

WHEREAS, the United States Senators from Delaware have expressed their intent to urge Congress to approve legislation which would improve both the Delaware River and the Chesapeake and Delaware Canal; NOW THEREFORE

BE IT RESOLVED by the House of Representatives of the State of Delaware, the Senate concurring therein, that the 119th General Assembly of the State of Delaware urges and requests the Congress of the United States to enact legislation with sufficient appropriation which would make possible the necessary steps to make the Delaware River and the Chesapeake and Delaware Canal safe passageways for all ships, and

BE IT FURTHER RESOLVED that the Senators and the Representative of the United States from Delaware are respectfully requested to exert every effort and utilize all facilities at their disposal to further said action; and

BE IT FURTHER RESOLVED that copies of this resolution shall forthwith be transmitted to the presiding officer of each House, and to the Chairmen of the proper committees in the House and Senate of the United States and to each Senator and Representative from the State of Delaware.

The following bill was introduced, given first reading by title only, and referred to committee as follows:

SB 114—"An Act Appropriating Funds to the State Park Commission for Roads in Trappe Pond State Park," by Steen and Johnson; to Finance.

The following bill was reported favorably by the majority of the Committee on Municipal Corporations: SB 6.

The following bill was introduced, given reading by title only, and referred to committee as follows:

SB 115—"An Act Proposing an Amendment to Article 2, Section 17 of the Constitution of the State of Delaware Relating to Gambling," by Melson, Correll, McCullough, Johnson, Behen and Lamot; to Revised Statutes.

The following bills were reported favorably by the majority of the Committee on Miscellaneous: SB 89 and SB 90.

At the request of the President Pro Tem, former President Pro Tem of the Senate, Mr. Allen Cannon, sat on the rostrum.

Mr. McCullough moved that SS 1 to SB 17 be stricken from the calendar, and that SB 17 be restored. Mr. McCullough moved that SS 1 for SB 17 be adopted as SS 1 for SB 16. Motion prevailed.

The Chair announced the signing of SB 46.

The following bills were introduced, given first reading by title only, and referred to committees as follows:

SB 116—"An Act to Amend Title 11, Delaware Code, Chapter 23, by Adding a New Section to be Known as Section 2310 Relating to the Admissibility of Evidence," by Melson and Hoey; to Revised Statutes.

SB 117—"An Act to Amend Chapter 21, Title 3, Delaware Code, Entitled "Commercial Fertilizers"; by Repealing the Present Provisions and Substituting New Administrative and Substantive Provisions," by Cook and Correll; to Agriculture.

SB 118—"An Act to Amend Chapter 11, Title 30, Delaware Code Relating to Income Tax," by Cook; to Revised Statutes.

On motion of Mr. Pryor, **SB 70**—"An Act to Amend Title 15, Chapter 71, Delaware Code, Relating to Special Elections, by Changing the Number of Days Elapsing Between Receipt of the Writ and Holding the Special Election," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Lammot, McCullough, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Behen, Hoey, Johnson, Melson—4.

So the question was decided in the affirmative and the bill: **SB 70**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SS 1** for **SB 29**, 1 favorable, 4 on merits, **SB 30**, **SB 47**, **SB 38**, 1 favorable, 4 on merits, by Education; **HB 79**, by Banking and Insurance.

On motion of Mr. Pryor, **SB 76**—"An Act to Amend Chapter 21, Title 21 of the Delaware Code by Providing for the Removal of Plates by Dealers and Junk Men and Providing Penalties for Violations," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Behen and Johnson—2.

So the question was decided in the affirmative and the bill: **SB 76**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Cook, **SB 71**—"An Act to Amend Chapter 83 Title 9 of the Delaware Code Relating to Valuation and Assessment of Property," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, Melson, Nechay, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Johnson and Pryor—2.

So the question was decided in the affirmative and the bill: SB 71, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Cook, SB 72—"An Act to Amend Chapter 1, Title 8, Delaware Code Relating to General Corporation Law," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Melson, Nechay, Reilly, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

NOT VOTING—Mr. Pryor—1.

ABSENT—Mr. Johnson—1.

So the question was decided in the affirmative and the bill: SB 72, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: SB 47, SS 1 for SB 62, SS 1 for SB 16, 1 favorable, 4 on merits, by Education; SB 6, by Municipal Corporations.

On motion of Mr. Cook, SB 74—"An Act to Amend Chapter 5 Title 8 of the Delaware Code Relating to Corporation Franchise Tax," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Lammot, McCullough, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Hoey and Johnson—2.

So the question was decided in the affirmative and the bill: SB 74, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

Mr. Nechay introduced the following resolution, which on further motion by him was adopted: **SR 44**—"Authorizing an Appropriation for Telephone Service Charges and Toll Calls in Connection With the Work of the Senate of the 119th General Assembly of the State of Delaware.

BE IT RESOLVED, by the Senate, that the amount of \$98.18 is hereby appropriated, to pay for telephone service charges, and toll calls in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be, and she is hereby authorized and directed to pay to the Diamond State Telephone Company the sum of \$98.18 for telephone service charges according to the statements dated March 1, 1957.

Mr. Hickman introduced the following resolution, which on further motion by him was adopted: **SR 45**—"Authorizing Payment of Certain Bills for Expenses Incurred by the Senate."

BE IT RESOLVED, by the Senate, that the sum of \$7.00 is hereby appropriated to pay for the rental of a typewriter in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be, and she is hereby authorized and directed to pay to Whelan's, R. D. #1, Box 548, Dover, Delaware, as payment for typewriter rental, and

BE IT FURTHER RESOLVED by the Senate that the sum of \$15.00 is hereby appropriated to pay for rental of a Royal typewriter in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be, and she is hereby authorized and directed to pay Royal Typewriter Company, P. O. Box 110, Wilmington, Delaware, the sum of \$15.00 as payment for rental of Royal typewriter, and

BE IT FURTHER RESOLVED by the Senate that the sum of \$355.00 is hereby appropriated to pay for printing in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be and she is hereby authorized and directed to pay to Delaware State News, Dover, Delaware, the sum of \$355.00 in payment for printing, and

BE IT FURTHER RESOLVED by the Senate that the sum of \$32.50 is hereby appropriated to pay for printing in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be and she is hereby authorized and directed to pay to The Harrington Journal, Harrington, Delaware, the sum of \$32.50 in payment for printing.

Upon motion by Mr. McCullough, motion prevailing, **SS 1** for **SB 43** was adopted.

The following bill was introduced, given reading by title only, and referred to committee as follows:

SB 119—"An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees and Making Appropriations," by McCullough; to Finance.

On motion of Mr. McCullough, the Senate recessed at 4:40 P. M. for five minutes.

Senate met at expiration of recess at 5:00 P. M.

On motion of Mr. Cook, the Senate adjourned at 5:00 P. M. until 1:00 P. M., Thursday, March 14, 1957.

34TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:50 P. M., on Thursday, March 14, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: We reverence the day, O Lord, when at mother's knee we learned to lisp Thy name and call Thee Father. We come today with no faltering or stammering tongue, but we would come in that childlike faith which characterized our call from mother's knee, and we still call Thee Father. Father, we thank Thee for the disclosure of Thy Divine nature. When we are faint, Thy healing balm is near; when we are weary, Thy staff gives support; when we stumble, Thine Own hand is outstretched to lift us. Give Thou wisdom and counsel to the deliberations of this day. May all our homes be under the protecting care of Divine love. If any have grave sorrows, or heavy cares, or feel the weight of a cross, may they find in Thee a very present help in each hour of need. In the name of the Father. Amen!

Members present—Messrs. Behen, Correll, Gray, Harrison, Hickman, Johnson, Lammot, McCullough, Nechay, Reilly, Williams, Mr. President Pro Tem—12.

Members absent—Messrs. Cook, Hoey, Melson, Pryor, Tull—5.

By direction of the Chair, there being no objection, the reading of the Journal of the previous session was dispensed with.

On motion of the Chair, the Senate recessed at 1:55 P. M. until call of Chair.

Senate met at expiration of recess at 2:30 P. M. Lieutenant-Governor Buckson presiding.

The Sergeant-at-Arms announced the Speaker and Members of the House of Representatives. They were admitted and seated. Lieutenant-Governor Buckson invited the Speaker of the House to a seat on the Rostrum.

JOINT SESSION

Mr. Reilly moved that the House and Senate convene in Joint Session. Motion prevailed.

Mr. Reilly moved that the President of the Senate preside over the Joint Session. Motion prevailed.

Mr. Reilly moved that the Secretary of the Senate and the Chief Clerk of the House act as Secretaries of the Joint Session. Motion prevailed.

Mr. Reilly moved that Senate Rule 22 be suspended for the rest of the day's session. Motion prevailed.

The President of the Senate invited the President Pro Tem to be seated on the rostrum.

On privilege of the floor, Mr. Cook asked recognition of the Senior civics class of the Smyrna High School, seated in the gallery.

The President of the Senate appointed the following as a committee to escort the Governor; the Hon. W. C. Daniels, National Commander of the American Legion, and former State Senator John Longbotham, Delaware State Commander of the American Legion, to the rostrum: Messrs. Shockley, Ehinger, Williams and Behen.

The Sergeant-at-Arms admitted the named committee which escorted the Governor, the Hon. W. C. Daniels and former Senator Longbotham to the rostrum.

Mr. Daniels delivered his address.

The named committee escorted the Governor and party from the Senate Chamber.

Mr. Cook moved that the Secretary of the Senate and the Chief Clerk of the House compare their respective Journals. Motion prevailed.

The Secretary of the Senate and the Chief Clerk of the House compared their Journals, found them to agree, and so notified the President.

Mr. Cook moved the two Houses now separate to reconvene in their respective chambers. Motion prevailed.

On motion of the Chair, the Senate recessed at 3:05 P. M. until call of Chair.

Senate met at expiration of recess at 4:15 P. M. President Pro Tem presiding.

Messrs. Tull and Hoey asked to be marked present.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 120—"An Act to Authorize Payment of Certain Unpaid Expenses of the Senate of the 118th General Assembly of the State of Delaware, Appropriation," by Lammot; to Claims.

SB 121—"An Act to Amend Chapter 81 Title 9 Delaware Code Relating to Specific Organizations Exempt from Certain Taxation and Assessment on Real Property," by Hickman; to Private Corporations.

On motion of Mr. Behen, **SB 6**—"An Act to Amend Title 9, Delaware Code, Entitled "Counties" by Establishing an Office of Building Inspector for Kent County; and Providing for Certain Limitations; Requiring Building Permits; Penalties," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

Mr. Cook introduced **SA 1**, which was read and on his further motion adopted.

On the question, "Shall the Bill as Amended pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Lammot, McCullough, Nechay, Reilly, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. Johnson, Melson, Pryor—3.

So the question was decided in the affirmative and the bill **SB 6** with **SA 1**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following: **HB 137** and **HB 140**.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 96**, 2 favorable, 2 on merits, **HB 90**, 4 favorable, 1 on merits, by Finance; **SB 73**, 3 favorable, 2 on merits, by Judiciary; **HB 97**, by Education.

The Chair presented the following House Bills, which were given reading by title and referred to committees as follows:

HB 137—"An Act to Amend Chapter 535 of Volume 50, Laws of Delaware, Entitled "An Act to Appropriate Funds to the Delaware Veterans' Military Pay Commission to Pay Certain Valid Claims of World War II Which are Barred by the Lapse of Time" by Extending Certain Time Limits Therein," to Claims.

HB 140—"An Act to Amend Chapter 449 of Volume 50, Laws of Delaware, by Extending the Expiration Date for Various Provisions of the Veterans Military Pay Act II," to Claims.

The following bill was introduced, given reading by title only, and referred to committee as follows:

SB 122—"An Act to Amend Chapter 27, Title 10 of the Delaware Code, Relating to Constables," by Behen; to Miscellaneous.

On motion of Mr. Behen, **SB 101**—"An Act to Amend Chapter 39, Title 29 of the Delaware Code Entitled "Delaware Commission on Interstate Cooperation," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Harrison, Hickman, Hoey, Lammot, McCullough, Nechay, Reilly, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

NOT VOTING—Mr. Gray—1.

ABSENT—Messrs. Johnson, Melson, Pryor—3.

So the question was decided in the affirmative and the bill: **SB 101**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 123—"An Act to Amend Title 12, Delaware Code, Entitled "Decedents Estates and Fiduciary Relations" in Respect to Guardian and Ward," by Williams and Reilly; to Banking and Insurance.

SB 124—"An Act Making an Appropriation to Delaware State College to Provide for the Erection of or Improvements to Certain Buildings and for the Equipping and Furnishing Thereof," by McCullough and Cook; to Finance.

SB 125—"An Act to Amend Chapter 66, Title 16 of the Delaware Code, Entitled "State Fire Marshall by Creating a State Fire Prevention Commission and Appropriating Money Therefor," by Williams and Reilly; to Finance.

On motion of Mr. Cook, **SB 68**—"An Act to Amend Chapter 41, Title 21, Delaware Code Relating to Driving Regulations," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Harrison, Hickman, Lammot, McCullough, Nechay, Reilly, Tull, Mr. President Pro Tem—11.

NAYS—Messrs. Gray and Williams—2.

ABSENT—Messrs. Hoey, Johnson, Melson, Pryor—4.

So the question was decided in the affirmative and the bill: **SB 68**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. McCullough, **SB 47**—"An Act Appropriating Certain Monies to Sally Glynn Paris for Additional Salary to Which She Was Entitled to be Paid as a Teacher at

the Marshallton School District #77," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Lammot, McCullough, Nechay, Reilly, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Hoey, Johnson, Melson, Pryor—4.

So the question was decided in the affirmative and the bill: SB 47, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. McCullough, SB 30—"An Act to Amend Title 14 of the Delaware Code by Increasing the Number of Unused Days of Sick Leave That May be Accumulated by School Employees," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Lammot, McCullough, Nechay, Reilly, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Hoey, Johnson, Melson, Pryor—4.

So the question was decided in the affirmative and the bill: SB 30, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The following bill was reported favorably by the majority of the Committee on Revised Statutes: SB 110.

On motion of Mr. Cook, the Senate adjourned at 4:50 P. M. until 1:00 P. M., Friday, March 15, 1957.

35TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:30 P. M., on Friday, March 15, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: Almighty God! Who did speak in days of old, and called a world into existence; Who said, "Let there be light," and light came into the world, we bow in Thy presence with an attentive ear, trusting that Thou may speak to us. May the sun of righteousness flood our souls, and illuminate our paths. Bless Thou these Senators and endow them with visions that they may fathom the depth of every problem that confronts them, and also consider the welfare of their constituents. Give us wisdom, courage, and strength; that we may think wisely, speak frankly, and act nobly at all times. For Thy sake, and in Thy name, we ask: Amen.

Members present — Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Lammot, Melson, Nechay, Reilly, Tull, Mr. President Pro Tem—12.

Members absent — Messrs. Hoey, Johnson, McCullough, Pryor, Williams—5.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session was dispensed with.

On motion of the Chair, the Senate recessed at 1:35 P. M. until call of the Chair.

Senate met at expiration of recess at 4:40 P. M. President Pro Tem presiding.

Messrs. Pryor and Williams asked to be marked present.

The Chief Clerk of the House informed the Senate that the House had concurred in SB 26 and SB 65, and that the House had passed and requested the concurrence of the Senate in the following: **HCR 6** and **HJR 3**.

On motion of Mr. Lammot, the Senate adjourned at 4:45 P. M. until 1:00 P. M., Monday, March 18, 1957.

36TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:20 P. M., on Monday, March 18, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: Our Father! As we assemble on this another legislative day, and the beginning of another week, we pause and we listen, and as we hear the words of the Psalmist (Psalm 46:10) seem to flood our mind, saying "Be still and know that I am God." Knowing Thee as our help in ages past, and our hope in days to come, we would, in this quiet moment implore Thy blessing upon this distinguished body (distinguished and honored by the electorate of this commonwealth): Wilt Thou guide them in thought, word, and deed, that as they legislate they legislate as for Thee and with Thee. If any are sick or absent because of conditions over which they have no control be Thou with them to comfort and to guide. In the Name of Him Whose we are and Whom we serve. Amen!

Members present—Messrs. Behen, Correll, Gray, Harrison, Johnson, Lammot, McCullough, Melson, Nechay, Reilly, Mr. President Pro Tem—11.

Members absent—Messrs. Cook, Hickman, Hoey, Pryor, Tull, Williams—6.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session was dispensed with.

Asked to be marked present: Messrs. Hickman and Tull.

The Chair announced the signing of SB 26 and SB 65.

The Chair presented the following House Joint Resolution, which was given first reading and referred to the Committee on Miscellaneous as follows:

HJR 3—"In Respect to Jet Military Aircraft."

WHEREAS, in recent years, new and fast flying jet military aircraft have been developed which travel at speeds formerly considered as fantastic, and

WHEREAS, when such planes exceed the speed of sound in flight there results a scientific phenomenon known as "breaking the sound barrier" which results in a loud and violent booming noise in the air which is audible for many miles, and

WHEREAS, this problem has become increasingly worse in the air over the Delmarva Peninsula because of the military aircraft from the Chincoteague Naval Air Station, Dover and New Castle Air Force Bases, Andrews Field, Patuxent Naval Air Station and other military installations in the vicinity of the Delmarva area, and

WHEREAS, such flights through the sound barrier are necessary in the flight training of pilots and the testing of jet aircraft and in other experimental or research work, and

WHEREAS, the noise created by these flights through the sound barrier has become highly disturbing and frightening to the residents of the Delmarva Peninsula, and has resulted in unbelievably high property damage to homes, such as cracked walls and broken windows, and

WHEREAS, in view of the close proximity of the open areas over the Atlantic Ocean to the Delmarva area, it is the sense of the General Assembly that these jet flights faster than the speed of sound could as well be made over the waters of the Atlantic rather than over the towns and farming areas of the Delmarva Peninsula, NOW, THEREFORE

BE IT RESOLVED that the members of the General Assembly of Delaware urge the United States Navy and Air Force to request their pilots not to exceed the speed of sound, except in cases of emergency, during military jet flights over the Delmarva Peninsula and thereby cause the disturbance resulting from the passage of the plane through the sound barrier to the annoyance and inconvenience of the people of the Peninsula and the damage to their property, and

BE IT FURTHER RESOLVED that the Secretary of State be instructed to send copies of this Resolution to the Department of Defense, Washington, D. C.

The Chair presented the following House Concurrent Resolution, which was given first reading, but which was not referred by the Chair to committee:

HCR 6—"Request to the Governor of the State of Delaware to Return Senate Bill Number 45 for Reconsideration."

WHEREAS, the House of Representatives desires to give reconsideration to Senate Bill No. 45; and

BE IT RESOLVED by the House of Representatives of the 119th General Assembly, the Seante concurring therein, that the Governor of the State of Delaware respectfully be requested to return Senate Bill No. 45 to the House of Representatives for reconsideration by the General Assembly.

Request that the following be stricken from the calendar was granted as follows: To Mr. Nechay, SB 66.

The Hon. John N. McDowell, Secretary of State, delivered the following message from the Governor to the Senate:

**GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

Dover, March 18, 1957

To the Senate of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

Percy Warren Green, Wilmington, to be a Judge of the Court of Common Pleas for New Castle County for a term to expire March 18, 1961.

Robert H. Wahl, Wilmington, to be a Judge of the Court of Common Pleas for New Castle County for a term to expire March 18, 1961.

Respectfully submitted,

J. CALEB BOGGS, Governor

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 126—"An Act to Amend Chapter 170, Volume 43, Laws of Delaware, Entitled "An Act to Reincorporate the Town of Lewes," as amended," by Johnson; to Municipal Corporations.

SB 127—"An Act to Amend Section 6, Article 2 of the Constitution of the State of Delaware," by Nechay; to Judiciary.

SB 128—"An Act to Amend Chapter 7, Title 4, Delaware Code, Relating to Sale or Service of Liquor to Intoxicated Person," by Melson and Hoey; to Temperance.

SB 129—"An Act to Amend Chapter 3, Title 11, Delaware Code, Relating to Wiretapping, by Exempting Additional Persons from the Penalties Therein Provided," by Melson and Hoey; to Judiciary.

SB 130—"An Act to Amend Chapter 9, Title 4, Delaware Code, Relating to Alcoholic Liquors," by Melson and Hoey; to Temperance.

SB 131—"An Act to Amend Chapter 67, Title 21, Delaware Code, Relating to Driving Vehicle Without Consent of Owner," by Melson and Hoey; to Miscellaneous.

SB 132—"An Act to Amend Sub-Chapter 16, Chapter 3, Title 11, Delaware Code, Relating to Prohibiting Former Convicts Owning a Firearm," by Melson and Hoey; to Miscellaneous.

