the Revised Code of the State of Delaware of 1935, relating to Corporations.

Senate Bill No. 116, entitled:

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

Senate Joint Resolution No. 6, entitled:

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

H. H. LAWSON

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

Senate Bill No. 205, entitled:

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

Senate Bill No. 62, 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 or Certificates of Stock.

Senate Bill No. 210, entitled:

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

Senate Bill No. 180, entitled:

An Act to amend Chapter 170, of the Revised Code of Delaware, 1935, with reference to the Court of Common Pleas for Kent County, by Increasing the Salary of the Judge of said Court.

Senate Bill No. 88, entitled:

An Act to amend Chapter 99, Volume 43, Laws of Delaware entitled "An Act to provide for the Collection of Delinquent County Taxes in New Castle County."

Senate Substitute for Senate Bill No. 223, entitled:

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

H. H. LAWSON

The President announced he is about to sign:

Senate Bill No. 99.

Senate Substitue for Senate Bill No. 286 as amended.

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

Senate Substitute for Senate Bill No. 162 with Senate Amendment No. 1, entitled:

An Act to amend Chapter 167 of the Revised Code of Delaware, 1935, relating to Aeronautics by providing for the Acquisition, Establishment, Construction, Enlargement, Improvement, Maintenance, Equipment, Operation and Regulation of Airports, other Air Navigation Facilities, and Airport Protection Privileges by Municipalities and providing the Right of Condemnation for such Purposes; Defining Terms; Declaring the Ownership and Operation of Airports, other Air Navigation Facilities and Airport Protection Privileges to be for Public, Governmental and Municipal Purposes; providing for the Issuance of Bonds and for Levying of Taxes for Airport Purposes; Granting Specific Powers; Permitting the Acceptance of Federal Aid; Authorizing Joint Action by Municipalities and by Municipalities and the State; providing for the Appointment of Joint Boards or Commissions and Granting to Municipalities or Municipalities and the State, Acting Jointly, the Powers granted a Single Municipality, and providing for Assistance to other Municipalities.

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 243, entitled:

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

And returned the same to the Senate.

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

Senate Concurrent Resolution No. 29, entitled:

In Respect to the Delaware River Crossing.

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 201, entitled:

An Act to Require Competitive Bidding in Connection with the Purchase of Supplies or the Letting of Contracts or the Construction, Alteration, or Repair of Buildings, and providing Penalties.

And returned the same to the Senate.

The following communication was read:

# DELAWARE STATE EDUCATION ASSOCIATION

Dover, Delaware, April 17, 1945

Presiding Officer  
Delaware State Senate  
Dover, Delaware

Sir:

On behalf of the members of the Delaware State Education Association and myself personally, I wish to express our thanks for your favorable consideration in the passage of Senate Bill No. 116 (State Employees' Pension Bill), Senate Bill No. 276 (appropriation for pensions), House Bill No. 138 (State employees' salary increases) and House Substitute No. 1 for House Bill No. 287 (teachers' salary increases).

The passage of these bills should mean better educational instruction available for the children in your community, and by your action, you have acknowledged your interest in better schools.

May I say that we enjoyed our contact with you gentlemen of the Senate during the past few weeks, and surely appreciated the courteous way in which you assisted us in getting information on matters of proposed legislation.

Sincerely yours,

PAUL M. HODGSON, *President*  
Delaware State Education Association

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

Motion prevailed.

Same Day, Later

Senate met at the call of the Chair.

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

House Concurrent Resolution No. 14, entitled:

In Reference to Adjournment Sine Die.

And presented the same to the Senate.

On motion for leave, Mr. Johnston introduced Senate Resolution No. 59, entitled:

#### SENATE RESOLUTION NO. 59

Relative to Payment on Account for Furnishing Supplies for the Senate of the 110th General Assembly.

BE IT RESOLVED by the Senate of the State of Delaware that the following amount be and the same is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, for furnishing letterheads, backers for bills, and resolutions and other supplies, same being expense connected with the present Session thereof, viz:

To The Newark Post, One Thousand Dollars (\$1,000.00) being part payment on account for above.

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

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

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

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

NAYS—None.

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

On motion for leave, Mr. Johnston introduced Senate Resolution No. 60, entitled:

### SENATE RESOLUTION NO. 60

Relative to Payment on Account for Furnishing Supplies for the Senate of the 110th General Assembly.

BE IT RESOLVED by the Senate of the State of Delaware that the following amount be and the same is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, for furnishing letterheads, backers for bills, and resolutions and other supplies, same being expense connected with the present Session thereof, viz:

To The Newark Post, Two Hundred Dollars (\$200.00) being part payment on account for above.

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

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

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

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

NAYS—None.

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

On motion for leave, Mr. Johnston introduced Senate Resolution No. 61, entitled:

### SENATE RESOLUTION NO. 61

Relative to Payment on Account for Collecting Data, Compiling, Editing and Publishing One Hundred Additional Copies of the Daily Calendar for the State Senate and for Calendar for the 61st Legislative Day of the 1945 Session of the General Assembly.

BE IT RESOLVED by the Senate of the State of Delaware that the following amount be and the same is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, for collecting data, compiling, editing and publishing one hundred additional copies of the Daily Calendar for the Senate of the State of Delaware for the Session of 1945, and for Calendar for the 61st Legislative Day, same being expense connected with the present Session thereof, viz:

To Milford Chronicle Publishing Co., One Thousand Three Hundred and Forty-eight Dollars and Sixty Cents (\$1,348.60) being payment in full for one hundred additional copies of the Calendar for the present Session, and Calendar for the 61st Legislative Day.

