

New Castle County to perform work as an independent contractor for the purpose of providing relief hereby contemplated.

Reported the same back to the House favorably.

FRANK L. JOSEPH, *Chairman*
A. O. BAKER
BURTON S. HEAL
G. R. CLARK

The Chair presented Senate Concurrent Resolution No. 5, entitled:

Upon the death of the Honorable Ira L. Long.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Rentz, Schorr, Shaw, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—32.

NAYS—None.

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

And was ordered returned to the Senate.

Mr. Heal moved that the Temporary Rules be the permanent Rules of this Session.

Motion prevailed.

RULES OF ORDER

RULE 1—The House of Representatives shall meet every day (Sunday excepted) at eleven o'clock A. M., unless otherwise ordered.

RULE 2—Every day, before the House proceeds to other business, the Clerk of the House shall call the names of the members in alphabetical order and shall read the Journal of the preceding legislative day, which may then be corrected by the House.

RULE 3—In accordance with the provisions of the Constitution, a majority of all the members elected to the House shall constitute a quorum to do business, but a smaller number may adjourn from day to day.

RULE 4—The daily order of business shall be as follows:

1. Calling of House to Order.
2. Prayer by Chaplain.
3. Calling of Roll.
4. Reading of Journal.
5. Communications from the Speaker and presentation of Petitions and Memorials.
6. Reports from Standing Committees in regular order.
7. Reports from Special Committees in order of appointment.
8. Introduction of new business by districts and first and second readings of bills and resolutions when required by rules.
9. Business on the Calendar.
10. Miscellaneous.

DUTIES OF THE SPEAKER

RULE 5—He shall take the presiding officer's chair at the hour to which the House shall have adjourned and call the members to order, when he will have the Chaplain offer a prayer and the Clerk call the roll and, if a constitutional quorum be present, the daily order of business shall be proceeded with.

RULE 6—He shall have general direction of the House Chamber and shall preserve order and decorum. In debate he shall prevent personal reflection and confine the members to the question under discussion. No member shall have the floor except when recognized by the Speaker.

RULE 7—He shall decide all questions of order or may submit the question to the House. An appeal from his decision may be made by any member, if properly seconded, but no debate shall be allowed thereon until appeal is taken.

RULE 8—He may name a member to perform the duties of presiding officer, but such substitution shall not extend beyond an adjournment, except when the Speaker obtains leave of absence, in which case he may depute a member as Speaker Pro Tempore during such leave, which leave shall not exceed five days.

RULE 9—He shall sign all bills and resolutions requiring the signature of the Speaker in the presence of the House, after their titles shall have been publicly read immediately before signing, and the facts of the signing shall be entered upon the Journal; all writs, warrants and subpoenas issued by the House shall be signed by him and attested by the Clerk.

RULE 10—He shall determine the principal object of a bill or joint resolution and assign such bill or joint resolution to a committee to which such subject matter is appropriate.

RULE 11—He shall appoint all special committees unless otherwise ordered by the House.

DUTIES OF MEMBERS .

RULE 12—Every member shall be in his seat at the hour to which the House shall have been adjourned, but any member desiring to be absent from a session may be excused by the presiding officer.

RULE 13—A member shall not be permitted to make a motion or address the Speaker unless such member be at his own desk and when about to communicate any matter to the House or to speak in debate, he shall rise and respectfully address himself to "Mr. Speaker," confining his remarks to the subject before the House and avoiding personal reflections. No member shall speak more than twice on the same subject without leave of the House.

RULE 14—No member nor any other person shall be permitted to walk out or across the House while the Speaker is putting the question or addressing the House; nor in such case or when a member is speaking shall entertain private discourse; nor while a member is speaking pass between him and the presiding officer.

RULE 15—A member transgressing the rules of the House in debate shall be called to order by the Speaker or by any member through the Speaker; the member so called to order shall immediately take his seat, unless permitted by the House to explain; the House shall if appealed to, decide on the case without debate; if there be no appeal, the decision of the Speaker shall be submitted to, and if the case requires it, the member so called to order shall be liable to the censure of the House.

RULE 16—A member shall not be interrupted when speaking, except to a call to order by the Speaker, or by a member through the Speaker, or by a member to explain (or by a motion for the previous question or to adjourn) ; nor shall any member be referred to by name in debate, unless for transgression of the rules of the House and then by the Speaker only.

COMMITTEES

RULE 17—The standing committees of the House, consisting of five members each, except the Committee on Passed Bills of three members, to be appointed by the Speaker and to continue during the session, shall be as follows:

- Committee on Accounts
- Committee on Agriculture
- Committee on Appropriations
- Committee on Charities
- Committee on Claims
- Committee on Corporations—Municipal
- Committee on Corporations—Private
- Committee on Judiciary, Crimes and Punishment
- Committee on Education
- Committee on Federal Relations
- Committee on Elections
- Committee on Fish, Oysters and Game
- Committee on Forestry and Public Lands
- Committee on Insurance and Banking
- Committee on Labor
- Committee on Manufacturers and Commerce
- Committee on Military Affairs
- Committee on Miscellaneous
- Committee on Passed Bills
- Committee on Printing
- Committee on Public Buildings and Public Highways
- Committee on Public Health
- Committee on Revenue and Taxation
- Committee on Revised Statutes
- Committee on Rules
- Committee on Temperance
- Committee on Stationery and Supplies.

RULE 18—Committee meetings shall be held as far as possible when the House is not in session and committee meetings shall not be held while the House is in session without the consent of the Speaker.

RULE 19—Committee reports shall be printed, written or typewritten, and if so desired, the minority of a Committee may make a report.

RULE 20—The Committee of the Whole shall proceed under the rules of the House as far as the same may be applicable.

BILLS AND RESOLUTIONS

RULE 21—Every bill and resolution shall be introduced by motion for leave, by order of the House or by report of a committee.

RULE 22—Every bill and resolution, to which the concurrence of both houses of General Assembly may be necessary, shall be introduced with an original and four duplicate copies, the duplicate copies shall be marked "duplicate" and at all times every bill and resolution shall be under the general supervision of the Clerk of the House. Until its passage by the House, the original copy of every bill and resolution shall at all times remain in the custody of the Chairman of the committee to which it was referred or the Clerk of the House. All bills and resolutions shall be either printed or typewritten and backed and no erasures or interlineations shall be allowed.

RULE 23—Every bill and joint resolution, except as to style of form, shall receive three separate readings; the first and second readings shall be had on the same day, the second reading may be by title only.

RULE 24—A bill or joint resolution shall not be passed upon the same day it has been reported to the House by the Committee having charge of such bill or resolution, nor in absence of the member who introduced the same, without his written consent.

RULE 25—Any resolution carrying an appropriation or disposal of public moneys shall not be passed by the House on the same day that it shall have been introduced and read.

RULE 26—Every bill and resolution may be amended at any time before final action is taken, and in the substitution of a bill or resolution after it has been referred to a committee, the original bill or resolution shall receive its third reading before any action is taken on the substitute, if so requested by the member who introduced the original bill or resolution.

RULE 27—Every bill or joint resolution which shall have been in committee for a period of ten days or more, shall, upon request of eighteen members of the House, in writing, be reported to the House for a decision as to its further disposal.

RULE 28—Every bill and resolution, to which the concurrence of both houses of the General Assembly may be necessary, shall upon its passage in the House be certified to by the Clerk of the House and the date of the passage of the same noted at the foot of the backing thereof. Said bill or resolution shall then be delivered by the Clerk as soon as possible into the custody of the bill clerk, who shall attach a proper parchment backing to the same and initial, seal or stamp each and every page of each bill or resolution and immediately return the same to the Clerk of the House.

MOTIONS

RULE 29—Every motion, except to adjourn, shall be entered on the Journal with the name of the mover, and any motion, if so desired by the mover, and consented to by the seconder, may be withdrawn before amendment or decision thereon and the proceedings in relation to the same shall be expunged from the Journal.

RULE 30—Every motion, except for leave to introduce a bill or resolution or for reading of the same, the daily adjournment of the House or to refer or postpone any subject, shall, if required by the Speaker or requested by any member, be reduced to writing by the mover, or may be typewritten as the mover may prefer.

RULE 31—Every motion, if seconded, shall be repeated by the Speaker, or presiding officer, before debate or discussion thereon; and if there has been any debate or discussion, the motion shall again be repeated distinctly by the Speaker or presiding officer before putting the question in the following terms: "As many as are in favor of the question say Aye," and, after the affirmative is expressed, "As many as are opposed, say No."

RULE 32—Every motion shall be decided in a fair and impartial manner by the Speaker or presiding officer, and the vote of a majority of the members present and voting shall prevail, unless contrary to these rules or in conflict with the provisions of the Constitution. The Speaker or presiding officer, if necessary for a fair decision, may cause, or any member may call for, a division, and the members voting in the affirmative shall be required to rise, and after the Clerk has counted and noted those so voting, the question shall be reversed. Excepting when provided by the Constitution, the yeas and nays shall be taken, only on motion that the names of those so voting be entered on the Journal.

RULE 33—Every motion to adjourn shall be in order (unless such motion has just immediately been decided, or the House is voting on another question) and shall be decided without debate.

RULE 34—The only motions, except as otherwise provided, that shall be permitted to interrupt the business regularly before the House, are as follows:

A motion to amend, commit or postpone.

A motion to lay on the table.

A motion for the previous question.

RULE 35—A motion for the previous question shall not be entertained except at the request of five members rising for that purpose, and shall be determined without debate; but, when the previous question has been called and sustained, it shall not cut off any pending amendment. The vote shall be taken without debate, first on the amendments in their order and then on the main question.

RULE 36—A motion for the reconsideration of a question which has been decided shall be made and seconded by a member who voted with the majority on the original question; and no motion for reconsideration shall be in order unless made on the same day or one of the three next succeeding days of actual session of the House thereafter. In the application of this rule the word "Majority" shall be construed to mean the number of votes that were sufficient to prevail in the decision of the original question.

CALENDAR

RULE 37—The Clerk of the House shall keep a calendar of business on which shall be placed the number and subject of all bills and resolutions referred to committee and the name of the introducer thereof; and, if reported from committee, the action of the committee thereon. Said bills and resolutions shall be kept on the Calendar until final action is taken thereon, and such as lie over and other matters undisposed of, shall be placed in the order in which they are presented, and a printed copy of the calendar of both houses placed on the desk of each member at the opening of the morning session.

RULE 38—The business on the Calendar shall be taken up at the hour of two o'clock on each day of the session and disposed of in the order in which it stands thereon, excepting that the unfinished business in which the House was engaged at the time of adjournment of the previous session shall have the preference or unless there be an order of the day, and if so, as soon thereafter as the order of the day shall be disposed of.

A vote of two-thirds of the members present and voting shall be required to take up any matter out of its order on the Calendar or to make any matter the order of the day for a particular time.

MISCELLANEOUS

RULE 39—Messages from the House shall be conveyed by the Clerk or a member, as the Speaker may direct, and when messages are conveyed to the House by a messenger from the Governor or by a member of the State Senate, the members of the House shall rise. Messages to the House shall not be received while the House is voting on a question or a member is speaking.

RULE 40—Before any petition or memorial addressed to the House shall be presented, a brief statement of the contents shall be made by the introducer, and, upon motion, shall be received at the Clerk's table and read; unless the reference is objected to by a member at the time the petition or memorial is read, it shall be referred without further motion.

RULE 41—The rules of the House shall not be changed or suspended except by a vote of a constitutional majority of the members, but in all cases to which they are applicable and in which they are not inconsistent with these rules, the rules of parliamentary practice comprised in Robert's Rules of parliamentary practice comprised in Roberts' Rules of Order Revised are not applicable, the rules of parliamentary practice comprised in Jefferson's Manual shall govern insofar as they may be applicable and not inconsistent with these rules.

HARRY V. LYONS, *Chairman*
ALBERT P. LEKITES
WALTER J. PASKEY
FRANK L. JOSEPH
BURTON S. HEAL

JOINT RULES—1935

RULE 1—Messages from one House of the General Assembly to the other shall be conveyed by such persons as a sense of propriety in each House may determine. Announcement shall be made by the Sergeant-at-Arms of the House to which the message is being conveyed, and the message shall be respectfully communicated to the presiding officer by the person or persons conveying the same.

RULE 2—Every bill and resolution upon being messaged from one House to the other shall be receipted for by the Chief Clerk of the House receiving same, and all papers on which the said bill or resolution may be based shall be transmitted at the same time.

RULE 3—Every bill and resolution to which the concurrence of both Houses of the General Assembly may be necessary shall upon its final passage in both Houses be delivered by the Chief Clerk of the House in which such bill or resolution originated, into the custody of the Bill Clerk of said House, and it shall be the duty of the Bill Clerk of the Senate and the Bill Clerk of the House of Representatives jointly to see that such bill or resolution has attached to it a proper parchment backing and that each and every page of the said bill or resolution has been properly initialed, sealed or stamped, and, upon being assured that such is the case, shall immediately, if the Houses be in session, and, if not, at the earliest opportunity, present the said bill or resolution to the presiding officer of each House for his signature, the presiding officer of the House in which the bill or resolution originated signing first. Said Bill Clerks shall then certify with the Secretary of the Senate and the Clerk of the House on the backing of said bill or resolution that such bill or resolution is the same as that which passed both Houses of the General Assembly, and the said bill or resolution shall then be delivered by the Bill Clerk of the House in which such bill or resolution originated to the Chairman of the Committee on Passed Bills of said House.

RULE 4—Disagreement between the two Houses in the substitution for an amendment to a bill or resolution or over any other matter shall be made subject for conference at the request of either House. A committee, composed of members who voted in the majority on the point or points of difference, shall be appointed in each House, and, at a convenient hour agreed on by their chairmen, shall meet in the conference chamber and state to each other, verbally or in writing, the reasons for their respective House for and against the substitution, amendment or other matter of disagreement, and confer freely thereon. Conferences shall not have power or control over any part of the bill or resolution or other matter save such point or points over which the House disagree.

RULE 5—Every bill and resolution, which shall have passed one House and been rejected by the other, shall be returned to the House which had approved it and notice given of its rejection and the same entered on the Journal.

HOUSE RULES COMMITTEE

HARRY V. LYONS, *Chairman*
 ALBERT P. LEKITES
 WALTER J. PASKEY
 FRANK L. JOSEPH
 BURTON S. HEAL

SENATE RULES COMMITTEE

JAMES L. DAVIS, *Chairman*
 WILLIAM A. SIMONTON
 W. MAILLY DAVIS
 WILLIAM E. MATTHEWS, Jr.
 CHARLES A. NEUGEBAUER

Mr. Heal moved that 500 copies of the Rules be printed.

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, Wright, Zebley, Mr. Speaker—33.

NAYS—None.

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

On motion for leave, Mr. Pierce introduced House Resolution No. 11, entitled:

HOUSE RESOLUTION NO. 11

BE IT RESOLVED by the House of Representatives that the State Librarian be and she is hereby authorized and directed to procure and furnish to each member of the House of Representatives and to each of the attorneys that orders the same two hundred and fifty (250) sheets of House of Representatives paper with the name of the Representative or attorney suitably embossed thereon, and likewise two hundred and fifty (250) envelopes.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Rentz, Schorr, Shaw, Steele, Tyndall, Warren, Wright, Zebley, Mr. Speaker—29.

NAYS—Mr. Hughes—1.

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

On motion for leave, Mr. Kelton introduced House Resolution No. 12, entitled:

HOUSE RESOLUTION NO. 12

BE IT RESOLVED by the House of Representatives that the State Librarian be and is hereby authorized and directed to furnish the Bill Clerk stationery and other supplies the cost of which shall not exceed the sum of Twenty-five (\$25) Dollars.

BE IT FURTHER RESOLVED by the House of Representatives that the State Librarian shall and is hereby authorized and directed to furnish to the stenographers, typists and other employees stationery and other supplies, the cost of which shall not exceed the sum of Fifteen (15) Dollars.

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

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

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

YEAS—Messrs. Bailey, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, Wright, Zebley, Mr. Speaker—30.

NAYS—Mr. Hughes—1.

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

Mr. Simon moved that the House adjourn until 12 o'clock, noon, January 15th, 1935.

Motion prevailed.

«EIGHTH LEGISLATIVE DAY»

Dover, Delaware, January 15, 1935, 12 o'clock, Noon

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. W. S. Cantwell.

Roll called.

Members Present—Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—34.

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

Motion prevailed.

Mr. Schorr, on motion for leave, introduced House Bill No. 9, entitled:

An Act proposing amendments to Article II of the Constitution of the State of Delaware, relating to the legislative power of Delaware.

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

Mr. Buckson moved that House Substitute for House Bill No. 2 be restored to the Calendar.

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

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

YEAS—Messrs. Baker, Buckson, Clark, Dugan, Durnall, Esham, Evans, Hurley, Hutchinson, Joseph, Kelton, Lekites, Peel, Pierce, Pool, Shaw, Simon, Steele, Warren, White, Wright, Zebley, Mr. Speaker—23.

NAYS—Messrs. Bailey, Brogan, Brown, Dill, Hughes, Rentz, Tyndall—7.

So the question was decided in the affirmative and House Substitute for House Bill No. 2 was ordered restored to the Calendar.

On motion for leave, Mr. Hughes introduced House Resolution No. 13, entitled:

HOUSE RESOLUTION NO. 13

House Resolution calling upon the Attorney General for his opinion concerning the Liquor Laws of this State.

BE IT RESOLVED by the House of Representatives of the State of Delaware:

That the Attorney General of the State of Delaware be and he is hereby requested to convey to the House of Representatives in writing his opinion of the laws of this State relating to the manufacture and sale of intoxicating liquors enacted by the 104th General Assembly, with respect to the effect thereof since enactment on the safety of our highways, any probable increase in drunkenness, and the illegal traffic of alcoholic liquors, together with his recommendations of any needed change therein which would tend to promote temperance, safety of the highways and assist in a more effective law enforcement.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—33.

NAYS—None.

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

On motion for leave, Mr. Hughes introduced House Resolution No. 14, entitled:

HOUSE RESOLUTION NO. 14

House Resolution calling upon the Delaware Liquor Commission for information concerning the income from the tax on Alcoholic Liquors.

BE IT RESOLVED by the House of Representatives of the State of Delaware:

That the Delaware Liquor Commission be and it is hereby requested to convey to the House of Representatives in writing its opinion of the laws of this State relating to the manufacture and sale of intoxicating liquors enacted by the 104th General Assembly, with respect to the feasibility of reducing the State tax on the manufacture and sale of alcoholic liquors with the view of the elimination of the illegal traffic therein, together with its opinion concerning the effect of such reduction on the income derived therefrom by the State of Delaware.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall Warren, White, Wright, Zebley, Mr. Speaker—34.

NAYS—None.

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

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

Motion prevailed.

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

House met at expiration of recess.

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

House Concurrent Resolution No. 4, entitled:

Upon the death of Honorable Lee Stevens.

And returned the same to the House.

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

Senate Bill No. 6, entitled:

An Act authorizing the Secretary of State to procure a new press and seal of office.

And presented the same to the House.

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

Senate Concurrent Resolution No. 6, entitled:

Upon the death of the Honorable Clarence E. Poole.

And presented the same to the House.