SB 133—"An Act to Amend Chapter 23, Title 11, Delaware Code, Relating to Granting Authority to the Attorney General or any Deputy Attorney General of the State, to Apply to a Judge of the Superior Court of the State of Delaware for an Order to Intercept and Record Telegraphic and Telephonic Communications of Persons Suspected of Violating the Criminal Laws of This State and Providing for Contempt Proceedings for Improper Use of Such Authority," by Melson and Hoey; to Judiciary.

SB 134—"An Act to Amend Sub-Chapter 16, Chapter 3, Title 11, Delaware Code, Increasing the Minimum Fine for Carrying Concealed Deadly Weapon Without a License from \$25.00 to \$100.00 and Increasing the Minimum Imprisonment from 20 to 30 Days," by Melson and Hoey; to Judiciary.

SB 135—"An Act to Appropriate Funds to the University of Delaware for the Purpose of Establishing Scholarships at the University of Delaware to be Awarded to Students Desirous of Entering the Teachers Profession," by McCullough; to Education.

The President Pro Tem left the rostrum and the President of the Senate took the Chair.

On motion of the President Pro Tem, the Senate recessed at 1:45 P. M. until 2:30 P. M.

Senate met at expiration of recess at 2:45 P. M. Lieutenant-Governor Buckson presiding.

Upon motion by Mr. Reilly, motion prevailing, Senate Rule 22 was suspended for the rest of this day's session.

Upon privilege of the floor, Mr. Reilly commented on SR 38.

The Chair then introduced Mr. Richard A. Haber, Chief Engineer of the Delaware State Highway Department, who spoke on matters relating to the proposed expressway in and near the City of Wilmington. Other members of the Delaware State Highway Department who spoke on matters relating to the expressway, were as follows: Mr. W. J. Miller, Jr., Deputy Chief Engineer; Mr. S. L. Taylor, Regional Engineer, Bureau of Public Roads; Mr. E. A. Davidson, Traffic and Planning Engineer, and Mr. J. S. Robinson, Bridge Engineer.

Following the explanations of the proposed expressway by the members of the Delaware State Highway present, the Hon. Thomas Herlihy, Jr., Judge of the Municipal Court of the City of Wilmington, and chairman of the Delaware Expressway Committee, spoke on matters relating to the proposed expressway and questioned the members of the Delaware State Highway regarding the plans for the same.

The Chair granted the privilege of the floor to the following members to express themselves regarding the expressway plans: Messrs. Cook, McCullough and Melson.

On motion of Mr. Behen, the Senate adjourned at 5:55 P. M. until 1:00 P. M., Tuesday, March 19, 1957.

37TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:25 P. M., on Tuesday, March 19, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: Amid the cares and the responsibilities of another day, we approach Thy Throne, O Lord, to ask Thy guidance upon the deliberations of this day and upon our Land and Nation. Be Thou ever mindful of our Commander-in-Chief, the President of these United States, especially so while convalescing in the Southland. And also His Excellency, the Governor of this grand little State, while a sojourner in another part of the South. May we all join him in his spirit of great pride because of the splendid record achieved by his son in whose behalf he dare absent himself from his post of duty. Guide Thou the leaders of every Land and Nation; especially remember Thou each member of this the 119th General Assembly of our own Delaware, and lead them in paths of righteousness for Thy Name's sake. Amen!

Members present—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Lammot, Pryor, Reilly, Tull, Mr. President Pro Tem—11.

Members absent — Messrs. Hoey, Johnson, McCullough, Melson, Nechay, Williams—6.

Upon motion by the Chair, and without objection, the reading of the Journal of the Previous Session was dispensed with.

Asked to be marked present: Messrs. Melson, McCullough and Nechay.

The Hon. John N. McDowell, Secretary of State, delivered the following message to the Senate from the Governor:

GOVERNOR'S MESSAGE STATE OF DELAWARE EXECUTIVE DEPARTMENT

Dover, March 18, 1957

To the Senate of the State of Delaware:

This will advise you that on the dates indicated I have approved the following legislation:

February 12, 1957, House Bill No. 27—An Act Appropriating One Hundred Thousand Dollars to the State Board of Trustees of the Delaware State Hospital at Farnhurst, Delaware, for the Purpose of Paying the Salaries of Personnel of the Hospital for the Mentally Retarded at Stockley, Delaware, for the Fiscal Year Ending June 30, 1957.

March 11, 1957, Senate Bill No. 10—An Act to Amend Chapter 7, Title 5, Delaware Code of 1953, Relating to Banks and Trust Companies by Reducing the Minimum Par Value of Capital Stock of a Bank Organized Under Title 5, Chapter 7, from Ten Dollars (\$10.00) to Five Dollars (\$5.00).

March 11, 1957, Senate Bill No. 11—An Act to Amend Chapter 7, Title 5, Delaware Code of 1953, Relating to Banks and Trust Companies by Changing the Lower Limit to Which Par Value of the Stock of a Bank or Trust Company May be Reduced by Amendment of Its Charter or Certificate of Incorporation from Ten Dollars (\$10.00) to Five Dollars (\$5.00).

March 11, 1957, Senate Bill No. 45—An Act to Repeal Chapter 29, Title 5, of the 1953 Delaware Code Entitled "Fiduciaries of Oil, Gas or Mineral Leasehold Interests."

March 13, 1957, House Bill No. 46—An Act to Authorize the Levy Court of New Castle County to Plan, Construct, Equip and Furnish an Addition to the Present County Building for New Castle County and to Issue Bonds to Finance the Cost Thereof.

March 14, 1957, Senate Bill No. 46—An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to Specific Organizations Exempt from Certain Taxation and Assessment on Real Property.

March 18, 1957, Senate Bill No. 26—An Act to Amend Chapter 55, Title 16, Delaware Code, in Respect to Admission, Detention and Commitment of Persons to the Hospital for the Metnally Retarded at Stockley, Delaware; and to Provide for Appeals.

March 18, 1957, Senate Bill No. 65—An Act to Amend Chapter 16, Title 9, Delaware Code Relating to Levy Court of New Castle County.

Respectfully submitted,

J. CALEB BOGGS, Governor

The Chair directed the Reading Clerk to read a letter from the Delaware Chapter of the American Legion relative to the holding of Boy's State on April 11, 12, 13, 1957.

The following bill was introduced, given reading by title only, and referred to committee as follows:

SB 136—"An Act to Amend Chapter 79, Title 16, Delaware Code, Relating to Basic Plumbing Principles, by Extending the Provisions Thereof to Sussex County and to Appropriate Funds to the State Board of Health for Such Purpose," by Cook for Steen; to Public Health.

The Hon. John N. McDowell delivered a message from the Governor. The Chair directed the message to the Chairman of the Executive Committee.

The following bill was introduced, given reading by title only, and referred to committee as follows:

SB 137—"An Act to Authorize the Levy Court of Kent County to Refund Overpayments of Taxes Paid to the County; Conditions," by Behen; to Finance.

The Chair recognized Mr. Fred Wittesberg, from Norway, seated in the rear of the Senate Chamber.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 138—"An Act to Amend Title 31, Delaware Code, Entitled "Welfare" by Revising the Definition of Aid to Dependent Children to Conform With Federal Legislation and Providing for an Increase in the Maximum Amount of Assistance Allowed as Aid to Dependent Children; Appropriating Funds," by Pryor; to Miscellaneous.

SB 139—"An Act to Amend Chapter 27, Title 10 of the Delaware Code Relating to Constables," by Behen; to Judiciary.

Mr. Nechay introduced the following resolution, which on further motion by him was adopted: **SR 46**—"Authorizing Payment on Account to Attaches and Employees of the Senate."

BE IT RESOLVED, by the Senate of the 119th General Assembly that the State Treasurer be and she hereby is authorized and directed to pay to any attache or employee, who has been duly appointed by Resolution of the Senate, upon the order of the President Pro Tem of the Senate, sums on account from time to time not to exceed the total of One Hundred Dollars (\$100.00) to any one person, on account of services to the present Session of the Senate, excepting the Senate Attorneys who shall receive the sums on account from time to time, not to exceed the total of Two Hundred Dollars (\$200.00) to any one attorney. Any such sums so paid shall be charged against the salary of the individual attache or employee to whom such sum or sums are paid, and shall be a part of the expenses of this Session of the Senate.

The following bills was reported by the majority of the Committee on Claims as follows: **SB 120**, 2 favorable, 1 on merits.

On motion of the President Pro Tem, the Senate recessed at 1:45 P. M. until call of Chair.

Senate met at expiration of recess at 3:25 P. M. President Pro Tem presiding.

Messrs. Williams, Hoey and Johnson asked to be marked present.

Mr. Reilly had delivered to the Chair the following communication. The Chair ordered the reading of the communication, as follows:

Dover, Del., March 19, 1957

To the Senate of the 119th General
General Assembly of the State of Delaware

Gentlemen:

I hereby tender my resignation as Senate Attorney, effective immediately. It has been a great privilege and a pleasure to serve.

Respectfully submitted,

ROBERT H. WAHL

The resignation of Mr. Robert H. Wahl as Senate Attorney was accepted.

Upon motion by Mr. Hickman, motion prevailing, the Chair declared that the Senate was about to sit in Executive Session, and directed that the Senate Chamber be cleared. The Executive Session commenced at 3:30 P. M.

The Senate reconvened in regular session at 4:30 P. M. The President Pro Tem presiding.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following: **HB 144, HB 155, HB 156, HB 74 and HCR 8.**

The Chair presented the following House Bills, which were read by title only and referred to committees as follows:

HB 74—"An Act to Amend Chapter 1, Title 8, Delaware Code, Relating to Corporations," to Municipal Corporations.

HB 144—"An Act to Amend Chapter 21, Title 14, Delaware Code, Relative to Local School Bond Elections," to Education.

HB 155—"An Act to Amend Chapter 50, Title 15, Delaware Code, Relating to Municipal Elections Outside the City of Wilmington," to Municipal Corporations.

HB 156—"An Act to Amend Chapter 50, Title 15, Delaware Code, Relating to the Use of Voting Machines in Elections," to Elections.

On motion of Mr. Williams, **SB 96**—"An Act to Appropriate Funds to Kruse School for the Current Fiscal Year," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Reilly, Tull, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Pryor—1.

So the question was decided in the affirmative and the bill: **SB 96**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The Chair presented the following House Concurrent Resolution, which was given first reading, adopted, and ordered returned to the House:

HCR 8—"In reference to the 75th Anniversary of the Knights of Columbus."

WHEREAS, The Knights of Columbus was organized by Father Michael J. McGivney and chartered by the State of Connecticut as a Fraternal Society on March 29, 1882, and has existed in the State of Delaware since the year 1899; and

WHEREAS, from this humble beginning this great organization now numbers in excess of One Million (1,000,000) members which during times of war and peace has demonstrated its invaluable worth in carrying out its principles of Charity, Unity, Fraternity, and Patriotism;

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the 119th General Assembly of the State of Delaware, the Senate concurring therein, does hereby congratulate and commend the Order of the Knights of Columbus on the occasion of its Seventy-Fifth Anniversary of the granting of its charter; and

Be IT FURTHER RESOLVED, that this Body express its sincere wish that the Knights of Columbus continue to enjoy an existence abundant with usefulness, productivity and well directed endeavor in the service of God and country.

The following bills were introduced, given reading by title only, and referred to committee as follows:

SB 140—"An Act to Amend Chapter 41, Title 21 of the Delaware Code, Entitled "Driving Regulations," by Cook; to Buildings and Highways.

SB 141—Title 11 of the Delaware Code is Hereby Amended by Adding a New Chapter Thereto to be Known as Chapter 88 and to be Entitled "Police Council Act," by Melson; to Revised Statutes.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 115**, 3 favorable, 1 on merits, by Revised Statutes; **SB 127**, by Judiciary; **HB 137** and **HB 140**, by Claims.

Upon request of the Chair by Mr. Pryor, **SB 138** introduced by him, was noted as being co-sponsored by Mr. Williams.

Upon request of the Chair, by Mr. Melson, **SB 115** was placed upon the agenda.

On motion of Mr. Cook, the Senate adjourned at 4:50 P. M. until 1:00 P. M., Wednesday, March 20, 1957.

38TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:30 P. M., on Wednesday, March 20, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: Conscious of our own inability, and believing that Thou art the source of both strength and wisdom, we come to Thee our Father, as children come to their earthly parents, that we may make our desires known to Thee. Remembering that Thou hast bidden the human family, "To ask of Thee largely, that they may also receive of Thee largely," we therefore humbly and with grateful hearts, accept Thy gracious invitation, by asking Thee, in the behalf of this Senate, to: "Direct, control, suggest this day all we design, or do, or say; that all our powers, with all their might, in Thy sole glory, may unite." Amen*

Members present—Messrs. Behen, Cook, Correll, Gray, Harrison, McCullough, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—11.

Members absent — Messrs. Hickman, Hoey, Johnson, Lammot, Melson, Reilly—6.

The reading of the Journal of the Previous Session, by direction of the Chair and without objection, was dispensed with.

Asked to be marked present: Mr. Hickman.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following bill: **HB 157** with **HA 1** and **HA 2**.

The Chair presented the following House Bill, which was given reading by title only and referred to committee as follows:

HB 157 with **HA 1** and **HA 2**—"An Act to Amend Title 30, Delaware Code, by Providing for a State Municipal Street Aid Fund from the Proceeds of the State Motor Fuel Tax; Distribution of Such Fund to Incorporated Cities and Towns for Street Purposes," to Municipal Corporations.

On motion of the President Pro Tem, the Senate recessed at 1:35 P. M. until call of Chair.

The Senate met at expiration of recess at 4:15 P. M.

Messrs. Hoey, Melson, Reilly, Lammot and Johnson asked to be marked present.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 142—"An Act to Amend Chapter 122, Volume 29, Laws of Delaware Entitled "An Act Providing for Assessment Against Abutting Properties in the City of Wilmington for a Portion of the Cost of Paving and Improving the Public Street Roadways" by Repealing the Provision for Assessment," by Lammot and Reilly; to Municipal Corporations.

SB 143—"An Act to Repeal "An Act Providing for Assessment Against Abutting Properties in the City of Wilmington in Proportion to the Special Benefit the Present Improved Street Roadway Will Have to Said Properties", as Amended, Being Chapter 121, Volume 29, Laws of Delaware, as Amended by Chapter 123, Volume 30, Laws of Delaware," by Lammot and Reilly; to Municipal Corporations.

SB 144—"An Act to Appropriate Funds to the State Board of Health for the Purpose of Carrying Out the Provisions of Chapter 79, Title 16 of the Delaware Code Entitled "Basic Plumbing Principles" in Kent County," by Behen; to Public Health.

The Chair recognized former State Senator Edwin Powell and invited him to be seated on the rostrum.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 145—"An Act Appropriating Funds for the Improvement of the Assawoman Canal in Sussex County," by Hickman and Johnson; to Buildings and Highways.

SB 146—"An Act to Amend Title 3, Delaware Code, Entitled "Agriculture" by Providing for the Regulation of Sales of Livestock and Swine," by Tull and Correll; to Agriculture.

SB 147—"An Act Proposing an Amendment to Article IV of the Constitution of the State of Delaware, Relating to the Judiciary; by McCullough for Steen; to Judiciary.

SB 148—"An Act to Amend Title 9, Delaware Code Entitled "Counties" by Providing for Payment of Pension Benefits to Certain Employees of Kent County, Providing Regulations and Procedure Therefore, Exemptions from Attachment, Non-Assignability and Other General Provisions," by Cook; to Private Corporations.

SB 149—"An Act to Amend Chapter 3, Title 11 of the Delaware Code Relating to Specific Crimes by Regulating Certain Advertising of "Farmers Market" and "Farmers Auction Market", by Pryor; to Agriculture.

SB 150—"An Act to Amend Chapter 17, Title 15, of the Delaware Code Relating to Registration of Voters," by Pryor; to Elections.

The following bills were reported by the majority of the respective committees as follows: **SB 49**, 3 on merits, 1 favorable, by Buildings and Highways; **SB 102**, 4 on merits, **SB 134**, 4 on merits, 1 favorable, **SB 129**, 4 on merits, 1 favorable, **SB 133**, 4 on merits, 1 favorable, by Judiciary.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 52** and **SB 67**, and that the House had passed and requested the concurrence of the Senate in the following bills: **HB 182** and **HB 190**.

On motion of Mr. Nechay, **HB 140**—"An Act to Amend Chapter 449, Volume 50 Laws of Delaware by Extending the Expiration Date for Various Provisions of the Veterans' Military Pay Act No. II," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—16.

NAYS—None.

NOT VOTING—Mr. McCullough—1.

So the question was decided in the affirmative and the bill: **HB 140**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

The Chair presented the following House Bills, which were read by title only and referred to committees as follows:

HB 182—"An Act Appropriating Money to Blades School District No. 172," to Finance.

HB 190—"An Act Authorizing the Payment of Money to Lillie Marvel," to Claims.

On motion of Mr. Nechay, **HB 137**—"An Act to Amend Chapter 535 of Volume 50 Laws of Delaware Entitled "An Act to Appropriate Funds to the Delaware Veterans' Military Pay Commission to Pay Certain Valid Claims of Veterans of World War II Which are Barred by the Lapse of Time" by Extending Certain Time Limits Therein," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Hoey—1.

So the question was decided in the affirmative and the bill: **HB 137**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

Mr. Reilly introduced the following resolution, which on further motion by him was adopted: **SR 47**—"In Reference to Election of Officers."

BE IT RESOLVED by the Senate of the 119th General Assembly of the State of Delaware that the following named person be and he is hereby elected to the respective office appearing opposite his name to serve during the pleasure of the Senate:

Attorney—Samuel R. Russell.

Upon request of the Chair, by Mr. Nechay, and without objection, **SB 127** was substituted for **SB 66**.

The following bills were reported by the majority of the Committee on Finance as follows: **SB 108**, 4 on merits, 1 unfavorable; **SB 109**, 4 on merits, 1 unfavorable; **SB 137**, 4 on merits, 1 favorable; **SB 106**, 4 on merits, 1 unfavorable; **SB 25**, 5 on merits; **SB 107**, 4 on merits, 1 unfavorable.

Mr. Reilly introduced the following resolution, which on further motion by him was adopted: **SR 48**—"Expressing Appreciation for the Services of Robert H. Wahl, Senate Attorney."

WHEREAS, Robert H. Wahl, Esq., was attorney for the 116th, 118th, and the 119th General Assemblies of the State of Delaware; and

WHEREAS, he served the General Assemblies of the State of Delaware during the said sessions with distinction and integrity; and

WHEREAS, his services to the Legislators of the State of Delaware was done with the utmost of legal ability; and

WHEREAS, his attitude and actions have been a personification of the true and outstanding character of the man himself; and

WHEREAS, he has been appointed by the Governor of the State of Delaware and confirmed by the Senate of the 119th General Assembly of the State of Delaware as Judge of the Court of Common Pleas in and for New Castle County; and

WHEREAS, the esteemed Robert H. Wahl, Esq., has tendered his resignation as Attorney for the State Senate so as to take his seat as the Honorable Judge Wahl of the Court of Common Pleas in and for New Castle County.

NOW, THEREFORE, BE IT RESOLVED by the Senate of the 119th General Assembly that the esteemed Robert H. Wahl, Esq., be and he is hereby given noteworthy praise and a vote of great appreciation for his services rendered as Attorney for the Senate; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be given to Judge Robert H. Wahl and to the press.

Upon being granted the privilege of the floor, Mr. Wahl addressed the members of the Senate, thanking them for their expression of appreciation for his services.

The request of the Chair by Mr. Melson that **SB 115** be brought up for third and final reading, was not granted by the Chair, upon several objections being received by the same.

The following bills were reported by the majority of the respective committees as follows: **SB 103**, 5 on merits, by Agriculture; **SB 105**, 4 on merits, 1 unfavorable, **SB 104**, 4 on merits, 1 unfavorable, **SB 61**, 5 on merits, **SB 93**, 5 on merits, **SB 97**, 5 on merits, by Finance.

Mr. Hickman introduced the following resolution, which on further motion by him was adopted: **SR 49**—"Authorizing Payment of Certain Bills for Expenses Incurred by the Senate."

BE IT RESOLVED by the Senate, that the sum of \$382.31 is hereby appropriated to pay for printing in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be and she is hereby authorized and directed to pay to Delaware State News, Dover, Delaware, the sum of \$382.31 in payment for printing, and

BE IT FURTHER RESOLVED by the Senate, that the sum of \$241.20 is hereby appropriated to pay for 2 Security file cabinets in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be and she is hereby authorized and directed to pay to Lo-Mar, Inc., DuPont Road, Seaford, Delaware, the sum of \$241.20 in payment for 2 Security file cabinets.

Upon request of the Chair by Mr. McCullough, and without objection, SS 1 for SB 33 was adopted.