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

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

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

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

NAYS—None.

ABSENT—Mr. Yerkes—1.

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

On motion for leave, Mr. Jones introduced Senate Resolution No. 62, entitled:

#### SENATE RESOLUTION NO. 62

BE IT RESOLVED by the Senate of the State of Delaware that the following amounts be and they are hereby appropriated out of any money in the General Fund of the State Treasury to pay allowances as additional compensation for extra work performed by certain employees and attaches of the Senate at times when the Senate was not in session and for miscellaneous expense, being expenses connected with the present session of the

110th General Assembly, and the State Treasurr is hereby authorized and directed to pay to the respective persons hereinafter named the respective sums set opposite their respective names:

Anne B. Price, stenographic work .....	\$240.00
Marie D. Sapp, stenographic work .....	90.00
Virginia Banning, stenographic work .....	260.00
Ozella S. Cullen, Ditto Operator .....	90.00
Janis Clendaniel, stenographic work .....	110.00

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

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

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

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

NAYS—None.

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

On motion for leave, Mr. Jones introduced Senate Resolution No. 63, entitled:

#### SENATE RESOLUTION NO. 63

Making an Appropriation for Certain Expenses in Connection with the General Assembly of the State of Delaware.

BE IT RESOLVED by the Senate, that the following amounts are hereby appropriated to pay certain expenses in connection with the work of the General Assembly, the same being expenses connected with the Special Session called in March A. D. 1944 and the regular Session of the General Assembly which convened in January 1945, and that the State Treasurer is hereby authorized and directed to pay to the respective persons and company hereinafter named the respective amounts set opposite the respective names:

Diamond State Telephone Company .....	\$75.54
connecting charges, local service charges, and other expenses connected with the legislative session;	
Vera G. Davis .....	50.00

Compiling Journal of the 1944 Special Session;	
Hon. John F. Lynn .....	50.00
Compiling Journal of the 1944 Special Session;	
Isabel S. Sypherd .....	200.00
Supply room clerk, being balance of Compensation;	
George Wilson .....	100.00
Janitor, for legislative rooms, being balance of compensation;	
James H. Bastian .....	22.00
Service on typewriters;	
Secretary of State .....	2,000.00
on account of printing Journals of 1945 Session of the General Assembly, and to be available for the purpose until the first day of July, A. D. 1946.	

FURTHER BE IT RESOLVED, that this Resolution is in the nature of an Appropriation Bill and the amounts hereby appropriated are to be paid out of the General Fund of the State Treasury not otherwise appropriated.

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

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

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

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

NAYS—None.

ABSENT—Mr. McGuigan, Mr. President Pro Tem—2.

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

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

House Substitute for Senate Substitute for Senate Bill No. 273, entitled:

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

Senate Substitute for Senate Bill No. 286, entitled:

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

Senate Substitute for Senate Bill No. 249 with Senate Amendment No. 1, entitled:

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

Senate Substitute for Senate Bill No. 238, entitled:

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

Senate Bill No. 89, entitled:

An Act to amend Chapter 45 of the Revised Code of Delaware, 1935, as amended, by Chapter 92, Volume 44, Laws of Delaware, entitled "County Treasurer and Collection of Taxes," in relation to the Salaries of the Deputies, Clerks, Delinquent Tax Investigators, Bookkeepers and Stenographer of the Receiver of Taxes and County Treasurer for New Castle County.

Senate Substitute for Senate Bill No. 170, entitled:

An Act to amend Article 1 of Chapter 160 of the Revised Code of Delaware, 1935, entitled "State Housing Board" by Striking Out the Second Sentence of Section 5 of said Chapter and Substituting a New Second Sentence, Authorizing the State Board of Housing to Employ a Secretary.

Senate Bill No. 119 with House Amendment No. 1, entitled:

An Act to amend Section 1, Chapter 90, Volume 44, Laws of Delaware, relating to New Castle County Assessments and Appeals.

Senate Bill No. 58 with Senate Amendment No. 1:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, as amended, in relation to Salaries Payable to the Members of the Levy Court of New Castle County.

Senate Substitute for Senate Bill No. 296, entitled:

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

Senate Bill No. 99, entitled:

An Act to amend Chapter 54 of the Revised Code of Delaware, 1935, as amended, relating to State Old Age Welfare Commission and State Welfare Home by providing for Increase of Allowance as Assistance to Old Age Persons; and by providing for Appeal to any Person Aggrieved or Dissatisfied.

H. H. LAWSON

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

House Bill No. 134 with House Amendment No. 2 and House Amendment No. 3, entitled:

An Act Creating a Family Court for New Castle County.  
And presented the same to the Senate.

The Chair presented House Bill No. 134 with House Amendment No. 2 and House Amendment No. 3, entitled:

An Act Creating a Family Court for New Castle County.

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

Mr. Binder, on behalf of the Committee on Judiciary, to whom had been referred House Bill No. 134 with House Amendment No. 2 and House Amendment No. 3, entitled:

An Act Creating a Family Court for New Castle County.

Reported the same back to the Senate favorably.

GEO. E. BINDER  
HARRY H. JONES  
JOHN R. HITCHENS  
SAMUEL WEIGEL, JR.  
JOHN R. BUTLER

Mr. Mulholland moved that House Substitute for House Bill No. 315 with House Amendment No. 1 be restored to the Cal-

Motion prevailed.