Mr. Evans, on motion for leave, introduced House Bill No. 10, entitled:

An Act to amend Chapter 44, Revised Code of Delaware, by exempting from assessment and taxation property of corporations organized for the purpose of medical or dental aid or education.

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

Mr. Evans, on motion for leave, introduced House Bill No. 11, entitled:

An Act making an appropriation to St. Michael's Home for Babies.

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

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

Senate Bill No. 5, entitled:

An Act agreeing to the proposed amendment of Section 17, of Article 2, of the Constitution of the State of Delaware, relative to the sale of lottery tickets, pool selling and other forms of gambling.

And presented the same to the House.

The Chair presented Senate Bill No. 5, entitled:

An Act agreeing to the proposed amendment of Section 17, of Article 2, of the Constitution of the State of Delaware, relative to the sale of lottery tickets, pool selling and other forms of gambling.

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

The Speaker announced he is about to sign:

Senate Concurrent Resolution No. 1.

Senate Concurrent Resolution No. 2.

Senate Concurrent Resolution No. 3.

Senate Concurrent Resolution No. 4.

Senate Concurrent Resolution No. 5.

Mr. Joseph, on behalf of the Committee on Revised Statutes, to whom had been referred, House Bill No. 6, entitled:

An Act to amend Chapter 12 of the Revised Code of Delaware (1915) and providing for the monthly payment of salaries of State officials and employees.

Reported the same back to the House favorably.

FRANK L. JOSEPH, *Chairman*
ALVIN O. BAKER
BURTON S. HEAL
G. R. CLARK
W. T. HOBSON

Mr. Joseph, on behalf of the Committee on Revised Statutes, to whom had been referred, House Bill No. 7, entitled:

An Act to amend An Act relating to fees, and duties of Constables in Sussex County, being Chapter 111, Volume 37, Laws of Delaware.

Reported the same back to the House favorably.

FRANK L. JOSEPH, *Chairman*
BURTON S. HEAL
ALVIN O. BAKER
G. R. CLARK
W. T. HOBSON

Mr. Joseph, on behalf of the Committee on Revised Statutes, to whom had been referred, House Bill No. 8, entitled:

An Act to amend 2995, Sec. 4 of Chapter 85 of the Revised Code of Delaware, relating to the issuance of marriage licenses.

Reported the same back to the House favorably.

FRANK L. JOSEPH, *Chairman*
ALVIN O. BAKER
BURTON S. HEAL
G. R. CLARK
W. T. HOBSON

Mr. Lyons, on behalf of the Committee on Miscellaneous, to whom had been referred, Senate Bill No. 5, entitled:

An Act agreeing to the proposed amendment to Section 17 of Article 2, of the Constitution of the State of Delaware, relative to the sale of lottery tickets, pool selling and other forms of gambling.

Reported the same back to the House favorably.

HARRY V. LYONS
MORRIS SIMON
LEO DUGAN
BURTON S. HEAL
WALTER J. PASKEY

On motion for leave, Mr. Bailey introduced House Resolution No. 15, entitled:

HOUSE RESOLUTION NO. 15

House Resolution calling upon the State Auditor concerning costs for legal services.

BE IT RESOLVED by the House of Representatives of the State of Delaware:

That the State Auditor be and he is hereby requested to furnish to the House of Representatives an itemized list of all costs paid by the State of Delaware for legal services rendered to the several State Boards and Commissions of the State of Delaware.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—34.

NAYS—None.

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

Mr. Wright, on motion for leave, introduced House Bill No. 12, entitled:

An Act to authorize the Mayor and Council of Laurel, Delaware, to borrow Twenty-seven Thousand Dollars (\$27,000.00) to redeem certain outstanding bonds and various forms of indebtedness of the Mayor and Council of Laurel, Delaware.

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

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

An Act to relieve the people of New Castle County from the hardships and suffering caused by unemployment, creating and organizing for such purpose a Temporary Emergency Relief Commission, prescribing its powers and duties, providing the necessary funds therefor, and authorizing the Levy Court of New Castle County to perform work as an independent contractor for the purpose of providing relief hereby contemplated.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—34.

NAYS—None.

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

And was ordered to the Senate for concurrence.

Mr. Simon moved that the House adjourn until 12 o'clock, noon, January 16th, 1935.

Motion prevailed.

«NINTH LEGISLATIVE DAY»

Dover, Delaware, January 16, 1935, 12:30 o'clock, P. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. W. S. Cantwell.

Roll called.

Members Present—Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—34.

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

Motion prevailed.

On motion for leave, Mr. Brown introduced House Resolution No. 16, entitled:

HOUSE RESOLUTION NO. 16

House Resolution asking the State Tax Department for information concerning the Income Tax.

BE IT RESOLVED by the House of Representatives of the State of Delaware:

That the State Tax Department be and it is hereby requested to furnish to the House of Representatives a report showing the probable increase in the revenue of the State derived from the income tax by increasing the tax rate on net incomes in excess of Ten Thousand Dollars (\$10,000.) per year from three per cent to four per cent.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—34.

NAYS—None.

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

On motion for leave, Mr. Paskey introduced House Resolution No. 17, entitled:

HOUSE RESOLUTION NO. 17

House Resolution calling upon the State Department of Agriculture for information concerning plans for assistance to the Farmers of the State.

BE IT RESOLVED by the House of Representatives of the State of Delaware:

That the State Department of Agriculture be and it is hereby requested to submit to the House of Representatives a report showing in detail any and all plans and policies formulated by said department for the assistance of the farmers of this State for bettering the agricultural conditions in the State and increasing the income of our farmers.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—32.

NAYS—None.

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

Mr. Simon moved that the House recess until 2 o'clock, P. M.

Motion prevailed.

Same Day, 2:45 o'clock, P. M.

House met at expiration of recess.

On motion of Mr. Brogan, Senate Bill No. 5, entitled:

An Act agreeing to the proposed amendment of Section 17, of Article 2, of the Constitution of the State of Delaware, relative to the sale of lottery tickets, pool selling and other forms of gambling.

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

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

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

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

YEAS—Messrs. Bailey, Brogan, Buckson, Clark, Dill, Dugan, Durnall, Evans, Heal, Hughes Hutchinson, Kelton, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, White, Zebley, Mr. Speaker—24.

NAYS—Messrs. Brown, Esham, Hobson, Hurley, Joseph, Lekites, Tyndall, Warren, Wright—9.

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

And was ordered returned to the Senate.

Mr. Heal, on motion for leave, introduced House Bill No. 13, entitled:

An Act making appropriations for the payment of certain school bonds maturing during the fiscal years beginning July 1, 1935, and ending June 30, 1937.

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

The Speaker announced he is about to sign:

House Concurrent Resolution No. 2.

House Concurrent Resolution No. 3.

House Concurrent Resolution No. 4.

On motion for leave, Mr. Hughes introduced House Resolution No. 18, entitled:

HOUSE RESOLUTION NO. 18

House Resolution calling upon the Fish and Game Commission for information concerning the Oyster Industry of this State.

BE IT RESOLVED by the House of Representatives of the State of Delaware:

That the Fish and Game Commission be and it is hereby requested to furnish to the House of Representatives a report showing its opinion as to the probable increase in the income to the citizens of Delaware from the oyster industry if the conditions in the Delaware River, the Delaware Bay and several rivers and creeks in the State of Delaware flowing therein were made more sanitary.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—29.

NAYS—Messrs. Dugan, Durnall, Esham, Evans, Kelton—5.

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

Mr. Heal, on motion for leave, introduced House Bill No. 14, entitled:

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

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

On motion for leave, Mr. Simon introduced House Concurrent Resolution No. 5, entitled:

HOUSE CONCURRENT RESOLUTION NO. 5

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

That a Joint Session of the General Assembly of the State of Delaware be held on Tuesday, February 12, 1935, at two o'clock in the afternoon, to commemorate the birth of Abraham Lincoln.

BE IT FURTHER RESOLVED that the President Pro Tempore of the Senate be authorized to appoint three members of the Senate, and the Speaker of the House of Representatives be authorized to appoint three members of the House of Representatives, to constitute a committee to arrange a suitable program for the commemoration services.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—33.

NAYS—None.

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

And was ordered to the Senate for concurrence.

The Chair presented Senate Bill No. 6, entitled:

An Act authorizing the Secretary of State to procure a new press and seal of office.

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

The Chair presented Senate Concurrent Resolution No. 6, entitled:

SENATE CONCURRENT RESOLUTION NO. 6

Upon the Death of Honorable Clarence E. Poole.

WHEREAS, in the death of the Honorable Clarence E. Poole an honored and respected member of the House of Representatives, during the Session of 1913, this State has lost a respected and useful citizen; and

WHEREAS, it is fitting that this General Assembly give expression of its sense of loss to the State, and its sympathy to the family of the late Representative Poole; NOW, THEREFORE,

BE IT RESOLVED, by the Senate, the House of Representatives concurring therein, that this General Assembly, on behalf of its members, and on behalf of the citizens of this State, does hereby express sincere regret at the death of the Honorable Clarence E. Poole, and emphasizes its sincere appreciation of his valuable services to the State; and

That we extend to his family the sincere sympathy of this General Assembly; and

That a copy of these resolutions be entered in the Journal, a copy be delivered to the press, and a copy be sent to his family.

On motion of Mr. Evans, Senate Concurrent Resolution No. 6, entitled:

SENATE CONCURRENT RESOLUTION NO. 6

Upon the Death of Honorable Clarence E. Poole.

WHEREAS, in the death of the Honorable Clarence E. Poole an honored and respected member of the House of Representatives, during the Session of 1913, this State has lost a respected and useful citizen; and

WHEREAS, it is fitting that this General Assembly give expression of its sense of loss to the State, and its sympathy to the family of the late Representative Poole; NOW, THEREFORE,

BE IT RESOLVED, by the Senate, the House of Representatives concurring therein, that this General Assembly, on behalf of its members, and on behalf of the citizens of this State, does hereby express sincere regret at the death of the Honorable Clarence E. Poole, and emphasizes its sincere appreciation of his valuable services to the State; and

That we extend to his family the sincere sympathy of this General Assembly; and

That a copy of these resolutions be entered in the Journal, a copy be delivered to the press, and a copy be sent to his family.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—34.

NAYS—None.

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

And was ordered returned to the Senate.

Mr. Heal, on motion for leave, introduced House Bill No. 15, entitled:

An Act appropriating moneys from the State Treasury for the purpose of paying interest and maturities on certain Highway Improvement Bonds and State Aid Road Bonds, issued by the Levy Courts of New Castle, Kent and Sussex Counties, and maturing during the fiscal biennium of the State of Delaware, ending June 30, 1937.

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

Mr. Pierce, on motion for leave, introduced House Bill No. 16, entitled:

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

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

Mr. Simon moved that the House adjourn until 12 o'clock, noon, January 17th, 1935.

Motion prevailed.

«TENTH LEGISLATIVE DAY»

Dover, Delaware, January 17, 1935, 12 o'clock, Noon

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. W. S. Cantwell.

Roll called.

Members Present—Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—34.

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

Motion prevailed.

Mr. Joseph, on behalf of the Committee on Revised Statutes, to whom had been referred, House Bill No. 15, entitled:

An Act appropriating moneys from the State Treasury for the purpose of paying interest and maturities on certain Highway Improvement Bonds and State Aid Road Bonds, issued by the Levy Courts of New Castle, Kent and Sussex Counties, and maturing during the fiscal biennium of the State of Delaware, ending June 30, 1937.

Reported the same back to the House favorably.

FRANK L. JOSEPH, *Chairman*
BURTON S. HEAL
GEORGE R. CLARK
WILLIAM T. HOBSON
A. O. BAKER

Mr. Lyons, on behalf of the Committee on Miscellaneous, to whom had been referred, Senate Bill No. 6, entitled:

An Act authorizing the Secretary of State to procure a new press and seal of office.

Reported the same back to the House favorably.

HARRY V. LYONS
LEO J. DUGAN
BURTON S. HEAL

Mr. Rentz, on motion for leave, introduced House Bill No. 17, entitled:

An Act to repeal Chapter 132 of Volume 32, Laws of Delaware, entitled "An Act authorizing the Town Commissioners of Frederica to borrow Fifteen Thousand Dollars, and to issue bonds therefor, for the purpose of acquiring in any manner and establishing and maintaining a Water Plant for the Town of Frederica.

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

Mr. Rentz, on motion for leave, introduced House Bill No. 18, entitled:

An Act authorizing the Town Commissioners of Frederica to borrow Fifteen Thousand Dollars, and to issue bonds therefor, for the purpose of acquiring in any manner and establishing and maintaining a Water Plant for the Town of Frederica.

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

Mr. Simon, on behalf of the Committee on Appropriations, to whom had been referred, House Bill No. 14, entitled:

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

Reported the same back to the House favorably.

MORRIS SIMON
JOS. M. BROGAN
HARRY V. LYONS
FRANK R. ZEBLEY
BURTON S. HEAL

Mr. Simon, on behalf of the Committee on Appropriations, to whom had been referred, House Bill No. 13, entitled:

An Act making appropriations for the payment of certain School Bonds maturing during the fiscal years beginning July 1, 1935, and ending June 30, 1937.

Reported the same back to the House favorably.

MORRIS SIMON
JOS. M. BROGAN
HARRY V. LYONS
FRANK R. ZEBLEY
BURTON S. HEAL

Mr. Buckson, on motion for leave, introduced House Bill No. 19, entitled:

An Act to amend An Act entitled "An Act changing the name of 'The Town of Dover' to 'The City of Dover' and establishing a charter therefor" by exempting certain real estate from municipal taxation.

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

Mr. Simon moved that 250 copies of House Bill No. 5 be printed.

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—33.

NAYS—None.

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

On motion for leave, Mr. Hurley introduced House Resolution No. 19, entitled:

HOUSE RESOLUTION NO. 19

BE IT RESOLVED that the Treasurer of the State of Delaware, is hereby authorized and directed to pay from the General Fund of the State Treasury of the State of Delaware otherwise not appropriated upon the order of the Speaker of the House of Representatives amounts not greater than fifty dollars (\$50) as a part payment and compensation to attaches and employees of the House of Representatives who have been appointed by motion duly carried or by resolution of that body, and which are part of the expenses connected with this Session.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, White, Wright, Zebley, Mr. Speaker—32.

NAYS—None.

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

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

House Concurrent Resolution No. 5, entitled:

That a Joint Session of the General Assembly of the State of Delaware be held on Tuesday, February 12, 1935, at two o'clock in the afternoon to commemorate the birth of Abraham Lincoln.

And returned the same to the House.

On motion for leave, Mr. Simon introduced House Concurrent Resolution No. 6, entitled:

HOUSE CONCURRENT RESOLUTION NO. 6

BE IT RESOLVED by the House of Representatives of the State of Delaware, the Senate concurring therein, that at the end of the legislative day of January 17, 1935, both Houses of the One Hundred and Fifth General Assembly shall adjourn until Monday, January 21, 1935, at twelve o'clock, noon.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker.

NAYS—None.

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

Ordered to the Senate for concurrence.

In accordance to House Concurrent Resolution No. 5, the Speaker appointed the following Committee to prepare a program for the Lincoln Anniversary on February 12, 1935:

Mr. HEAL
Mr. BROWN
Mr. HURLEY

Mr. Simon moved that the House recess until 2 o'clock, P. M.

Motion prevailed.

Same Day, 3:15 o'clock, P. M.

House met at expiration of recess.

The Speaker announced he is about to sign:

House Concurrent Resolution No. 5.

Br. Black, Secretary of the Senate, being admitted, informed the House that the Senate had not concurred in the following:

House Concurrent Resolution No. 6, entitled:

BE IT RESOLVED by the House of Representatives of the State of Delaware, the Senate concurring therein, that at the end of the legislative day of January 17, 1935, both Houses of the One Hundred and Fifth General Assembly shall adjourn until Monday, January 21, 1935, at twelve o'clock, noon.

And returned the same to the House.

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

Senate Concurrent Resolution No. 7, entitled:

Commemorating the anniversary of the birth of Thomas McKean.

And presented the same to the House.

Mr. Heal, on motion for leave, introduced House Bill No. 20, entitled:

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

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

The Speaker announced he is about to sign:

Senate Bill No. 5.

Senate Concurrent Resolution No. 6.

Mr. Simon moved that the House adjourn until 12 o'clock, noon, January 18th, 1935.

Motion prevailed.

«ELEVENTH LEGISLATIVE DAY»

Dover, Delaware, January 18, 1935, 12:40 o'clock, P. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. W. S. Cantwell.

Roll called.

Members Present—Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—34.

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

Motion prevailed.

Mr. Heal, on motion for leave, introduced House Bill No. 21, entitled:

An Act to amend Article 8, Chapter 6 of the Revised Code of the State of Delaware as amended by Chapter 6, Volume 36, Laws of Delaware.

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

Mr. Buckson, on motion for leave, introduced House Bill No. 22, entitled:

An Act to amend Chapter 90 of the Revised Code of the State of Delaware (1915) relative to the regulation of the hours of employment of females.

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

Mr. Simon presented a statement by the State Auditor, to be read:

STATEMENT OF GENERAL FUND

ESTIMATED, January 1, 1935 to February 1, 1935

Balance, January 1, 1935	\$91,280.67
Estimated Income for January	50,471.66
	<hr/>
	\$141,732.33
Deduct: Disbursements to date, 1/17/35	141,752.33
	<hr/>
Balance	NONE
	<hr/>
(Needed for remainder of month of January.....)	\$100,000.00)

STATEMENT OF GENERAL FUND

ESTIMATED, January 1, 1935 to June 30, 1935

Balance, January 1, 1935	\$91,280.67
Estimated Income for Period	630,995.82
	<hr/>
	\$722,276.49
Deduct: Unexpended Balance of Appropriations..	1,408,364.41
	<hr/>
Deficit, June 30, 1935	\$686,087.92
	<hr/>

(See Page 17, Budget)

J. HENRY HAZEL

Jan. 17, 1935.

Auditor of Accounts

Mr. Pierce, on motion for leave, introduced House Bill No. 23, entitled:

An Act for better protection against smallpox.

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

Mr. Steele, on motion for leave, introduced House Bill No. 24, entitled:

An Act to amend Chapter 44, of the Revised Code of the State of Delaware (as amended by Chapter 79, Volume 28; Chapter 73, Volume 29; and Chapter 77, Volume 30; Laws of Delaware) in relation to the salary of the members of the Board of Assessment of Sussex County.

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

Mr. Evans, on behalf of the Committee on Corporations, Municipal, to whom had been referred, House Bill No. 19, entitled:

An Act to amend An Act entitled "An Act changing the name of 'The Town of Dover' to 'The City of Dover' and establishing a charter therefor," by exempting certain real estate from municipal taxation.

Reported the same back to the House favorably.

JAMES S. EVANS
LEO J. DUGAN
LEROY B. HURLEY
GEORGE IRVIN DURNALL
JOS. M. BROGAN

Mr. Evans, on behalf of the Committee on Corporations, Municipal, to whom had been referred, House Bill No. 12, entitled:

An Act to authorize the Mayor and Council of Laurel, Del., to borrow Twenty-seven Thousand Dollars (\$27,000) to redeem certain outstanding bonds and various forms of indebtedness of the Mayor and Council of Laurel, Delaware.

Reported the same back to the House favorably.