On motion of Mr. Cook, the Senate adjourned at 5:10 P. M. until 1:00 P. M., Thursday, March 21, 1957.

39TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:05 P. M., on Thursday, March 21, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: O Thou! Who altered the naming of the years, uplifted womanhood, gave a new dignity to manhood, and made of paramount importance the lives of little children, our confidence in Thee constrains us to believe that Thou can alter and uplift, and hence give a new dignity to the governments of both State and Nation, if the respective law making bodies will accept Thee as their Pilot and Guide in each deliberation. Therefore, we implore Thy guidance upon our State and Nation. Be Thou ever near, and that to guide, each member of this General Assembly, and grant unto each the strength and endurance of an athlete, the mind of a scholar, and the judgment of a statesman: Yea! may the results of this session prove to all, that they are indeed statesmen. (Or as said the Great Apostle: "Workmen that needeth not to be ashamed.") (II Timothy 2:15.) In the Master's Name. Amen!

Members present — Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Lammot, Reilly, Tull, Williams, Mr. President Pro Tem—11.

Members absent—Messrs. Hoey, Johnson, McCullough, Melson, Nechay, Pryor—6.

The reading of the Journal of the Previous Session was dispensed with by direction of the Chair, and without objection.

The Chair announced the signing of SB 67 and SB 52.

The President Pro Tem administered the following oath of Office to Samuel R. Russell, Attorney for the Senate:

OATH OF EMPLOYEES

The State of Delaware, County of Kent, ss.

I, Samuel R. Russell, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Attorney for the Senate in the General Assembly of the State, according to the best of my ability.

SAMUEL R. RUSSELL

Sworn and subscribed to this 21st day of March, 1957

CURTIS W. STEEN

President Pro Tem of the Senate

On motion of the Chair, the Senate recessed at 2:15 P. M. until call of Chair.

Senate met at expiration of recess at 3:50 P. M. President Pro Tem presiding.

Messrs. Melson, McCullough and Hoey asked to be marked present.

The Chair announced the signing of **HB 137** and **HB 140**.

The following bill was introduced, given reading by title only, and referred to committee as follows:

SB 151—"An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety," by Authorizing the State Board of Health to Prevent and/or Control Air Pollution, Prescribing Powers and Duties, Providing Penalties, and Appropriating Funds," by Hickman and Steen; to Public Health.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following bill: **HB 48**.

The Chair presented the following House Bill, which was read by title only, and referred to committee as follows:

HB 48—"An Act to Amend Title 14, Delaware Code, Entitled "Education" to Provide That the Library Commission for the State of Delaware May Act and Receive Federal Funds Under the "Library Services Act," to Education.

The following bills were reported by the majority of the Committee on Election as follows: **HB 156**, 1 favorable, 3 on merits.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 152—"An Act to Amend Chapter 97, Title 10, of the Delaware Code, Relating to Fees for Kent County Constables," by Behen; to Judiciary.

SB 153—"An Act to Amend Chapter 13, Title 14 of the Delaware Code, Relating to Education by Providing Hospitalization and Surgical Insurance for School Employees," by McCullough; to Education.

On motion of Mr. Pryor, SB 84—"An Act to Amend Chapter 68, Title 21 Relating to Tax on House Trailers," was taken up for consideration and read a third time by paragraphs in order to, pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Melson, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Cook, Johnson, Nechay—3.

So the question was decided in the affirmative and the bill: SB 84, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 154—"An Act to Amend Chapter 51, Title 11, Delaware Code, Relating to the Appointment of Counsel for Indigent Material Witnesses," by Behen and Melson; to Judiciary.

SB 155—"An Act to Amend Chapter 237, Volume 46, Laws of Delaware as Amended, Entitled "City of Wilmington Employees' Retirement Act" by Changing Minimum and Maximum Monthly Pension Payments and Period of Allowable Interruptions," by Reilly and Lammot; to Municipal Corporations.

SS 2 for SS 1 for SB 43—"An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees and Making Appropriation," by McCullough; to Education.

On motion of Mr. McCullough, SB 31—"An Act to Amend Title 29 of the Delaware Code by Adding Increases in the Federal Social Security Benefits to the Retirement Benefits of State Employees," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Melson, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Johnson and Nechay—2.

So the question was decided in the affirmative and the bill: SB 31, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. McCullough, SS 1 for SB 62—"An Act to Amend Chapter 13, Title 14, Delaware Code Relating to State Supported Salary Schedules for School Employees," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Nechay—1.

So the question was decided in the affirmative and the bill: SS 1 for SB 62, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The following bill was reported favorably by the majority of the Committee on Public Health: SB 151.

On motion of Mr. Cook, the Senate adjourned at 4:20 P. M. until 1:00 P. M., Friday, March 22, 1957.

40TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:05 P. M., on Friday, March 22, 1957. President Pro Tem Steen presiding.

Prayer by the Rev. Ray W. Kirwan: Eternal God, Father of our Lord and Saviour Jesus Christ and our Heavenly Father, Thou hast been our dwelling place in all generations, through all the long centuries of time men have turned to Thee for help and guidance, knowing that in Thee they have an unfailing Friend, who never forsakes His own. We seek Thy guidance in all the deliberations of this day, realizing our lack of wisdom and our limitations, but knowing that all things are known to Thee, the end from the beginning, the future no less than the past. Forgive the mistakes we made through our limited vision and grant us the wisdom to follow Thy will. Keep us ever in the path of duty and enable us to do that which Thou would'st have us do. We ask in the Name of One, Who followed Thee in every act of His life, even, Christ our Lord. Amen.

Members present—Messrs. Correll, Gray, Harrison, Hickman, Johnson, Lammot, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—13.

Members absent—Messrs. Behen, Cook, Hoey, McCullough—4.

Without objections, the Chair ordered the reading of the Journal of the Previous Session to be omitted.

On motion of Mr. Reilly, the Senate recessed at 2:10 P. M. until call of Chair.

Senate met at expiration of recess at 3:05 P. M. President Pro Tem presiding.

Messrs. Hoey, Cook and McCullough asked to be marked present.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: SB 128, SB 130, 3 favorable, 1 on merits, by Temperance; SB 100, 3 favorable, 1 on merits, by Revised Statutes; SB 19, 4 favorable, by Agriculture.

Upon request of the Chair by Mr. Correll, Messrs. Nechay and Tull were noted as co-sponsors of SB 19.

Mr. Williams introduced the following Joint Resolution, which the Chair referred to the Committee on Labor:

SJR 4—"Urging Congress to Repeal Excise Taxes on Transportation."

WHEREAS, for the purpose of meeting wartime emergency necessity, the Congress of the United States enacted as excise taxes a levy upon the transportation of persons and property; and

WHEREAS, one of the principal purposes of levying such tax upon the transportation of persons was to discourage unnecessary wartime travel; and

WHEREAS, today 11 years after the cessation of hostilities there continues a 10 percent levy on the transportation of persons and a 3 percent levy on the transportation of property; and

WHEREAS, it is the opinion of the General Assembly of the State of Delaware that excise taxes should not impose an unfair burden on the long distance shipper and the long distance traveler as does the present tax on the transportation of property and persons; and

WHEREAS, it should be a principle of federal taxation to levy taxes in such a manner as to prevent them from falling as an unequal burden on citizens residing in different areas of the country; and

WHEREAS, the State of Delaware is particularly interested in protecting and developing its vacation and tourist travel on an equal basis with other vacation travel areas; and

WHEREAS, the transportation of both persons and property plays such a vital role in the economic life of this country to the extent that the costs of transportation should always be kept at the lowest possible level; and

WHEREAS, transportation is in no sense a luxury but is a vital necessity and there is, therefore, sound reason for distinguishing between the transportation taxes and other excise taxes and that are imposed upon luxury items; and

WHEREAS, it is the opinion of the General Assembly of the State of Delaware that the best interest of the country would be served by a repeal of the transportation taxes; and

WHEREAS, there is presently pending before the Congress of the United States legislation which would repeal the tax on transportation of property and which would repeal the tax on transportation of persons; NOW, THEREFORE

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE, that it shall be the manifest expression of this body that the discriminatory and burdensome federal excise taxes upon the transportation of persons and property should be repealed.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following bills: **HB 43, HB 53, HB 118 and HB 123.**

The Chair presented the following House Bills, which were given reading by title only and referred to committees as follows:

HB 53—"An Act Agreeing to the Proposed Amendment to Article IV of the Constitution of the State of Delaware," to Revised Statutes.

HB 118—"An Act to Provide a Survivors Pension for Edith E. French, a Widow Whose Husband Died Seventeen Days Before Becoming Eligible for a State Pension," to Judiciary.

HB 123—"An Act Authorizing the Levy Court of Kent County to appropriate a Certain Sum to the Kent and Sussex Association for Retarded Children for Operational Expenses," to Finance.

HB 43—"An Act to Amend Title 9, Delaware Code, Entitled "Counties" to Repeal Requirements That Receiver of Taxes Sit in Each Hundred of New Castle County," to Miscellaneous.

On motion of Mr. Nechay, **SB 127**—"An Act to Amend Section 6 Article 2 of the Constitution of the State of Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

Messrs. Nechay, Hoey and Melson were granted the privilege of the floor.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correll, Harrison, Hickman, Johnson, Lammot, McCullough, Nechay, Pryor, Reilly, Tull, Mr. President Pro Tem—12.

NAYS—Messrs. Hoey and Williams—2.

ABSENT—Messrs. Behen, Gray, Melson—3.

So the question was decided in the affirmative and the bill: **SB 127**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Hickman, SB 93—"An Act Making an Appropriation to the State Soil Conservation Commission for the Purchase of Heavy Earth-Moving Machinery and Other Equipment Needed in the Soil Conservation Work of the State, Making Provision for the Repayment Thereof, and Designating the Boards of Soil District Supervisors to Oversee the Use of Said Equipment and Machinery," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correll, Marrison, Hickman, Hoey, Johnson, Lammot, McCullough, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Behen, Gray, Melson—3.

So the question was decided in the affirmative and the bill: SB 93, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On being granted the privilege of the floor, Mr. Hoey, on behalf of the Joint Budget Committee, announced that the budget hearings were completed, but that further time would be required for the compilation of figures.

The President Pro Tem declared a recess at 3:35 P. M. until call of the Chair.

The Senate met at expiration of recess at 4:30 P. M. Mr. President Pro Tem presiding.

Mr. Behen asked to be marked present.

Upon request of the Chair by Mr. Reilly, and without objection, SB 79 was stricken from the calendar.

The following bill was introduced, given reading by title only, and referred to committee as follows:

SB 156—"An Act to Amend Chapter 9, Title 5 of the Delaware Code, Entitled "Regulations Governing Business of Banks and Trust Companies," by Behen; to Miscellaneous.

HB 85 was reported favorably by the majority of the Committee on Municipal Corporations.

Mr. Pryor presented SA 1 to SB 77, upon which no further action was taken this day.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 157—"An Act Appropriating Money to the Mayor and Council of Wilmington for Use in Maintenance of Fire Apparatus and Equipment in Wilmington," by Reilly and Lammot; to Judiciary.

SB 158—"An Act to Amend Chapter 13, Title 14 of the Delaware Code Relating to the Definition of the Term "10 Months Per Year", Employed in the Basic Salary Schedule for Teachers, Principals, and Superintendents," by Reilly and Lammot; to Education.

SB 159—"An Act Amending Title 24, of the Delaware Code, Creating a State Board of Electrical Examiners, and to Prescribe Regulations for Reduction of Fire Hazards and for Protection of Life and Property," by Reilly, Williams, Harrison and Johnson; to Labor.

On motion of Mr. McCullough, **SB 49**—"An Act Appropriating Money to the State Highway Department for Maintenance, Repairs and Reconstruction of Certain Streets and Roads," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. McCullough, Mr. Andrew Christie of the Legislative Reference Bureau, was granted the privilege of the floor.

Mr. McCullough introduced **SA 1**, which was read and on his further motion adopted.

On the question, "Shall the Bill as Amended pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Hickman, Hoey, Lammot, McCullough, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Gray, Harrison, Johnson—3.

So the question was decided in the affirmative and the bill: **SB 49** with **SA 1**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Cook, the Senate adjourned at 5:10 P. M. until 1:00 P. M., Monday, March 25, 1957, convening at that time in skeleton session. Mr. Cook's motion to adjourn fixed the convening of the regular session at 1:00 P. M., Tuesday, March 26, 1957.

41ST LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:20 P. M., on Monday, March 25, 1957. Mr. Hoey presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: Through Thy providence, O Lord, we are permitted to come together to assume the duties and the responsibilities of another day, which as Thou knowest marks the beginning of another week. Inspire us to a keener sense of our dependence upon Thee: Guide us as we counsel together. Awaken within us a patriotism that will lift us above the narrows of all selfish endeavor, and above the realm of adverse criticism, and hold us away from the real of temptation. Wilt Thou so guide each member of this Assembly that they may be heard, Yea! known and remembered, not for their much speaking, but rather for their wise counsel; their careful deliberations, and their effective administration, that they may give us laws, which will

be, not only pleasing to the citizens of our own state, but such as will attract the eye of the entire Nation. For this aim and in Thy Name we ask Thee to be unto us, wisdom, courage and strength. Amen!

Members present—Messrs. Behen, Hoey, Melson, Tull—4.

Members absent—Messrs. Cook, Correll, Gray, Harrison, Hickman, Johnson, Lammot, McCullough, Nechay, Pryor, Reilly, Williams, Mr. President Pro Tem—13.

There being no quorum present, Mr. Hoey declared the Senate adjourned until 1:00 P. M., Tuesday, March 26th, 1957. The members noted present then attended the meeting of the Joint Budget Committee.

42ND LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:25 P. M., on Tuesday, March 26, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: Our Father, as we reflect upon our weakness and short-comings, our thoughts find expression in the words of the Psalmist, and we cry out unto Thee: "What is man that Thou art mindful of him? And the Son of man that Thou visitest him?" Yet our faith in Thee enables us to believe that there is nothing in this universe more far reaching than Thy mercy, and nothing more abounding than Thy love. Therefore out of the depths of our weakness, and out of the depths of our failures, we turn unto Thee, asking Thee to guide us in every experience as Thou seest best. Especially, remember Thou each individual of this Assembly: should others become excited or impatient keep Thou us calm. When others become careless or hasty with words, may we remember the words of the poet and catch the lesson that he would teach, when he said: "Boys flying kites, draw in their white-wing birds, You can't do that, when you are flying word: Careful with fire is good advice you know; Careful with words is ten times doubly so: Thoughts unexpressed may sometimes fall back dead, But God Himself can't kill them when they're said." Therefore, we ask that Thou wilt help us to guard our words, our acts, and our deeds. For Christ's sake. Amen!

Members present—Messrs. Correll, Harrison, Hickman, Hoey, Johnson, Melson, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—11.

Members absent—Messrs. Behen, Cook, Gray, Lammot, McCullough, Nechay—6.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session was dispensed with.

Asked to be marked present: Messrs. McCullough, Lammot, Nechay and Cook.

The Hon. John N. McDowell delivered a message from the Governor, as follows:

**GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

Dover, March 26, 1957

To the Senate of the State of Delaware:

This will advise you that on the date indicated I have approved the following legislation:

March 25, 1957, Senate Bill No. 52—An Act Making an Appropriation to the Delaware Commission of Shell Fisheries for the State's Share of the Initial Costs of the Improvement of the Indian River Bay Channel via Pepper's Creek in Sussex County, and Authorizing and Empowering the Said Commission to Act as the Agency of the State of Delaware to Do All Things Necessary to Comply With the Requirements of the United States Government Relative to the State's Contribution to Said Improvement.

March 25, 1957, Senate Bill No. 67—An Act Making an Appropriation to the Delaware Commission of Shell Fisheries for the State's Share of the Initial Costs of the Improvement of White's Creek Between Indian River Bay and a Point Beyond Assawoman Canal to Lord Baltimore School in Sussex County, and Authorizing and Empowering the Said Commission to Act as the Agency of the State of Delaware to Do All Things Necessary to Comply With the Requirements of the United States Government Relative to the State's Contribution to Said Government.

March 25, 1957, House Bill No. 137—An Act to Amend Chapter 535 of Volume 50, Laws of Delaware, Entitled "An Act to Appropriate Funds to the Delaware Veterans' Military Pay Commission to Pay Certain Valid Claims of Veterans of World War II Which are Barred by the Lapse of Time" by Extending Certain Time Limits Therein.

March 25, 1957, House Bill No. 140—An Act to Amend Chapter 449, Volume 50, Laws of Delaware by Extending the Expiration Date for Various Provisions of the Veterans' Military Pay Act No. II.

Respectfully submitted,

J. CALEB BOGGS, Governor

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 160—"An Act to Amend Chapter 7, Title 19, Delaware Code, Relating to Employment Practices by Forbidding Employers to Charge Individuals a Fee for Medical Examinations or Records as a Condition of Employment," by Williams and Reilly; to Labor.

SB 161—"An Act to Amend Chapter 3, Title 18, Delaware Code Relating to the State Insurance Commissioner," by Tull; to Revised Statutes.

SB 162—"An Act to Amend Chapter 212, Volume 25, Laws of Delaware 1909, Entitled, "An Act to Incorporate the Town of Bethany Beach and Give It Authority to Issue Bonds" by Providing for an Increase in Fines and Penalties for the Violations of a Town Ordinance and by Increasing the Jurisdiction of the Town Alderman in That Respect," by Hickman; to Municipal Corporations.

SB 163—"An Act to Amend Chapter 212, Volume 25, Laws of Delaware 1909, Entitled "An Act to Incorporate the Town of Bethany Beach and Give It Authority to Issue Bonds," by Providing for an Increase in Fines and Penalties for the Violations of a Town Ordinance," by Hickman; to Municipal Corporations.

SB 164—"An Act to Amend Chapter 212, Volume 25, Laws of Delaware 1909, Entitled "An Act to Incorporate the Town of Bethany Beach and Give It Authority to Issue Bonds", as Amended by Providing for an Increase in the Amount to be Raised by Taxation," by Hickman; to Municipal Corporations.

On motion of Mr. Pryor, **SB 77**—"An Act to Amend Chapter 31, Title 15 of the Delaware Code, Relating to Primary Elections, by Providing for Changes in the Procedure for Holding Primary Elections," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Pryor, Samuel Russell, Attorney for the Senate, was granted the privilege of the floor.

Mr. Pryor introduced **SA 1**, which was read and on his further motion adopted.

On the question, "Shall the Bill as Amended pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS — Messrs. Correll, Harrison, Hickman, Lamot, McCullough, Melson, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—11.

NAYS—None.

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. Behen, Cook, Gray, Johnson, Nechay—5.

So the question was decided in the affirmative and the bill: **SB 77** with **SA 1**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following bills and resolution: **HB 29** with **HA 1**, **HB 112** and **HCR 7**.

The Chair presented the following House Bills and Concurrent Resolution, which were read by title only and referred to committees as follows:

HB 29 with HA 1—"An Act Agreeing to the Proposed Amendment to Section 17 of Article Two of the Constitution of the State of Delaware," to Revised Statutes.

HB 112—"An Act Making an Appropriation to the Lewes Chamber of Commerce for the Celebration of the Anniversary of Lewes," to Finance.

HCR 7—"Appropriating Money to the State Librarian to Cover Cost of Legislative Supplies," to Finance.

BE IT RESOLVED by the House of Representatives, the Senate concurring therein that the sum of \$2,872.85 be appropriated to the State Librarian to cover cost of Legislative supplies.

On motion of Mr. Hoey, **SB 25**—"An Act Making an Appropriation to the Lewes-Cape May Ferry Commission for Expenses," was taken up for consideration and read a third time by title in order to pass the Senate.

Messrs. Reilly, Pryor and McCullough were granted the privilege of the floor.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correll, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Nechay, Reilly, Tull, Mr. President Pro Tem—12.

NAYS—None.

NOT VOTING—Mr. Pryor—1.

ABSENT—Messrs. Behen, Gray, Melson, Williams—4.

So the question was decided in the affirmative and the bill: **SB 25**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Tull, **SB 103**—"An Act to Amend Chapter 161, Volume 50, Laws of Delaware, in Respect to the State Forestry Fund," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

Mr. Pryor introduced **SA 1**, which was read and on his further motion adopted.

On the question, "Shall the Bill as Amended pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correll, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Behen and Gray—2.

So the question was decided in the affirmative and the bill: **SB 103 with SA 1**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Cook, the Senate adjourned at 3:50 P. M. until 1:00 P. M., Wednesday, March 27, 1957, convening at that time in skeleton session, and upon this same motion setting the convening of the regular session at 1:00 P. M., Friday, March 29, 1957.

43RD LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:30 P. M., on Wednesday, March 27, 1957. Mr. Hoey presiding.

Prayer by Mr. Hoey.