On motion of Mr. Mulholland, House Substitute for House Bill No. 315 with House Amendment No. 1, entitled:

An Act appropriating certain money for Henrix J. Krebs School, at Newport, Delaware, for Repairs, Replacements and Completion of certain New Additions to said School and for Salaries for New Teachers for said New Addition.

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

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

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

YEAS—Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchers, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—15.

NAYS—Messrs. Jones, Johnston—2.

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

Ordered returned to the House.

Mr. Mulholland moved that House Substitute for House Bill No. 203 with House Amendment No. 1 be restored to the Calendar.

Motion prevailed.

The President announced he is about to sign:

House Bill No. 8 as amended.

House Bill No. 208 as amended.

House Substitute for House Bill No. 261 as amended.

House Bill No. 273.

House Bill No. 295.

House Substitute for House Bill No. 296.

House Substitute for House Bill No. 309.

House Substitute for House Bill No. 359 as amended.

House Substitute for House Bill No. 115 as amended.

On motion of Mr. Mulholland, House Substitute for House Bill No. 203 with House Amendment No. 1, entitled:

An Act to provide for the Construction of Additional Facilities at Rosehill and Minquadale Schools in Rosehill-Minquadale School District No. 47, New Castle County, making Appropriation therefor, and authorizing said School District to Borrow Money and Issue Bonds for the Payment thereof.

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

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

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

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

NAYS—Messrs. Jones, Johnston—2.

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

Ordered returned to the House.

On motion of Mr. Yerkes, House Bill No. 134 with House Amendment No. 2 and House Amendment No. 3, entitled:

An Act Creating a Family Court for New Castle County.

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

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

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

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

NAYS—None.

ABSENT—Mr. McGuigan—1.

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

Ordered returned to the House.

The President announced he is about to sign:

Senate Substitute for Senate Bill No. 201.

Senate Substitute for Senate Bill No. 242.

Senate Concurrent Resolution No. 28.

Senate Concurrent Resolution No. 29.

The President announced he is about to sign:

Senate Substitute for Senate Bill No. 162 as amended.

Senate Substitute for Senate Bill No. 168.

Senate Substitute for Senate Bill No. 165.

House Substitute for House Bill No. 203 as amended.

House Bill No. 134 as amended.

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

Senate Substitute for Senate Bill No. 201, entitled:

An Act to Require Competitive Bidding in Connection with the Purchase of Supplies or the Letting of Contracts or the Construction, Alteration, or Repair of Buildings, and providing Penalties.

Senate Substitute for Senate Bill No. 243, entitled:

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

Senate Concurrent Resolution No. 28, entitled:

Concerning a World Capital of Peace.

Senate Concurrent Resolution No. 29, entitled:

In Respect to the Delaware River Crossing:

H. H. LAWSON

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

Senate Substitute for Senate Bill No. 165 with House Amendment No. 1, entitled:

An Act to amend Chapter 167 of the Revised Code of Delaware, 1935, relating to Aeronautics by providing for the Development and Regulation thereof within this State; creating a State Aeronautics Commission and the Office of Director of Aeronautics; prescribing the Powers and Duties of such Commission and Director; providing for Cooperation with Federal Government and Disposition of Federal Funds by such Commission; providing for Regulation of Aircraft, Airmen, Airports and Air Instruction by such Commission; providing for the Acquisition, by Condemnation or Otherwise, of Airports and Protection Privileges and the Leasing and Sale thereof; providing for the Operation of State Airports; providing for Review of Orders of such Commission, and prescribing Penalties.

Senate Substitute for Senate Substitute for Senate Bill No. 168 with Senate Amendment No. 1, entitled:

An Act to create a State Board of Public Contracts and to Regulate Public Contracts made on behalf of the State, or of any Subdivision or Agency thereof, for the Erection of any Building, Structure or Edifice financed in whole or in part with Public Funds.

Senate Substitute for Senate Bill No. 162 with Senate Amendment No. 1, entitled:

An Act to amend Chapter 167 of the Revised Code of Delaware, 1935, relating to Aeronautics by providing for the Acquisition, Establishment, Construction, Enlargement, Improvement, Maintenance, Equipment, Operation and Regulation of Airports, other Air Navigation Facilities, and Airport Protection Privileges by Municipalities and providing the Right of Condemnation for such Purposes; Defining Terms; Declaring the Ownership and Operation of Airports, other Air Navigation Facilities and Airport Protection Privileges to be for Public, Governmental and Municipal Purposes; providing for the Issuance of Bonds and for Levying of Taxes for Airport Purposes; Granting Specific Powers; Permitting the Acceptance of Federal Aid; Authorizing Joint Action by Municipalities and by Municipalities and the State; providing for the Appointment of Joint Boards or Commissions and Granting to Municipalities or Municipalities and the State, Acting Jointly, the Powers granted a Single Municipality, and providing for Assistance to other Municipalities.

H. H. LAWSON

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

In Reference to Adjournment Sine Die.

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

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

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

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

NAYS—None.

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

Ordered returned to the House.

The President announced he is about to sign:

House Concurrent Resolution No. 14.

Mr. Yerkes moved that a Committee be named to notify the House of Representatives that the Senate is ready to adjourn Sine Die.

Motion prevailed.

The Chair appointed Mr. Yerkes and Mr. Ayres, who were instructed to inform the House of Representatives that the Senate was preparing to adjourn Sine Die.