JAMES S. EVANS
GEORGE IRVIN DURNALL
LEROY B. HURLEY
LEO J. DUGAN
JOS. M. BROGAN

The Chair presented Senate Concurrent Resolution No. 7, entitled:

Commemorating the anniversary of the birth of Thomas McKean.

On motion of Mr. Lyons, Senate Concurrent Resolution No. 7, entitled:

Commemorating the anniversary of the birth of Thomas McKean.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—34.

NAYS—None.

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

And was ordered returned to the Senate.

Mr. Pool moved that the House recess until 2 o'clock, P. M.

Motion prevailed.

Same Day, 4:15 o'clock, P. M.

House met at expiration of recess.

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

House Bill No. 5, entitled:

An Act to relieve the people of New Castle County from the hardships and suffering caused by unemployment, creating and organizing for such purpose a Temporary Emergency Relief Commission, prescribing its powers and duties, providing the necessary funds therefor, and authorizing the Levy Court of New Castle County to perform work as an independent contractor for the purpose of providing relief hereby contemplated.

And returned the same to the House.

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

Senate Concurrent Resolution No. 8, entitled:

Assigning George N. Davis, one of the Attorneys for the Senate, to special duty.

And presented the same to the House.

The Chair presented Senate Concurrent Resolution No. 8, entitled:

Assigning George N. Davis, one of the Attorneys for the Senate, to special duty.

On motion of Mr. Lyons, Senate Concurrent Resolution No. 8, entitled:

Assigning George N. Davis, one of the Attorneys for the Senate, to special duty.

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

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

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

YEAS—Messrs. Baker, Brown, Buckson, Clark, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hurley, Hutchinson, Joseph, Kelton, Lekites, Peel, Pierce, Rentz, Shaw, Simon, Steele, Tyndall, Warren, Wright, Zebley, Mr. Speaker—26.

NAYS—None.

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

And was ordered returned to the Senate.

Mr. Simon moved that the House adjourn until 12 o'clock, noon, January 21, 1935.

Motion prevailed.

«TWELFTH LEGISLATIVE DAY»

Dover, Delaware, January 21, 1935, 12:30 o'clock, P. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. W. S. Cantwell.

Roll called.

Members Present—Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—34.

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

Motion prevailed.

Mr. Zebley, on motion for leave, introduced House Bill No. 25, entitled:

An Act authorizing the Levy Court of New Castle County to sell certain real estate situate in said county.

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

Mr. Buckson, on motion for leave, introduced House Bill No. 26, entitled:

An Act to amend Chapter 74 of the Revised Code of the State of Delaware as amended regulating the taking of lobsters.

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

Mr. Buckson, on motion for leave, introduced House Bill No. 27, entitled:

An Act to amend Chapter 74 of the Revised Code of the State of Delaware as amended by providing uniform laws to regulate the catching and taking of menhaden, sharks, porpoises, and herring-hogs from the waters of the Atlantic Ocean and Delaware Bay.

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

On motion for leave, Mr. Simon introduced House Concurrent Resolution No. 7, entitled:

HOUSE CONCURRENT RESOLUTION NO. 7

WHEREAS, in the death of Honorable Carroll B. Massey, who was an honored and respected member of the House of Representatives of the State of Delaware in the One Hundredth General Assembly, this State has lost a useful and valued servant; and

WHEREAS, it is fitting that this General Assembly give public expression and offer, its sympathy to the family of the late Mr. Massey in their bereavement, now therefore

BE IT RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF DELAWARE IN GENERAL ASSEMBLY MET:

That the General Assembly, on behalf of the citizens of the State of Delaware, does hereby express deep regret at the death of the Honorable Carroll B. Massey of Dover, and emphasizes their full and sincere appreciation of his services to his State;

That we extend to his family the sincere sympathy of this General Assembly;

That a copy of these resolutions be spread at large upon the Journal, a copy delivered to the press, and a copy sent to his family.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—34.

NAYS—None.

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

And was ordered to the Senate for concurrence.

Mr. Pierce, on behalf of the Committee on Public Health, to whom had been referred, House Bill No. 23, entitled:

An Act for better protection against smallpox.

Reported the same back to the House favorably.

W. R. PIERCE
JAS. S. EVANS
HENRY C. WHITE
A. O. BAKER
C. B. BROWN

Mr. Clark moved that the House recess to the call of the Chair.

Motion prevailed.

Same Day, Later

Chair called House to order.

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

Motion prevailed.

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

House met at expiration of recess.

The Speaker announced he is about to sign:

House Bill No. 5.

Mr. Dugan, on motion for leave, introduced House Bill No. 28, entitled:

An Act to provide revenue for the relief of certain poor, resident in New Castle County and for the payment to the Levy Court of New Castle County of moneys advanced by the said Levy Court subsequent to January first, 1935, for the support of said poor.

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

Mr. Evans, on motion for leave, introduced House Bill No. 29, entitled:

An Act making an appropriation to the Board of Public Education in Wilmington, to be used by it to renovise, improve and eliminate fire hazards from the Wilmington High School, located at Delaware Avenue and Monroe Street, in the City of Wilmington, State of Delaware.

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

Mr. Brogan moved that 100 copies of House Bill No. 28 be printed.

Motion prevailed.

The Speaker announced he is about to sign:

Senate Concurrent Resolution No. 7.

Mr. Dugan, on motion for leave, introduced House Bill No. 30, entitled:

An Act to amend Chapter 82 of the Revised Code of the State of Delaware (1915), providing that jurisdiction shall be before Justices of the Peace or the Municipal Court of Wilmington for violations thereof.

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

On motion for leave, Mr. White, introduced House Resolution No. 21, entitled:

HOUSE RESOLUTION NO. 21

BE IT RESOLVED by the House of Representatives of the State of Delaware in General Assembly met that the Speaker of the House be and he is hereby authorized and directed to appoint a Committee of Three Members to act on the part of the House of Representatives to extend an invitation to the Reverend William A. Sunday to address the House of Representatives during its present session.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—32.

NAYS—Mr. Hughes—1.

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

Mr. Brogan, on motion for leave, introduced House Bill No. 31, entitled:

An Act appropriating Three Hundred and Fifty Thousand Dollars for the purpose of erecting and furnishing an elementary school within the territory comprising the Fifth Representative District in Wilmington.

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

Mr. Steele, on motion for leave, introduced House Bill No. 32, entitled:

An Act to amend Chapter 74 of the Revised Code of the State of Delaware, relating to the closed season for shad, etc.

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

Mr. Simon moved that the House adjourn until 12 o'clock, noon, January 22, 1935.

Motion prevailed.

THIRTEENTH LEGISLATIVE DAY

Dover, Delaware, January 22, 1935, 12:35 o'clock, P. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. W. S. Cantwell.

Roll called.

Members Present—Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—34.

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

Motion prevailed.

DATA REQUESTED BY HOUSE OF REPRESENTATIVES
OF THE STATE OF DELAWARE UNDER
HOUSE RESOLUTION NO. 14

The excess of receipts over expenditures of the Delaware Liquor Commission for the year June 30, 1934-June 30, 1935, will probably amount to \$220,000. There is no certainty that the experience of this year will be the experience of an average year as we do not have any data upon which to base it. We feel certain, however, in saying that the excess of receipts over expenditures will amount to \$170,000 each year if conditions and taxes remain as they are at present; so, that the taxes and license fees could be reduced to the extent of \$170,000 without in any way impairing the activities of the Delaware Liquor Commission as they now exist.

REVENUE—JULY 1, 1934 TO JANUARY 17, 1935

Receipts from license fees.....	\$110,102.45
Receipts from sale of beer stamps.....	41,919.59
Receipts from tax on spirits.....	93,365.86
Receipts from tax on wines.....	5,381.88

As a sample of what effect reduction in tax would have upon revenue, we may say that if the tax on spirits, containing more than 25% ethyl alcohol by volume, as provided in Section 16, paragraph 6, was amended to read:-

For each gallon of spirits on which the purchase price paid by the importer shall be more than \$12.00 per gallon \$1.00

For each gallon of spirits on which the purchase price paid by the importer shall be not more than \$12.00 per gallon and not less than \$8.00 per gallon \$0.75

For each gallon of spirits on which the purchase price paid by the importer shall be not more than \$8.00 per gallon \$0.50

it would mean a loss of collections of \$50,000 per year.

If the tax was amended to read:-

For each gallon of spirits on which the purchase price paid by the importer shall be more than \$16.00 per gallon \$1.00

For each gallon of spirits on which the purchase price paid by the importer shall be not more than \$16.00 per gallon and not less than \$12.00 per gallon \$0.75

For each gallon of spirits on which the purchase price paid by the importer shall be not more than \$12.00 per gallon and not less than \$8.00 per gallon \$0.50

For each gallon of spirits on which the purchase price paid by the importer shall be not more than \$8.00 per gallon \$0.25

it would mean a loss of \$95,000 per year.

We believe that any reduction in tax that can be reflected in the price of the product would be a help in reducing the illegal sale of liquor.

DELAWARE LIQUOR COMMISSION

By: A. J. TAYLOR, Executive Secretary

Mr. Simon moved that the report from the Delaware Liquor Commission be made a part of the Journal.

Motion prevailed.

STATE OF DELAWARE

OFFICE OF AUDITOR OF ACCOUNTS

Dover, Del., January 22, 1935

Mr. H. V. Lyons
Speaker of the House of Representatives
State Legislative Building
Dover, Delaware

Dear Sir:

In answer to House Resolution No. 15. The State Highway Department spent for legal services in the calendar year 1934, eleven thousand three hundred and sixty-seven dollars and twenty-eight cents (\$11,367.28), the State Board of Education one thousand fifty-five dollars (\$1,055.00), and the State Tax Department five thousand seventy-eight dollars and twenty cents (\$5,078.20).

Very truly yours,

J. HENRY HAZEL

JHH:EDC

State Auditor

Mr. Simon moved that the report from the State Auditor be made a part of the Journal.

Motion prevailed.

Mr. Simon, on behalf of the Committee on Appropriations, to whom had been referred, House Bill No. 21, entitled:

An Act to amend Article 8, Chapter 6 of the Revised Code of the State of Delaware as amended by Chapter 6, Volume 36, Laws of Delaware.

Reported the same back to the House favorably.

MORRIS SIMON
HARRY V. LYONS
FRANK R. ZEBLEY
JOSEPH M. BROGAN
BURTON S. HEAL

Mr. Dugan, on motion for leave, introduced House Bill No. 33, entitled:

An Act providing for the appointment of a Board of Motion Pictures Review; making it unlawful to exhibit prohibited motion pictures in Delaware, and providing penalties.

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

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

House Concurrent Resolution No. 7, entitled:

Expression of sympathy in the death of the Honorable Carroll B. Massey.

And returned the same to the House.

The Speaker announced he is about to sign:

Senate Concurrent Resolution No. 8.

Mr. White, on motion for leave, introduced House Bill No. 34, entitled:

An Act requiring that in the hiring of public school teachers for the public schools of Delaware preference shall be given to residents of Delaware.

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

Mr. Buckson, on motion for leave, introduced House Bill No. 35, entitled:

An Act making an appropriation to Palmer Home, Incorporated.

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

Mr. Simon moved that House Bill No. 16 be recommitted.

Motion prevailed.

The Chair announced that House Bill No. 16 be referred to the Committee on Appropriations.

Mr. Rentz, on motion for leave, introduced House Bill No. 36, entitled:

An Act providing for the licensing of non-resident masters of fishing boats or vessels engaged in the business of carrying fishing parties for hire.

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

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

Motion prevailed.

Same Day, 2:40 o'clock, P. M.

House met at expiration of recess.

On motion of Mr. Joseph, House Bill No. 7, entitled:

An Act to amend An Act relating to fees, and duties of Constables in Sussex County, being Chapter 111, Volume 37, Laws of Delaware.

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

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

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

YEAS—Messrs. Bailey, Baker, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—32.

NAYS—None.

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

And was ordered to the Senate for concurrence.

On motion of Mr. Wright, House Bill No. 12, entitled:

An Act to authorize the Mayor and Council of Laurel, Del., to borrow Twenty-seven Thousand Dollars (\$27,000) to redeem certain outstanding bonds and various forms of indebtedness of the Mayor and Council of Laurel, Delaware.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Mr. Speaker—33.

NAYS—None.

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

And was ordered to the Senate for concurrence.

On motion of Mr. Simon, Senate Bill No. 6, entitled:

An Act authorizing the Secretary of State to procure a new press and seal of office.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—33.

NAYS—None.

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

And was ordered returned to the Senate.

Mr. Simon, on motion for leave, introduced House Bill No. 37, entitled:

An Act providing for the payment of a portion of the cost by the State of Delaware of the construction of a much needed inlet from the Delaware Bay into the Lewes and Rehoboth Canal at Lewes, Delaware, with at least six feet of water at mean low tide and jettied on both sides from the shore line out into the Delaware Bay.

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

Mr. Simon moved that the House recess to the call of the Chair.

Motion prevailed.

Same Day, Later

Chair called the House to order.

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

Senate Bill No. 14, entitled:

An Act to amend An Act entitled "An Act to provide for the regulation, control and licensing of horse racing in the State of Delaware, to create a Delaware Racing Commission, and to prescribe its powers and duties and providing for salaries and expenses therefor, and to provide for the fees to be charged and taxes to be collected for the conduct of horse racing within the State of Delaware and the disposition thereof," being Chapter 62 of Volume 38, Laws of Delaware.

And presented the same to the House.

The Chair presented Senate Bill No. 14, entitled:

An Act to amend An Act entitled "An Act to provide for the regulation, control and licensing of horse racing in the State of Delaware, to create a Delaware Racing Commission, and to prescribe its powers and duties and providing for salaries and expenses therefor, and to provide for the fees to be charged and taxes to be collected for the conduct of horse racing within the State of Delaware and the disposition thereof," being Chapter 62 of Volume 38, Laws of Delaware.

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

Mr. Brogan, on motion for leave, introduced House Bill No. 38, entitled:

An Act to amend Article 5, Chapter 90, Revised Code of Delaware, called and cited as the Delaware Workmen's Compensation Law of 1917, as amended, by extending the provisions of such law to occupational diseases incurred by any employee, otherwise within the provisions of such law.

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

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

An Act to amend An Act entitled "An Act to provide for the regulation, control and licensing of horse racing in the State of Delaware, to create a Delaware Racing Commission, and to prescribe its powers and duties and providing for salaries and expenses therefor, and to provide for the fees to be charged and taxes to be collected for the conduct of horse racing within the State of Delaware and the disposition thereof," being Chapter 62 of Volume 38, Laws of Delaware.

Reported the same back to the House favorably.

HARRY V. LYONS
MORRIS SIMON
BURTON S. HEAL
LEO J. DUGAN
WALTER J. PASKEY

Mr. Simon moved that the House adjourn until 12 o'clock, noon, January 23, 1935.

Motion prevailed.

«FOURTEENTH LEGISLATIVE DAY»

Dover, Delaware, January 23, 1935, 12 o'clock, Noon

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. W. S. Cantwell.

Roll called.

Members Present—Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—34.

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

Motion prevailed.

Mr. Simon moved that the House adjourn until 12 o'clock, noon, January 24, 1935.

Motion prevailed.

«FIFTEENTH LEGISLATIVE DAY»

Dover, Delaware, January 24, 1935, 12 o'clock, Noon

House met pursuant to adjournment.

Prayer by Mr. Herman C. Taylor.

Roll called.

Members Present—Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—34.

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

Motion prevailed.

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

Senate Concurrent Resolution No. 9, entitled:

Accepting invitation of Taxpayers Research League to the Members of the One Hundred and Fifth General Assembly to luncheon.

And presented the same to the House.

The Chair presented Senate Concurrent Resolution No. 9, entitled:

Accepting invitation of Taxpayers Research League to the Members of the One Hundred and Fifth General Assembly to luncheon.

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

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

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

YEAS—Messrs. Baker, Brogan, Brown, Buckson, Esham, Hughes, Hurley, Joseph, Lekites, Paskey, Peel, Pierce, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Wright, Mr. Speaker—20.

NAYS—None.

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

Ordered returned to the Senate.

Mr. Simon moved that the House adjourn until 12 o'clock, noon, Friday, January 25, 1935.

Motion prevailed.

«SIXTEENTH LEGISLATIVE DAY»

Dover, Delaware, January 25, 1935, 12:40 o'clock, P. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. W. S. Cantwell.

Roll called.

Members Present—Bailey, Baker, Brown, Buckson, Clark, Dugan, Esham, Evans, Heal, Hughes, Hurley, Joseph, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Mr. Speaker—27.

Clerk proceeded to read the Journal of the Previous Sesison, when Mr. Evans moved so much be considered the reading of the Journal and the Journal be approved.

Motion prevailed.

The following communication was read:

STATE OF DELAWARE

OFFICE OF THE ATTORNEY GENERAL

Wilmington, Del., January 25, 1935

Members of the House of Representatives,
Legislative Hall,
Dover, Delaware.

Dear Sirs:

I am in receipt of your Resolution No. 13, calling upon the Attorney General for his opinion concerning the liquor laws of this State, by the body of which Resolution you ask my opinion "of the laws of this State relating to the manufacture and sale of intoxicating liquors enacted by the 104th General Assembly, with respect to the effect thereof since the enactment of the safety of our highways, any probable increase in drunkenness, and the illegal traffic of alcoholic liquors, together with his recommendations of any needed change therein which would tend to promote temperance, safety of the highways and assist in a more effective law enforcement."

Under the law creating The Delaware Liquor Commission, by Section 5 (13) the Commission is required to make an annual report, setting out certain definite information and such other data as may make a complete report to the people of the State. This report, I understand, has been made, and a copy thereof sent to your Body, and I most respectfully call your attention thereto, as this report deals primarily with the matters covered by your Resolution, and such matters come to this office along with other violations of law.