Members present—Messrs. Behen, Hoey, Melson, Tull—4.

Members absent—Messrs. Cook, Correll, Gray, Harrison, Hickman, Johnson, Lammot, McCullough, Nechay, Pryor, Reilly, Wililams, Mr. President Pro Tem—13.

There being no quorum present, Mr. Hoey declared the Senate adjourned until 1:00 P. M., Thursday, March 28th, 1957. The members noted present then attended the meeting of the Joint Budget Committee.

44TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:00 P. M., on Thursday, March 28, 1957. Mr. Hoey presiding.

Prayer by Mr. Hoey.

Members present—Messrs. Hoey, McCullough, Melson, Tull—4.

Members absent—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Johnson, Lammot, Nechay, Pryor, Reilly, Williams, Mr. President Pro Tem—13.

There being no quorum present, Mr. Hoey declared the Senate adjourned until 1:00 P. M., Friday, March 29th, 1957. The members noted present then attended the meeting of the Joint Budget Committee.

45TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:55 P. M., on Friday, March 29th, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: Our Father God! Thou hast made us, hence we are Thine, use us therefore as a channel through which Thy Spirit may flow. By Thy providence, Father, we are permitted to have a place in the affairs of this grand commonwealth. Help Thou us to prove worthy of the confidence, placed in us by the leaders of this Senate. We are glad that we are here, where we are

associated with this General Assembly, composed of many friends of long-standing, and some of shorter acquaintance. We thank Thee for this privilege. First for these friends tried and true, and for the great privilege of making new friends, especially for this opportunity of mingling with and joining hands with these outstanding young leaders of this great State. May we prove equal to, and also worthy of the responsibility and the obligation which Thou hast delegated unto us. May our acts be prompted by no less motive than the desire to render true service to this State and to Thee. In words of the poet, we would say: "Teach me my God and King, In all things Thee to see, And what I do, in any thing To do it as for Thee." In Thy Name. Amen!

Members present—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Johnson, Lammot, McCullough, Melson, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—15.

Members absent—Messrs. Hoey and Nechay—2.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session was omitted.

Asked to be marked present: Mr. Nechay.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 165—"An Act to Amend Title 21, Delaware Code, Entitled "Motor Vehicles" in Respect to Certain Second Offenses," by Johnson and Cook; to Judiciary.

SB 166—"Title 11 of the Delaware Code is Hereby Amended by Adding a New Chapter Thereto to be Known as Chapter 4 and to be Entitled "Anti-Gambling Act", by Melson and Hoey; to Revised Statutes.

Mr. Nechay introduced the following resolution, which on further motion by him was adopted: SR 50—"Authorizing Payment on Account to Attaches and Employees of the Senate."

BE IT RESOLVED, by the Senate of the 119th General Assembly, that the State Treasurer be and she hereby is authorized and directed to pay to any attache or employee, who has been duly appointed by Resolution of the Senate, upon the order of the President Pro Tem of the Senate, sums on account from time to time not to exceed the total of One Hundred Dollars (\$100.00) to any one person, on account of services to the present Session of the Senate, excepting the Senate attorneys who shall receive the sums on account from time to time, not to exceed the total of Two Hundred Dollars (\$200.00) to any one attorney. Any such sums so paid shall be charged against the salary of the individual attache or employee to whom such sum or sums are paid, and shall be a part of the expenses of this Session of the Senate.

The Chair ordered the Reading Clerk to read the following resignations of Senate attaches:

I, Harold W. Hudson, do hereby tender my resignation from the office of Page of the Senate of the 119th General Assembly, effective March 29, 1957.

(Signed) : HAROLD W. HUDSON

I, Lloyd Hickman, do hereby tender my resignation from the office of Page of the Senate of the 119th General Assembly, effective March 29, 1957.

(Signed) : LLOYD HICKMAN

I, Richard Norwood, do hereby tender my resignation from the office of Telephone Messenger of the Senate of the 119th General Assembly, effective March 29, 1957.

(Signed) : RICHARD NORWOOD

The resignations of the aforementioned attaches of the Senate were accepted.

HB 190 was reported favorably by the majority of the Committee on Claims.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 150**, by Elections; **SB 140**, **SB 145**, 2 favorable, 2 on merits, **SB 112**, **SB 88**, 3 favorable, 1 on merits, by Buildings and Highways.

On motion of the President Pro Tem, the Senate recessed at 2:10 P. M. until call of Chair.

Senate met at expiration of recess at 4:05 P. M. President Pro Tem presiding.

Mr. McCullough introduced the following resolution, which on further motion by him was adopted: **SR 51**—"Requesting Return of Senate Bill No. 14 from the House of Representatives of the 119th General Assembly of the State of Delaware."

BE IT RESOLVED by the Senate of the 119th General Assembly of the State of Delaware, that the House of Representatives of the 119th General Assembly of the State of Delaware is requested to return to the Senate for reconsideration Senate Bill No. 14.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following bill: **HB 181**.

The Chair presented the following House Bill, which was read by title only, and referred to committee as follows:

HB 181—"An Act to Appropriate Funds to the Department of Public Welfare for the Fiscal Year Ending June 30, 1957," to Finance.

SS 2 for **SB 43** was reported as follows by the Committee on Education: 4 favorable, 1 on merits.

On motion of Mr. McCullough, **HB 97**—"An Act to Amend Chapter 55, Title 29, Delaware Code Entitled "State Employees Pension Plan" by Increasing the Number of Working Days for Retired School Employees," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Harrison, Hickman, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Gray and Hoey—2.

So the question was decided in the affirmative and the bill: **HB 97**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

Mr. Cook introduced the following resolution, which on further motion by him was adopted: **SR 52**—"Expressing the Sympathy of the Senate on the Illness of Former President Pro Tempore Charles G. Moore."

WHEREAS, it has come to the attention of the Senate of the 119th General Assembly of the State of Delaware that former President Pro Tempore Charles G. Moore has been confined to the Kent General Hospital due to an unexpected illness, and

WHEREAS, all the members of the Senate of the 119th General Assembly of the State of Delaware desires to express and extend their regret and sympathy unto former Senator Charles G. Moore, **NOW THEREFORE**,

BE IT RESOLVED that the members of the Senate of the 119th General Assembly of the State of Delaware do hereby express their best and sincere wishes for a speedy recovery of former Senator Charles G. Moore and pray that the Almighty will watch over him.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journal of the Senate of the 119th General Assembly of the State of Delaware and a copy be forwarded to former Senator Charles G. Moore, and a further copy be delivered to the Press.

On motion of Mr. Hoey, **HB 73**—"An Act to Amend Title 13, Delaware Code, Entitled "Domestic Relations" in Regard to Divorce," was taken up for consideration and read a second time by title in order to pass the Senate.

Mr. Reilly was granted the privilege of the floor.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Tull, Williams, Mr. President Pro Tem—14.

NAYS—Messrs. Pryor and Reilly—2.

ABSENT—Mr. Gray—1.

So the question was decided in the affirmative and the bill: **HB 73**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Pryor, **HB 156**—"An Act to Amend Chapter 50, Title 15, Delaware Code Relating to the Use of Voting Machines in Elections," was taken up for consideration and read a third time by title in order to pass the Senate.

Mr. Cook introduced **SA 1**, which was read and on his further motion adopted.

On the question, "Shall the Bill as Amended pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Harrison, Hickman, Hoey, Johnson, Lammot, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—13.

NAYS—Messrs. Correll, McCullough, Melson—3.

ABSENT—Mr. Gray—1.

So the question was decided in the affirmative and the bill: **HB 156** with **SA 1**, having received the required constitutional majority, passed the Senate and was ordered returned to the House for concurrence.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 91**, 2 unfavorable, 1 favorable, by Private Corporations; **SB 136**, by Public Health.

The following bill was introduced, given reading by title only, and referred to committee as follows:

SB 167—"An Act to Amend Chapter 196, Vol. 22, Laws of Delaware, 1901, Entitled "An Act to Authorize the Commissioners of Lewes to Appoint a Board of Public Works for the Town of Lewes, Which Shall Establish, Control and Regulate an Electric Light Plant, Water Works and a Sewer System for Said Town; Prescribing the Powers and Duties of Said Board and Providing for the Election of Their Successors", by Granting to Qualified Lease-holders the Right to Vote in the Election of Members of the Said Board of Public Works," by Johnson; to Municipal Corporations.

On motion of Mr. McCullough, **SS 1** for **SB 16**—"An Act to Amend Title 14 of the Delaware Code Relating to Education by Providing Uniform Regulations for the Payment of Teachers Out of Local Funds," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Gray—1.

So the question was decided in the affirmative and the bill: **SS1 for SB 16**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Hoey, **HB 28**—"An Act to Amend Chapter 51, Title 30 Delaware Code by Permitting Volunteer Fire Companies and Veteran Organizations Certain Rights to Refunds on the Tax Paid on Motor Fuels," was taken up for consideration and read a second time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

NOT VOTING—Messrs. Nechay and Pryor—2.

ABSENT—Mr. Gray—1.

So the question was decided in the affirmative and the bill: **HB 28**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

The following bill was introduced, given reading by title only, and referred to committee as follows:

SB 168—"An Act to Amend Section 3521, Title 12, Delaware Code Relating to Accounting and Distribution of Trust Funds," by Reilly; to Banking and Insurance.

On motion of Mr. Hoey, **HB 79**—"An Act to Amend Chapter 21, Title 5, Delaware Code, Relating to Small Loans by Increasing the Cost of the Certificate Renewal Fee," was taken up for consideration and read a second time by title in order to pass the Senate.

On motion of Mr. Hoey, Mr. Randolph Hughes of the State Banking Commission, was granted the privilege of the floor.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Gray—1.

So the question was decided in the affirmative and the bill: **HB 79**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

The following bill was introduced, given reading by title only, and referred to committee as follows:

SB 169—"An Act to Amend Chapter 81, Title 10, of the Delaware Code, Relating to Limitations of Actions," by Reilly; to Judiciary.

On motion of Mr. Behen, **HB 155**—"An Act to Amend Chapter 50, Title 15, Delaware Code Relating to Municipal Elections Outside the City of Wilmington," was taken up for consideration and read a second time by title only in order to pass the Senate.

Mr. Cook introduced **SA 1**, which was read and on his further motion adopted.

Mr. Behen introduced **SA 2**, which was read and on his further motion adopted.

On the question, "Shall the Bill as Amended pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Harrison, Hickman, Hoey, Johnson, Lammot, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

NOT VOTING—Mr. Melson—1.

ABSENT—Messrs. Gray and McCullough—2.

So the question was decided in the affirmative and the bill: **HB 155** with **SA 1** and **SA 2** having received the required constitutional majority, passed the Senate and was ordered returned to the House for concurrence.

Mr. Hickman introduced the following resolution, which on further motion by him was adopted: **SR 53**—"In Reference to Election of Officers."

BE IT RESOLVED by the Senate of the 119th General Assembly of the State of Delaware that the following named persons be and they are hereby elected to the respective offices appearing opposite their names, to serve during the pleasure of the Senate:

Page—Elwood Godfrey

Page—James Law

Telephone Messenger—Harry Boole

Mr. Nechay introduced the following Concurrent Resolution, which on further motion by him was adopted and ordered to the House for concurrence: **SCR 18**—"Providing for a Joint Committee to Investigate the Feasibility of Amending the Constitution to Increase the Salaries of the Members of the Senate and the House of Representatives."

WHEREAS, the salaries of the members of the General Assembly have not been increased since the Constitution was amended in the year 1949, and

WHEREAS, the salaries of the State Legislators in other states are greater than they are in Delaware, and

WHEREAS, the salaries of the members of the General Assembly should conform with the salaries received by the Legislators in other states, and

WHEREAS, salaries of the members of the General Assembly should conform with the increase in the cost of living,
NOW THEREFORE,

BE IT RESOLVED by the Senate and the House of Representatives concurring therein, that there is hereby authorized to be selected a joint committee, to consist of 4 members of the Senate and 4 members of the House of Representatives, the Senate members to consist of 2 members of the Democrat party and 2 members of the Republican party to be appointed by the President of the Senate, the House members to consist of 2 members of the Democrat party and 2 members of the Republican party to be appointed by the Speaker of the House; the said committee being hereby authorized and directed to make all necessary investigations and inquiries into the feasibility of amending the Constitution for the purpose of increasing the salaries of the members of the Senate and the House of Representatives.

On motion of Mr. Cook, the Senate adjourned at 5:35 P. M. until 1:00 P. M., Monday, April 1, 1957.

46TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:30 P. M., on Monday, April 1, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: As Thou knowest Father! We are gathering together, after another week-end and the slumbers of the nights, to enter upon the duties of this day. We pray Thee that it may prove to be a day well spent in behalf of the citizens of this State, hence a day spent in Thy service. To that end, we impore Thy Guidance upon what we may do or say. May we improve this day by reflecting Thy love in the pathway of all with whom we come in contact. Be Thou a Light along our way; an abiding Guest in our homes; the Guide and Anchor of our thoughts; and the job and comfort of our lives. Through the Christ, Whose we are, and Whom we serve. Amen!

Members present—Messrs. Behen, Correll, Gray, Harrison, Lammot, McCullough, Nechay, Pryor, Reilly, Tull, Mr. President Pro Tem—11.

Members absent—Messrs. Cook, Hickman, Hoey, Johnson, Melson, Williams—6.

Upon motion by the Chair, and without objection, the reading of the Journal of the Previous Session was omitted.

Asked to be marked present: Messrs. Johnson, Melson, Hickman, Cook and Williams.

The Chair directed the Reading Clerk to read a letter received from Charles Jester, secretary of the State Fire College.

Upon motion by Mr. Pryor, motion prevailing, SB 85 was stricken from the Calendar.

Mr. Reilly moved that Senate Rule 22 be suspended for the rest of the day's session. Motion prevailed.

Upon request of the Chair, and without objection, Mr. Reilly introduced Mr. John G. Leach of Wilmington who spoke on behalf of the National Foundation for Infantile Paralysis.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 96** and returned the same to the Senate.

Mr. McCullough requested of the Chair that the members of the Fourth Grade of Christiana School District #44, seated in the gallery, be recognized.

Mr. Nechay introduced the following resolution, which on further motion by him was adopted: **SR 54**—"Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 119th General Assembly."

BE IT RESOLVED, by the Senate of the 119th General Assembly of the State of Delaware, that the following amounts be and the same are hereby appropriated out of any money in the General Fund of the State Treasury for the payment of certain expenses connected with the present Session of the 119th General Assembly of the State of Delaware, up to and including the 45th Legislative Day which said expenses are hereby declared to be proper and reasonable expenses actually incurred by the President and by the respective members of the Senate for traveling expenses, commonly called mileage expenses, in traveling from their respective homes to Dover and in returning from Dover to their respective homes, in the performance of their duties as President and members of the Senate, during the present Legislative Session thereof, and the Auditor of Accounts is hereby authorized and fully empowered and directed to approve and properly execute warrants for, and the State Treasurer is hereby authorized and fully empowered and directed to pay to the President and the respective members of the Senate hereinafter named, the respective amounts set opposite their respective names, viz:

David Buckson	\$ 45.00
Clifford Pryor	90.00
John Reilly	225.00
Eugene Lammot	225.00
Peter Nechay	67.50
Allen Cook	67.50
William Behen	21.00
Jester A. Gray	54.00
Wilmer Williams	202.50
Jacob Correll	184.50
Thomas L. Johnson	198.00
S. W. Harrison	18.00
Lemuel Hickman	270.00
Curtis W. Steen	225.00
Calvin McCullough	386.40
Ellwood Melson	470.40
Walter J. Hoey	201.60
Earl Tull	378.00

On motion of Mr. Cook, the Senate recessed at 2:35 P. M. until call of Chair.

Senate met at expiration of recess at 3:20 P. M. President Pro Tem presiding.

Messrs. Nechay, Tull and Pryor asked to be marked present.

The Hon. John N. McDowell, Secretary of State, delivered the following message from the Governor to the Senate, which the Chair referred to the Executive Committee Chairman:

GOVERNOR'S MESSAGE

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

Dover, April 1, 1957

To the Senate of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

C. Fred Fifer, Wyoming, to be a member of the State Board of Agriculture for a term to expire March 1, 1960.

Robert A. Short, Georgetown, to be a member of the State Board of Agriculture for a term to expire March 1, 1958.

Victor P. Kohl, Middletown, to be a member of the State Board of Agriculture for a term to expire February 10, 1959.

Respectfully submitted,

J. CALEB BOGGS, Governor

The President Pro Tempore administered the oath of office to Elwood Godfrey and Harry Boole, using the following form for both:

ILLUSTRATION OF OATH OF OFFICE

The State of Delaware, County of Kent, ss.

I, Elwood Godfrey, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Page for the Senate in the General Assembly of the State, according to the best of my ability.

ELWOOD GODFREY

Sworn and subscribed to this 1st day of April, A. D. 1957.

CURTIS W. STEEN

President Pro Tempore

On motion of Mr. Reilly, HB 43—"An Act to Amend Title 9, Delaware Code, Entitled "Counties" to Repeal Requirement That Receiver of Taxes Sit in Each Hundred of New Castle County," was taken up for consideration and read a second time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Johnson, Lammot, McCullough, Melson, Reilly, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Hoey, Nechay, Pryor, Tull—4.

So the question was decided in the affirmative and the bill: **HB 43**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. McCullough, **SS 2** for **SB 43**—"An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees and Making Appropriation," was taken up for consideration and read a second time by title in order to pass the Senate.

Messrs. Cook and Melson were granted the privilege of the floor.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Correll, Gray, Hickman, Johnson, Lammot, McCullough, Melson, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—12.

NAYS—Messrs. Behen, Cook, Harrison, Nechay—4.

ABSENT—Mr. Hoey—1.

So the question was decided in the affirmative and the bill: **SS 2** for **SB 43**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The Hon. John N. McDowell, Secretary of State, delivered a message from the Governor. The Chair directed the message to the Chairman of the Executive Committee.

The following bill was introduced, given reading by title only, and referred to committee as follows:

SB 170—"An Act to Amend Chapter 39, Title 14, Delaware Code, Relating to Teachers' Retirement Disability Benefits," by Williams and Reilly; to Education.

The Chair announced the signing of **SB 96**.

The following bill and resolution were reported by the majority of the respective committees as follows: **SB 113**, 3 on merits, 1 favorable, by Fish, Oysters and Game; **SJR 4**, 4 favorable, by Labor.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 171—"An Act to Amend Chapter 3, Title 4 of the Delaware Code Relating to the Powers and Duties of the Delaware Alcoholic Beverage Control Commission," by Reilly; to Temperance.

SB 172—"An Act Making an Appropriation to the State Board of Trustees of the Delaware State Hospital at Farnhurst for the Purpose of Making Needed Repairs at Governor Bacon Health Center," by McCullough; to Finance.

SB 173—"An Act to Amend Chapter 53, Title 16, Delaware Code, by Changing the Age Limits for Maladjusted Children at Governor Bacon Health Center," by McCullough; to Public Health.

Mr. Nechay introduced **SR 55**, which on being delivered to the Chair by the Secretary, was found to be backed by a Senate Bill cover, instead of the required Senate Resolution cover. Mr. Nechay requested the withdrawal of **SR 55**, which number was then applied to another resolution which he had requested the Chair to present.

Mr. Nechay introduced the following resolution, which on further motion by him was adopted: **SR 55**—"Authorizing an Appropriation for Telephone Service Charges and Toll Calls in Connection With the Work of the Senate of the 119th General Assembly of the State of Delaware."

BE IT RESOLVED by the Senate, that the amount of \$103.17 is hereby appropriated, to pay for telephone service charges, and toll calls in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be, and he is hereby authorized and directed to pay to the Diamond State Telephone Company the sum of \$103.17 for telephone service charges for the period ending March 11, 1957.

Mr. Hoey asked to be marked present.

The following bill was reported by the majority of the Committee on Finance as follows: **HB 182**, 3 on merits, 1 favorable.

On motion of Mr. Cook, the Senate adjourned at 4:20 P. M. until 1:00 P. M., Tuesday, April , 1957.

47TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:40 P. M., on Tuesday, April 2, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: Our Father! the God of all creation, and Father of all mankind: As we gather in this Senate Chamber to ask Thy guidance and blessing upon these Senators, we would extend our petition to include each member, and especially, the leaders of this the 119th General Assembly, and also the President and leaders of this our great nation and the leaders of every land and nation. We acknowledge Thee Lord, as the only Hope of all the ends of the earth: Therefore we impore Thee to infuse the leaders of the earth, with Thy Spirit of wisdom, Goodness, and Truth; and thus rule their hearts, and bless the endeavors of each, that law and order; justice and peace, may triumph throughout the earth. And the Praise and Glory shall be Thine forever. Amen!

Members present—Messrs. Behen, Correll, Gray, Harrison, Lammot, McCullough, Pryor, Reilly, Tull, Mr. President Pro Tem—10.