The Sergeant-at-Arms announced a committee from the House of Representatives.

The committee, Mr. Keenan and Mr. Lemon, being admitted, informed the Senate that the House of Representatives had concluded their business and were ready to adjourn Sine Die.

Mr. Mulholland moved that the Senate adjourn Sine Die in accordance with House Concurrent Resolution No. 14.

Motion prevailed.

The President then declared the Senate of the One Hundred and Tenth General Assembly of the State of Delaware adjourned Sine Die, April 16, 1945, 11 o'clock P. M.

# STATE OF DELAWARE



## JOURNAL

OF THE

## STATE SENATE

AT AN EXTRAORDINARY SESSION OF THE  
GENERAL ASSEMBLY

CONVENED AND HELD AT DOVER ON TUESDAY, THE THIRD DAY OF  
JULY, IN THE YEAR OF OUR LORD ONE THOUSAND  
NINE HUNDRED AND FORTY-FIVE, AND OF  
THE INDEPENDENCE OF THE UNITED  
STATES THE ONE HUNDRED  
AND SIXTY-NINTH

# 1945



## SPECIAL SESSION

### First Legislative Day

Dover, Delaware, July 3, 1945, 11 o'clock A. M.

Senate met in Extraordinary Session, in accordance to a proclamation of Governor Walter W. Bacon.

The Senate was called to order by Lieutenant-Governor Elbert N. Carvel.

Lieutenant-Governor Elbert N. Carvel presiding.

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

Roll called.

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

The following message from the Governor was read:

#### STATE OF DELAWARE

##### EXECUTIVE DEPARTMENT

#### PROCLAMATION

WHEREAS, the terms of office of Chief Justice Daniel J. Layton and Associate Judge Charles S. Richards will expire on July 2, A. D. 1945; and

WHEREAS, the Constitution of the State of Delaware provides that if vacancies shall occur among the State Judges by expiration of term or otherwise, when the Senate shall not be in session, the Governor shall within thirty days after the happening of any such vacancies convene the Senate for the purpose of confirming his appointments to fill said vacancies.

NOW, THEREFORE, I, Walter W. Bacon, Governor of the State of Delaware, in and by virtue of such authority vested in me by the aforesaid Constitution of the State of Delaware, do

issue this proclamation convening the Senate of the State of Delaware in Extraordinary Session at Dover, the capital of the said State, on the third day of July, A. D. 1945, at eleven o'clock (eastern war time) to consider and act upon the following business, to wit:

To confirm the appointments which will be made to fill the vacancy in the office of Chief Justice, and in the office of Associate Judge for Sussex County; and

To transact such other executive business as may come before the Senate of the State of Delaware.

IN WITNESS WHEREOF, I, Walter W. Bacon, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of the said State to be hereunto affixed  
[GREAT SEAL] this fifteenth day of June, in the year of our Lord, one thousand nine hundred and forty-five and of the Independence of the United States of America the one hundred and sixty-ninth.

WALTER W. BACON

By the Governor:

WILLIAM J. STOREY  
*Secretary of State*

On motion for leave, Mr. Mulholland introduced Special Session Senate Resolution No. 1, entitled:

# SPECIAL SESSION SENATE RESOLUTION NO. 1.

Authorizing the Appointment of a Committee to Notify the Governor that the Senate is in Session.

BE IT RESOLVED by the Senate of the 110th General Assembly, in Special Session met, that a committee consisting of two members be appointed by the Presiding Officer to notify the Governor that the Senate is in Session and ready to consider any matters he may care to submit.

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

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

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

Lieutenant-Governor Carvel appointed the following committee as per Special Session Senate Resolution No. 1: Messrs. Yerkes and Ayres.

Mr. Yerkes informed the Senate that Governor Bacon had been notified.

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

### SPECIAL SESSION SENATE RESOLUTION NO. 2

Providing for Payment of Certain Telephone Expenses incurred during the Regular Session of the General Assembly in 1945.

BE IT RESOLVED by the Senate of the 110th General Assembly, in Special Session met, that the following amount be and the same is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, on account of telephone exepenses incurred during the closing days of the Regular Session of the Assembly in April, 1945, viz:

The Diamond State Telephone Company for  
toll services from April 11 to April  
18, inclusive ..... \$124.22

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

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

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

The Chair declared a recess until the call of the Chair.

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Same Day, Later

Senate met at expiration of recess.

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

The messenger was admitted and presented a communication.

### EXECUTIVE SESSION

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

Motion prevailed.

Same Day, Later

Senate met in regular session.

Mr. Jones moved that the Senate adjourn until 11 o'clock  
A. M., July 24, 1945.

Motion prevailed.

## SPECIAL SESSION

### Second Legislative Day

Dover, Delaware, July 24, 1945, 11 o'clock A. M.

Senate met pursuant to adjournment.

Lieutenant-Governor Elbert N. Carvel presiding.

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

Roll called.

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

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

Motion prevailed.

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

Motion prevailed.

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Same Day, 4:45 o'clock P. M.

Senate met at expiration of recess.

Mr. Yerkes moved that the Senate adjourn until 12 o'clock, Noon, Monday, July 30, 1945.

Motion prevailed.

## SPECIAL SESSION

### Third Legislative Day

Dover, Delaware, July 30, 1945, 12 o'clock, Noon

Senate met pursuant to adjournment.

Lieutenant-Governor Elbert N. Carvel presiding.

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

Roll called.

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

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

Motion prevailed.