My investigation into this matter shows the following:-

WILMINGTON ONLY

	<i>Drunkenness</i>	<i>Driving While Intoxicated</i>	<i>Disorderly Conduct</i>
One year to June 30th			
1930	1442	177	636
1931	1207	178	692
1932	1185	126	747
1933	1269	93	754
1934	1627	129	827
Six Months to 12/31/34	700	55	301

ARRESTS BY DELAWARE STATE POLICE

<i>Year</i>	<i>Drunk and Disorderly</i>	<i>Disorderly Conduct</i>	<i>Driving While Intoxicated</i>
1932 - - -	142	84	204
1933 - - -	210	91	209
1934 - - -	226	114	211

ACCIDENTS WHERE OPERATOR HAD BEEN DRINKING

	<i>Wilmington</i>	<i>Persons Injured</i>	<i>Outside of Wilmington</i>
One year to June 30th	<i>Total</i>		
1930 - -	14	1	
1931 - -	23	6	
1932 - -	19	7	68
1933 - -	28	9	71 (3 FATAL)
1934 - -	34	9	67 (4 FATAL)
Six Months to 12/31/34	13	5	

PEDESTRIANS INTOXICATED

	<i>Wilmington</i>	<i>Outside of Wilmington</i>
One year to June 30th		
1930 - - -	17	
1931 - - -	16	
1932 - - -	8	11 (5 FATAL)
1933 - - -	23	10 (2 FATAL)
1934 - - -	30	13 (4 FATAL)
Six Months to 12/31/34 - -	15 (1 FATAL)	

LICENSES REVOKED FOR DRIVING WHILE INTOXICATED

<i>Year</i>	<i>Delaware Operators</i>	<i>Outside Operators</i>	<i>Total</i>
1933 - - - - -	197	98	295
1934 - - - - -	224	118	342

MOTOR VEHICLE ACCIDENTS

<i>Year</i>	<i>Wilmington</i>	<i>Outside of Wilmington</i>
1930 - - - - -	1669	
1931 - - - - -	1702	
1932 - - - - -	1535	922
1933 - - - - -	1674	830
1934 - - - - -	1844	922

PERSONS INJURED

<i>Year</i>	<i>Wilmington</i>	<i>Outside of Wilmington</i>
1930 - - - - -	375	
1931 - - - - -	490	
1932 - - - - -	531	821
1933 - - - - -	597	775
1934 - - - - -	616	793

PERSONS KILLED

<i>Year</i>	<i>Wilmington</i>	<i>Outside of Wilmington</i>
1930 - - - - -	12	
1931 - - - - -	17	
1932 - - - - -	13	72
1933 - - - - -	9	70
1934 - - - - -	14	69

As the foregoing shows, it cannot be stated with any degree of certainty that the lawful sale of intoxicating liquors has increased automobile accidents in this State, but there is no doubt that there is an increase in the number of persons arrested for drunkenness and disorderly conduct. To some measure the strict

enforcement of the law against driving while under the influence of intoxicating liquor has unquestionably reduced the number of persons who have endeavored to operate a motor vehicle after drinking, and also, the preventive measures taken by our peace officers in watching operators of motor vehicles frequenting places where liquor is sold, and cautioning the operator not to drive his car, whereupon the car is operated by a person who has not been drinking.

Personally I feel that in a large measure the number of motor accidents in this State, which as shown in the foregoing figures in 1934, were 2,766, wherein 1,409 persons were injured and 83 killed, is attributable in the majority of cases to recklessness by skillful drivers, who although well skilled in the operation of a motor vehicle, just happen to be taking a chance which caused the accident. There is, however, no excuse for a person to operate an automobile while under the influence of liquor, and I feel that our present law should be changed to provide a compulsory imprisonment of 5 to 25 days, upon proof by at least two witnesses that the person was operating a motor vehicle while under the influence of intoxicating liquors, and providing that there should be no appeal, as such imprisonment is not of that period as provided in the Constitution which grants the right of appeal to the Court of General Sessions.

In Pennsylvania the Courts are now uniformly imposing a prison sentence of from 2 to 3 years, and I am advised that such has a most wholesome effect in that a person after drinking does not even contemplate the operation of his motor vehicle.

I thereupon make the suggestion of the change of law with a summary jurisdiction of from 5 to 25 days imprisonment, believing that if it is realized that upon conviction imprisonment is certain, that the driving of motor vehicles after drinking will greatly decrease.

I further recommend that a definite statute be passed, dealing with the killing of a person arising out of the criminally negligent operation of a motor vehicle. At the present time such is known as involuntary manslaughter and is a felony with a punishment of not more than \$10,000.00 or imprisonment up to 30 years, or both. Such offenses are tried before the Court of Oyer and Terminer, which requires the presence of three Judges.

I suggest, and have presented, a Bill providing that the unlawful killing of a person in connection with the operation of a motor vehicle shall be a misdemeanor triable in our Court of General Sessions as other cases are tried before one or two Judges, and shall be punished by fine or imprisonment in the discretion of the Court.

ILLEGAL TRAFFIC IN ALCOHOLIC LIQUORS

Since the passage of the Liquor Control Act, there is no question that the illegal selling of alcoholic liquors has greatly decreased, although as long as there is a profit to be derived therefrom, there will always be illegal selling, transportation and possession of intoxicating liquors.

The principal problem with which this office has had to deal has been the transportation and possession of illegal liquor, especially of green whiskey and of alcohol in quantities greater than a quart, especially in one gallon and five gallon containers. With legal liquor there is no reason why there should be any violation of our present law, and I recommend to your consideration legislation making it illegal to transport or possess liquor that has not been lawfully purchased. Such a measure would protect the individual, the lawful merchant, and assure to the State the revenue as provided by law, and also decrease bootlegging and the selling of bootleg liquor.

I further suggest that Standard Time alone be used for the opening and closing of places authorized to sell intoxicating liquors, which Standard Time is the only legal time in the State of Delaware. During the past Summer the licensed places in Wilmington were required to close at 12 o'clock midnight, Day-light Saving Time, whereupon persons would leave the City of Wilmington, operating their motor vehicles, and go outside of Wilmington where Standard Time was used.

As your Attorney General and personally I cannot recommend and strongly oppose the selling of intoxicating liquors after midnight Standard Time and on Sundays.

LEGAL ASSISTANCE TO LIQUOR COMMISSION

I am advised, and personally know, that the Liquor Commission, under 5 (9), which authorizes it to employ such officers and employees, and to engage services of experts and persons engaged in the practice of a profession, has employed legal assistance.

This I feel is improper and not warranted by law, as I feel it is the duty of this office to perform all legal work required by any State Department. More than this, there should be a close cooperation and full knowledge of the work by this office, as it is called upon to conduct the prosecutions of any violation of the law.

I therefore suggest for your consideration that an additional Attorney General be provided for by law to perform legal services for the Liquor Commission and such duties as shall be assigned by this office, which will have the advantages of the

legal advice given to the Liquor Commission having the authority of law, and the Deputy Attorney General being able to follow all liquor violations from the original investigation through the disposal thereof in the Courts. The salary of such a Deputy Attorney General to be paid from funds collected under the liquor law, as is now provided, although I feel that such method is not the best. I hold that all moneys collected on behalf of the State should be paid into the State Treasury, in order that all persons, especially the State Treasurer and State Auditor, may know thereof, and a public record made, and that all expenditures of public money should be made by State vouchers, the same as other expenditures of State money.

CONCLUSION

I trust that I have answered those matters desired by you, but if I have not I will be glad to answer any specific inquiry or appear before your Honorable Body at any time requested.

Most respectfully yours,

P. WARREN GREEN

Attorney General

PWG*B

Mr. Dugan moved that the report from the Attorney General be made a part of the Journal.

Motion prevailed.

JOINT SESSION

Mr. Simon moved that the House proceed to the Senate to hear the report of the Taxpayers Research League.

Motion prevailed.

Mr. Simon moved that the President Pro Tem be the presiding officer of this Joint Session

Motion prevailed.

Senator Simonton moved that the Secretary of the Senate and the Clerk of the House be the Secretaries of this Joint Session.

Motion prevailed.

Senator Simonton asked the privilege of the floor for Mr. Charles Warner of the Taxpayers Research League.

Request was granted.

Senator Marshall moved that the members of the Joint Session give a rising vote of thanks for the luncheon given by the Taxpayers Research League.

Motion prevailed.

Mr. Simon moved that the two secretaries compare their Journals.

Motion prevailed.

Senator Simonton moved that the two Houses separate.

Motion prevailed.

The Chair called the House to order.

Mr. Heal moved that the House recess until 2 o'clock, P. M.

Motion prevailed.

Same Day, 3:45 o'clock, P. M.

House met at expiration of recess.

Mr. Heal, on behalf of the Committee on Revenue and Taxation, to whom had been referred, House Bill No. 28, entitled:

An Act to provide revenue for the relief of certain poor, resident in New Castle County and for the payment to the Levy Court of New Castle County of moneys advanced by the said Levy Court subsequent to January first, 1935, for the support of said poor.

Reported the same back to the House favorably.

BURTON S. HEAL, *Chairman*
LEO J. DUGAN
LEON A. BAILEY
LEROY B. HURLEY
FRANK L. JOSEPH

Mr. Joseph, on behalf of the Committee on Revised Statutes, to whom had been referred, House Bill No. 24, entitled:

An Act to amend Chapter 44, of the Revised Code of the State of Delaware (as amended by Chapter 79, Volume 28; Chapter 73, Volume 29; and Chapter 77, Volume 30; Laws of Delaware) in relation to the salary of the members of the Board of Assessment of Sussex County.

Reported the same back to the House on its merits.

FRANK L. JOSEPH, *Chairman*
ALVIN O. BAKER
BURTON S. HEAL
G. R. CLARK
W. T. HOBSON

Mr. Joseph, on behalf of the Committee on Revised Statutes, to whom had been referred, House Bill No. 30, entitled:

An Act to amend Chapter 82 of the Revised Code of the State of Delaware (1915), providing that jurisdiction shall be before Justices of the Peace or the Municipal Court of Wilmington for violations thereof.

Reported the same back to the House favorably.

FRANK L. JOSEPH, *Chairman*
ALVIN O. BAKER
BURTON S. HEAL
G. R. CLARK
W. T. HOBSON

On motion for leave, Mr. Hughes introduced House Resolution No. 22, entitled:

HOUSE RESOLUTION NO. 22

House Resolution calling upon the State Tax Department for information concerning income tax paid by the Farmers of the State of Delaware.

BE IT RESOLVED by the House of Representatives of the State of Delaware:

That the State Tax Department be and it is hereby requested to furnish to the House of Representatives a report showing the total number of farmers of the State of Delaware who pay an income tax to the State of Delaware and the aggregate net income of such persons.

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

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

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

YEAS—Messrs. Bailey, Baker, Brown, Buckson, Clark, Dugan, Esham, Evans, Heal, Hughes, Hurley, Hutchinson, Joseph Lekites, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Mr. Speaker—28.

NAYS—None.

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

Mr. Simon moved that the House adjourn until 12 o'clock, noon, January 28, 1935.

Motion prevailed.

«SEVENTEENTH LEGISLATIVE DAY»

Dover, Delaware, January 28, 1935, 12:40 o'clock, P. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. W. S. Cantwell.

Roll called.

Members Present—Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Roe, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebbley, Mr. Speaker—35.

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

Motion prevailed.

The Chair presented the following communication:

STATE OF DELAWARE

STATE TAX DEPARTMENT

2 EAST 9TH STREET

Wilmington, Delaware, January 19, 1935

The Honorable House of Representatives
Of the State of Delaware
105th General Assembly
Dover, Delaware.

Attention: Chief Clerk

Gentlemen:

In accordance with request contained in House Resolution Number 16 transmitted with your letter dated January 17, 1935, report is submitted as follows:

Income Tax for the year 1933 collected in 1934 on net income in excess of \$10,000.00 in the 3% tax bracket contributed \$412,398.63 to State revenue.

On the basis of these collections a probable increase in revenue by increase in the tax rate from 3% to 4% would be \$137,466.21.

The additional revenue which might result from the proposed increase in rates effective on 1934 income is impossible to predict until the returns for the past year are received and tabulated.

Respectfully submitted,

PIERRE S. DU PONT

State Tax Commissioner

JPT:ig

Mr. Brown moved that the report from the State Tax Department be made a part of the Journal.

Motion prevailed.

Mr. Dugan, on motion for leave, introduced House Bill No. 39, entitled:

An Act making the negligent killing of a person in connection with the operation of a motor vehicle or motorcycle a misdemeanor, and providing a penalty therefor.

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

The Speaker announced he is about to sign:

House Concurrent Resolution No. 7.

Mr. Dugan, on motion for leave, introduced House Bill No. 40, entitled:

An Act to amend the Motor Vehicle Laws of the State of Delaware in relation to traffic control.

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

Mr. Zebley, on motion for leave, introduced House Bill No. 41, entitled:

An Act to amend Chapter 33 of the Revised Code of the State of Delaware relating to Board of Examiners of Barbers.

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

Mr. Evans, on motion for leave, introduced House Bill No. 42, entitled:

An Act making an appropriation to Children's Bureau of Delaware for maintenance of children within the State of Delaware.

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

Mr. Shaw, on motion for leave, introduced House Bill No. 43, entitled:

An Act to amend Chapter 20 of Title Six of the Revised Code of the State of Delaware of 1915, as amended, revised and consolidated by Chapter 52 of Volume 37, Laws of Delaware, by adding thereto a new Article to be known as Article VIII, providing for the administration of deposits made with the Insurance Commissioner in trust upon a Receiver being appointed for the Insurance Company or Surety Company making the deposits by having the Receiver so appointed substituted as Trustee and having the Insurance Commissioner turn over such deposits to such Receiver and making the fund so turned over to such Receiver subject to payment of the costs and expenses of administration of the fund and vesting power in the Chancellor of the State of Delaware to enforce the provisions of the Article.

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

Mr. Buckson, on motion for leave, introduced House Bill No. 44, entitled:

An Act to amend An Act entitled "An Act changing the name of 'The Town of Dover' to 'The City of Dover' and establishing a charter therefor" by providing a procedure for condemnation of property taken for municipal purposes.

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

Mr. Buckson, on motion for leave, introduced House Bill No. 45, entitled:

An Act to amend An Act entitled "An Act changing the name of 'The Town of Dover' to 'The City of Dover' and establishing a charter therefor" by authorizing the employment of persons convicted of violations of municipal ordinances for municipal purposes.

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

Mr. Simon, on motion for leave, introduced House Bill No. 46, entitled:

An Act concerning the mortgages executed to The State of Delaware by The Junction and Breakwater Railroad Company and The Breakwater and Frankford Railroad Company.

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

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

Motion prevailed.

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

House met at expiration of recess.

On motion of Mr. Dugan, House Bill No. 28 entitled:

An Act to provide revenue for the relief of certain poor, resident in New Castle County and for the payment to the Levy Court of New Castle County of moneys advanced by the said Levy Court subsequent to January first, 1935, for the support of said poor.

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

Mr. Dugan offered House Amendment No. 1 to House Bill No. 28:

Amend House Bill No. 28 by striking out sub-section (b) of Section 3 and inserting a new sub-section to be known as sub-section (b) of Section 3 as follows:

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

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

YEAS—Messrs. Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hughes, Hurley, Hutchinson, Joseph, Kellton, Lekites, Paskey, Peel, Pierce, Roe, Schorr, Shaw, Simon, Steele, Tyndall, Warren, Wright, Zebley, Mr. Speaker—30.

NAYS—None.

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

Mr. Brogan moved that action on House Bill No. 28 with House Amendment No. 1 be deferred.

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

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

YEAS—Messrs. Brogan, Brown, Dill, Hughes, Paskey, Schorr, Tyndall—7.

NAYS—Messrs. Baker, Buckson, Clark, Dugan, Durnall, Evans, Heal, Hurley, Joseph, Kelton, Lekites, Peel, Pierce, Shaw, Simon, Steele, Warren, Wright, Zebley, Mr. Speaker—20.

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

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

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

YEAS—Messrs. Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Evans, Heal, Hughes, Hurley, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Schorr, Shaw, Simon, Steele, Tyndall, Warren, Wright, Zebley, Mr. Speaker—27.

NAYS—None.

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

And was ordered to the Senate for concurrence.

Mr. Simon moved that the House adjourn until 12 o'clock, noon, January 29, 1935.

Motion prevailed.

«EIGHTEENTH LEGISLATIVE DAY»

Dover, Delaware, January 29, 1935, 12:40 o'clock, P. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Wm. S. Cantwell.

Roll called.

Members Present—Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Roe, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—35.

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

Motion prevailed.

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

An Act concerning the mortgages executed to The State of Delaware by The Junction and Breakwater Railroad Company and The Breakwater and Frankford Railroad Company.

Reported the same back to the House favorably.

HARRY V. LYONS
MORRIS SIMON
WALTER J. PASKEY
BURTON S. HEAL
LEO J. DUGAN

Mr. Evans, on behalf of the Committee on Corporations, Municipal, to whom had been referred, House Bill No. 17, entitled:

An Act to repeal Chapter 132 of Volume 32, Laws of Delaware, entitled "An Act authorizing the Town Commissioners of Frederica to borrow Fifteen Thousand Dollars, and to issue bonds therefor, for the purpose of acquiring in any manner and establishing and maintaining a Water Plant for the Town of Frederica."

Reported the same back to the House favorably.

JAS. S. EVANS
GEORGE IRVIN DURNALL
LEO J. DUGAN
LEROY B. HURLEY
JOS. M. BROGAN

Mr. Evans, on behalf of the Committee on Corporations, Municipal, to whom had been referred, House Bill No. 18, entitled:

An Act authorizing the Town Commissioners of Frederica to borrow Fifteen Thousand Dollars, and to issue bonds therefor, for the purpose of acquiring in any manner and establishing and maintaining a Water Plant for the Town of Frederica.

Reported the same back to the House favorably.

JAS. S. EVANS
GEORGE IRVIN DURNALL
LEO J. DUGAN
LEROY B. HURLEY
JOS. M. BROGAN

Mr. Evans, on behalf of the Committee on Corporations, Municipal, to whom had been referred, House Bill No. 25, entitled:

An Act authorizing the Levy Court of New Castle County to sell certain real estate situate in said County.

Reported the same back to the House favorably.

JAS. S. EVANS
GEORGE IRVIN DURNALL
LEO J. DUGAN
JOS. M. BROGAN
LEROY B. HURLEY

Mr. Evans, on behalf of the Committee on Corporations, Municipal, to whom had been referred, House Bill No. 44, entitled:

An Act to amend An Act entitled "An Act changing the name of 'The Town of Dover' to 'The City of Dover' and establishing a charter therefor" by providing a procedure for condemnation of property taken for municipal purposes.

Reported the same back to the House favorably.

JAS. S. EVANS
GEORGE IRVIN DURNALL
LEO J. DUGAN
LEROY B. HURLEY
JOS. M. BROGAN

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

An Act to amend An Act entitled "An Act changing the name of 'The Town of Dover' to 'The City of Dover' and establishing a charter therefor" by authorizing the employment of persons convicted of violations of municipal ordinances for municipal purposes.

Reported the same back to the House favorably.

JAS. S. EVANS
GEORGE IRVIN DURNALL
LEO J. DUGAN
LEROY B. HURLEY
JOS. M. BROGAN

Mr. Pierce, on behalf of the Committee on Public Health, to whom had been referred, House Bill No. 41, entitled:

An Act to amend Chapter 33 of the Revised Code of the State of Delaware relating to Board of Examiners of Barbers.

Reported the same back to the House favorably.

WILLARD R. PIERCE
JAS. S. EVANS
HENRY C. WHITE
C. B. BROWN
A. O. BAKER

Mr. Buckson, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred, House Bill No. 36, entitled:

An Act providing for the licensing of non-resident Masters of fishing boats or vessels engaged in the business of carrying fishing parties for hire.

Reported the same back to the House favorably.

HOWARD M. BUCKSON
WILLIAM D. STEELE
JAS. G. SHAW
JOSEPH C. HUTCHINSON
JOHN M. TINDAL

Mr. Buckson, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred, House Bill No. 32, entitled:

An Act to amend Chapter 74 of the Revised Code of the State of Delaware, relating to the closed season for Shad, etc.

Reported the same back to the House favorably.

HOWARD M. BUCKSON
WILLIAM D. STEELE
JAS. G. SHAW
JOSEPH C. HUTCHINSON
JOHN M. TINDAL

Mr. Buckson, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred, House Bill No. 26, entitled:

An Act to amend Chapter 74 of the Revised Code of the State of Delaware as amended regulating the taking of Lobsters.

Reported the same back to the House favorably.