Members absent—Messrs. Cook, Hickman, Hoey, Johnson, Melson, Nechay, Williams—7.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session was omitted.

The following bills were reported by the majority of the respective committees as follows: **SB 126**, 1 on merits, 3 favorable, by Municipal Corporations; **SB 158**, 4 favorable, by Education.

On motion of the President Pro Tem, the Senate recessed at 1:45 P. M. until call of Chair.

Senate met at expiration of recess at 3:35 P. M. Mr. Reilly presiding.

Messrs. Hickman and Cook asked to be marked present.

Upon being granted the privilege of the floor, Mr. Steen read the following:

I read the story and editorial in Monday's Morning News about the so-called practice of secret-caucus in the General Assembly with a great deal of amusement. The News complains that we no longer have time consuming public hearings and long debates on bills that come before us. On the other hand, the News is always ready to criticize us because we take too long to finish our business here. In the eyes of the Morning News we are wrong no matter what we do.

The truth of the matter is that in this General Assembly, as well as the last one, there has been more opportunity for public debate and discussion on bills than at any time in my memory and I have been here every session since 1950. In addition we have provided the minority party with every courtesy that we know how to extend so that their members will have complete information concerning bills and when they will be brought up for passage.

If there is any doubt about it, we hereby extend an invitation to any member of the public to ask for a public hearing on any bill. If the request is a serious one, it will not be denied—just as it never has been denied before in this session or the last session. But we cannot agree that we should schedule public hearings on every bill in the absence of any request for one either from the public or a member of the General Assembly. If we did that, we would never complete our work here.

The caucus system has been used by the General Assembly for years and years. It is not a recent invention nor should it be discarded lightly. A caucus serves very important purposes not the least of which is a considerable saving of time in discussion of matters that would be too lengthy to be discussed on the Senate floor. Of course, the caucus system is only a part of the whole process—open debate on the floor is both necessary and desirable. There is always a full opportunity for any Senator to discuss a bill and we are always willing to grant the privilege of the floor to any member of the public who desires to be heard in connection with any bill. But why should we have long debates on bills that all or most of us have

agreed upon? We have enough debate on bills that we do not agree upon. Fortunately we agree more than we disagree in this session. Can it be that the Morning News objects to the general agreement, and harmony that has prevailed in this session? If so, let the Morning News take note that we do not intend to be divided—either now or in the future.

Mr. Steen requested that the foregoing statement be placed in the Journal of the Senate and in the Senate Calendar. There were no objections to the request.

Mr. Steen then took the Chair.

The Chair announced the signing of **HB 97**, **HB 79** and **HB 73**.

On motion of Mr. Lammit, **SB 89**—"An Act to Amend Chapter 65, Title 11, Delaware Code, Entitled "Prisons and Prisoners" to Give Police Powers to Certain Employees of the State Board of Corrections," was taken up for consideration and read a second time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Gray, Harrison, Lammit, McCullough, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—11.

NAYS—None.

ABSENT—Messrs. Cook, Hickman, Hoey, Johnson, Melson, Nechay—6.

So the question was decided in the affirmative and the bill: **SB 89**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The Chief Clerk of the House informed the Senate that the House had concurred in **SCR 18** and **HB 155** with **SA 2**, but did not concur in **SA 1** to **HB 155** and **SA 1** to **HB 156**, and that the House had passed and requested the concurrence of the Senate in the following bill: **HB 44**.

On motion of Mr. Lammit, **SB 90**—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" in Respect to State Pensions for Employees of the State Board of Corrections," was taken up for consideration and read a second time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Lammit, McCullough, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—12.

NAYS—None.

ABSENT—Messrs. Cook, Hoey, Johnson, Melson, Nechay—5.

So the question was decided in the affirmative and the bill: **SB 90**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The Chair presented the following House Bill which was read by title only, and referred to committee as follows:

HB 44—"An Act to Amend Title 19 Delaware Code, Entitled "Labor" to Exempt Minors from Certain Labor Certificate Requirements After their 18th Birthday," to Labor.

On motion of Mr. Hickman, **SB 113**—"An Act to Amend Chapter 9, Title 7, Delaware Code, Entitled "Fishing in Delaware River and Delaware Bay," was taken up for consideration and read a second time by title in order to pass the Senate.

Messrs. Hickman, Williams and Nechay were granted the privilege of the floor.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Lammot, McCullough, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Hoey, Johnson, Melson—3.

So the question was decided in the affirmative and the bill: **SB 113**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The following bills were reported favorably by the majority of the respective committees as follows: **SB 149**, by Agriculture; **SB 171**, by Temperance.

The President Pro Tem administered the oath of office to James Law, as follows:

OATH OF OFFICE

The State of Delaware, County of Kent, ss.

I, James Law, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Page for the Senate in the General Assembly of the State, according to the best of my ability.

JAMES H. LAW

Sworn and subscribed to this 2nd day of April, A. D. 1957.

(s) **CURTIS W. STEEN**

President Pro Tempore

Upon motion by Mr. Hickman, motion prevailing, the Senate resolved itself into Executive Session.

At the termination of the Executive Session and by motion by Mr. Hickman, motion prevailing, the Senate resumed the regular session of the day.

Mr. Nechay introduced the following resolution, which on further motion by him was adopted: **SR 56**—"Authorizing an Appropriation for Telephone Service Charges and Toll Calls in Connection With the Work of the Senate of the 119th General Assembly of the State of Delaware.

BE IT RESOLVED by the Senate, that the amount of 061.49 is hereby appropriated, to pay for telephone service charges, and toll calls in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be, and she hereby authorized and directed to pay to the Diamond State Telephone Company the sum of \$61.49 for telephone service charges for the period ending March 11, 1957.

Upon request by Mr. Nechay, **SB 95** was stricken from the calendar.

The following bills were reported by the majority of the respective committees as follows: **SB 161**, 4 on merits, 1 favorable, by Revised Statutes; **HB 123**, 3 favorable, 1 on merits, by Finance.

On motion of Mr. Hoey, **HCR 1**—"Providing Funds for Janitorial Services for the Legislative Hall," was taken up for consideration and read a second time by title in order to pass the Senate.

On the question, "Shall the Resolution pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammt, McCullough, Reilly, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Johnson, Melson, Nechay, Pryor—4.

So the question was decided in the affirmative and the resolution, **HCR 1**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Cook, the Senate adjourned at 4:40 P. M. until 1:00 P. M., Wednesday, April 3, 1957.

48TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:05 P. M., on Wednesday, April 3, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: As Thou knoweth, O Lord, Thy word has taught us that Thou doest work in mysterious ways, Thy wonders to perform. And our experiences of these many years have confirmed this truth. For as said the poet: "Like summer seas that bathe with silent tides the lonely shore, Like whispering winds that stir the tops of forest trees, Like a still small voice that calls us in the watches of the night, Like a child's hand that feels a fast-closed door, Gentle, unnoticed, and oft in vain; so is Thy coming unto us, O God." Come Thou into our midst, our Father: Open Thou our eyes that we may see; unstop our ears that we may hear; lift forth Thy Hand and lead us into a closer walk with Thee, that Thy Will may be done. For Thy Name sake. Amen!

Members present—Messrs. Behen, Cook, Gray, Harrison, Hickman, Johnson, McCullough, Melson, Reilly, Mr. President Pro Tem—10.

Members absent—Messrs. Correll, Hoey, Lammot, Nechay, Pryor, Tull, Williams—7.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session was dispensed with.

The Chair announced the signing of **HB 43**.

On motion of the President Pro Tem the Senate recessed at 2:15 P. M. until call of Chair.

Senate met at expiration of recess at 4:30 P. M. Mr. Reilly presiding.

Messrs. Cook, Tull, Hoey and Lammot asked to be marked present.

On motion of Mr. Cook, the Senate adjourned at 4:35 P. M. until 1:00 P. M., Thursday, April 4, 1957.

49TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:25 P. M., on Thursday, April 4, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: O Thou Who giveth freely, to all men, and art ever mindful of each individual who calls upon Thee, and is willing to be submissive to Thy Holy and Righteous Will, we rejoice that we live in a world where Thou dost reign. Guide Thou the members of this Senate, and lead them into a larger service for this State for their fellowmen, and for Thee. Lead Thou us all into the consciousness that Thy mercy has spared us, Thy bounty has blessed us and that Thy Grace and Love can elevate or lift us above all petty bickering or maneuvering; yea, above all selfishness, and lead us in paths of righteousness, where no failures follow. O Thou Who faileth not, create within us hearts that yearn and aspire: If our hearts be chilled by selfishness, wilt Thou warm them and crown us with gentleness and forbearance, where such will encourage; and may we use these blessings for Thy Glory throughout our days. Amen!

Member present—Messrs. Cook, Correll, Gray, Harrison, Hickman, McCullough, Pryor, Tull, Mr. President Pro Tem—9.

Members absent—Messrs. Behen, Hoey, Johnson, Lammot, Melson, Nechay, Reilly, Williams—8.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session was omitted.

Asked to be marked present: Mr. Melson.

The Hon. John N. McDowell, Secretary of State, delivered a message from the Governor, as follows:

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, April 3, 1957

To the Senate of the State of Delaware:

This will advise that on the dates indicated I approved the following legislation:

April 1, 1957, Senate Bill No. 96—An Act Appropriating Funds to Kruse School for the Current Fiscal Year.

April 3, 1957, House Bill No. 28—An Act to Amend Chapter 51, Title 30 Delaware Code by Permitting Volunteer Fire Companies and Veteran Organizations Certain Rights to Refunds on the Tax Paid on Motor Fuels.

April 3, 1957, House Bill No. 73—An Act to Amend Title 13, Delaware Code, Entitled "Domestic Relations" in Regard to Divorce.

April 3, 1957, House Bill No. 79—An Act to Amend Chapter 21, Title 5, Delaware Code, Relating to Small Loans by Increasing the Cost of the Certificate Renewal Fee.

April 3, 1957, House Bill No. 97—An Act to Amend Chapter 55, Title 29, Delaware Code Entitled, "State Employees Pension Plan" by Increasing the Number of Working Days for Retired School Employees.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Cook, the Senate recessed at 1:25 P. M. until call of Chair.

Senate met at expiration of recess at 4:15 P. M. President Pro Tem presiding.

Messrs. Williams, Hoey, Nechay and Behen asked to be marked present.

The following bills were reported by the majority of the respective committees as follows: SB 141, 4 favorable, 1 on merits, SB 166, 4 favorable, 1 on merits, SB 118, 4 favorable, 1 on merits, SB 116, 4 favorable, 1 on merits, by Revised Statutes; SB 17, 2 favorable, 1 on merits, by Education.

Upon motion by Mr. Hoey, motion prevailing, Senate Rule 22 was suspended for the rest of this day's session.

The Chief Clerk of the House informed the Senate that the House had concurred in SB 34, SB 30, SB 80, and SS 1 for SB 62, and was returning SB 41 in compliance with SR 51, and that the House had passed and requested the concurrence of the Senate in the following bills: HB 131 with HA 1, HB 101, HB 127 and HB 212.

The Chair presented the following House Bills, which were read by title only and referred to committees as follows:

HB 101—"An Act to Amend Title 9, Delaware Code of 1953 by Authorizing the Levy Court of Kent County to Appropriate Certain Money to the Kent County Volunteer Firemen's Association," to Finance.

HB 127—"An Act to Amend Chapter 464, Volume 50, Laws of Delaware, in Regard to Mental Health Training and Research," to Public Health.

HB 131 with **HA 1**—"An Act Making an Appropriation to the Board of Trustees of the State Welfare Home and Hospital for the Chronically Ill at Smyrna to Enlarge and Equip the Present Laundry and Main Kitchen at the State Welfare Home," to Finance.

HB 212—"An Act to Amend Title 14, of the Delaware Code Relating to Education by Adding the Words "Under God" to the Salute to the Flag," to Education.

The Chair announced that the Hon. Joseph Craven, Attorney-General of the State of Delaware, would speak before the Senate on Friday, April 5, 1957, at 1:00 P. M.

On motion of Mr. Reilly, **SB 171**—"An Act to Amend Chapter 3, Title 4 of the Delaware Code Relating to the Powers and Duties of the Delaware Alcoholic Beverage Control Commission," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

Messrs. Behen, Melson and Hoey were granted the privilege of the floor.

Mr. Melson moved that the bill be deferred.

On the question, "Shall the Bill be Deferred?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Correl, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—7.

NAYS—Messrs. Behen, Cook, Harrison, Hoey, Reilly—5.

NOT VOTING—Messrs. Harrison and Hickman—2.

ABSENT—Messrs. Johnson, Lammot, McCullough—3.

So the question was decided in the negative and the motion not having received the required constitutional majority, was lost, and **SB 171** was not deferred.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Gray—3.

NAYS—Messrs. Correll, Harrison, Hickman, Hoey, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—11.

ABSENT—Messrs. Johnson, Lammot, McCullough—3.

So the question was decided in the negative and the bill: **SB 171**, not having received the required constitutional majority, was lost.

Upon motion by Mr. Reilly, and without objections, **SB 171** was restored to the calendar.

On motion of Mr. Hoey, **HB 182**—"An Act Appropriating Money to Blades School District #172," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

Mr. Hoey was granted the privilege of the floor.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Melson, Nechay, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Lammot, McCullough, Pryor—3.

So the question was decided in the affirmative and the bill: **HB 182**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 174—"An Act to Amend Chapter 1, Title 22 Relating to the Qualifications of Voters in Municipal Elections and Referendums," by Hoey; to Municipal Corporations.

SB 175—"An Act Authorizing and Directing the State Highway Department to Pay a Sum of Money to Mabel I. Hayden for Damages to Property in Dewey Beach, Lewes and Rehoboth Hundred, Sussex County, Delaware, Caused by the Widening and Extending Streets in Said Dewey Beach," by Johnson and Steen; to Finance.

SB 176—"An Act to Amend Chapter 83, Title 11, Delaware Code Relating to State Police Retirement Benefits," by Cook; to Revised Statutes.

SB 177—"An Act to Amend Chapter 6, Title 11 of the Delaware Code Relating to the Crime of Shoplifting," by Melson and Hoey; to Judiciary.

SB 178—"An Act to Amend Chapter 6, Title 11 of the Delaware Code Relating to the Crime of Larceny of Goods Held for Sale," by Melson and Hoey; to Judiciary.

SB 179—"An Act to Amend Chapter 31, Title 24 Relating to the Requirements for Certificates of Undertakers," by Johnson and Reilly; to Revised Statutes.

Mr. Hickman introduced the following resolution, which on further motion by him was adopted: **SR 57**—"Authorizing Payment of Certain Bills for Expenses Incurred by the Senate."

BE IT RESOLVED by the Senate, that the sum of \$695.52 is hereby appropriated to pay for printing in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be, and he is hereby authorized and directed to pay to Delaware State News, Dover, Delaware, the sum of \$695.52 in payment for printing, and

BE IT FURTHER RESOLVED by the Senate that the sum of \$340.00 is hereby appropriated to pay for printing in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be, and she is hereby authorized and directed to pay to the Harrington Journal, Harrington, Delaware, the sum of \$340.00 in payment for printing.

The following bills were reported by the majority of the Committee on Finance as follows: **HB 112**, 3 on merits, 1 favorable, **SB 124**, 4 on merits, **SB 172**, 4 on merits.

On motion of Mr. Cook, the Senate adjourned at 5:15 P. M. until 1:00 P. M., Friday, April 5, 1957.

50TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:05 P. M., on Friday, April 5, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: Almighty God, unto Whom all hearts are open, all desires known, and from Whom no secrets are hid, cleanse the thoughts of our hearts by the inspiration of Thy Holy Spirit, that we may perfectly love Thee, and worthily magnify Thy Holy Name, through Jesus Christ our Lord, Who taught us to pray, as we say: "Our Father, Who art in Heaven: Hallowed be Thy Name, Thy Kingdom come, Thy will be done, on earth as it is in Heaven. Give us this day our daily bread, And forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, and the Power, and the Glory forever. Amen!

Members present—Messrs. Behen, Gray, Harrison, Hickman, Lammot, Melson, Nechay, Pryor, Reilly, Tull, Mr. President Pro Tem—11.

Members absent—Messrs. Cook, Correll, Hoey, Jhonson, McCullough, Williams—6.

Upon motion by the Chair, and without objection, the reading of the Journal of the Previous Session was dispensed with.

The Chair announced that the members of the Senate were invited to a dinner to be given by the Women's Joint Legislative Committee on April 16, 1957, at the Hub Restaurant in Dover.

On motion of Mr. Reilly, the Senate recessed at 1:10 P. M. until call of Chair.

Senate met at expiration of recess at 1:50 P. M.

Messrs. Melson, Correll, Hoey, Cook and Williams asked to be marked present.

On motion of Mr. Melson, **SB 166**—"Title 11 of the Delaware Code is Hereby Amended by Adding a New Chapter Thereto to be Known as Chapter 4 and to be Entitled "Anti-Gambling Act," was taken up for consideration and read a second time by title, on order to pass the Senate.

Upon request of Mr. Melson, the Hon. Joseph Craven, Attorney General of the State of Delaware, was granted the privilege of the floor. Following the remarks of the Attorney General, and at his request, Col. Harry S. Shew, Superintendent of the Delaware State Police, spoke. Col. Shew then requested the privilege of the floor for Captain Carl Lawrence, director of the Bureau of Criminal Investigation of the Delaware State Police. Upon privilege of the floor, Messrs. Reilly, Correll, Nechay and McCullough questioned Captain Lawrence on matters relative to the subject matter of the bill under discussion.

The Attorney General then asked the privilege of the floor for Captain Arthur Wilson, Chief of Police of the City of Wilmington. Following the remarks of Captain Wilson, the privilege of the floor was given to Detective Inspector Edwin Rich of the Wilmington Police, who, after speaking, was questioned on certain matters by Messrs. Lammot, McCullough and Hickman.

Upon motion by Mr. Hoey, the privilege of the floor was then given to the Rev. Joseph Dickerson of Wilmington.

Following the discussion on matters pertaining to **SB 166**, Mr. Melson moved for roll call.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Correll, Gray, Harrison, Hickman, Hoey, Lammot, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Behen, Cook, Johnson, McCullough—4.

So the question was decided in the affirmative and the bill: **SB 166**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Melson, **SB 116**—"An Act to Amend Title 11, Delaware Code, Chapter 23, by Adding a New Section to be Known as Section 2310 Relating to the Admissibility of Evidence," was brought up for third and final reading and roll call. Prior to the roll call being taken, Samuel Russell, Attorney for the Senate, requested and was granted the privilege of the floor. Following Mr. Russell's remarks, the Attorney-General, on privilege of the floor, commented on the former's remarks. On floor privilege, Messrs. McCullough and Nechay questioned the Attorney-General. At the conclusion of the discussion, the President Pro Tempore then ordered the Secretary to take roll call on **SB 116**.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Correll, Harrison, Hickman, Hoey, Lam-mot, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—12.

NAYS—Messrs. Cook, Gray, Reilly—3.

ABSENT—Messrs. Behen and Johnson—2.

So the question was decided in the affirmative and the bill: **SB 116**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Melson, **SB 113**—"An Act to Amend Chapter 23, Title 11, Delaware Code, Relating to Granting Authority to the Attorney General or Any Deputy Attorney General of the State, to Apply to a Judge of the Superior Court of the State of Delaware for an Order to Intercept and Record Telegraphic and Telephonic Communications of Persons Suspected of Violating the Criminal Laws of This State and Providing for Contempt Proceedings for Improper Use of Such Authority," be taken up for third and final reading in order to pass the Senate. Prior to roll call, privilege of the floor was granted to Mr. J. B. King of the Diamond State Telephone Company. On privilege of the floor, the Attorney-General, followed by Messrs. McCullough and Reilly questioned Mr. King on matters relative to the bill under consideration. On conclusion of the discussion, the President Pro Tempore directed the Secretary to take roll call on **SB 133**.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Correll, Harrison, McCullough, Melson, Nechay, Williams, Mr. President Pro Tem—7.

NAYS—Messrs. Gray, Hoey, Lam-mot, Pryor, Reilly—5.

NOT VOTING—Mr. Tull—1.

ABSENT—Messrs. Behen, Cook, Hickman, Johnson—4.

Prior to the announcement by the Secretary of the vote, Mr. Hoey changed his vote from yea to nay, and by his motion, without objections, **SB 133** was restored to the calendar.

So the question was decided in the negative and the bill: **SB 133**, not having received the required constitutional majority, was lost.

On motion of Mr. Correll, **SB 19**—"An Act to Amend Part III, Title 6, Delaware Code, Entitled "Weights, Measures and Standards" by Repealing Most of the Present Provisions and Substituting New Administrative and Substantive Provisions, Defining Certain Crimes and Appropriating Funds," was taken up for consideration and read a third time by title in order to pass the Senate.