Mr. Mulholland moved that the Rules of the Regular Session be adopted for the Special Session.

Motion prevailed.

## EXECUTIVE SESSION

Mr. Yerkes moved that the Senate retire from Regular Session to Executive Session.

Motion prevailed.

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Same Day, Later

Senate met in Regular Session.

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

The messenger was admitted and presented the following communication.

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

Dover, 30 July 1945

The Honorable, the  
Senate of the State of Delaware  
110th General Assembly (Extraordinary Session)  
Dover, Delaware

Gentlemen:

Notification of your rejection of the nominations made under date of July 3 last for the office of Chief Justice, the office of the Resident Judge in and for Sussex County, the Judge of the Family Court for New Castle County and the Justice of the Peace in and for Sussex County, requires the dispatch of this message.

As you are well aware, the offices in question are among the most important in our State, since the incumbents thereof not only have the power but are duty bound to pass judgment upon our liberties and our property rights, and in addition, the Chief Justice and Resident Judge exercise many more judicial functions, as well as administer other affairs of importance in our State. Therefore, of necessity, serious and careful consideration must be given to the problem before reaching a decision and taking action thereon.

So that I may give such study and attention as the circumstances demand and make necessary, I can only suggest that I shall need at least one week to reach a conclusion in the premises.

Very truly yours,

WALTER W. BACON  
*Governor*

Mr. Lawson moved that the Senate adjourn until 7:00 o'clock P. M., August 7, 1945.

Motion prevailed.

## SPECIAL SESSION

### Fourth Legislative Day

Dover, Delaware, August 7, 1945, 7:00 o'clock P. M.

Senate met pursuant to adjournment.

Lieutenant-Governor Elbert N. Carvel presiding.

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

Roll called.

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

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

Motion prevailed.

On motion for leave, Mr. Mulholland introduced Special Session Senate Resolution No. 3, entitled:

#### SPECIAL SESSION SENATE RESOLUTION NO. 3

Providing for Payment of Certain Expenses of the Senate.

BE IT RESOLVED by the Senate of the 110th General Assembly, in Special Session met, that the following amounts be and the same are hereby appropriated, on account of expenses connected with the Special Session of the Senate called for July 3, 1945, viz:

The Diamond State Telephone Company for	
certain expenses of telephone .....	\$32.00
William F. Wilgus, Jr., for	
compiling Journal for 1945 Special Session .....	25.00
William F. Wilgus, Jr., Secretary of the Senate for services Special Session—July 3, July 24, July 30, August 7, 1945 .....	100.00

Rev. Ernest N. Wright, Chaplain for services Special Session—July 3, July 24, July 30, August 7, 1945 .....	40.00
Heber F. Scott, Sergeant-at-Arms for services Special Session—July 3, July 24, July 30, August 7, 1945 .....	40.00
William Storey, Sergeant-at-Arms for services Special Session—July 30, August 7, 1945 .....	20.00

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

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

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

On motion for leave, Mr. Mulholland introduced Special Session Senate Resolution No. 4, entitled:

#### SPECIAL SENATE SENATE RESOLUTION NO. 4

Appropriating Certain Money out of the General Fund of the State Treasury to pay the Per Diem Allowance as Compensation for Services of the Lieutenant-Governor as President of the Senate and the Per Diem Allowances as Compensation for the Members of the Senate.

BE IT RESOLVED by the Senate of the 110th General Assembly of the State of Delaware, in Special Session met, that the following amounts be and they hereby are appropriated out of any money in the General Fund of the State Treasury for the payment of the per diem allowance as compensation for the services of the Lieutenant-Governor as President of the Senate and the per diem allowances as compensation of the members of the Senate, being expenses connected with the present Special Session of the 110th General Assmbly, and the State Treasurer is hereby authorized to pay to the respective persons hereinafter named the sums set opposite their respective names.

#### *President and Members of the Senate*

Elbert N. Carvel, President .....	\$48.00
Harry H. Mulholland, President Pro Tem .....	48.00
William H. Ayres .....	40.00
Fred S. Bailey .....	40.00
George E. Binder .....	40.00

John R. Butler .....	40.00
George P. Edmonds .....	40.00
James S. Evans .....	40.00
Irvin T. Hastings .....	40.00
John R. Hitchens .....	40.00
Harry H. Jones .....	40.00
William Deane Johnston .....	40.00
Harvey H. Lawson .....	40.00
Harris B. McDowell, Jr. ....	40.00
J. Carl McGuigan .....	40.00
George W. Rhodes .....	40.00
Samuel Weigel, Jr. ....	40.00
Robert H. Yerkes .....	40.00

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

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

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

On motion for leave, Mr. Mulholland introduced Special Session Senate Resolution No. 5, entitled:

#### SPECIAL SESSION SENATE RESOLUTION NO. 5

Appropriating Money out of the State Treasury to Pay Certain Expenses Connected with the Special Session of the 110th General Assembly.