HOWARD M. BUCKSON
WILLIAM D. STEELE
JAS. G. SHAW
JOSEPH C. HUTCHINSON
JOHN M. TINDAL

Mr. Buckson, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred, House Bill No. 27, entitled:

An Act to amend Chapter 74 of the Revised Code of the State of Delaware as amended by providing uniform laws to regulate the catching and taking of menhaden, sharks, porpoises, and herring-hogs from the waters of the Atlantic Ocean and Delaware Bay.

Reported the same back to the House favorably.

HOWARD M. BUCKSON
WILLIAM D. STEELE
JAS. G. SHAW
JOSEPH C. HUTCHINSON
JOHN M. TINDAL

Mr. Joseph, on behalf of the Committee on Revised Statutes, to whom had been referred, House Bill No. 39, entitled:

An Act making the negligent killing of a person in connection with the operation of a motor vehicle or motorcycle a misdemeanor, and providing a penalty therefor.

Reported the same back to the House favorably.

FRANK L. JOSEPH, *Chairman*
ALVIN O. BAKER
BURTON S. HEAL
G. R. CLARK
W. T. HOBSON

Mr. Zebley, on motion for leave, introduced House Bill No. 47, entitled:

An Act to provide for the vocational rehabilitation and placement of physically disabled persons.

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

Mr. Heal, on motion for leave, introduced House Bill No. 48, entitled:

An Act to amend Chapter 45 of the Revised Code of the State of Delaware (1915) relating to New Castle County by defining the powers and duties of the Receiver of Taxes and County Treasurer of said County.

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

Mr. Heal, on motion for leave, introduced House Bill No. 49, entitled:

An Act to amend Chapter 45 of the Revised Code of the State of Delaware as amended, relating to the County Treasurer and collection of taxes in New Castle County.

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

The Speaker announced he is about to sign:

Senate Bill No. 6.

Senate Concurrent Resolution No. 9.

Mr. Heal, on motion for leave, introduced House Bill No. 50, entitled:

An Act to amend Chapter 79 of the Revised Code of the State of Delaware, being An Act entitled "Liens."

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

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

Motion prevailed.

Same Day, 3:45 o'clock, P. M.

House met at expiration of recess.

Mr. Lyons, on behalf of the Committee on Miscellaneous, to whom had been referred, House Bill No. 20, entitled:

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

Reported the same back to the House favorably.

HARRY V. LYONS
MORRIS SIMON
BURTON S. HEAL
LEO J. DUGAN

Mr. Heal, on motion for leave, introduced House Bill No. 51, entitled:

An Act to amend Chapter 133 of the Revised Code of Delaware entitled "Executions" as amended.

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

Mr. Shaw, on motion for leave, introduced House Bill No. 52, entitled:

An Act to amend Chapter 100 of the Revised Code of Delaware, as amended, relating to the regulation of small loans.

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

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

House Bill No. 28 with House Amendment No. 1, entitled:

An Act to provide revenue for the relief of certain poor, resident in New Castle County and for the payment to the Levy Court of New Castle County of moneys advanced by the said Levy Court subsequent to January first, 1935, for the support of said poor.

And returned the same to the House.

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

An Act to create an Emergency Fund for the State Board of Agriculture for the prevention and control of plant and live stock diseases.

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

Mr. Buckson, on motion for leave, introduced House Bill No. 54, entitled:

An Act providing for the licensing of fishing boats; exceptions.

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

Mr. Simon, on motion for leave, introduced House Bill No. 55, entitled:

An Act authorizing "The City of Dover" to borrow Four Hundred Fifty Thousand Dollars and to issue bonds therefor, for the purpose of redeeming and refunding certain outstanding bonds of "The City of Dover."

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

On motion for leave, Mr. Simon introduced House Concurrent Resolution No. 8, entitled:

HOUSE CONCURRENT RESOLUTION NO. 8

In reference to the Introduction of New Business.

BE IT RESOLVED by the House of Representatives of the State of Delaware, the Senate concurring therein, that no new bills other than the omnibus Appropriation Bills and no Joint Resolutions shall be received at the present Session of the One Hundred and Fifth General Assembly after 4 P. M., Eastern Standard Time of the Thirty-fifth Legislative Day.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Roe, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—35.

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

And was ordered to the Senate for concurrence.

Mr. Brogan, on motion for leave, introduced House Bill No. 56, entitled:

An Act to amend Chapter 153, Revised Code of Delaware, relating to Sabbath Breaking, by legalizing the playing of baseball and football on Sunday.

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

Mr. Schorr, on motion for leave, introduced House Bill No. 57, entitled:

An Act to amend Section 1098 of the Revised Code of Delaware, as amended, by adding a new paragraph thereof, providing for the exemption of new buildings and improvements erected on real estate in the City of Wilmington, from County and Municipal tax purposes, when such new buildings and improvements shall have been erected within a period of two years from the effective date hereof.

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

Mr. Shaw, on motion for leave, introduced House Bill No. 58, entitled:

An Act to amend Chapter 100 of the Revised Code of the State of Delaware (1915) relative to obstructing railroad tracks.

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

On motion of Mr. Simon, House Substitute for House Bill No. 2, entitled:

An Act authorizing the borrowing of money and the creation of a debt by and on behalf of the State of Delaware and the issuance of certificates of indebtedness of the State, in a sum not to exceed Seven Hundred Thousand Dollars, to meet a deficiency in the General Fund of the State.

Mr. Simon moved that so much be considered as the third reading of House Substitute for House Bill No. 2.

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

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

YEAS—Messrs. Baker, Buckson, Clark, Dugan, Durnall, Esham, Evans, Heal, Hurley, Hutchinson, Joseph, Kelton, Lekites, Peel, Pierce, Pool, Shaw, Simon, Steele, Warren, White, Zebley, Mr. Speaker—23.

NAYS—Messrs. Bailey, Brogan, Brown, Dill, Hobson, Hughes, Paskey, Rentz, Roe, Schorr, Tyndall, Wright—12.

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

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

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

YEAS—Messrs. Baker, Buckson, Clark, Dugan, Durnall, Esham, Evans, Heal, Hurley, Hutchinson, Joseph, Kelton, Lekites, Peel, Pierce, Pool, Shaw, Simon, Steele, Warren, White, Zebley, Mr. Speaker—23.

NAYS—Messrs. Bailey, Brogan, Brown, Dill, Hobson, Hughes, Paskey, Rentz, Roe, Schorr, Tyndall, Wright—12.

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

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

Senate Bill No. 17, entitled:

An Act to amend Chapter 131 of the Revised Code of Delaware (1915), as amended, in relation to Juries.

And presented the same to the House.

On motion of Mr. Buckson, House Bill No. 19, entitled:

An Act to amend An Act entitled "An Act changing the name of 'The Town of Dover' to 'The City of Dover' and establishing a charter therefor," by exempting certain real estate from municipal taxation.

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

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Roe, Schorr, Shaw, Simon, Steele, Tyndall, Warren, Wright, Zebley, Mr. Speaker—34.

NAYS—None.

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

And was ordered to the Senate for concurrence.

On motion of Mr. Brogan, Senate Bill No. 14, entitled:

An Act to amend An Act entitled "An Act to provide for the regulation, control and licensing of horse racing in the State of Delaware, to create a Delaware Racing Commission, and to prescribe its powers and duties and providing for salaries and expenses therefor, and to provide for the fees to be charged and taxes to be collected for the conduct of horse racing within the State of Delaware and the disposition thereof," being Chapter 62 of Volume 38, Laws of Delaware.

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

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

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

YEAS—Messrs. Bailey, Brogan, Buckson, Clark, Dill, Dugan, Durnall, Evans, Heal, Hughes, Hutchinson, Kelton, Paskey, Peel, Pierce, Pool, Rentz, Schorr, Shaw, Simon, Steele, Zebley, Mr. Speaker—23.

NAYS—Messrs. Baker, Brown, Esham, Hobson, Hurley, Joseph, Lekites, Roe, Tyndall, Warren, Wright—11.

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

And was ordered returned to the Senate.

Mr. Simon moved that the House adjourn until 12 o'clock, noon, January 30, 1935.

Motion prevailed.

«NINETEENTH LEGISLATIVE DAY»

Dover, Delaware, January 30th, 1935, 1:10 o'clock, P. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Wm. S. Cantwell.

Roll called.

Members Present—Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Roe, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—35.

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

Motion prevailed.

The Chair presented Senate Bill No. 17, entitled:

An Act to amend Chapter 131 of the Revised Code of Delaware (1915), as amended, in relation to Juries.

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

The Speaker announced that in accordance with House Resolution No. 21, the following have been appointed on the Committee:

Mr. WHITE
Mr. HOBSON
Mr. WRIGHT

Mr. Baker on behalf of the Committee on Public Building and Highways, to whom had been referred, House Bill No. 40, entitled:

An Act to amend the Motor Vehicle Laws of the State of Delaware in relation to traffic control.

Reported the same back to the House on its merits.

A. O. BAKER
ARCHIE L. PEEL
ROBERT B. KELTON
JAMES ESHAM
HARRY J. DILL

Mr. Esham, on behalf of the Committee on Forestry and Public Lands, to whom had been referred, House Bill No. 58, entitled:

An Act to amend Chapter 100 of the Revised Code of the State of Delaware (1915) relative to obstructing railroad tracks.

Reported the same back to the House favorably.

JAMES J. ESHAM
F. L. RENTZ
J. C. HUTCHINSON
R. B. KELTON
W. D. STEELE

Mr. Joseph, on motion for leave, introduced House Bill No. 59, entitled:

An Act to amend "An Act to reincorporate the Town of Georgetown," being Chapter 238, Volume 26, Laws of Delaware.

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

Mr. Hughes moved that 100 copies of House Bill No. 50 and 100 copies of House Bill No. 51 be printed.

Motion prevailed.

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

Motion prevailed.

Same Day, 3:25 o'clock, P. M.

House met at expiration of recess.

Mr. Lyons, on behalf of the Committee on Miscellaneous, to whom had been referred, House Bill No. 48, entitled:

An Act to amend Chapter 45 of the Revised Code of the State of Delaware (1915) relating to New Castle County by defining the powers and duties of the Receiver of Taxes and County Treasurer of said County.

Reported the same back to the House favorably.

HARRY V. LYONS
BURTON S. HEAL
MORRIS SIMON
LEO J. DUGAN

Mr. Lyons, on behalf of the Committee on Miscellaneous, to whom had been referred, House Bill No. 49, entitled:

An Act to amend Chapter 45 of the Revised Code of the State of Delaware as amended, relating to the County Treasurer and collection of taxes in New Castle County.

Reported the same back to the House favorably.

HARRY V. LYONS
BURTON S. HEAL
MORRIS SIMON
LEO J. DUGAN

Mr. Lyons, on behalf of the Committee on Miscellaneous, to whom had been referred, House Bill No. 50, entitled:

An Act to amend Chapter 79 of the Revised Code of the State of Delaware, being An Act entitled "Liens."

Reported the same back to the House favorably.

HARRY V. LYONS
BURTON S. HEAL
MORRIS SIMON
LEO J. DUGAN

On motion of Mr. Heal, House Bill No. 3, entitled:

An Act to provide funds for the State Old Age Welfare Commission for relief of indigent persons.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Roe, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—33.

NAYS—None.

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

And was ordered to the Senate for concurrence.

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

Senate Concurrent Resolution No. 10, entitled:

In reference to the World Court.

And presented the same to the House.

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

House Concurrent Resolution No. 8, entitled:

In reference to the Introduction of New Business.

And returned the same to the House.

The Chair presented Senate Concurrent Resolution No. 10 entitled:

In reference to the World Court.

On motion of Mr. Lyons, Senate Concurrent Resolution No. 10, entitled:

In reference to the World Court.

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

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

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

YEAS—Messrs. Baker, Brogan, Buckson, Dugan, Durnall, Esham, Evans, Heal, Hurley, Hutchinson, Joseph, Kelton, Lekites, Peel, Pierce, Pool, Shaw, Simon, Steele, Warren, White, Zebley, Mr. Speaker—23.

NAYS—Messrs. Bailey, Brown, Dill, Hobson, Hughes, Paskey, Rentz, Roe, Tyndall, Wright—10.

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

And was ordered returned to the Senate.

The Speaker announced he is about to sign:

Senate Bill No. 14.

On motion of Mr. Heal, House Bill No. 15, entitled:

An Act appropriating moneys from the State Treasury for the purpose of paying interest and maturities on certain Highway Improvement Bonds and State Aid Road Bonds, issued by the Levy Courts of New Castle, Kent and Sussex Counties, and maturing during the fiscal biennium of the State of Delaware, ending June 30, 1937.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Roe, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—33.

NAYS—None.

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

And was ordered to the Senate for concurrence.

On motion of Mr. Rentz, House Bill No. 17, entitled:

An Act to repeal Chapter 132 of Volume 32, Laws of Delaware, entitled "An Act authorizing the Town Commisisoners of Frederica to borrow Fifteen Thousand Dollars, and to issue bonds therefor, for the purpose of acquiring in any manner and establishing and maintaining a Water Plant for the Town of Frederica."

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Roe, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—33.

NAYS—None.

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

And was ordered to the Senate for concurrence.

On motion of Mr. Rentz, House Bill No. 18, entitled:

An Act authorizing the Town Commissioners of Frederica to borrow Fifteen Thousand Dollars, and to issue bonds therefor, for the purpose of acquiring in any manner and establishing and maintaining a Water Plant for the Town of Frederica.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Roe, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—33.

NAYS—None.

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

And was ordered to the Senate for concurrence.

On motion of Mr. Heal, House Bill No. 20, entitled:

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

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Roe, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebbley, Mr. Speaker—33.

NAYS—None.

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

And was ordered to the Senate for concurrence.

On motion of Mr. Heal, House Bill No. 21, entitled:

An Act to amend Article 8, Chapter 6 of the Revised Code of the State of Delaware as amended by Chapter 6, Volume 36, Laws of Delaware.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Roe, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—33.

NAYS—None.

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

And was ordered to the Senate for concurrence.

The Speaker announced he is about to sign:

House Bill No. 28.

On motion for leave, Mr. Brogan introduced House Concurrent Resolution No. 9, entitled:

HOUSE CONCURRENT RESOLUTION NO. 9

WHEREAS this day, the thirtieth day of January, A. D. 1935, being the fifty-third birthday of the Honorable Franklin D. Roosevelt, the President of these United States, and

WHEREAS it is fitting that this General Assembly take this opportunity to extend to him its heartiest congratulations, and

WHEREAS it is appropriate that this General Assembly take cognizance of the many humanitarian efforts undertaken by the said Franklin D. Roosevelt during his term of office, therefore

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

That the General Assembly on behalf of all citizens of the State of Delaware, does hereby extend to Franklin D. Roosevelt the heartiest congratulations upon his fifty-third birthday.

That a copy of this resolution be spread at large upon the Journal, a copy delivered to the press, and a copy sent to the President, Franklin D. Roosevelt.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Rentz, Roe, Shaw, Simon, Steele, Tyndall, Warren, Wright, Mr. Speaker—30.

NAYS—None.

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

And was ordered to the Senate for concurrence.

Mr. Simon moved that the House adjourn until 12 o'clock, noon, January 31st, 1935.

Motion prevailed.

•*•TWENTIETH LEGISLATIVE DAY*•

Dover, Delaware, January 31st, 1935, 12:45 o'clock, P. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Wm. S. Cantwell.

Roll called.

Members Present—Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Roe, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—35.

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

Motion prevailed.

Mr. Evans, on behalf of the Committee on Corporations, Municipal, to whom had been referred, House Bill No. 59, entitled:

An Act to amend "An Act to reincorporate the Town of Georgetown," being Chapter 238, Volume 26, Laws of Delaware.

Reported the same back to the House favorably.

JAS. S. EVANS
JOS. M. BROGAN
GEORGE IRVIN DURNALL
LEO J. DUGAN
LEROY B. HURLEY

Mr. Evans, on behalf of the Committee on Corporations, Municipal, to whom had been referred, House Bill No. 55, entitled:

An Act authorizing "The City of Dover" to borrow Four Hundred Fifty Thousand Dollars and to issue bonds therefor, for the purpose of redeeming and refunding certain outstanding bonds of "The City of Dover."

Reported the same back to the House favorably.

JAS. S. EVANS
GEORGE IRVIN DURNALL
LEO J. DUGAN
LEROY B. HURLEY
JOS. M. BROGAN

The Speaker announced he is about to sign:

House Concurrent Resolution No. 8.

Mr. White asked for the privilege of the floor for the Rev. William Sunday.

Privilege granted.

Mr. White moved the House give a rising vote of thanks to the Rev. William Sunday.

Motion prevailed.

Mr. Simon, on motion for leave, introduced House Bill No. 60, entitled:

An Act authorizing the borrowing of money and the creation of a debt by and on behalf of the State of Delaware, and the issuance of Certificates of Indebtedness of the State, in a sum not to exceed Seven Hundred Thousand Dollars, to meet a casual deficiency in the General Fund of the State.

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

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

Motion prevailed.

Same Day, 2:55 o'clock, P. M.

House met at expiration of recess.

Mr. Simon, on behalf of the Committee on Appropriations, to whom had been referred House Bill No. 60, entitled:

An Act authorizing the borrowing of money and the creation of a debt by and on behalf of the State of Delaware, and the issuance of Certificates of Indebtedness of the State, in a sum not to exceed Seven Hundred Thousand Dollars, to meet a casual deficiency in the General Fund of the State.

Reported the same back to the House favorably.

MORRIS SIMON
HARRY V. LYONS
FRANK R. ZEBLEY
BURTON S. HEAL

Mr. Simon moved that House Rules Nos. 24 and 25 be suspended.

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

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

YEAS—Messrs. Baker, Buckson, Clark, Dugan, Durnall, Esham, Evans, Heal, Hurley, Hutchinson, Joseph, Kelton, Lekites, Peel, Pierce, Pool, Shaw, Simon, Steele, Warren, White, Zebley, Mr. Speaker—23.

NAYS—Messrs. Bailey, Brogan, Brown, Dill, Hobson, Hughes, Paskey, Rentz, Roe, Tyndall, Wright—11.

So the motion was adopted.

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

House Concurrent Resolution No. 9, entitled:

In reference to the Birthday of Hon. Franklin D. Roosevelt.

And returned the same to the House.

On motion of Mr. Simon, House Bill No. 60, entitled :

An Act authorizing the borrowing of money and the creation of a debt by and on behalf of the State of Delaware, and the issuance of Certificates of Indebtedness of the State, in a sum not to exceed Seven Hundred Thousand Dollars, to meet a casual deficiency in the General Fund of the State.

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

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

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

YEAS—Messrs. Baker, Buckson, Clark, Dugan, Durnall, Esham, Evans, Heal, Hurley, Hutchinson, Joseph, Kelton, Lekites, Peel, Pierce, Pool, Shaw, Simon, Steele, Warren, White, Zebley, Mr. Speaker—23.

NAYS—Messrs. Bailey, Brogan, Brown, Dill, Hobson, Hughes, Paskey, Rentz, Roe, Schorr, Tyndall, Wright—12.

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

And was ordered to the Senate for concurrence.

On motion of Mr. Zebley, House Bill No. 25, entitled :

An Act authorizing the Levy Court of New Castle County to sell certain real estate situate in said County.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Roe, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—34.