Mr. Correll introduced SA 1 to SB 19, which was read and voted upon as follows:

On the question, "Shall SA 1 to SB 19 pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Lammot, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

NOT VOTING—Messrs. Hoey and McCullough—2.

ABSENT—Mr. Johnson—1.

So the question was decided in the affirmative and SA 1 to SB 19 having received the required constitutional majority, passed the Senate.

Mr. Cook introduced SA 2 to SB 19, which was read and voted upon as follows:

On the question, "Shall SA 2 to SB 19 pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

NOT VOTING—Mr. McCullough—1.

ABSENT—Mr. Johnson—1.

So the question was decided in the affirmative and SA 2 to SB 19 having received the required constitutional majority, passed the Senate.

Mr. Cook moved that SB 19 with SA 1 and SA 2 be deferred.

On the question, "Shall SB 19 with SA 1 and SA 2 be deferred?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correll, Gray, Hickman, Hoey, Lammot, McCullough, Melson, Nechay, Reilly, Tull, Mr. President Pro Tem—12.

NAYS—Messrs. Behen, Harrison, Williams—3.

NOT VOTING—Mr. Pryor—1.

ABSENT—Mr. Johnson—1.

So the question was decided in the affirmative and SB 19 with SA 1 and SA 2, was deferred.

The Chair announced the signing of SB 30, SB 34, SB 80 and SS 1 for SB 62.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 180—"An Act to Amend Chapter 138, Volume 41, Laws of Delaware, 1937, Entitled An Act to Reincorporate the Town of Clayton, Relating to Terms and Vacancies of Members of Town Council, Duties and Powers of Aldermen, Retirement Funds for Town Police and Sewer and Water Systems," by Cook; to Municipal Corporations.

SB 181—"An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pension Plan by Increasing the Minimum Benefits Therefor," by Reilly; to Finance.

SB 182—"An Act to Amend Chapter 55, Title 14 of the Delaware Code by Establishing a Program for Financial Aid to Needy Students at the University of Delaware Who are Delaware Residents and Appropriating Funds Therefor," by McCullough; to Education.

SB 183—"An Act to Increase the Compensation of Sussex County Officials," by Hickman; to Finance.

The following bill was reported by the majority of the Committee on Labor as follows: **SB 159**, 3 favorable, 2 on merits.

On motion of Mr. Cook, the Senate adjourned at 4:30 P. M. until 1:00 P. M., Monday, April 8, 1957.

51ST LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:45 P. M., on Monday, April 8, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: Eternal God and Father of mankind, ere we enter upon the duties of another day, which as Thou knowest marks the beginning of this, another week, we would first commit our soul and life to Thy Almighty care. Lead us, O Father, just as Thou wilt, and when and where; for Thou alone can direct our wills by noble motives in accordance with the claims on us of right and love. If we have lingered overlong in the valley of contentment and a stern fate mocks our selfish aims, give us the courage of men who dare to scale the heights where we may see the everlasting things that matter for our Nation: The peaks of honor, truth, and righteousness, pointing with pierced hand to the City that hath an eternal foundation whose Builder and Maker is God. Be Thou with us and and that to guide throughout this day and the days that are ahead. In the Name of our Lord. Amen!

Members present—Messrs. Behen, Correll, Gray, Harrison, Hoey, Johnson, Lamot, McCullough, Melson, Nechay, Pryor, Reilly, Williams, Mr. President Pro Tem—14.

Members absent—Messrs. Cook, Hickman, Tull—3.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session was dispensed with.

Asked to be marked present: Messrs. Tull, Hickman and Hoey.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following bills: **HB 82**, **HB 100** and **HB 200**.

The Chair presented the following House Bills, which were read by title only and referred to committees as follows:

HB 82—"An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pension Plan, by Changing the Conditions Under Which the Surviving Spouse of a Deceased Employee May be Eligible for Payments," to Judiciary.

HB 100—"An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety" to Authorize State Board of Health to Regulate Food Handlers in Schools," to Public Health.

HB 200—"An Act to Amend Title 7, Relating to the Muskrat Season," to Fish, Oysters and Game.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 184—"An Act to Amend Chapter 19, Title 10, of the Delaware Code Relating to Examinations of Judgment Satisfaction by Commissioners," by Pryor; to Judiciary.

SB 185—"An Act Appropriating Money to the State Highway Department for the Purpose of Covering Up Trash Dumping Areas in the State," by Behen; to Buildings and Highways.

The following bill was reported by the majority of the Committee on Judiciary as follows: **SB 165**, 2 favorable, 2 on merits.

On motion of the President Pro Tem, the Senate recessed at 1:55 P. M., until call of Chair.

Senate met at expiration of recess at 4:15 P. M. President Pro Tem presiding.

Mr. Cook asked to be marked present.

The following bill was introduced, given reading by title only, and referred to committee as follows:

SB 186—"An Act to Amend Chapter 82, Title 9, of the Delaware Code, Relating to the Board of Assessment for Sussex County," by Hickman, Steen, Tull and Hoey; to Judiciary.

The following bill was reported by the majority of the Committee on Municipal Corporations as follows: **SB 180**, 4 favorable.

Upon privilege of the floor, Mr. Pryor, on behalf of the Committee on Elections, announced that a public hearing on **SB 20** would be held in the Senate Chamber on Monday, April 15, 1957, at 1:30 P. M.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 187—"An Act to Amend Chapter 95, Title 9, Delaware Code Entitled "Coroners," by Hickman; to Revised Statutes.

SB 188—"An Act to Amend Chapter 11, Title 10 of the Delaware Code Relating to the Appointment and Salaries of the Clerks and Probation Officers of the Juvenile Court of Kent and Sussex Counties," by Cook; to Revised Statutes.

On motion of Mr. Hickman, **SB 145**—"An Act Appropriating Funds for the Improvement of the Assawoman Canal in Sussex County," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correl, Harrison, Hickman, Hoey, Lammot, McCullough, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Behen, Gray, Johnson—3.

So the question was decided in the affirmative and the bill: **SB 145**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. McCullough, **SB 48**—"An Act Authorizing and Directing the State Highway Department to Study and Construct a System of Flood Control in the City of New Castle and Appropriate Funds Therefore, was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behan, Cook, Correll, Harrison, Hickman, Hoey, Lammot, McCullough, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Gray and Johnson—2.

So the question was decided in the affirmative and the bill: **SB 48**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 189—"An Act to Amend Chapter 24, Title 9, Delaware Code by Defining the Term "Garbage Disposal Plant" as Used Therein," by Pryor; to Public Health.

SB 190—"An Act to Amend Chapter 15, Title 9, Delaware Code by Authorizing the Levy Court of New Castle County to Regulate or Prohibit the Dumping of Garbage, Rubbish, Ashes or Other Waste Material, and Providing Penalties for Violations Thereof," by Pryor; to Public Health.

The following bills were reported by the majority of the Committee on Judiciary as follows: **SB 186**, 3 favorable, 2 on merits, **HB 118**, 3 favorable, 2 on merits.

On motion of Mr. Nechay, **HB 190**—"An Act Authorizing the Payment of Money to Lillie Marvel," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behan, Cook, Correll, Harrison, Hickman, Hoey, Lamnot, McCullough, Melson, Nechay, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

NOT VOTING—Mr. Pryor—1.

ABSENT—Messrs. Gray and Johnson—2.

So the question was decided in the affirmative and the bill: **HB 190**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Reilly, **SJR 4**—"Urging Congress to Repeal Excise Taxes on Transportation," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Resolution pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correll, Harrison, Hickman, Hoey, Lamnot, McCullough, Melson, Nechay, Reilly, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

NOT VOTING—Messrs. Behen and Pryor—2.

ABSENT—Messrs. Gray and Johnson—2.

So the question was decided in the affirmative and the resolution: **SJR 4**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 191—"An Act to Amend Chapter 33, Title 19, Delaware Code Relating to Unemployment Compensation by Providing for Additional Compensation for Dependent Children," by Reilly; to Finance.

SB 192—"An Act Appropriating Certain Money to the State Park Commission to Pay the Bill of Rodney H. Dann for Work at Pea Patch Island," by McCullough; to Claims.

On motion of Mr. Cook, the Senate adjourned at 4:55 P. M. until 1:00 P. M., Tuesday, April 9, 1957.

52ND LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:50 P. M., on Tuesday, April 9, 1957. Mr. Reilly presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: As Thou knowest, O Lord, we as individuals so often make this life of ours vague, difficult, and mysterious. Therefore, we ask Thee to quicken every pulse in us to aspire that we may justly claim the glorious right to live. Help us to guard its hours as valued treasures and give it a good name, which is above every other

gift. It is not just what we do that constitutes the best benefactions to our fellow citizens, but what we are. Pour into our lives Thy Holy Spirit and bless us with the deepest calm and courage. If sorrow be our portion, may we keep the faith; if temptation is beckoning, may we keep the faith; if the skies are forbidding and the pathway is hard, may we keep the faith; when the evening comes and we contemplate the hours between, dawn and dark, grant us to know, because of some good word or deed the world is better that we have lived today. Through Christ our Lord. Amen.

Members present — Messrs. Behen, Cook, Correll, Gray, Harrison, Hoey, Lammot, Reilly, Tull—9.

Members absent—Messrs. Hickman, Johnson, McCullough, Melson, Nechay, Pryor, Williams, Mr. President Pro Tem—8.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session was dispensed with.

Asked to be marked present: Mr. Williams.

On motion of Mr. Reilly, the Senate recessed at 2:05 P. M. for five minutes.

Senate met at expiration of recess at 2:10 P. M. Mr. Reilly presiding.

The following resolution was reported by the majority of the Committee on Finance as follows: **HCR 7**, 2 favorable, 1 on merits.

Upon motion by Mr. Hoey, motion prevailing, Senate Rule 9 was suspended for the rest of this legislative day.

On motion of Mr. Hoey, **HCR 7**—"Appropriating Money to the State Librarian to Cover Cost of Legislative Supplies," was taken up for consideration. Mr. Hoey further moved that the concurrent resolution be adopted. Motion prevailed, and **HCR 7** was adopted, and ordered by the Chair to be returned to the House.

On motion of Mr. Cook, the Senate adjourned at 2:20 P. M. until 1:00 P. M., Wednesday, April 10, 1957.

53RD LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:40 P. M., on Wednesday, April 10, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: Almighty God, Fount of all life and love; Source of all strength and power; the origin of both light and wisdom; Yea! the Giver of every good and perfect gift, hear us as we again implore Thy presence in this assembly; the Senate of this the first State of this great Nation. We love our State for what she is and for what she sought to be; to that end, we would ask Thee to aid us in making it just what Thou would have it be. A fit place for Thine abode. Believing, as we do, that Thou hast

ordained that men should work together with Thee, and under Thy leadership, we would therefore open the gates of our souls, and invite Thy Spirit to come in and give us Grace and wisdom to employ all our faculties in the carrying out of Thy Will. Be Thou especially mindful of these our colleagues in every difficult and trying hour of this the 119th Session of this General Assembly of Our Beloved Delaware. And to Thy Name shall be the Glory. Amen.

Members present—Messrs. Behen, Gray, Harrison, Hickman, Hoey, Lammot, Melson, Pryor, Reilly, Tull, Mr. President Pro Tem—11.

Members absent—Messrs. Cook, Correll, Johnson, McCullough, Nechay, Williams—6.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session was dispensed with.

Asked to be marked present: Messrs. Behen, Nechay, Correll and Cook.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following bills: **HB 13, HB 17, HB 23, HB 99, HB 163, HB 165, HB 183, HB 184, HB 219, HB 231 and HB 237.**

The Chair presented the following House Bills, which were given reading by title only, and referred to committees as follows:

HB 13—"An Act Appropriating Certain Money to Palmer Home, Incorporated," to Finance.

HB 17—"An Act Appropriating Money to Layton Home for Aged Colored Persons," to Finance.

HB 23—"An Act Appropriating Money for the Observance of Memorial Day in Honor of the Grand Army of the Republic," to Finance.

HB 99—"An Act Appropriating Money to Ross Point School District 215," to Finance.

HB 163—"An Act to appropriate Money to the New Castle Historic Buildings Commission for the Purpose of Repairing and Restoring the Central Portion of the New Castle Courthouse," to Finance.

HB 165—"An Act to appropriate Money to the New Castle Historic Buildings Commission for the Purpose of Repairing and Restoring the East Wing of the New Castle Courthouse," to Finance.

HB 183—"An Act to Amend the Charter of the City of Dover, Chapter 158, Volume 36, Laws of Delaware, by Providing for the Borrowing of Money and Issuance of Notes in Anticipation of an Authorized Bond Issue," to Municipal Corporations.

HB 184—"An Act to Amend the Charter of the City of Dover, Chapter 158, Volume 36, Laws of Delaware, by Revising the Method of Hearing Appeals from the General Session," to Municipal Corporations.

HB 219—"An Act Making a Deficiency Appropriation to the State Highway Department for Maintenance," to Finance.

HB 231—"An Act to Provide for Referendums on Bingo; Regulate Bingo, Provide Penalties and Appropriate Funds," to Miscellaneous.

HB 237—"An Act Appropriating Funds to the American Legion and the American Legion Auxiliary for Expenses to be Incurred in Connection With the Holding of Boy's State and Girl's State," to Finance.

The Chair announced that a public hearing would be held in the Senate Chamber on **HB 29** and **HB 231** on Tuesday, April 16, 1957, at 2:30 P. M.

On motion of Mr. Cook, the Senate recessed at 1:55 P. M. until call of Chair.

Senate met at expiration of recess at 4:10 P. M. Mr. President Pro Tem presiding.

The following bills were reported by the majority of the respected committees as follows: **HB 44**, 4 favorable, by Labor; **HB 231**, 2 favorable, 2 on merits, by Miscellaneous; **HB 157**, 3 favorable, **HB 183**, 3 on merits, by Municipal Corporations; **HB 29**, 2 favorable, 1 on merits; by Revised Statutes; **HB 99**, 3 on merits, **HB 165**, 3 on merits, **HB 237**, 3 on merits, **HB 163**, 3 on merits, **HB 219**, 3 on merits, **HB 23**, 3 on merits, **HB 17**, 3 on merits, **HB 13**, 3 on merits, **HB 131**, 2 favorable, 1 on merits, **HB 101**, 2 favorable, 1 on merits, by Finance.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following bills: **HB 75**, **HB 76** and **HB 77**.

The Chair presented the following House Bills, which were given reading by title only, and referred to committees as follows:

HB 75—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware," to Finance.

HB 76—"An Act Appropriating Money to American Legion, Sussex Post Number 8, in Sussex County, With Which to Operate and Maintain an Ambulance," to Finance.

HB 77—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware Which Maintain and Operate an Ambulance," to Finance.

On motion of Mr. Lammot, **SB 120**—"An Act to Authorize Payment of Certain Unpaid Expenses of the Senate of the 118th General Assembly of the State of Delaware; Appropriation," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, Melson, Nechay, Reilly, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. McCullough and Pryor—2.

So the question was decided in the affirmative and the bill: **SB 120**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The following bill was introduced, given reading by title only, and referred to committee as follows:

SB 193—"An Act to Amend Chapter 81, Title 9, Delaware Code Relating to the Exemption of the Brookland Terrace Civic Club from Taxation Upons Its Real Property," by Williams; to Revised Statutes.

On motion of Mr. Cook, **SB 180**—"An Act to Amend Chapter 138, Volume 41, Laws of Delaware, 1937, Entitled An Act to Reincorporate the Town of Clayton, Relating to Terms and Vacancies of Members of Town Council, Duties and Powers of Aldermen, Retirement Funds for Town Police and Sewer and Water Systems," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, Melson, Nechay, Reilly, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. McCullough and Pryor—2.

So the question was decided in the affirmative and the bill: **SB 180**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 194—"An Act to Amend Chapter 65, Title 11, Delaware Code, Entitled "State Correctional System", Providing for Minimum Salaries for Guards," by Behen and Cook; to Finance.

SB 195—"An Act to Amend Title 14, Delaware Code, Entitled "Education" Relating to the Board of Trustees of Delaware State College," by Hickman and Johnson; to Education.

On motion of Mr. Correll, **SB 19 as amended**—"An Act to Amend Part III, Title 6, Delaware Code, Entitled "Weights, Measures and Standards" by Repealing Most of the Present Provisions and Substituting New Administrative and Substan-

tive Provisions, Defining Certain Crimes and Appropriating Funds," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill as Amended pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, Melson, Reilly, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

NOT VOTING—Mr. Nechay—1.

ABSENT—Messrs. McCullough and Pryor—2.

So the question was decided in the affirmative and the bill: **SB 19** as amended, having received the required constitutional majority, pass the Senate and was ordered to the House for concurrence.

On motion of Mr. Hoey, **HB 118**—"An Act to Provide a Survivor's Pension for Edith E. French, a Widow Whose Husband Died Seventeen Days Before Becoming Eligible for a State Pension," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, Melson, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. McCullough, Nechay, Pryor—3.

So the question was decided in the affirmative and the bill: **HB 118**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 196—"An Act to Amend Title 19 of the Delaware Code, by Creating a Voluntary Apprenticeship Council;; by Reilly; to Judiciary.

SB 197—"An Act to Amend Chapter 297, Volume 50, Laws of Delaware Entitled "An Act Providing for a Park Police Pension Fund for Members of the Park Police of the City of Wilmington," by Changing the Pensions Payable Under Said Act and by Providing Additional Benefits for Widows and Dependents of Pension Members," by Reilly; to Judiciary.

Upon privilege of the floor, Mr. Reilly, announced that the following bills were to be placed upon the agenda: **SB 119**, **SB 142**, **SB 143**, **SB 161**; **HB 13**, **HB 17**, **HB 23**, **HB 44**, **HB 99**, **HB 85**, **HB 101**, **HB 157**, **HB 182**, **HB 219**, **HB 231** with **HA 1**, **HB 163**, **HB 237**.

Mr. Nechay introduced the following resolution, which on further motion by him was adopted: **SR 58**—"Authorizing Payment on Account to Attaches and Employees of the Senate."

BE IT RESOLVED by the Senate of the 119th General Assembly, that the State Treasurer be and she hereby is authorized and directed to pay to any attache or employee, who has been duly appointed by Resolution of the Senate, upon the order of the President Pro Tem of the Senate, sums on account from time to time not to exceed the total of One Hundred Dollars (\$100.00) to any one person, on account of services to the present Session of the Senate, excepting the Senate attorneys who shall receive the sums on account from time to time, not to exceed the total of Two Hundred Dollars (\$200.00) to any one attorney. Any such sums so paid shall be charged against the salary of the individual attache or employee to whom such sum or sums are paid, and shall be a part of the expenses of this Session of the Senate.

On privilege of the floor, Mr. Williams announced that Thursday, April 11, 1957, would be the initial day of Boys' State, and requested that the members arrive that day at the Legislative Hall as early as possible.

Upon request of the Chair, and without objection, Mr. Johnson placed SB 126 on the agenda.

On motion of Mr. Cook, the Senate adjourned at 4:55 P. M. until 1:00 P. M., Thursday, April 11, 1957.

54TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:45 P. M., on Thursday, April 11, 1957. Lieutenant-Governor Buckson presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: Our Heavenly Father, may we ever believe and accept the words of the Psalmist who said: "The earth is the Lord's and the fullness there, The world and those who dwell therein; For He has founded it upon the seas, and established it upon the rivers. Who shall ascend the hills of the Lord? And who shall stand in His holy place? He who has clean hands and a pure heart, Who does not lift up his soul to what is false, And does not swear deceitfully. Our Father, Who art in heaven: Hallowed be Thy Name, Thy kingdom come, Thy will be done, on earth as it is in heaven. Give us this day our daily bread. And forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil. For Thine is the kingdom, and the power, and the glory forever. Amen!

Members present—Messrs. Behen, Cook, Correll, Gray, Harrison, Hoey, Johnson, Melson, Pryor, Reilly, Williams—11.

Members absent — Messrs. Hickman, Lammot, McCullough, Nechay, Tull, Mr. President Pro Tem—6.

Asked to be marked present: Mr. Nechay.

The Chief Clerk of the House informed the Senate that the House had concurred in SB 73, and that the House had passed and requested the concurrence of the Senate in the following bills: **HB 7, HB 9, HB 10, HB 11, HB 18, HB 19, HB 20, HB 21, HB 166, HB 201, HB 222, HB 223 and HB 228.**

The Chair presented the following House Bills, which were given first and second reading and referred to committees as follows:

HB 7—"An Act Appropriating Money to the Veterans of Foreign Wars, Department of Delaware," to Miscellaneous.