BE IT RESOLVED, by the Senate of the 110th General Assembly of the State of Delaware, in Special Session met, that the following amounts be and the same are hereby appropriated out of any money in the General Fund of the State Treasury for the payment of certain expenses connected with the Special Session of the 110th General Assembly of the State of Delaware, which said expenses are hereby declared to be proper and reasonable expenses actually incurred by the President and by the respective members of the Senate for traveling expenses, commonly called mileage expenses, in traveling from their respective homes to Dover and in returning from Dover to their respective homes, in the performance of their duties as President and Members of the Senate, during the Special Legislative Session thereof, and the Auditor of Accounts is hereby authorized and fully empowered and directed to approve and properly execute warrants for, and the State Treasurer is hereby authorized and

fully empowered and directed to pay to the President and the respective Members of the Senate hereinafter named, the respective amounts set opposite their respective names, viz:

William H. Ayres .....	\$35.20
Fred S. Bailey .....	13.60
George E. Binder .....	36.00
John R. Butler .....	18.40
George P. Edmonds .....	36.00
James S. Evans .....	36.00
Irvin T. Hastings .....	34.40
John R. Hitchens .....	28.00
Harvey H. Lawson .....	35.20
Harris B. McDowell, Jr. ....	18.40
J. Carl McGuigan .....	36.00
George W. Rhodes .....	32.80
Samuel Weigel, Jr. ....	7.20
Robert H. Yerkes .....	16.80
Harry H. Mulholland .....	15.20
Elbert N. Carvel .....	34.40

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

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

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

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

The messenger was admitted and presented a communication.

Mr. McDowell moved that any appointments of the Governor are out of order, as there isn't any Executive Committee.

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

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

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

YEAS—Messrs. Ayres, Bailey, Butler, McDowell, McGuigan  
—5.

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

NOT VOTING—Mr. Lawson—1.

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

Mr. Edmonds moved that the President Pro Tem of the Senate appoint an Executive Committee.

Motion prevailed.

The President Pro Tem appointed the following Executive Committee: Messrs. Evans, Chairman; Edmonds, Johnston, Hitchens, Bailey.

### EXECUTIVE SESSION

Mr. Yerkes moved that the Senate retire to Executive Session.

Motion prevailed.



Same Day, Later

Senate met in Regular Session.

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

Motion prevailed.



Same Day, 11:25 o'clock P. M.

Senate met at expiration of recess.

Mr. Yerkes moved that the Senate adjourn until 7:00 o'clock B. M., August 13, 1945.

Motion prevailed.

## SPECIAL SESSION

### Fifth Legislative Day

Dover, Delaware, August 13, 1945, 7 o'clock P. M.

Senate met pursuant to adjournment.

Lieutenant-Governor Elbert N. Carvel presiding.

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

Roll called.

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

Member Absent—Jones—1.

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

Motion prevailed.

The President Pro Tem presented the following communication:

Wilmington, Delaware, August 10, 1945

The Honorable Harry H. Mulholland  
Milford, Delaware

My dear Senator Mulholland:

I am informed that the name of former Chief Justice Daniel J. Layton is about to be submitted to you for the third time.

I believe that some of the many persons who approve of your action in not voting to confirm his nomination for a further term as Chief Justice should tell you of their approval of your action, and also why they do approve your action.

I commend and compliment you upon your action. I do so, not because of any feeling of personal ill will toward the former Chief Justice, but because I am convinced that his confirmation would not be in the public interest in that his actions in the past as Chief Justice have made many people in and out of Delaware suspect and doubt his fairness and impartiality as a judge.

His two sons, as well as his brother, have been and are now engaged in the practice of law before the courts of this State. He has sat as a judge in numerous cases in which one of his sons or his brother represented one of the parties to the litigation. He has sat in criminal cases—even in cases in which a person was on trial for his life—in which the State prosecuting the case was represented by one of his sons. What fair-minded person anywhere can feel confident of the impartial administration of justice by a judge whose son or brother represents one of the parties to the case?

Years ago the lawyers of the United States recognized the probability of unfairness in the administration of justice when a near relative of a judge represents one of the parties to the litigation. As a consequence, the American Bar Association adopted rules or Canons of Judicial Ethics providing for the proper conduct by the judges of their actions. No. 13 of those rules provides:

*"Kinship or Influence*

"He should not act in a controversy where a near relative is a party; he should not suffer his conduct to justify the impression that any person can improperly influence him or unduly enjoy his favor, or that he is affected by the kinship, rank, position, or influence of any party or other person."

The Judicial Conference, created by Act of Congress and comprising the Chief Justice of the United States and a federal judge from each of the ten Circuits of the United States, adopted the following resolution:

"That it is the sense of the Conference that federal judges should avoid sitting in cases in which their near relatives are of counsel, as contrary to the spirit of Canon XIII of the Canons of Ethics of the American Bar Association, and the Conference urges the circuit councils to inquire whether such a practice exists in their respective circuits, and if so to take appropriate action."

If it is necessary and proper that federal judges should avoid sitting in cases in which their near relatives are of counsel, it is equally mandatory that the judges of the courts of Delaware should likewise avoid sitting in cases in which their near relatives are of counsel. But, the former Chief Justice wholly disregarded Canon No. 13 of the Code of Judicial Ethics and the aforesaid action of the Judicial Conference of the United States. In so doing he subjected to grave doubt and suspicion, in the minds of people in and out of Delaware, the fairness and impartiality of his decisions and judgments.

So far as I can learn, after continued numerous inquiries, no federal judge in the whole of the United States, and no state judge in any State other than Delaware, sits in any case in which any near relative of his by blood or marriage is an attorney for any party to the case.

If it be said that in some of the cases in which the former Chief Justice sat and in which one of his sons or his brother was attorney for one of the parties, the court would have lacked a quorum if the Chief Justice had withdrawn from the case, that is but an admission that if he is re-appointed Chief Justice litigants and the public at large must expect the same disregard of No. 13 of the Canons of Judicial Ethics and of the appearance of fairness and impartiality as in the past.