NAYS—None.

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

And was ordered to the Senate for concurrence.

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

An Act concerning the mortgages executed to The State of Delaware by The Junction and Breakwater Railroad Company and The Breakwater and Frankford Railroad Company.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Hobson, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Roe, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—33.

NAYS—None.

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

And was ordered to the Senate for concurrence.

Mr. Simon moved that the House adjourn until 12 o'clock, noon, February 1st, 1935.

Motion prevailed.

«TWENTY-FIRST LEGISLATIVE DAY»

Dover, Delaware, February 1st, 1935, 12:45 o'clock, P. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. William S. Cantwell.

Roll called.

Members Present—Bailey, Baker, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pool, Rentz, Roe, Schorr, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—32.

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

Motion prevailed.

The Speaker announced he is about to sign:

Senate Concurrent Resolution No. 10.

STATE OF DELAWARE

BOARD OF GAME AND FISH COMMISSIONERS

Dover, Delaware, January 31, 1935

Hon. Frank W. Schroeder, Chief Clerk
House of Representatives,
Dover, Delaware

Dear Mr. Schroeder:

Replying to your letter of the 17th instant enclosing copy of House Resolution No. 18 which requests this Commission to report its opinion as to the probable increase in the income to the citizens of Delaware from the oyster industry if the conditions in the Delaware River, the Delaware Bay and several rivers and creeks in the State of Delaware flowing therein were

made more sanitary, this Board begs to report that, after a conference between the Chief Game and Fish Warden and the Oyster Revenue Collector, during which this question was discussed, it was thought that if oysters taken from the rivers and creeks were used for plants instead of market there would be as much revenue if not a small increase.

Furthermore, it is thought that the pollution in the Delaware River by the time it reaches the oyster beds does not have any influence on the oysters in the bay.

It is further thought however that unless the rivers and creeks flowing into the Delaware Bay are made more sanitary the sale of oysters from this State will be stopped by the U. S. Bureau of Health, which will mean a loss of \$700,000.00 in revenue annually to the citizens of this State. For this reason, this Board would endorse a measure tending to make the creeks and rivers in the State of Delaware flowing into the Delaware River and Delaware Bay more sanitary.

Respectfully,

G. CLIFTON MAULL, *Secretary*

Mr. Hughes moved that the Report from the Fish, Oyster and Game Commission be made a part of the Journal.

Motion prevailed.

Mr. Simon, on behalf of the Committee on Appropriations, to whom had been referred, House Bill No. 37, entitled:

An Act providing for the payment of a portion of the cost by the State of Delaware of the construction of a much needed inlet from the Delaware Bay into the Lewes and Rehoboth Canal at Lewes, Delaware, with at least six feet of water at mean low tide and jettied on both sides from the shore line out into the Delaware Bay.

Reported the same back to the House favorably.

MORRIS SIMON
HARRY V. LYONS
FRANK R. ZEBLEY
BURTON S. HEAL

Mr. Shaw, on behalf of the Committee on Judiciary, Crimes and Punishment, to whom had been referred, Senate Bill No. 17, entitled:

An Act to amend Chapter 131 of the Revised Code of Delaware (1915), as amended, in relation to Juries.

Reported the same back to the House favorably.

JAS. G. SHAW
LAWRENCE E. WARREN
FRANK R. ZEBLEY
HOWARD M. BUCKSON
F. L. RENTZ

Mr. Simon moved that the House recess until 2 o'clock, P. M.

Motion prevailed.

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

House met at expiration of recess.

On motion for leave, Mr. Simon introduced House Resolution No. 23, entitled:

HOUSE RESOLUTION NO. 23

Relating to part payment of compensation of Attaches and Employees of the House of Representatives.

BE IT RESOLVED, That the Treasurer of the State of Delaware is hereby authorized and directed to pay from the General Fund of the State Treasury upon the order of the Speaker of the House of Representatives such sum or sums not in excess of One Hundred Dollars (\$100.00) to any one person as a part payment and compensation to attaches and employees of the House of Representatives who have been appointed by motion duly carried or by resolution of that body, and which are part of the expenses connected with this Session.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Rentz, Roe, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—33.

NAYS—None.

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

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

House Bill No. 60, entitled:

An Act authorizing the borrowing of money and the creation of a debt by and on behalf of the State of Delaware, and the issuance of Certificates of Indebtedness of the State, in a sum not to exceed Seven Hundred Thousand Dollars, to meet a casual deficiency in the General Fund of the State.

And returned the same to the House.

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

House Bill No. 19, entitled:

An Act to amend An Act entitled "An Act changing the name of 'The Town of Dover' to 'The City of Dover' and establishing a charter therefor," by exempting certain real estate from municipal taxation.

And returned the same to the House.

Mr. Dugan, on motion for leave, introduced House Joint Resolution No. 1, entitled:

HOUSE JOINT RESOLUTION NO. 1

WHEREAS the 11th day of October, 1779, is the date in American history of the heroic death of Brigadier General Casimir Pulaski, who died from wounds received on October 9th, 1779, at the siege of Savannah, Georgia; and

WHEREAS, it is fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises in observing and commemorating the death of this great American hero of the Revolutionary War; therefore

BE IT RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF DELAWARE IN GENERAL ASSEMBLY MET:

That the Governor of the State of Delaware be authorized and directed to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11th of each year and inviting the people of the State of Delaware to observe the day in schools and churches, or other suitable places, with appropriate ceremonies in commemoration of the death of General Casimir Pulaski.

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

On motion of Mr. Dugan, House Bill No. 8, entitled:

An Act to amend 2995, Sec. 4 of Chapter 85 of the Revised Code of Delaware, relating to the issuance of marriage licenses.

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

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

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

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

YEAS—Messrs. Bailey, Clark, Dill, Dugan, Evans, Heal, Paskey, Warren, Mr. Speaker—9.

NAYS—Messrs. Baker, Brogan, Brown, Buckson, Durnall, Esham, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Peel, Rentz, Roe, Schorr, Shaw, Simon, Steele, Tyndall, White, Wright, Zebbley—24.

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

On motion of Mr. Dugan, House Bill No. 30, entitled:

An Act to amend Chapter 82 of the Revised Code of the State of Delaware (1915), providing that jurisdiction shall be before Justices of the Peace or the Municipal Court of Wilmington for violations thereof.

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

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Rentz, Roe, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebbley, Mr. Speaker—33.

NAYS—None.

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

And was ordered to the Senate for concurrence.

On motion of Mr. Shaw, House Bill No. 58, entitled:

An Act to amend Chapter 100 of the Revised Code of the State of Delaware (1915) relative to obstructing railroad tracks.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Rentz, Roe, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebbley, Mr. Speaker—33.

NAYS—None.

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

And was ordered to the Senate for concurrence.

On motion of Mr. Joseph, House Bill No. 59, entitled:

An Act to amend "An Act to reincorporate the Town of Georgetown," being Chapter 238, Volume 26, Laws of Delaware.

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Rentz, Roe, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebbley, Mr. Speaker—33.

NAYS—None.

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

And was ordered to the Senate for concurrence.

Mr. Brown, on motion for leave, introduced House Bill No. 61, entitled:

An Act to amend Chapter 131, Volume 33, Laws of Delaware, entitled "An Act to reincorporate the Town of Clayton" by exempting certain real estate from municipal taxation.

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

Mr. Brown, on motion for leave, introduced House Bill No. 62, entitled:

An Act to amend Chapter 131, Volume 33, Laws of Delaware, entitled "An Act to reincorporate the Town of Clayton" by making taxes a lien for three years against property upon which assessed.

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

Mr. White, on motion for leave, introduced House Bill No. 63, entitled:

An Act providing for the creation and construction of Crematories.

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

On motion for leave, Mr. Kelton introduced House Concurrent Resolution No. 10, entitled:

HOUSE CONCURRENT RESOLUTION NO. 10

WHEREAS, The immediate cash payment of the Adjusted Service Certificates to the veterans of the World War will increase tremendously the purchasing power of millions of the consuming public, distributed uniformly throughout the nation; and will provide relief for the holders thereof, who are in dire need and distress because of the present unfortunate economic conditions; and will lighten the burden which towns, cities, counties and states are required to carry for relief; and

WHEREAS, The payment of said certificates will not create any additional debt, but will discharge and retire an acknowledged interest obligation of the National Government; now, therefore,

BE IT RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF DELAWARE IN GENERAL ASSEMBLY MET:

1. That since the Government of the United States is now definitely committed to the policy of spending additional sums of money for the purpose of hastening recovery from the present economic crisis; the General Assembly of the State of Delaware recommends the immediate cash payment at face value of the Adjusted Service Certificates, with cancellation of interest accrued and refund of interest paid, as a most effective means to that end.

2. That the Secretary of the Senate and the Chief Clerk of the House of Representatives are hereby directed to forward copies of the Concurrent Resolution to the Congressional Delegation of the State of Delaware, by: Hon. Daniel O. Hastings, Hon. John G. Townsend, Jr., and Hon. J. George Stewart.

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

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

YEAS—Messrs. Baker, Clark, Dugan, Durnall, Esham, Evans, Heal, Hurley, Kelton, Lekites, Peel, Shaw, Simon, Steele, Warren, White, Zebley, Mr. Speaker—18.

NAYS—None.

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

And was ordered to the Senate for concurrence.

Mr. White, on motion for leave, introduced House Bill No. 64, entitled:

An Act to amend Chapter 60 of the Revised Code of the State of Delaware, relative to the Seventh Representative District of New Castle County by creating a new Election District to be known as the Tenth Election District of the Seventh Representative District of New Castle County.

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

Mr. Simon moved that the House adjourn until 11 o'clock, A. M., February 4th, 1935.

Motion prevailed.

«TWENTY-SECOND LEGISLATIVE DAY»

Dover, Delaware, February 4th, 1935, 11:45 o'clock, A. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. William S. Cantwell.

Roll called.

Members Present—Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Roe, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—35.

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

Motion prevailed.

On motion for leave, Mr. Zebley introduced House Concurrent Resolution No. 11, entitled:

HOUSE CONCURRENT RESOLUTION NO. 11

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

That the members of each branch of both Houses of the General Assembly desire to express their appreciation and sincere thanks for the delightful hospitality which the Chamber of Commerce of the City of Wilmington so graciously extended to them at the Reception at the Hotel duPont in Wilmington during the course of its annual meeting, and particularly the members of both Houses are appreciative of the cordiality and efforts of the Chamber of Commerce in bringing together a group of distinguished citizens of the State of Delaware and in the sponsoring of the illuminating and informative address by Henry I. Harriman, President of the United States Chamber of Commerce; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be spread upon the minutes and a copy sent to I. B. Finklestein, President of the Wilmington Chamber of Commerce.

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

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

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

YEAS—Messrs. Bailey, Baker, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Rentz, Roe, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—33.

NAYS—None.

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

And was ordered to the Senate for concurrence

Mr. Shaw, on behalf of the Committee on Temperance, to whom had been referred, House Bill No. 56, entitled:

An Act to amend Chapter 153, Revised Code of Delaware relating to Sabbath Breaking, by legalizing the playing of baseball and football on Sunday.

Reported the same back to the House favorably.

JAS. G. SHAW
W. T. HOBSON
MORRIS SIMON
FRANK R. POOL

Mr. Brown, on motion for leave, introduced House Bill No. 65, entitled:

An Act appropriating money to certain Fire Companies in the State of Delaware.

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

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

An Act authorizing the Town of Clayton to borrow Forty-one Thousand Dollars and to issue bonds therefor, for the purpose of redeeming and refunding certain outstanding bonds of the Town of Clayton.

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

The Speaker announced he is about to sign:

House Bill No. 19.

House Bill No. 60.

House Concurrent Resolution No. 9.

Mr. Paskey, on motion for leave, introduced House Bill No. 67, entitled:

An Act appropriating certain moneys to Kent and Sussex County Fair, Incorporated, for prizes.

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

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

Senate Bill No. 23, entitled:

An Act to amend Chapter 10, Volume 36, of the Laws of Delaware, as amended by Chapter 10, Volume 37 and Chapter 27, Volume 38, Laws of Delaware, relating to fees for registration of motor vehicles.

And presented the same to the House.

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

Senate Bill No. 19, entitled:

An Act to amend Chapter 43 of the Revised Code of the State of Delaware (as amended by Chapter 77, Volume 33, and Chapter 87, Volume 34, Laws of Delaware) relating to the Levy Court of Sussex County, by authorizing the Levy Court of Sussex County to appropriate money to Motorized Fire Companies within Sussex County.

And presented the same to the House.

The Chair presented Senate Bill No. 19, entitled:

An Act to amend Chapter 43 of the Revised Code of the State of Delaware (as amended by Chapter 77, Volume 33, and Chapter 87, Volume 34, Laws of Delaware) relating to the Levy Court of Sussex County, by authorizing the Levy Court of Sussex County to appropriate money to Motorized Fire Companies within Sussex County.

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

The Chair presented Senate Bill No. 23, entitled:

An Act to amend Chapter 10, Volume 36, of the Laws of Delaware, as amended by Chapter 10, Volume 37 and Chapter 27, Volume 38, Laws of Delaware, relating to fees for registration of motor vehicles.

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

Mr. Dugan, on motion for leave, introduced House Bill No. 68, entitled:

An Act to amend Section 143 of the Motor Vehicle Laws and providing the penalty for the operation of a Motor Vehicle while under the influence of intoxicating liquor or of any drug.

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

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

Motion prevailed.

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

House met at expiration of recess.

Mr. Lyons, on behalf of the Committee on Miscellaneous, to whom had been referred, House Joint Resolution No. 1, entitled:

Relating to the death of Casimir Pulaski.

Reported the same back to the House favorably.

HARRY V. LYONS
MORRIS SIMON
LEO J. DUGAN
BURTON S. HEAL
WALTER J. PASKEY

Mr. Lyons, on behalf of the Committee on Miscellaneous, to whom had been referred, Senate Bill No. 23, entitled:

An Act to amend Chapter 10, Volume 36, of the Laws of Delaware, as amended by Chapter 10, Volume 37 and Chapter 27, Volume 38, Laws of Delaware, relating to fees for registration of motor vehicles.

Reported the same back to the House favorably.

HARRY V. LYONS
LEO J. DUGAN
BURTON S. HEAL
MORRIS SIMON

Dr. Pierce moved that House Bill No. 23 be stricken from the Calendar.

Motion prevailed.

On motion of Mr. Simon, House Bill No. 37, entitled:

An Act providing for the payment of a portion of the cost by the State of Delaware of the construction of a much needed inlet from the Delaware Bay into the Lewes and Rehoboth Canal at Lewes, Delaware, with at least six feet of water at mean low tide and jettied on both sides from the shore line out into the Delaware Bay.

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

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

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

Yeas—Messrs. Bailey, Baker, Brogan, Brown, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Roe, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—33.

NAYS—None.

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

And was ordered to the Senate for concurrence

On motion of Mr. Zebley, House Bill No. 41, entitled:

An Act to amend Chapter 33 of the Revised Code of the State of Delaware relating to Board of Examiners of Barbers.

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

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

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

Yeas—Messrs. Bailey, Baker, Brogan, Brown, Dill, Dugan, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Roe, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—32.

NAYS—None.

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

And was ordered to the Senate for concurrence

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

House Bill No. 12, entitled:

An Act to authorize the Mayor and Council of Laurel, Del., to borrow Twenty-seven Thousand Dollars (\$27,000) to redeem certain outstanding bonds and various forms of indebtedness of the Mayor and Council of Laurel, Delaware.

And returned the same to the House.

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

House Bill No. 17, entitled:

An Act to repeal Chapter 132 of Volume 32, Laws of Delaware, entitled "An Act authorizing the Town Commissioners of Frederica to borrow Fifteen Thousand Dollars, and to issue bonds therefor, for the purpose of acquiring in any manner and establishing and maintaining a Water Plant for the Town of Frederica."

And returned the same to the House.

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

House Bill No. 18, entitled:

An Act authorizing the Town Commissioners of Frederica to borrow Fifteen Thousand Dollars, and to issue bonds therefor, for the purpose of acquiring in any manner and establishing and maintaining a Water Plant for the Town of Frederica.

And returned the same to the House.

On motion of Mr. Simon, House Bill No. 55, entitled:

An Act authorizing "The City of Dover" to borrow Four Hundred Fifty Thousand Dollars and to issue bonds therefor, for the purpose of redeeming and refunding certain outstanding bonds of "The City of Dover."

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Roe, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—34.

NAYS—None.

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

And was ordered to the Senate for concurrence

On motion of Mr. Shaw, Senate Bill No. 17, entitled:

An Act to amend Chapter 131 of the Revised Code of Delaware (1915) as amended, in relation to Juries.

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

On request the privilege of the floor was given to Deputy Attorney General Storey.

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Roe, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebbley, Mr. Speaker—34.

NAYS—None.

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

And was ordered returned to the Senate.

Mr. Dugan, on motion for leave, introduced House Bill No. 69, entitled:

An Act to amend certain Sections of Chapter 58 of the Revised Code of the State of Delaware entitled "Primary Elections."

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

Mr. Dugan, on motion for leave, introduced House Bill No. 70, entitled:

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

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

Mr. Dugan, on motion for leave, introduced House Bill No. 71, entitled:

An Act to amend certain Sections of Chapter 57 of the Revised Code of the State of Delaware, relating to the Department of Elections for the City of Wilmington.

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

Mr. Brogan moved that 100 copies of House Bills Nos. 69, 70 and 71 be printed.

Motion prevailed.

Mr. Pierce, on behalf of the Committee on Public Health, to whom had been referred, House Bill No. 63, entitled:

An Act providing for the creation and construction of crematories.

Reported the same back to the House favorably.

W. R. PIERCE
HENRY C. WHITE
C. B. BROWN
J. S. EVANS
A. O. BAKER

The Speaker announced he is about to sign:

House Bill No. 12.

House Bill No. 17.

House Bill No. 18.

Mr. Pool, on behalf of the Committee on Elections, to whom had been referred, House Bill No. 64, entitled:

An Act to amend Chapter 60 of the Revised Code of the State of Delaware relative to the Seventh Representative District of New Castle County by creating a new Election District to be known as the Tenth Election District of the Seventh Representative District of New Castle County.

Reported the same back to the House favorably.

LEO J. DUGAN
FRANK R. POOL
JAMES J. ESHAM
W. R. PIERCE
FRED M. WRIGHT

Mr. Brogan, on motion for leave, introduced House Bill No. 72, entitled:

An Act to grant to The Mayor and Council of the City of Wilmington all the right and title of the State of Delaware to certain land under water in the City of Wilmington.

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

On motion of Mr. Buckson, House Bill No. 44, entitled:

An Act to amend An Act entitled "An Act changing the name of 'The Town of Dover' to 'The City of Dover' and establishing a charter therefor" by providing a procedure for condemnation of property taken for municipal purposes.

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

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

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

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

YEAS—Messrs. Bailey, Baker, Brogan, Brown, Buckson, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Roe, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—34.

NAYS—None.

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

And was ordered to the Senate for concurrence.

On motion of Mr. Buckson, House Bill No. 45, entitled:

An Act to amend An Act entitled "An Act changing the name of 'The Town of Dover' to 'The City of Dover' and establishing a charter therefor" by authorizing the employment of persons convicted of violations of municipal ordinances for municipal purposes.