HB 9—"An Act Appropriating Moneys for Education and Training of Children of Veterans of World War I, World World II and Korean Conflict Who Died While in the Service of the Army, Navy, Marine Corps, Air Force or Coast Guard of the United States or Who Died from Disease, Wounds or Disabilities Resulting from Such Service," to Miscellaneous.

HB 10—"An Act Appropriating Money to the American Legion, Department of Delaware," to Miscellaneous.

HB 11—"An Act Appropriating Money to the Disabled American Veterans of Delaware," to Miscellaneous.

HB 18—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware Which Maintain and Operate a Rescue Truck," to Miscellaneous.

HB 19—"An Act Appropriating Certain Moneys to Kent and Sussex County Fair, Incorporated for Prizes," to Miscellaneous.

HB 20—"An Act Appropriating Certain Moneys to Historical Society of Delaware for Operation Expenses," to Miscellaneous.

HB 166—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" to Permit the Waiver of Pension Benefits," to Miscellaneous.

HB 201—"An Act to Amend the Charter of the Town of Woodside in Kent County by Increasing the Amount That Can be Raised Each Year by Taxes," to Miscellaneous.

HB 222—"An Act Making a Deficiency Appropriation to a Salary and Wages Account of the Motor Vehicle Department," to Buildings and Highways.

HB 223—"An Act Making a Deficiency Appropriation to the Secretary of the State Highway Department for the Salary and Wages Account," to Buildings and Highways.

HB 228—"An Act Appropriating Money to the Delaware Society for the Prevention of Cruelty to Animals," to Miscellaneous.

HB 21—"An Act Making Appropriations to the Veterans of Foreign Wars, Department of Delaware, for the Furnishing of Services to Veterans and Their Dependents," to Miscellaneous.

The following bill was introduced, given reading by title only, and referred to committee as follows:

SB 198—"An Act to Amend Chapter 15, Title 13, Delaware Code by Removing New Castle County from the Original Territorial Jurisdiction of the Superior Court With Respect to Distribution Care and Maintenance of Children in an Action for Annulment of Marriage or Divorce," by Melson; to Judiciary.

Upon motion by Mr. Cook, motion prevailing, Senate Rule 22 was suspended for the rest of this day's session.

On motion of Mr. Behen, **HB 85**—"An Act to Amend An Act Entitled "An Act Changing the Corporate Name of 'The Commissioners of Wyoming' to 'The Town of Wyoming' and Establishing a Charter Therefor", Being Chapter 189, Volume 43, Laws of Delaware, 1941, as Amended by Chapter 87, Volume 47, Laws of Delaware, 1949, by Increasing the Amount of Money Which May be Raised Each Year in Taxes," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hoey, Johnson, Melson, Nechay, Pryor, Reilly, Williams—12.

NAYS—None.

ABSENT—Messrs. Hickman, Lammot, McCullough, Tull, Mr. President Pro Tem—5.

So the question was decided in the affirmative and the bill: **HB 85**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Johnson, **SB 126**—"An Act to Amend Chapter 170, Volume 43, Laws of Delaware, Entitled "An Act to Reincorporate the Town of Lewes" as Amended," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hoey, Johnson, Melson, Nechay, Pryor, Reilly, Williams—12.

NAYS—None.

ABSENT—Messrs. Hickman, Lammot, McCullough, Tull, Mr. President Pro Tem—5.

So the question was decided in the affirmative and the bill: **SB 126**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The following bill was introduced, given reading by title only, and referred to committee as follows:

SB 199—"An Act to Repeal Chapter 19, Title 6, of the Delaware Code Relating to Fair Trade," by Pryor (by request) ; to Miscellaneous.

On motion of Mr. Reilly, **HB 44**—"An Act to Amend Title 19, Delaware Code, Entitled "Labor" to Exempt Minors from Certain Labor Certificate Requirements After Their 18th Birthday," was taken up for consideration and read a second time by title in order to pass the Senate.

On motion of Mr. Reilly, Messrs. Melson, Nechay, Cook, Behen, Williams and Hoey were granted the privilege of the floor.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hoey, Johnson, Melson, Nechay, Pryor, Reilly, Williams—12.

NAYS—None.

ABSENT—Messrs. Hickman, Lammot, McCullough, Tull, Mr. President Pro Tem—5.

So the question was decided in the affirmative and the bill: **HB 44**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following bill: **HS 1** for **HB 15**.

The Chair presented the following House Bill, which was given reading by title only, and referred to committee as follows:

HS 1 for **HB 15**—"An Act to Appropriate Moneys to Certain Hospitals in the State of Delaware," to Public Health.

On motion of Mr. Cook, the Senate recessed at 2:45 P. M. until call of Chair.

Senate met at expiration of recess at 3:40 P. M. Mr. President Pro Tem presiding.

Mr. President Pro Tem and the Messrs. Tull and Hickman asked to be marked present.

The following bill was introduced, given reading by title only, and referred to committee as follows:

SB 200—"An Act Authorizing the State Highway Department to Study and Construct Flood Control Measures Along Little Mill Creek in Christiana Hundred, Appropriating Funds Therefore," by Williams; to Finance.

The Honorable John N. McDowell, Secretary of State, delivered a message from the Governor, as follows:

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, April 11, 1957

To the Senate of the State of Delaware:

This will advise that on the dates indicated I approved the following legislation:

April 3, 1957, House Bill No. 43—An Act to Amend Title 9, Delaware Code, Entitled "Counties" to Repeal Requirement That Receiver of Taxes Sit in Each Hundred of New Castle County.

April 10, 1957, Senate Bill No. 34—An Act to Amend Chapter 22 of Title 9, Delaware Code of 1953, as Amended, by Providing That the Levy Court of New Castle County Shall Establish Regulations for the Issuance of Sewer Permits and Authorizing the Levy Court of New Castle County to Establish the Form of Sewer Lien Docket for Recording of Sewer Service Charges and Fees.

April 10, 1957, S. S. #1 for Senate Bill No. 62—An Act to Amend Chapter 13, Title 14, Delaware Code Relating to State Supported Salary Schedules for School Employees.

April 10, 1957, Senate Bill No. 80—An Act to Amend Chapter 3, Title 9 of the Delaware Code Relating to Levy Court of Sussex County.

April 11, 1957, House Bill No. 182—An Act Appropriating Money to Blades School District #172.

April 11, 1957, House Bill No. 190—An Act Authorizing the Payment of Money to Lillie Marvel.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Hoey, **HB 13**—"An Act Appropriating Certain Money to Palmer Home, Incorporated," was taken up for consideration and read a second time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Cook, Lammot, McCullough—3.

So the question was decided in the affirmative and the bill: **HB 13**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Hoey, **HB 17**—"An Act Appropriating Money to Layton Home for Aged Colored Persons," was taken up for consideration and read a second time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Cook, Lammot, McCullough—3.

So the question was decided in the affirmative and the bill: **HB 17**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Hoey, **HB 23**—"An Act Appropriating Money for the Observance of Memorial Day in Honor of the Grand Army of the Republic," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

Mr. Pryor was granted the privilege of the floor.

On motion of Mr. Pryor, **HB 23** was deferred by vote as follows:

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Cook, Lammot, McCullough—3.

So the question was decided in the affirmative and the bill: **HB 23**, was deferred.

On motion of Mr. Hoey, **HB 99**—"An Act Appropriating Money to Ross Point School District #215," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Lammot and McCullough—2.

So the question was decided in the affirmative and the bill: **HB 99**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

The Chair announced the signing of **HB 118**.

On motion of Mr. Hoey, **HB 163**—"An Act to Appropriate Money to the New Castle Historic Buildings Commission for the Purpose of Repairing and Restoring the Central Portion of the New Castle Courthouse," was taken up for consideration and read a third time by title only in order to pass the Senate.

Messrs. Reilly and Pryor were granted the privilege of the floor.

The Chair then declared the Senate to be in recess for five minutes. The Senate met at expiration of recess at 4:30 P. M. Messrs. Hoey and Reilly were granted the privilege of the floor to discuss the bill up for passage. Upon Mr. Reilly's request the Hon. James R. Quigley, majority leader of the House, was given floor privilege, following which Mr. Quigley was invited by the President Pro Tem to be seated on the rostrum.

The Chair then granted Mr. Pryor floor privilege, following which Mr. Hoey moved for roll call upon the bill.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Melson, Nechay, Reilly, Tull, Williams, Mr. President Pro Tem—12.

NAYS—None.

NOT VOTING—Mr. Pryor—1.

ABSENT—Messrs. Behen, Johnson, Lammot, McCullough—4.

So the question was decided in the affirmative and the bill: **HB 163**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 201—"An Act to Amend Chapter 41 and 92, Title 9, Delaware Code Relating to the Payment of Salaries of Kent County Employees," by Cook; to Judiciary.

SB 202—"An Act to Appropriate Funds to the State Highway Department for the Purpose of Draining Water from the Town of Kenton and for the Purpose of Installing Concrete Piping on Route 300," by Cook; to Buildings and Highways.

On motion of Mr. Hoey, **HB 219**—"An Act Making a Deficiency Appropriation to the State Highway Department for Maintenance," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Johnson, Lammot, McCullough—3.

So the question was decided in the affirmative and the bill: **HB 219**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Pryor, **SB 149**—"An Act to Amend Chapter 3 Title 11 of the Delaware Code Relating to Specific Crimes by Regulating Certain Advertising of "Farmers Mark-

et" and "Farmers Auction Market," was taken up for consideration and read a second time by title in order to pass the Senate.

Messrs. Williams, Cook and Hoey were granted the privilege of the floor.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Melson, Nechay, Pryor, Tull, Williams—12.

NAYS—None.

NOT VOTING—Mr. Reilly—1.

ABSENT—Messrs. Johnson, Lammot, McCullough and Mr. President Pro Tem—4.

So the question was decided in the affirmative and the bill: **SB 149**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Hoey, **HB 165**—"An Act to Appropriate Money to the New Castle Historic Buildings Commission for the Purpose of Repairing and Restoring the East Wing of the New Castle Courthouse," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Hoey, the Hon. James R. Quigley was granted the privilege of the floor.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Melson, Reilly, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

NOT VOTING—Mr. Pryor—1.

ABSENT—Messrs. Lammot, McCullough, Nechay—3.

So the question was decided in the affirmative and the bill: **HB 165**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. President Pro Tem, the Senate adjourned at 5:05 P. M. until 11:00 A. M., Friday, April 12, 1957.

55TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:25 P. M., on Friday, April 12, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: Hear us our Father, as we pray for the members of this Senate, the attaches, and their respective counterpart—(each member of the Boys' State of this grand Commonwealth Delaware, Our Delaware). Awaken each group to realize the privilege that is theirs: the boys to receive instruction and guidance; the adults to impart the rules, methods, and procedure to follow that each act may prove effective or lawful. May the latter

group remember that it is more blessed to give than to receive. Hence may they prove generous with their store of knowledge. Prepare us, Blessed Lord, for our work. If there be any in our midst that feels their task a cross be Thou mindful of such and lighten their burden. Help us to realize that there is no higher attainment than service, there is no more desirable gift than power couched in love, and no better prayer than "Thy will be done." Take our wills and make them Thine. Stimulate them with a consuming desire to be our noblest and to do our best, in return for the unmerited love of our Saviour and for the honor of our State has bestowed upon us. In His Name. Amen.

Members present—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—15.

Members absent—Messrs. Johnson and McCullough—2.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session was omitted.

The following bill was reported by the majority of the Committee on Revised Statutes as follows: **SB 179**, 3 favorable, 1 on merits.

The following bill was introduced, given reading by title only, and referred to committee as follows:

SB 203—"An Act to Amend Title 13, Delaware Code, by Removing New Castle County from the Original Territorial Jurisdiction of the Superior Court With Respect to the Charge and Custody of Minor Children Whose Parents Live in a State of Separation Without Being Divorced," by Melson; to Judiciary.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 145**, and that the House had passed and requested the concurrence of the Senate in the following bills: **HB 147**, **HB 191** and **HB 226**.

The Chair presented the following House Bills, which were given first and second reading and referred to committees as follows:

HB 147—"An Act Appropriating Funds to the State Board of Corrections to Buy Land Adjacent to the Kent County Correctional Institution," to Finance.

HB 191—"An Act to Amend Chapter 3, Title 11, Delaware Code, Relating to Abandonment of Living Creatures; Penalties," to Miscellaneous.

HB 226—"An Act Appropriating Funds to the Secretary of State for Microfilming State Records Under His Jurisdiction," to Finance.

On motion of Mr. President Pro Tem, the Senate recessed at 1:50 P. M. until call of the Chair.

Senate met at expiration of recess at 3:25 P. M. President Pro Tempore presiding.

Mr. Johnson asked to be marked present.

The Chair announced the signing of SB 73 and SB 145, and HB 13, HB 17, HB 44, HB 85, HB 99, HB 163, HB 165, and HB 219.

The following bill was reported by the majority of the respective Committee on Judiciary as follows: HB 82, 3 on merits, 1 favorable.

On motion of Mr. Behen, HB 157 with HA 1 and HA 2—“An Act to Amend Title 30, Delaware Code by Providing for a State Municipal Street Aid Fund from the Proceeds of the State Motor Fuel Tax; Distribution of Such Fund to Incorporated Cities and Towns for Street Purposes,” was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Lammot, Mr. Albert Stiffler, Attorney of the House, was granted the privilege of the floor.

Mr. Lammot introduced SA 1, which was read and on his further motion was voted upon by roll call, as follows:

On the question, “Shall the Amendment pass the Senate?” the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. McCullough—1.

So the question was decided in the affirmative and SA 1 to HB 157 as amended, having received the required constitutional majority, passed the Senate.

Messrs. Reilly, Lammot, Cook and Behen were granted the privilege of the floor.

Mr. Pryor introduced SA 2, which was read and on his further motion was presented for roll call, as follows:

On the question, “Shall the Amendment pass the Senate?” the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Pryor, Mr. President Pro Tem—3.

NAYS—Messrs. Behen, Correll, Harrison, Hickman, Hoey, Johnson, Lammot, Melson, Nechay, Reilly, Tull, Williams—12.

NOT VOTING—Mr. Gray—1.

ABSENT—Mr. McCullough—1.

So the question was decided in the negative and SA 2 to HB 157 as amended, not having received the required constitutional majority, was lost.

Messrs. Williams, Hoey and Reilly were granted the privilege of the floor.

Mr. Pryor introduced SA 3, which was read and on motion by Mr. Lammot, ordered for roll call, as follows:

On the question, "Shall the Amendment pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Pryor, Mr. President Pro Tem—3.

NAYS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, Melson, Nechay, Reilly, Tull, Williams—13.

ABSENT—Mr. McCullough—1.

So the question was decided in the negative and SA 3 to HB 157 as amended, not having received the required constitutional majority, was lost.

Mr. Andrew J. Christie of the Legislative Reference Bureau, was granted the privilege of the floor.

On the question, "Shall the Bill as Amended pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. McCullough—1.

So the question was decided in the affirmative and the bill: HB 157 with HA 1 and HA 2 and SA 1, having received the required constitutional majority, passed the Senate was ordered returned to the House for concurrence.

On motion of Mr. Behen, SB 22—"An Act to Appropriate Funds to the Levy Court of Kent County to Repay Suburban Improvement Bonds and Interest," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, Reilly, Tull, Mr. President Pro Tem—10.

NAYS—Messrs. Behen, Correll, Melson, Williams—4.

NOT VOTING—Mr. Nechay—1.

ABSENT—Messrs. McCullough and Pryor—2.

So the question was decided in the negative and the bill, SB 22, not having received the required constitutional majority, was lost.

Following roll call, Mr. Behen changed his vote from yea to nay, and upon his request SB 22 was restored to the calendar.

Pursuant to the provisions of SCR 18, adopted March 29, 1957, and entitled: "Providing for a Joint Committee to Investigate the Feasibility of Amending the Constitution to Increase the Salaries of the Members of the Senate and the

House of Representatives," the President Pro Tempore appointed the following members to serve on the Joint Committee: Messrs. Melson, Johnson, Nechay and Pryor.

On motion of Mr. Cook, **SB 148**—"An Act to Amend Title 9, Delaware Code Entitled "Counties" by Providing for Payment of Pension Benefits to Certain Employees of Kent County, Providing Regulations and Procedure Therefore, Exemptions from Attachment, Non-Assignability and Other General Provisions," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Harrison, Hickman, Hoey, Johnson, Lammot, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Gray and McCullough—2.

So the question was decided in the affirmative and the bill: **SB 148**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Hoey, **HB 101**—"An Act to Amend Title 9, Delaware Code of 1953 by Authorizing the Levy Court of Kent County to Appropriate Certain Money to the Kent County Volunteer Firemen's Association," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Harrison, Hickman, Hoey, Johnson, Lammot, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Gray and McCullough—2.

So the question was decided in the affirmative and the bill: **HB 101**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Cook, the Senate adjourned at 4:20 P. M. until 1:00 P. M., Monday, April 15, 1957.

56TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:10 P. M., on Monday, April 15, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: O Lord, our God how excellent is Thy name in all the earth! Before the mountains were brought forth, or Thou hadst formed the earth and the world, even from everlasting to everlasting, Thou art God. Over-awed by Thy majesty and humbled by our own human weakness, we would not begin action without serious intentions nor continue it without asking Thy blessing upon

our aspired goal. To that end: we pause at the beginning of the duties of this, another day, and another week; and lest we forget, we would add: Following the week-end of the annual meeting of the "Boys' State" of Delaware. May we ever thank Thee Father, that, through Thy providence, the foresighted leaders of the American Legion of this State were led to institute this splendid opportunity and privilege for the youth of Delaware. We now implore Thy continued guidance and blessing upon each member of this Senate. If any are carrying undue burdens, or detained at home because of illness, manifest Thyself unto them as a very present help in each hour of need. And Thy name shall have the praise and the glory. Amen!

Members present—Messrs. Correll, Gray, Harrison, Lam-mot, McCullough, Melson, Nechay, Pryor, Reilly, Mr. President Pro Tem—10.

Members absent—Messrs. Behen, Cook, Hickman, Hoey, Johnson, Tull, Williams—7.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session was omitted.

Upon privilege of the floor, Mr. Reilly requested the members to report such bills as they desired to be placed upon the agenda. Mr. Reilly, on behalf of the President Pro Tem, placed **SB 151** on the agenda.

On motion of Mr. Reilly, the Senate recessed at 1:20 P. M., until call of the Chair.

Senate met at expiration of recess at 1:55 P. M. Mr. Pryor presiding.

Mr. Pryor then announced that the public hearing concerning **SB 20** would commence. Seated with Mr. Pryor, chairman of the Committee on Elections, on the rostrum were the other members of the committee: Messrs. Cook, Tull, Johnson and Reilly.

Upon privilege of the floor, Mr. Melson spoke on **SB 20**. Members granted floor privilege also to speak on the bill were: Messrs. McCullough, Hoey, Reilly and Cook.

Mr. Pryor, Elections Committee chairman, declared the hearing closed after granting the privilege of the floor to a number of persons attending the public hearing.

The Senate met following the close of the public hearing at 4:00 P. M. Mr. President Pro Tem presiding.

Messrs. Tull, Hickman, Cook, Hoey and Johnson asked to be marked present.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 120**.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 169**, 2 on merits, 3 favorable, **SB 196**, 2 on merits, 3 favorable, **SB 157**, 3 on merits, 1 favorable, by Judiciary; **SB 160**, 2 on merits, 3 favorable, by Labor; **SB 173**,

by Public Health; SB 182, SB 153, 3 favorable, 2 on merits, SB 135, 4 favorable, 1 on merits, SB 55, SB 82, 3 favorable, 2 on merits, SB 42, SB 41, by Education.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 204—"An Act Authorizing the Levy Court of Kent County to appropriate a Certain Sum to the Mid-Del. Association for Retarded Children for Operational Expenses," by Cook; to Finance.

SB 205—"An Act to Amend Chapter 97, Title 10, of the Delaware Code Relating to Costs in Proceedings Either Criminal or Civil Before a Justice of the Peace," by Cook; to Judiciary.

SB 206—"An Act to Amend Chapter 95, Title 10, Delaware Code, Relating to the Deposit for Costs in Civil Actions Brought Before a Justice of the Peace," by Cook; to Judiciary.

SB 207—"An Act to Amend Chapter 25, Title 24, Delaware Code, Entitled "Pharmacy," by Hoey; to Public Health.

Upon privilege of the floor, Mr. Pryor remarked that there was an error in the Senate Calendar for the period ending April 12, 1957, and advised the Secretary that SB 199 should be noted therein as having been presented by request.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 208—"An Act to Amend Chapter 1, Title 26, Delaware Code Relating to the Powers and Duties of the Public Service Commission," by Williams and Reilly; to Municipal Corporations.

SB 209—"An Act Creating a Legislative Advisory Committee to Study the Needs of the General Assembly and Providing an Appropriation Therefore," by McCullough; to Revised Statutes.