I am convinced that your opposition to the confirmation of the nomination of the former Chief Justice for a further term was in the interest of all the people who may be hereafter before the courts of Delaware in any civil or criminal case.

I had intended to express these views, and more fully, at a meeting of the Delaware Bar Association called for Saturday morning of this week, but the call for the meeting has been cancelled. Being deprived of the opportunity to state my views at such a meeting, I feel impelled to express them directly to you.

I am sending a similar letter to each of the Senators who opposed confirmation of the nomination of the former Chief Justice for another term.

I am likewise sending a copy of this letter to the eight Senators who have voted in favor of confirmation of the nomination.

In order to be sure that this letter reaches you promptly I am sending the original to your home address and a carbon copy to you at Dover.

Respectfully,

HUGH M. MORRIS

On motion for leave, Mr. Lawson introduced Special Session Senate Resolution No. 6, entitled:

**SPECIAL SESSION SENATE RESOLUTION NO. 6**

Relative to Appointments.

WHEREAS, the Senate of the State of Delaware has, over and over again, given consideration to the re-appointment of Daniel J. Layton to the Office of Chief Justice of the State of Delaware; and

WHEREAS, on all previous occasions the Senate has voted to reject the said appointee; and

WHEREAS, the Governor of the State of Delaware has thus far declined to pay any heed to the determinations of the Senate, contrary to the spirit of the Constitution of this State, and has once again sent the same name before the Senate for consideration;

NOW, THEREFORE, BE IT RESOLVED, and it is hereby resolved, that the Senate respectfully declines to give any further consideration to the said appointee;

AND BE IT FURTHER RESOLVED, that the name of Daniel J. Layton be immediately sent back to the Governor, together with a copy of this resolution.

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

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

Mr. Yerkes moved that the Resolution be tabled.

Motion prevailed.

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

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

YEAS—Messrs. Binder, Edmonds, Evans, Hitchens, Jones, Johnston, Rhodes, Weigel, Yerkes—9.

NAYS—Messrs. Ayres, Bailey, Butler, Hastings, Lawson, McDowell, McGuigan, Mr. President Pro Tem—8.

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

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

The messenger was admitted and presented a communication.

Mr. Yerkes moved that the message from the Governor be referred to the Executive Committee.

Motion prevailed.

### EXECUTIVE SESSION

Mr. Yerkes moved that the Senate retire from Regular Session to Executive Session and that the general public be invited to hear the roll call.

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

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

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

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

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

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Same Day, Later

Senate met in Regular Session.

Mr. Mulholland moved to rescind Special Session Senate Resolution Nos. 3, 4 and 5 and adopt a new set of Special Session Senate Resolutions Nos. 3, 4 and 5.

Motion prevailed.

On motion for leave, Mr. Mulholland introduced Special Session Senate Resolution No. 3, entitled:

### SPECIAL SESSION SENATE RESOLUTION NO. 3

Providing for Payment of Certain Expenses of the Senate.

BE IT RESOLVED by the Senate of the 110th General Assembly, in Special Session met, that the following amounts be and the same are hereby appropriated, on account of expenses connected with the Special Session of the Senate called for July 3, 1945, viz:

The Diamond State Telephone Company for certain telephone expense .....	\$60.00
William F. Wilgus, Jr., for compiling Journal for 1945 Special Session .....	25.00
William F. Wilgus, Jr., Secretary of the Senate, for ser- vices Special Session—July 3, July 24, July 30, August 7, August 13, 1945 .....	125.00
Rev. Ernest N. Wright, Chaplain, for services Special Session—July 3, July 24, July 30, August 7, August 13, 1945 .....	50.00
Heber F. Scott, Sergeant-at-Arms, for services Special Session—July 3, July 24, July 30, August 7, August 13, 1945 .....	50.00
Wm. Storey, Door Tender, for services Special Session— July 30, August 7, August 13, 1945 .....	30.00

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

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

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

On motion for leave, Mr. Mulholland introduced Special Session Senate Resolution No. 4, entitled:

### SPECIAL SENATE SENATE RESOLUTION NO. 4

Appropriating Certain Money Out of the General Fund of the State Treasury to Pay the Per Diem Allowance as Compensation for Services of the Lieutenant-Governor as President of the Senate and the Per Diem Allowances as Compensation for the Members of the Senate.

BE IT RESOLVED by the Senate of the 110th General Assembly of the State of Delaware, in Special Session met, that the following amounts be and they hereby are appropriated out of any money in the General Fund of the State Treasury for the payment of the per diem allowance as compensation for the services of the Lieutenant-Governor as President of the Senate and the per diem allowance as compensation of the members of the Senate, being expenses connected with the present Special Session of the 110th General Assembly, and the State Treasurer is hereby authorized to pay to the respective persons herein-after named the sums set opposite their respective names.

*President and Members of the Senate*

Elbert N. Carvel, President .....	\$60.00
Harry H. Mulholland, President Pro Tem .....	60.00
William H. Ayres .....	50.00
Fred S. Bailey .....	50.00
George E. Binder .....	50.00
John R. Butler .....	50.00
George P. Edmonds .....	50.00
James S. Evans .....	50.00
Irvin T. Hastings .....	50.00
John R. Hitchens .....	50.00
Harry H. Jones .....	50.00
William Deane Johnston .....	50.00
Harvey H. Lawson .....	50.00
Harris B. McDowell, Jr. ....	50.00
J. Carl McGuigan .....	50.00
George W. Rhodes .....	50.00
Samuel Weigel, Jr. ....	50.00
Robert H. Yerkes .....	50.00

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

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

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

On motion for leave, Mr. Mulholland introduced Special Session Senate Resolution No. 5, entitled:

**SPECIAL SESSION SENATE RESOLUTION NO. 5**

Appropriating Money Out of the State Treasury to Pay Certain Expenses Connected with the Special Session of the 110th General Assembly.