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

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

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

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

YEAS—Messrs. Buckson, Hughes, Paskey, Pierce, Roe, Warren—6.

NAYS—Messrs. Bailey, Brogan, Brown, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hurley, Hutchinson, Joseph, Kelton, Lekites, Peel, Pool, Rentz, Schorr, Shaw, Simon, Steele, Tyndall, White, Wright, Zebley, Mr. Speaker—28.

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

Mr. Dugan, on motion for leave, introduced House Bill No. 73, entitled:

An Act appropriating certain money to the Detention Home for Juveniles for the State of Delaware for the erection, furnishing and maintenance of a new building.

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

Mr. Simon moved that the House adjourn until 11 o'clock, A. M., February 5th, 1935.

Motion prevailed.

«TWENTY-THIRD LEGISLATIVE DAY»

Dover, Delaware, February 5th, 1935, 11:45 o'clock, A. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. W. S. Cantwell.

Roll called.

Members Present—Bailey, Baker, Brogan, Brown, Buckson, Clark, Dill, Dugan, Durnall, Esham, Evans, Heal, Hobson, Hughes, Hurley, Hutchinson, Joseph, Kelton, Lekites, Paskey, Peel, Pierce, Pool, Rentz, Roe, Schorr, Shaw, Simon, Steele, Tyndall, Warren, White, Wright, Zebley, Mr. Speaker—35.

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

Motion prevailed.

Mr. Simon moved that the Report from the State Board of Agriculture be made part of the Journal.

Motion prevailed.

STATE BOARD OF AGRICULTURE

DOVER, DELAWARE

February 4, 1935.

Mr. Frank W. Schroeder, Chief Clerk

House of Representatives

Dover, Delaware

Dear Sir:

In accordance with House Resolution Number 17, the State Board of Agriculture is pleased to submit herewith "a report showing in detail any and all plans and policies formulated by said Department for the assistance of the farmers of this State, for bettering the agricultural conditions in the State, and increasing the income of our farmers."

Respectfully yours,

RALPH C. WILSON,

Secretary

RCW/HE

STATE BOARD OF AGRICULTURE

DOVER, DELAWARE

Report of the State Board of Agriculture "showing in detail any and all plans and policies formulated by said Department for the assistance of the Farmers of this State, for bettering the Agricultural conditions in the State, and increasing the income of our farmers"—Presented in accordance with House Resolution Number 17.

The work of the State Board of Agriculture is primarily of a regulatory nature, being based upon the laws of the State in regard to agriculture. The functions and duties of the Delaware State Board of Agriculture are defined by specific acts of the Delaware Legislature, most of which acts have been suggested by the State Board of Agriculture in accordance with the requests and desires expressed by the various agricultural organizations of the State, including the Granges, the cattle and poultry breeders associations, the fruit growers organizations, etc. All of these activities are essentially for the assistance and protection of the Delaware farmers, their crops and livestock, for bettering the agricultural conditions in the State, and for aiding the farmers to increase their incomes. The State Board of Agriculture has no powers to set the prices which the farmer receives for his products; however, the work of this Department not only aids him in producing better products, for which more income can be received, but actually protects his income in making it possible for him to produce products which are acceptable for the markets, assisting him in the marketing thereof, providing services for which a considerable part of his income would have to be expended were such services not furnished by this Department, and protecting him from losses, in so far as possible, from diseases and pests.

As the funds furnished the State Board of Agriculture are appropriated, by the Legislature, for specific purposes, it is impossible to use these funds for any other purpose than those directed; however, the State Board of Agriculture has branched its activities out, to afford increased assistance and protection to the farmers, wherever compatible with the duties and powers specified by the Delaware Laws, has taken advantage of every opportunity to offer Delaware farmers ad-

ditional services and assistance when it was possible to do so without any additional expenditures, and has taken advantage of every opportunity offered by the Federal authorities to bring additional services and help to Delaware farmers, through any Federal funds permitted to be administered through this Department.

These activities of the Board include the eradication of Bovine Tuberculosis, the control and eradication of Bang's Disease (Contagious Abortion), the control of contagious diseases of livestock, hog cholera prevention, the work of the State Laboratory, the Bureau of Markets, the Poultry Department, the Plant Pathologist and Nursery Inspector, the Corn Growers' Association, the Peninsula Horticultural Society, and the Japanese Beetle Project.

ERADICATION OF BOVINE TUBERCULOSIS

The testing of cattle for tuberculosis is a service vitally necessary to Delaware farmers, in order for them to be able to market their milk, as well as a measure for the protection of public health, and a means whereby the cattle owners can improve their herds and increase their profits. Most of the milk produced in Delaware is sold to markets outside of the State, principally the large cities of the east; and, as the Boards of Health of the various cities and the milk companies buying the milk require an annual tuberculin test of the cattle, this service is the very foundation of the dairy industry, not only aiding the farmer in increasing his income, but being essential in enabling him to find a market for his milk.

In addition to the necessity of the tuberculin test in order for the farmers to be able to sell their milk, constant testing must be continued in order to control infection. The same plan for the eradication of Bovine Tuberculosis in Delaware was carried on during 1933-34 as in previous years. During the year, the total cattle tested in Delaware by the State and Federal Veterinary Inspectors were as follows: (These figures do not include the tests made by the practicing veterinarians).

	No. Herds Tested	No. Cattle Tested	No. Cattle Passed	No. Cattle Reacted	Percentage of Reactors
New Castle County.....	903	12,091	11,830	261	2.16%
Kent County	643	5,951	5,831	120	2.01%
Sussex County	158	1,855	1,842	13	0.70%
State	1,704	19,897	19,503	394	1.98%

The State Board of Agriculture paid directly to the farmers of the State the sum of \$9,991.90 in State indemnity on animals which reacted to the tuberculin test. On these same reactors, the Federal Bureau of Animal Industry also paid to the farmers approximately \$6,661.27 as Federal indemnity. In addition to the State and Federal indemnity, all the proceeds from the slaughter of these reactors were paid directly to the owners.

The decrease in the amount of infection found in New Castle County during the year was 0.34%; that in Kent County, 0.29%; and that in Sussex County, 0.4%; while the amount of infection found throughout the entire state was 0.22% less than the amount found during the previous year.

During the fiscal year 1933-34, the cattle taken under State-Federal supervision, for the first time, were as follows:

INITIAL TESTS

	No. Herds Tested	No. Cattle Tested	No. Cattle Passed	No. Cattle Reacted of Reactors	Percentage of Reactors
New Castle County.....	101	478	436	42	8.78%
Kent County	99	582	576	6	1.02%
Sussex County	4	36	36	0	0.
State	204	1,096	1,048	48	4.37%

The percentage of reactors in new herds was 6.03% less than the percentage of infection found in new herds during the previous year. These initial tests were on herds which had not previously been tested under State-Federal supervision.

In order for a herd of cattle to become officially accredited, it is necessary for it to pass at least two clean annual or three clean semi-annual tuberculin tests by State or Federal Veterinary Inspectors. The herds accredited, for the first time, during 1933-34 were as follows:

	Herds	Cattle
New Castle County	120	2,019
Kent County	70	813
Sussex County	11	171
State	201	3,003

After herds of cattle are officially accredited, it is necessary for them to be retested annually, by the practicing accredited veterinarians, in order to retain their accredited herd status. During the two fiscal years, 1931-32 and 1932-33, the Delaware Legislature provided the State Board of Agriculture a fund for the purpose of paying the practicing accredited veterinarians for retesting the accredited herds in the State, without expense to the herd owners. The reduced budget for 1933-34 and 1934-35 did not permit the allowing of a fund for this purpose; however, at the suggestion of Governor Buck, the State Board of Agriculture was authorized to continue this service to the cattle owners of the State, paying the practicing veterinarians for retesting accredited herds from the fund appropriated for the eradication of tuberculosis. The total cattle tested by the practicing veterinarians, including the accredited herds and private tests (which are paid for by the cattle owners), during the fiscal year, 1933-34 were as follows:

	Accredited		Private Tests		Total		Reactors	
	Herds	Cattle	Herds	Cattle	Herds	Cattle	Acc.	Private
New Castle County..	549	10,670	22	209	571	10,879	19	0
Kent County	845	10,752	25	59	870	10,811	34	0
Sussex County	306	4,104	26	47	332	4,151	4	1
State	1,700	25,526	73	315	1,773	25,841	57	1

These private tests include those tests made, at the owners' expense, for the purpose of interstate shipment, addition to tested herds, sale, etc.

The accredited herds tested by the practicing veterinarians during the fiscal year, 1933-34 show an increase of 2,024 cattle, contained in 96 herds over the number tested last year.

The importance of this service in direct relation to the farmers' incomes may be judged when it is realized that, in order to keep their herds accredited and their milk eligible for market, it would have been necessary for the farmers themselves to have expended the amount of money necessary to test these herds, had not the State Board of Agriculture furnished them this service.

When reactors are found in accredited herds, they are appraised by the State or Federal Veterinary Inspector, and the herds revert to State-Federal supervision, and must be retested

until they have passed a sufficient number of clean tests, conducted by State or Federal Inspectors, before they can be returned to the accredited herd status.

Sussex County remains on the Federal list or modified accredited areas, and will not be due for a retest of the entire county until 1936. In the meantime, the tuberculin testing of cattle in Sussex County is confined to the annual retesting of individual accredited herds, the retesting of infected herds, and the testing of herds assembled since the county was accredited.

The Veterinary Inspectors of the State Board of Agriculture are now concentrated in Kent County, in an effort to test all of the cattle in the entire county, so that, as soon as the percentage of infection is sufficiently reduced, the county may be officially accredited. These Inspectors are going over the whole county, road by road, testing all herds which are not accredited. At present, the Board has only two inspectors for this work; however, the Federal Bureau of Animal Industry has been requested for additional men.

Because of the higher percentage of infection in New Castle County, it will take considerable more testing to eradicate tuberculosis sufficiently to undertake the accrediting of the county.

The status of all herds and cattle under State-Federal supervision, including accredited herds, in Delaware, on July 1, 1934, was as follows:

	Accredited		Infected		Once-Tested-free		Total Under	
	Herds	Cattle	Herds	Cattle	Herds	Cattle	Herds	Cattle
New Castle Co...	761	14,824	175	2,745	779	4,123	1,715	21,692
Kent County ...	1,095	12,276	197	2,475	1,293	5,346	2,585	20,097
Sussex County ..	435	5,406	8	66	2,877	6,614	3,320	12,086
State ..	2,291	32,506	380	5,286	4,949	16,083	7,620	53,875

BANG'S DISEASE (CONTAGIOUS ABORTION)

The blood testing of cattle for Bang's Disease (Contagious Abortion) has increased materially in Delaware during the past year. Owners of pure bred cattle especially have found it unprofitable to maintain herds where this disease exists. There

has also been considerable agitation because of the fact that Undulant Fever, a disease affecting human beings, may be transmitted through the consumption of milk from cattle infected with Bang's Disease.

Realizing the economic importance to cattle owners of the control and eradication of Bang's Disease, the State Board of Agriculture started conducting the blood test of cattle for this disease in 1931. As no funds were available for that purpose then, the amount of work that could be done was limited; however, in 1933, the State Legislature authorized the State Board of Agriculture to use such funds as were available from the appropriation for the eradication of Bovine Tuberculosis for the blood testing of cattle for the control and eradication of Bang's Disease.

Because of the fact that no indemnity was available on reactors to the blood test for Bang's Disease, at that time, the State Board of Agriculture's Plan for the Control and Eradication of Bang's Disease, as promulgated in May, 1933, provided for the placing of herds under State supervision for this disease, without the immediate slaughter of infected animals. Several methods were provided whereby the diseased animals could be isolated from the healthy animals. All animals which reacted to the blood test, however, were quarantined on the owner's premises, and not permitted to be moved for any purpose without a written permit from the State Board of Agriculture, the only reasons for which permits were issued being for the immediate slaughter of reactors or their removal either to herds where the disease was already known to exist or to premises on which no other cattle were located.

During the fiscal year, 1933-34 the laboratory of the State Board of Agriculture tested, by the recognized agglutination method, 4,093 samples of blood for Bang's Disease. 3,758 of these samples were collected by the veterinarian regularly employed by the State Board of Agriculture, without cost to the herd owner, and 335 were submitted by the practicing veterinarians. The samples submitted by the practicing veterinarians were from cattle from which the blood samples were collected, the veterinarians' services being at the owners' expense, for interstate shipment, sale purposes, additions to tested herds, etc.

On June 30, 1934, the following herds of cattle were under the supervision of the Delaware State Board of Agriculture for the eradication of Bang's Disease, classified according to the status of the herd:

Accredited		Infected		Once-Tested-Free		Total Under Supervision	
Herds	Cattle	Herds	Cattle	Herds	Cattle	Herds	Cattle
11	666	30	942	21	455	62	2,063

In July, 1934, through the Federal Bureau of Animal Industry, an appropriation became available for the payment of Federal indemnity on cattle which reacted to the agglutination (blood) test for Bang's Disease. Realizing the importance of this measure to Delaware farmers, the State Board of Agriculture immediately entered into an agreement with the Federal Bureau to conduct the testing of cattle for Bang's Disease, under State-Federal supervision, in order that the reactors might be eligible for Federal indemnity. Publicity was given to this service, through personal letters and the newspapers, and the interest of Delaware farmers in the plan was immediate. The eradicating of Bang's Disease from herds of cattle is a measure, not only for public health, because of the milk consumption, but is of great economic importance to the cattle owners. The possession of Bang's Disease tested herds means an increase of income to the farmer, both from the standpoint of production and the health of his cattle, but also because of the fact that the Board of Health regulations provide that no herd can qualify for Grade A Raw Milk, after July 1, 1935, unless the cattle have been tested for Bang's Disease. As this regulation also provides that cattle furnishing Grade B Raw Milk, after July 1, 1936, must be Bang's Disease tested, this service is not only a measure to better the farmer's income and improve agricultural conditions, but a protective measure to enable him to market his milk.

While the State-Federal supervision of cattle for the eradication of Bang's Disease has only been in effect since the first of August, 1934, up to date of January 19, 1935,—137 herds, consisting of 2,984 cattle have already been placed under supervision. According to the amount of infection, the number of clean tests, etc., these herds are classified as follows:

Accredited		Infected		Once-Tested-Free		Total Under Supervision	
Herds	Cattle	Herds	Cattle	Herds	Cattle	Herds	Cattle
10	406	69	1,592	58	986	137	2,984

Up to date of January 19, 1935, claims in the amount of approximately \$12,340.00 had been presented for payment to the Federal Bureau of Animal Industry, for indemnity on Bang's Disease reactors. In addition to this Federal indemnity, the owners receive the entire proceeds from the slaughter of the reactors.

As the Bang's Disease testing differs from the tuberculin testing, in that it is necessary to test more frequently for Bang's Disease, the above stated number of cattle under supervision does not by any means include all the cattle that have been tested during that period, as some of the herds have been tested several times already. From July 1, 1934, to January 19, 1935, a total of 4,698 cattle was tested by the State Veterinary Inspector in charge of the Bang's Disease Control work, with the assistance of a Federal Inspector for a month and a half.

The Federal indemnity on cattle which react to the Bang's Disease test is not more than \$20.00 for any grade animal or not more than \$50.00 for any pure bred animal. All reactors must be slaughtered under State-Federal supervision. The Federal Bureau limits the number of tests on which Federal indemnity is available to two tests on each herd.

Because of the milk regulations and the economic importance of Bang's Disease, the State Board of Agriculture feels that it is essential that this service to herd owners be continued, after the two tests provided by the Federal Bureau, in order to eradicate Bang's Disease and enable herd owners to establish accredited herds, or the advantage of the work already done will be lost. As the Federal Bureau has already borne the brunt of the expense of this work in paying the indemnity on reactors to the first two tests, on which about seventy-five per cent (75%) of all the infected animals may be expected to be eliminated, the State Board of Agriculture has presented a bill to the present session of the Legislature, requesting that the Board be authorized to continue the payment of indemnity for reactors, on the tests after the herd has had the two tests eligible for Federal indemnity; and, if the Federal appropriation is discontinued, to continue to take herds under State supervision, paying indemnity from the original test so long as the herd remains under supervision. The indemnity proposed for the State is the same as the Federal indemnity; that is, \$20.00 for any grade animal and \$50.00 for any pure bred animal.

At a meeting of the various agricultural organizations of the State, in Dover, on January 21, this bill was endorsed by the State Grange, the poultry association, the different cattle breeders associations, the veterinarians' association, the dairymen's association, the Interstate Milk Producers Association, etc.

As practically all of the different states require that cattle meet certain regulations in regard to the tuberculin and Bang's Disease test, the service of the State Board of Agriculture in issuing interstate shipment charts for cattle moving out of the State is of great importance to cattle owners. During the calendar year of 1934,—165 charts, covering 458 cattle, destined to Pennsylvania, Maryland, New Jersey, New York, Washington, D. C., Connecticut, Virginia, Tennessee, Vermont, South Carolina, Kansas, Wisconsin, and Canada were issued by the State Board of Agriculture, covering both the tuberculin and Bang's Disease test records on the cattle involved, one copy of which accompanied the cattle, one copy to the livestock sanitary official of the State to which the cattle were shipped, one copy to the United States Bureau of Animal Industry, and one copy remaining on file at the State Board of Agriculture office. These charts are necessary, not only because of the laws of the Federal Bureau and other states governing the interstate movement of cattle, but because purchasers of cattle from other states are not willing to accept the cattle unless the cattle are certified by the State Board of Agriculture as being eligible for shipment.

The regulations governing the importation of cattle into Delaware from other states are of material value in preventing the bringing in of infection and in eradicating disease in this State. The Delaware regulations, which are similar to those of the other neighboring states, are promulgated to safeguard Delaware cattle, and it is essential that any cattle entering the State conform to these requirements in regard to the tuberculin and blood test for Bang's Disease. For this purpose, the State Board of Agriculture requires that all cattle entering the State be accompanied by interstate shipment certificates, and that a copy of these certificates shall be forwarded the State Board of Agriculture. These certificates are kept on file, so that the exact status of the animals may be ascertained at any time, their eligibility to enter herds in this State, or their eligibility to be re-shipped.

MASTITIS

The Federal Bureau of Animal Industry has recently inaugurated the service of paying Federal indemnity, not to exceed \$20.00 for any grade animal or \$50.00 for any registered pure bred animal, for cattle condemned because they are infected with Mastitis. In order for Delaware farmers to be enabled to take advantage of this means of getting rid of unprofitable cattle and receiving payment for them, the State Board of Agriculture, on January 2, 1935, signed the agreement with the United States Bureau of Animal Industry, to undertake the examination of herds of cattle for animals infected with Mastitis. Such animals are condemned upon physical examination by a veterinarian employed by this Department; and, from January 2, to January 19, approximately \$700.00 worth of claims were presented by the State Board of Agriculture to the Federal Bureau for payment on Mastitis reactors. In addition to the Federal indemnity, the cattle owners receive the entire proceeds from the slaughter of the cattle.