BE IT RESOLVED, by the Senate of the 110th General Assembly of the State of Delaware, in Special Session met, that the following amounts be and the same are hereby appropriated out of any money in the General Fund of the State Treasury for the payment of certain expenses connected with the Special Session of the 110th General Assembly of the State of Delaware, which said expenses are hereby declared to be proper and reasonable expenses actually incurred by the President and by the respective members of the Senate for traveling expenses, commonly called mileage expenses, in traveling from their respective homes to Dover and in returning from Dover to their respective homes, in the performance of their duties as President and Members of the Senate, during the Special Legislative Session thereof, and the Auditor of Accounts is hereby authorized and fully empowered and directed to approve and properly execute warrants for, and the State Treasurer is hereby authorized and fully empowered and directed to pay to the President and the respective members of the Senate hereinafter named, the respective amounts set opposite their respective names, viz:

William H. Ayres .....	\$44.00
Fred S. Bailey .....	17.00
George E. Binder .....	45.00
John R. Butler .....	23.00
George P. Edmonds .....	45.00
James S. Evans .....	45.00
Irvin T. Hastings .....	43.00
John R. Hitchens .....	35.00
Harvey H. Lawson .....	44.00
Harris B. McDowell, Jr. ....	23.00
J. Carl McGuigan .....	45.00
George W. Rhodes .....	41.00
Samuel Weigel, Jr. ....	9.00
Robert H. Yerkes .....	21.00
Harry H. Mulholland .....	19.00
Elbert N. Carvel .....	43.00

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

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

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

Mr. Yerkes moved that the Senate adjourn Sine Die.

Motion prevailed.

The Chair announced that the Senate is now adjourned Sine Die.

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### BILLS (HOUSE)—

House Bill No. 1—An Act to amend Chapter 201, 42 Laws of Delaware, entitled "An Act to provide for the Vocational Rehabilitation and Placement of Physically Disabled Persons, and to make Appropriations for the Same," by Redefining the Term "Disabled Person" and Increasing the Scope of said Act. Presented, p. 22; read and referred, p. 24; reported favorably, p. 25; passed, p. 28; signed, p. 32.

House Bill No. 2—An Act to amend Chapter 60 of the Revised Code of Delaware 1935, as amended, relating to General Elections. Presented, p. 22; read and referred, p. 24; reported favorably, p. 26; passed, p. 29; signed, p. 32.

House Bill No. 3—An Act to amend Chapter 58 of the Revised Code of Delaware 1935, relating to Primary Elections. Presented, p. 22; read and referred, p. 24; reported favorably, p. 26; passed, p. 29; signed, p. 32.

House Bill No. 4—An Act to amend Chapter 56 of the Revised Code of Delaware, 1935, as amended, relating to Registration of Voters. Presented, p. 23; read and referred, p. 24; reported favorably, p. 26; passed, p. 30; signed, p. 32.

House Bill No. 5—An Act to amend Chapter 118 of Volume 44, Laws of Delaware, entitled "An Act to Permit Voting by Persons not present at the Polling Places, under Certain Circumstances and Conditions." Presented, p. 23; read and referred, p. 24; reported favorably, p. 27; passed, p. 30; signed, p. 32.

House Bill No. 7—An Act to Exempt from Income and Gross Income Tax the compensation of Persons in the Armed Forces of the United States or the Merchant Marine of the United States or serving in the American Red Cross, the Society of Friends, the Women Air Force Service Pilots or the United Service Organizations and Attached to and Serving with the Armed Forces of the United States up to the First Three Thousand Dollars (\$3,000.00) in certain Taxable Years. Presented, p. 23; read and referred, p. 24; reported favorably, p. 27; passed, p. 31; signed, p. 32.

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**RESOLUTIONS (SENATE CONCURRENT)—**

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Senate Concurrent Resolution No. 2—That the Two Houses meet in Joint Session to Hear the Message of the Governor. Introduced, p. 13; adopted, p. 14; concurred in, p. 14; signed, p. 21; delivered to Governor, p. 37.

Senate Concurrent Resolution No. 3—In Reference to Adjournment Sine Die. Introduced, p. 35; adopted, p. 35; concurred in, p. 36; signed, p. 36.

**RESOLUTIONS (SENATE JOINT)—**

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Senate Resolution No. 3—Directing the Secretary of the Senate to notify the House of Representatives that the Senate is organized. Introduced, p. 12; adopted, p. 12.

Senate Resolution No. 4—Authorizing the State Librarian to furnish the Document Clerk with Postage. Introduced, p. 20; adopted, p. 20.

Senate Resolution No. 5—Authorizing the State Librarian to furnish Stationery and Supplies to the Stenographers of the Senate. Introduced, p. 20; adopted, p. 20.

Senate Resolution No. 6—In Reference to Stationery and Supplies. Introduced, p. 21; adopted, p. 21.

Senate Resolution No. 7—Appropriating Money out of the State Treasury to Pay Certain Expenses connected with the Present Session of the 109th General Assembly. Introduced, p. 33; adopted, p. 33.

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