As the Federal regulations governing this appropriation provide that, in order to be eligible for the Mastitis examination and indemnity, the herds must already be under supervision for the Eradication of Bang's Disease, the Veterinarian in charge of the Bang's Disease Control has conducted the examinations for Mastitis reactors. As there have been a number of cases recently where the milk station refused to accept milk from a cow infected with Mastitis, this service provides a timely aid to the farmers owning such cattle.

RELIEF CATTLE

In accordance with the State Board of Agriculture's policy of undertaking extra measures for which no funds or facilities are provided, whenever such measures will afford protection or assistance to Delaware farmers through increased work on the part of the employees of the Board, but without the expenditure of any funds, the State Board of Agriculture undertook the supervision of the unloading, examination, and testing of the cattle distributed in New Castle County by the Relief Commission. 1,200 of the cattle purchased by the Federal Government in the drought stricken areas of the West and shipped East for pasture were secured, through the efforts

of the Relief Commission in New Castle County, for pasturing on Delaware farms. The pasture owners were paid at the rate of \$1.25 an animal per month for the use of their pasture. The cattle did not become the property of the pasture owners, but were destined for slaughter at the direction of the Relief Commission.

As considerable time and money has been spent in Delaware to eradicate disease, especially tuberculosis, from the Delaware livestock, the State Board of Agriculture made arrangements with the Relief Commission that, before these cattle should be released into the State, they should pass thorough physical examinations and be tuberculin tested. This was felt essential in order to protect the health of both the human beings and the Delaware livestock. For this purpose, as the cattle were unloaded at Stanton, Delaware, they were given a thorough physical examination by the veterinarians of the State Board of Agriculture. As the cattle were unloaded, they were also subjected to the tuberculin test, applied by accredited practicing veterinarians employed by the Relief Commission, under supervision of the State Board of Agriculture. The cattle were then removed to premises where they could be held in quarantine until the results of the tuberculin test could be determined. Three days later, when the results of the tuberculin test were read, the veterinarians of the State Board of Agriculture conducted another physical examination. All animals which showed any evidence of physical disabilities or any disease transmissible either to human beings or cattle, and all reactors to the tuberculin test were condemned for immediate slaughter, under Federal supervision.

CONTROL OF CONTAGIOUS DISEASES IN LIVESTOCK ANTHRAX

In the control of contagious diseases of livestock, one of the most important activities is the prevention of Anthrax. Anthrax is a fatal disease of livestock, the germs living in the soil, and remaining alive and active for many years. It is, therefore, essential that all the animals on infected farms be inoculated against Anthrax, not only to save the livestock on those infected premises, but for the protection of the surround-

ing territory. During the fiscal year, 1933-34, the following animals were inoculated against Anthrax in Delaware:

	Horses	Cattle	Mules	Swine	Sheep	Total No. Animals	Total No. Herds
New Castle Co.	192	1,432	49	0	0	1,673	63
Kent County . . .	371	3,536	137	13	496	4,553	211
State	563	4,968	186	13	496	6,226	274

This inoculation is provided by the State Board of Agriculture, entirely without cost to the livestock owners. The practicing local veterinarians of the State are employed for this work, and are recompensed by the State Board of Agriculture. During the above mentioned fiscal year, the veterinarians' fees covering this work amounted to \$2,468.30, while the vaccines and serums used for the inoculations cost \$781.44. The total of \$3,249.74 was not only a saving of this amount of money for the livestock owners on the infected farms, but represents an inestimable value in saving the losses that an outbreak of Anthrax would cause. This service is not only of value to the farmers whose stock is inoculated, but also to the farmers in the surrounding territory whose stock would suffer should the disease be permitted to spread.

EQUINE ENCEPHALOMYELITIS

Another livestock disease that assumed primary importance in Delaware during the summer of 1933, and to a smaller extent in 1934, was Equine Encephalomyelitis.

For many years, horse owners in Delaware have lost animals from a disease variously diagnosed as "Blind Staggers," "Cerebral Spinal Meningitis", "Forage Poisoning," etc. During the late summer and fall of 1933, a disease that resembled this occurred in epidemic form in Delaware. Through the efforts of the Delaware State Board of Agriculture, the aid of the Pathological Division of the United States Bureau of Animal Industry was enlisted, and Dr. Giltner of the Federal force was sent to Delaware for investigation. Dr. Giltner and one of the State Board of Agriculture's Veterinary Inspectors collected many specimens of brains from animals which were affected with the disease. These specimens were examined, both histolo-

gically, and bacteriologically at the Bureau, and the disease was definitely diagnosed as Equine Encephalomyelitis. This disease was corroborated by the Rockefeller Institute of Medical Research.

During this outbreak of Encephalomyelitis in Delaware, the disease appeared at the same time, in epidemic form, in sections of Maryland, Virginia, and New Jersey, and was also definitely diagnosed as encephalomyelitis.

This disease was first diagnosed in California, in 1930, and in Nevada and South Dakota in 1931 and 1932. A serum to produce a passive immunity against this disease was developed from the virus of animals affected in the western outbreaks. This serum was partially successful in immunizing western animals against the disease; however, the virus that was isolated from the eastern specimens apparently was of so much greater virulence than the western virus that the western serum had no protective value against the eastern disease.

It is estimated that, during the months of July, August, September, and October of 1933, approximately 700 horses contracted the disease in Delaware, with a death rate of about ninety percent. The disease started in the marsh lands adjoining the Delaware Bay in Kent County and spread over practically the entire county. A small amount of infection occurred in the northern part of Sussex County and the southern part of New Castle County, adjoining Kent County.

Because of the fact that the western type serum would not successfully immunize eastern animals against Encephalomyelitis, there was little that could be done during the 1933 outbreak to save the infected animals and prevent the disease; however, the United States Bureau began experiments to produce a serum or a vaccine, from specimens secured by the veterinarian employed by the Delaware State Board of Agriculture that would produce a lasting immunity in eastern animals against this disease.

A vaccine was produced by the Bureau from the virus of Delaware specimens, that proved successful in immunizing both experimental animals and horses against the eastern type of the disease. During the spring of 1934, the Delaware State Board

of Agriculture obtained a supply of this vaccine, and 263 horses, throughout the infected area, were vaccinated by the veterinarian employed by the Board. Two injections of the vaccine were made on each animal, at intervals of two weeks. Three classes of animals were vaccinated: Those in herds where the disease occurred in 1933; those in herds where no disease occurred in 1933; and animals which had been shipped into the State since the 1933 outbreak. This work was done, for experimental purposes, without any cost to the horse owners. Similar vaccinations were conducted in Maryland and Virginia. The number of horses in each State that could be treated was necessarily limited because of the small supply of vaccine available, and because of the fact that it was desired to ascertain if a lasting immunity could be obtained by this vaccine before it was produced commercially.

During the 1933 outbreak, the Delaware State Board of Agriculture immediately placed all information available in the hands of the practicing veterinarians of the State, in order to furnish all possible assistance in the control of the disease. Representatives of the State Board of Agriculture addressed meetings of farmers in various sections of the State. Articles were published in all the newspapers of the State, advising of the disease, the information available and the experiments being conducted, and of the advisability of keeping all horses stabled when not in use and spraying them with insect repellants. As a protective measure, the State Board of Agriculture also employed an inspector in enforcing the regulation that all dead animals must be buried within twenty-four hours.

Out of the 263 horses vaccinated in Delaware in the spring of 1934, three animals later died; however, the virus of Encephalomyelitis was found from only one animal, upon examinations and tests at the Bureau of Animal Industry.

Because of the protection and assistance afforded by the use of this vaccine, the State Board of Agriculture has made application to the United States Bureau of Animal Industry for as much Encephalomyelitis vaccine as is available for this State, to be used in vaccinating the stock, particularly in the infected area, against Encephalomyelitis.

HOG CHOLERA PREVENTION

The vaccination of swine for the prevention of Hog Cholera is of great importance to Delaware farmers, not only for the protection it gives them against the loss of their swine from this disease, but also because of the fact that the State Board of Agriculture furnishes, free of charge, the anti-hog cholera serum and hog cholera virus for the inoculation of the swine, leaving only the services of the veterinarians to be paid for by the farmers. During the fiscal year, 1933-34, the sum of \$8,985.-27 was expended in purchasing serum and virus for this purpose, and the following swine were inoculated:

New Castle Co.	Kent Co.	Sussex Co.	State
4,208	4,225	9,480	17,913

Again, as with the Anthrax inoculations, it must be borne in mind that not only was this sum of \$8,985.27 expended directly for the farmers' benefit, saving them that amount from their own expenditures, but this inoculation also is a means of prevention of disease, and saves the farmers the losses that would result should outbreaks of hog cholera ravage their herds.

The control of Contagious Diseases in Livestock also included protective and assistance measures in the control and eradication of Anaplasmosis, Glanders, Scabies, Blackleg and Rabies.

In addition to the activities as previously outlined, which are all conducted through the General Administration office of the State Board of Agriculture, directly for the protection and assistance of Delaware farmers and the bettering of agricultural conditions, this office also collected and turned in to the State Treasurer, during the fiscal year of 1933-34, the sum of \$8,268.03 from the tonnage taxes and registration fees, on feeds, fertilizers, and limes, and the sum of \$40.00 from milk tester's licenses. As the total expenditures of the State Laboratory, during the same period, amounted to \$10,686.36, the State Board of Agriculture, through its collections, almost supported the laboratory, which is conducted for the benefit and assistance of the farmers of the State, without cost to the State.

The members of the State Board of Agriculture have met frequently throughout the year, to consider the work of the different Departments of the Board, the policies to be inaugurated to best serve the agricultural interests of the State, the various problems affecting agriculture, the enactment of the necessary quarantines and measures to protect Delaware livestock and products, etc.

The members and force of the Delaware State Board of Agriculture have attended a number of meetings with the milk control officials of Delaware and neighboring states, in continued efforts to aid the milk producers.

The work of the General Administration office includes the general supervision of all Departments of the Board. This office also provides the dissemination of information about various subjects pertaining to agriculture, to Delaware farmers and to prospective settlers in the State, and practical assistance with their efforts and problems.

Four bulletins are published annually by the State Board of Agriculture, including the Plant Disease Survey, presented by the Plant Pathologist and Nursery Inspector, two semi-annual bulletins of the State Laboratory, reporting on the feeds, fertilizers, limes, seeds, spray materials, ice cream, milk, soils, etc., tested in the Laboratory during the period covered; and an Annual Report of all the activities of the State Board of Agriculture. These bulletins are distributed to the farmers of the State who have designated their desire to receive this information, as well as to interested persons and organizations outside the State.

The Peninsula Horticultural Society is an organization of farmers in Delaware and Maryland, for the purpose of promoting interest in agricultural products, presenting to the farmers the newest and best methods of meeting their agricultural problems, and exhibiting their produce. A meeting and show is held annually, where lecturers from various parts of the country present discussions on problems relating to orcharding, trucking, etc. Appropriations are provided by both states, and the appropriation for Delaware is administered by the State Board of Agriculture. The Plant Pathologist and Nursery Inspector of the Delaware State Board of Agriculture conducts the duties of Secretary of the Peninsula Horticultural

Society, without any remuneration for these services. A large part of the Delaware appropriation is expended in offering premiums on the produce, winning the most awards at the annual show, and thus stimulating the interest of growers in attempting to have their produce excell. A report is published annually, covering the show and meeting, and is of great interest to

A small sum (\$450.00) is appropriated to the State Board members and others interested in these phases of agriculture. of Agriculture, to be expended for the Delaware Crop Improvement Association (formerly the Corn Growers' Association). This sum is expended in holding a meeting and show, in offering prizes for the best exhibits, and in providing junior scholarships to pay the expenses of 4-H Club Members who are awarded these scholarships at the Junior Short Course at the University of Delaware.

RALPH C. WILSON, *Secretary*.

Reports of the work of the State Laboratory, Bureau of Markets, Poultry Department, Plant Pathologist, and Japanese Beetle Project follow.

REPORT OF THE STATE LABORATORY

Each year the farmers of this state purchase from thirty to forty thousand tons of commercial fertilizers. Before regulatory laws were passed and inspection and analysis provided, there was a vast amount of useless and inferior material sold as fertilizer. As long as it looked and smelled like phosphate the farmer had no way of distinguishing between the high grade the inferior or the useless goods until after the crops were harvested—and then it was too late to prevent losses and failures. To guard the farmer against these crop losses and failures and the possibility of spending good money for inferior fertilizers, every package of commercial fertilizer must now be marked with a guarantee of the amount of plant food that it contains. One of the important duties of the State Laboratory is to analyze samples of all the different kinds to be found on the market and to publish the findings so that the farmer may compare not only the actual analysis with the guarantees, but the different brands with each other. Two collections of official samples are made each year in order to include both

spring and fall goods. Every different kind found on the market is sampled and in addition to the examination of these official samples, many lots sent to the laboratory by individual farmers are also analyzed. An average of over four hundred samples of fertilizers are examined annually and as the analysis of a complete fertilizer involves four different determinations, about sixteen hundred chemical determinations on fertilizers are made each year.

Although the price per ton varied with the grade of fertilizer, a fair average for 1934 would be at least twenty-five dollars per ton. Some years the average price may have been somewhat less; in other years it is certainly more, but the value of the commercial fertilizer annually purchased by Delaware farmers will average between eight hundred thousand and one million dollars, and it is evident that to assure a fair return for this large expenditure is an important duty of the State Laboratory.

The situation with commercial feeding stuffs is somewhat similar. The annual tonnage of commercial feeding stuffs for dairy cattle, poultry and other farm livestock is well in excess of forty thousand tons. The price of this feed varies with the grade, but undoubtedly the purchase value is well over the million dollar mark. One of the duties of the State Laboratory is to collect samples of these different kinds of feed, analyze the samples for their feeding values and publish the results for the information of the farmers of the state. Around four hundred different samples were thus collected and analyzed last year. These analyses included the determination of protein, fat, fiber and water content, and in some cases, ash, carbohydrates, acid value, etc., depending upon the class of the material. Some of these commercial feeds are of high grade, and others are of little value; some consist of one constituent; others are mixtures made up of many different kinds of grains and refuse; not infrequently materials are sent into the state for feeding purposes which upon examination are found to be misrepresented as to value. Within the last week, this office has received official notice of the termination of two cases of misbranded and adulterated feeding stuffs referred by this laboratory to the federal courts. In these cases, the company responsible for shipping the goods into Delaware was found

guilty of violating the feeding stuffs law, and fined. Frequently manufacturers of feeding stuffs are required to eliminate or modify extravagant and misleading claims concerning the value of feeds shipped into Delaware. A large part of the work of the laboratory during the winter months is devoted to the examination and analysis of commercial feeds, and this work is designed solely for the purpose of preventing frauds and to assist farmers in selecting and buying their supplies.

Most of the soil of this state is acid, and requires the addition of some liming materials in order that it may be brought into the best condition for raising most of the crops that are produced. This is particularly true for leguminous crops such as clover, alfalfa, beans and peas. Many thousand tons of lime are used in the state annually. The different liming materials vary considerably in their composition, and value as soil conditioners. To acquaint the farmers with these differences, and to inform them of the actual composition of liming materials offered for sale, it is the duty of the laboratory to collect and to analyze samples of all the various kinds and grades found upon the market. This work is conducted regularly, and the results found are published and distributed. As in the case of fertilizers and feeding stuffs, already mentioned, samples of liming materials from individual farmers are also frequently examined, so that they may know the exact composition of the particular lot which they contemplate purchasing.

For the protection of growing crops, it is necessary for the farmers and orchardists of the state to use a very large amount of spray materials. The laboratory is called upon frequently to analyze samples of these materials so that the users may obtain exact knowledge of their composition and value. Many orchardists regularly send to the laboratory samples of this class of material, as they are purchased.

Following the use of sprays and dusts for the control of insects and plant diseases, the matuerd fruit, particularly apples, usually carry at time of harvest a considerable proportion of arsenic, lead or other poison. By federal regulation, a tolerance has been established beyond which it is unlawful to ship fruit—for example, apples carrying an excess of an established definite amount of arsenic or lead are liable to seizure and the shipper to prosecution. In cooperation with the Bureau of.

Markets of the State Board, it has become one of the important duties of this laboratory to analyze samples representing the various shipments to determine the arsenic and lead content of the fruit. This particular work is a recent development brought about by the application of federal regulations to interstate shipments. This work must be done with the greatest care and accuracy. For the protection of the Delaware growers and shippers it is impossible to estimate the value of this work to the orchardists, but had it not been for the facilities of this laboratory, the determinations of this kind made during the last four years would have cost at commercial laboratories several thousand dollars annually, and the Delaware fruit industry which is concerned runs into the millions of dollars.

For the protection of the purchases, agricultural seeds are required to carry guarantees of purity, freedom from noxious weeds and power of germination. From casual and inexperienced examination, it is usually impossible to judge accurately the purity of such seeds as are displayed for sale, and casual inspection will give no indication of the germination value. As such seeds are always expensive, it is highly important that expert examination and tests be made to determine whether the seeds in question are in compliance with the guarantees. The annual testing and examination of agricultural seeds is another important work of this laboratory. Frequently lots of low value are found as a result of our tests and examinations. Such low value seeds are sometimes removed from the market, or rebates obtained. This work must be done by an expert. The Seed Analyst of this laboratory has had more than twenty-eight years experience in the examination and testing of all kinds of agricultural seeds, and few states are better equipped than ours for giving the farmer accurate information along this line.

The manufacture and sale of ice cream is a large and important industry. It furnishes an important outlet for the dairy industry and a valuable food product for the public. To insure the high quality of ice cream, standards were established in Delaware several years ago, and this laboratory is in charge of collecting and analyzing samples for the purpose of maintaining the high standards set by law. Since the examination of this product was begun, the quality of the ice cream sold in

the state has been greatly improved, and it is now a rare thing to find ice cream on the Delaware market below the state standards.

A large bulk of the milk produced in the state is sold to shipping stations on the basis of its butter fat content. The farmers are paid for their milk on the basis of the butter fat content as determined by the milk testers of the companies operating the milk shipping stations. To insure that these tests are properly conducted and correctly made, this laboratory is authorized to make inspections and check tests whenever in their judgment such tests are desirable. This work is conducted regularly in the most careful manner. During last year, twenty-eight visits of inspection were made to the twelve milk shipping stations and creameries in the state, and five hundred and twelve check tests were made. In connection with this same work, it is required by state law that all of the creamery glassware used by the milk shipping stations in these tests be examined and tested for accuracy. In compliance with this requirement, all Babcock testing bottles and pipettes are inspected and tested at this laboratory before they can be lawfully used in test work by the milk shipping stations. Every new lot of such glassware purchased by said creameries and shipping stations is sent to this laboratory before being used, and each piece is carefully checked and if found accurate, indelibly marked before being forwarded for use.

With the exception of the examination of spray and dust materials, and the examination of fruit for spray residue, all of the foregoing mentioned activities are specifically directed by state laws. In addition to the above, the facilities of the laboratory are freely given for such miscellaneous work as is submitted by residents of the state, when such work does not interfere with that which is specifically required and for which the laboratory is primarily maintained. During the last twelve months, five important poison cases have been brought for investigation. In one case, lead arsenate was found in a feeding stuffs which caused the death of a number of farm animals. In another case, Paris green was found in a hog feed. In a liquor submitted by an officer at the request of a physician, wood alcohol was found. In still another case, fluorine, a dangerous poison, was found in flour. Upon tracing this case, it