SB 210—"An Act to appropriate \$7500 to the State Highway Department for the Purpose of Constructing a Concrete Sidewalk Along the East Side of the duPont Highway Opposite the Minquadale School in New Castle County," by McCullough; to Buildings and Highways.

SB 211—"An Act to Amend Chapter 9, Title 28, Delaware Code, Relating to Miscellaneous Provisions Concerning Regulation of Public Entertainment on Sundays," by McCullough (by request); to Miscellaneous.

Mr. Lammot introduced the following concurrent resolution, which on further motion by him was adopted and sent to the House for concurrence: SCR 19—"Extending Congratulations to the Farmers Bank of the State of Delaware on Their 150th Anniversary."

Upon privilege of the floor, Mr. McCullough remarked on a recent editorial in the Wilmington daily papers, and then read the following, which he requested be given to the press and placed in the Journal:

"During the tenure of the 118th General Assembly there was introduced into the House of Representatives a Teacher Salary Schedule later known as "H. B. 162". This bill was declared by all Educational Groups including the D. S. E. A., F. D. T. and U. S. L. C. to be the Delaware Teachers dream of a perfect salary schedule and the members of the 118th General Assembly were told that if this bill was passed intact that the Teacher Salary Schedule would be ample for the foreseeable future.

"However, financial conditions of the State at the time this bill was passed prevented its enactment intact. Therefore it was necessary to amend this bill to a \$300.00 limit during any one year, regardless of the amount to which any given teacher was entitled to. This amendment in effect limited the increase to the amount already authorized under S. B. 96, passed earlier in the session. Now, the present salary bill known as S. S. #2 for S. B. 43 does everything originally intended under old H. B. 162, and more. As witness the raising of the beginner schedule and the next four years after. In fact the only persons who should be dissatisfied are a few Directors, Supervisors and Superintendents who were not included in the old H. B. 162 anyway, but in a separate bill (H. B. 726) and even these few persons will benefit to the extent of upward to \$1,000.00 increases per any one year, for the next 4 to 5 years."

What other class of State employee would not look with satisfaction on the guarantee of such salary increases annually for the next 5 years?

Several days ago the Senate passed Senate Substitute No. 2 for Senate Bill No. 43 to improve the Uniform State Supported Salary Schedule for teachers and administrators. In working out the provisions of this bill we had the advice and approval of the officers of both the Delaware State Education Association and the Federation of Delaware Teachers. Now it seems that despite the united support of the two professional organizations for this measure the educational authorities of the News Journal papers have decided that it isn't good enough.

In an editorial dated April 3, 1957, this salary bill is granted faint praise for its many good features such as removing the \$300.00 annual limitation on salary adjustments and raising the beginning salaries of teachers by \$400. The major share of the editorial is devoted to charging that the more experienced teachers—the careerists—are being poorly treated and that the schedule is being distorted to their disadvantage.

I should like to state here and now that this charge is utterly false. Such a charge could only be made by a person who did not understand the provisions of the bill or by a person who was deliberately setting out to mislead the public. I think a few simple facts about this bill will prove my point.

First, House Bill No. 162 passed by the 118th General Assembly raised the starting salaries by only \$100.00. It raised the maximum salaries for teachers with no degree and Bachelor's degree by \$800; with a Master's degree by \$1,000; with a Master's plus 30 credits by \$1,400. It did put a \$300 annual limit on the adjustment of teachers to these increased salaries.

The major portion of the appropriation, or nearly \$1,000,000 out of \$1,277,000, in our new Senate Bill will go toward paying the cost for removing the \$300 annual limit for the benefit of the experienced teachers and administrators. It means that the maximum B. A. degree teacher will get a \$500 increase next year instead of \$300; that the M. A. degree teacher will get \$700 instead of \$300; and the Master's plus 30 credits teacher and most of the administrators will get \$900 instead of \$300. Granted these rates were set forth in the code by the 118th General Assembly, but it is our bill if enacted and this 119th General Assembly that will be putting the actual money into teachers' pocket. Compared to the \$50 to \$400 annual raises given to teachers with 5 years or less experience these increases of \$500 to \$900 in actual cash for the more experienced teachers is hardly a "distortment" of the schedule to their disadvantage. Without our Senate Bill those with less than five years would get no schedule increase and those at maximum would get just \$300.

But this is not all. Our Senate Bill looked to the future with particular concern for the career teachers. In addition to the actual increases provided for these more experienced teachers for next year, our bill also provides that in the school year 1959-60 that the maximum rates shall be increased by another \$500. I ask again, is this a "distortment" of the schedule to the disadvantage of the experienced teachers?

I would be the last to suggest that this is a perfect bill or guarantee that it will maintain the flow of teacher replacements that we will need every year. I do believe that the provisions of this bill were the very best that could be enacted in view of the financial limitations within which we must operate. However, I do know that this will give the State of Delaware the highest state supported salary schedule in the United States. I also know that it will place the individual districts in a position where they can meet most of the competition from nearby districts in surrounding states without any substantial increases in their present local salary supplements.

Again I say the emphasis today should be on the classrooms and classroom teachers, while also recognizing the need for adequate supervision.

As I have stated above this bill (S. S. #2 for S. B. 43) together with other bills for fringe benefits now in the Legislative mill, should take the State of Delaware out of the

ranks of the followers and again restore her to her rightful place as a leader of The Republic in the field of Education.

On motion of Mr. Cook, the Senate adjourned at 4:35 P. M. until 1:00 P. M., Tuesday, April 16, 1957.

57TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:40 P. M., on Tuesday, April 16, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: We thank Thee, our Father, for the evidence of Thy presence, as we walk upon the earth from day to day. Surely Thou hast been our help in ages past, hence our hope for days to come. As the spring-time calls unto the tree, and calls out from the tree the wonderful powers within it, wilt Thou awaken and strengthen the gifts or talents within us that we may live daily as in Thy presence. As we touch life, may we gladden and cheer our friends along in life's path-way. Help us to grow in the beauty and gladness of Christian virtues. Be Thou our guide in all that we do. For Thou art light to those who know Thee; the life of the souls that love Thee, and the strength of the hearts that serve Thee. Grant us, Lord, so to know Thee, that we may truly love Thee; and so to love that we may faithfully serve Thee, and so serve Thee, in our service to this State, that we may find in said service perfect freedom and perfect joy. In the Master's Name. Amen.

Members present—Messrs. Cook, Correll, Harrison, Hickman, Hoey, Lammot, Melson, Nechay, Pryor, Reilly, Tull, Mr. President Pro Tem—12.

Members absent—Messrs. Behen, Gray, Johnson, McCullough, Williams—5.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session was dispensed with.

Asked to be marked present: Mr. Johnson.

The Chair announced the signing of **SB 120**.

Upon motion by Mr. Reilly, motion prevailing, Senate Rule 22 was suspended for the rest of this day's session.

On motion by the President Pro Tempore, the Senate recessed at 2:50 P. M. for the public hearing on **HB 29** and **HB 231**.

Mr. Nechay, chairman of the Committee on Revised Statutes, then declared the commencement of the public hearing. Seated with him on the rostrum were the other members of the Committee on Revised Statutes, Messrs. Hoey, Harrison, Correll and Reilly.

The Chair granted the privilege of the floor to the following: The Rev. Edwin Thomas, the Rev. Burt Poole, the Rev. Maurice Moyer, the Rev. Robert Duke, the Rev. Brewster Beach, Mr. David Hoag, Mr. Reynolds Bradley, Mr. John Babiarz.

On privilege of the floor, Senate Attorney Samuel Russell and House Attorney Albert Stiffel explained certain portions of the bills under discussion.

Mr. Melson then questioned the two attorneys regarding the two bills, and then expressed his own views on the bills.

At 4:20 P. M., Mr. Nechay declared the public hearing closed.

The Senate met at the expiration of recess at 4:55 P. M. The President Pro Tempore presiding.

The Chair announced the signing of **HB 101** and **HB 157**.

On motion of Mr. Cook, the Senate adjourned at 5:05 P. M. until 1:00 P. M., Wednesday, April 17, 1957.

58TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:50 P. M., on Wednesday, April 17, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: Our Father, with Thee as our Guide, we look back in earnestness, and look forward in confidence, for we know that Thou art always the same. Thou art the same today as in the days that are gone. So there comes to us the same old message, more and more venerable, and more and more true: "Honor all men; love the brotherhood, and fear God."—I Peter 2:17. May we seek appreciation rather than criticism; make us free to see the beautiful and to love the good; then glory and the joy of life will stand freshly revealed in everything. O may we alive to every flower that springs forth among the rough places of our every day life, even to every sweet thing that blooms in the crevice of the rock or in the dust of the street, to the mercies and privileges of common days, of common places, of common things, and of common place people. Thus we shall be blest along life's pathway until we reach home. Amen.

Members present—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Johnson, McCullough, Melson, Pryor, Tull, Mr. President Pro Tem—12.

Members absent—Messrs. Hoey, Lammot, Nechay, Reilly, Williams—5.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session was dispensed with.

Asked to be marked present: Mr. Hoey.

On motion of Mr. President Pro Tempore, the Senate recessed at 1:55 P. M. until call of Chair.

Senate met at expiration of recess at 3:55 P. M. President Pro Tem presiding.

Messrs. Lammot, Williams, Nechay and Reilly asked to be marked present.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 162, SB 163, SB 164, SB 167, SB 174**, by Municipal Corporations; **SB 199**, 1 favorable, 4 on merits, by Miscellaneous.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 212—"An Act to Appropriate Money to the State Highway Department for the Purpose of Repairing and Replacing the Boardwalk at Rehoboth Beach," by Johnson; to Buildings and Highways.

SB 213—"An Act to Amend the Charter of the City of Rehoboth Beach as Established by Chapter 161, Volume 41, Laws of Delaware, as Amended by Increasing the Amount of Taxes That May be Raised for Municipal Purposes," by Johnson; to Municipal Corporations.

On motion of Mr. Lammot, **SB 143**—"An Act to Repeal "An Act Providing for Assessment Against Abutting Properties in the City of Wilmington in Proportion to the Special Benefit the Present Improved Street Roadway Will Have to Said Properties", as Amended, Being Chapter 121, Volume 29, Laws of Delaware, as Amended by Chapter 123, Volume 30, Laws of Delaware," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative and the bill: **SB 143**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Lammot, **SB 142**—"An Act to Amend Chapter 122, Volume 29, Laws of Delaware Entitled "An Act Providing for Assessment Against Abutting Properties in the City of Wilmington for a Portion of the Cost of Paving and Improving the Public Street Roadways" by Repealing the Provision for Assessment," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative and the bill: **SB 142**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 193**, 4 on merits, **SB 188**, 3 favorable, by Revised Statutes; **SB 204**, 1 favorable, 3 on merits, by Finance; **SB 195**, by Education.

On motion of Mr. Pryor, **SB 94**—"An Act to Amend Chapter 15, Title 9 of the Delaware Code Relating to the Powers and Duties of the Levy Court of New Castle County," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Pryor, Samuel Russell, Senate Attorney, was granted the privilege of the floor.

On motion of Mr. Williams, and without objection, **SB 94** was tabled.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 214—"An Act to Amend Chapter 21, Title 23, Delaware Code, by Providing for a Penalty for the Removal of Drainage of Water from Noxentown Lake in New Castle County," by Pryor; to Buildings and Highways.

SB 215—"An Act to Amend Chapter 15, Title 9 of the Delaware Code Relating to the Annual Audit of Accounts and Publication of Audit Report in New Castle County," by Pryor; to Miscellaneous.

SB 216—"An Act to Amend Title 16, Delaware Code Entitled "Health and Safety" to Authorize the State Board of Health to Regulate the Vaccination of Dogs Against Rabies, to Control the Movement of Stray Dogs, and Impound and Dispose of the Same, and to Control Rabies in Other Animals; and to Repeal Parts of Title 7, Delaware Code, Entitled "Conservation" Dealing With Dogs," by Williams and Reilly; to Fish, Oysters and Game.

The following bills were reported by the majority of the respective committees as follows: **SB 202**, 3 favorable 1 on merits, **HB 222**, 4 favorable, **HB 223**, 4 favorable, by Buildings and Highways; **HB 18**, 2 on merits, 2 favorable, **HB 75**, 1 favorable, 3 on merits, by Finance; **HB 53**, 2 on merits, 2 favorable, by Revised Statutes; **HB 7**, 2 favorable, 3 on merits, **HB 9**, 2 favorable, 3 on merits, **HB 228**, 3 on merits, 2 favorable, **HB 166**, 4 on merits, 1 favorable, **HB 21**, 5 on merits, **HB 191**, 3 on merits, 2 favorable, **HB 11**, 3 favorable, 2 on merits, **HB 10**, 3 on merits, 2 favorable, **HB 201**, 3 favorable, 2 on merits, by Miscellaneous.

On motion of Mr. Reilly, **SB 88**—"An Act to Appropriate Funds to the State Highway Department for the Use of the Motor Vehicle Division for the Fiscal Year Ending June 30, 1957, was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Behen—1.

So the question was decided in the affirmative and the bill: **SB 88**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Hoey, **HB 90**—"An Act to Appropriate Funds to the Board of Post Mortem Examiners to Provide for Expenses of the Office Exclusive of the Salary of the State Medical Examiner," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Behen—1.

So the question was decided in the affirmative and the bill: **HB 90**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. McCullough, **HB 212**—"An Act to Amend Title 14, of the Delaware Code Relating to Education by Adding the Words "Under God" to the Salute to the Flag," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Behen—1.

So the question was decided in the affirmative and the bill: **HB 212**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Tull, **SB 186**—"An Act to Amend Chapter 82, Title 9 of the Delaware Code Relating to the Board of Assessment for Sussex County," was taken up for consideration and read a second time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correll, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

NOT VOTING—Mr. Gray—1.

ABSENT—Mr. Behen—1.

So the question was decided in the affirmative and the bill: **SB 186**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 180**, **SB 47** and **SCR 19**, and that the House had passed and requested the concurrence of the Senate in the following bills: **SS 2** for **SB 43** with **HA 1**, **HB 40**, **HB 103**, **HB 115**, **HB 116**, **HB 70**, **HB 178**, **HB 122**, **HB 159** with **HA 1**, **HB 196** with **HA 1**, **HB 117**, **HB 149**.

The Chair presented the following House Bills, which were given reading by title only and referred to committees as follows:

HB 40—"An Act Appropriating Funds to the New Castle Historic Building Commission to Employ a Watchman for the Old Court House," to Finance.

HB 103—"An Act Authorizing the Levy Court of Kent County to Appropriate Certain Sums to the Kent County Volunteer Firemen's Association for the Maintenance of Radio Equipment Used in Connection With Volunteer Fire Fighting Apparatus," to Finance.

HB 115—"An Act to Amend Chapter 65, Title 11, Delaware Code, Entitled "Prisons and Prisoners" in Respect to Payments Received for Keeping Federal Prisoners," to Miscellaneous.

HB 117—"An Act to Amend Chapter 65, Title 11, Delaware Code, Entitled "Prisons and Prisoners" in Respect to Surplus Products," to Revised Statutes.

HB 149—"An Act Making an Appropriation for the Purchase and Improvement of Real Property on or Near the Green in Dover and Authorizing Use of Funds Previously Appropriated," to Finance.

HB 122—"An Act to Authorize the Levy Court of Kent County to Make Certain Tax Refunds," to Claims.

HB 159 with **HA 1**—"An Act to Amend Chapter 1, Title 31, Delaware Code, Relating to the Burial Expenses of Indigent Persons," to Public Health.

HB 196 with **HA 1**—"An Act to Authorize the Dover Special School District to Make Certain Tax Refunds," to Finance.

HB 178—"An Act Appropriating Certain Money to the State Soil Conservation Commission for the Drainage of Tax Ditches in Kent County," to Finance.

HB 116—"An Act to Amend Chapter 65, Title 11, Delaware Code, Entitled "Prisons and Prisoners" in Respect to Forfeiture of Granted Time," to Miscellaneous.

HB 102—"An Act Appropriating Money to Sussex Memorial Post No. 7422, V. F. W., at Millsboro, With Which to Operate and Maintain an Ambulance," to Finance.

HB 70—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Edgemoor Terrace Civic Association, Incorporated, from Assessment and Taxation," to Municipal Corporations.

On motion of Mr. Hoey, **HB 131** with **HA 1**—"An Act Making an Appropriation to the Board of Trustees of the State Welfare Home and Hospital for the Chronically Ill at Smyrna to Enlarge and Equip the Present Laundry and Main Kitchen at the State Welfare Home," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill as Amended pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative and the bill: **HB 131** with **HA 1**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. McCullough, **SS 2** for **SB 43** as amended by **HA 1** to the same—"An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees and Making Appropriation," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill as Amended pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—16.

NAYS—Mr. Cook—1.

So the question was decided in the affirmative and the bill: **SS 2** for **SB 43** as amended by **HA 1**, having received the required constitutional majority, passed the Senate.

Mr. Nechay introduced the following concurrent resolution, which on further motion by him was adopted, and ordered to the House for concurrence: SCR 20—"Appropriating Money to the State Librarian to Cover Cost of Legislative Supplies."

BE IT RESOLVED by the Senate, the House of Representatives concurring therein that the sum of \$2,390.25 be appropriated to the State Librarian to cover cost of legislative supplies.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 217—"An Act to Amend Chapter 43, Title 21, Delaware Code Relating to Equipment and Construction of Vehicles by Providing for a New Sub Chapter Thereto Entitled "Brake Fluids," by Nechay; to Buildings and Highways.

SB 218—"An Act to Amend Chapter 23, Title 30 of the Delaware Code Relating to the Occupation of Conveyancer," by Reilly; to Miscellaneous.

SB 219—"An Act to Amend Chapter 33, Title 25, Delaware Code, Relating to "Factors" Liens," by Reilly; to Miscellaneous.

SB 220—"An Act to Amend Title 12, Delaware Code Relating to Decedents' Estates and Fiduciary Relations," by Reilly; to Judiciary.

SB 221—"An Act to Amend Chapter 69, Title 29, Delaware Code by Providing for the Payment of the Prevailing Wage Rate on Public Works, the Manner in Which Such Rate is to be Determined, and Penalties for Violations," by McCullough; to Labor.

On motion of Mr. Cook, the Senate adjourned at 5:10 P. M. until 1:00 P. M., Thursday, April 18, 1957.

59TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:20 P. M., on Thursday, April 18, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: Our Heavenly Father, Who hath commanded the light to shine out of darkness, shine in our hearts that the excellency of Thy power may be of God and not of us. Believing in Thy Holy Word and knowing of the pure earthly life of the Master, may we have thoughts that widen and purify the soul. Teach us how to make humility noble, how to make self-respect humble, and how to do justice to all men. Blessed Lord, there comes to our troubled spirits feelings that appall; they throw a strange, dark shadow on our peace, and at times stagger our understanding. They remind us of human frailty and the utter weakness of all things material. We most earnestly pray that these days may cause a serious pause throughout our

country. Keep us face to face with the virtues and claims of the higher life realizing the essence of that which is Divinely great and abiding. Almighty God, make the waste lands to rejoice; fill desolate dwelling places with comfort and courage; bless richly the children and fill their hearts with gladness, and stimulate man everywhere to be a lover of purity and a builder of happy homes. Through Christ our Lord. Amen!

Members present—Messrs. Behen, Cook, Gray, Harrison, Hoey, Lamnot, Melson, Pryor, Mr. President Pro Tem—9.

Members absent — Messrs. Correll, Hickman, Johnson, McCullough, Nechay, Reilly, Tull, Williams—8.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session was dispensed with.

Asked to be marked present: Messrs. Correll, Tull, Williams, Hickman and Johnson.

The Chair announced the signing of SB 47 and SB 180, and then directed the reading clerk to read a communication from the Rodney Square Kiwanis Club of Wilmington.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 222—"An Act to Repeal Chapter 399, Volume 50, Laws of Delaware Which Created a Department of Motor Vehicles for the City of Wilmington," by Lamnot; to Buildings and Highways.

SB 223—"An Act to Amend Chapter 9, Title 7, Delaware Code, Entitled Fishing in Delaware River and Delaware Bay," by Hoey; to Fish, Oysters and Game.

On motion of Mr. Pryor, SB 150—"An Act to Amend Chapter 17, Title 15 of the Delaware Code Relating to Registration of Voters," was taken up for consideration and read a third time by title in order to pass the Senate.

Mr. Williams was granted the privilege of the floor.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hoey, Lamnot, Melson, Pryor, Williams, Mr. President Pro Tem—11.

NAYS—None.

ABSENT — Messrs. Hickman, Johnson, McCullough, Nechay, Reilly, Tull—6.

So the question was decided in the affirmative and the bill: SB 150, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Cook, the Senate recessed at 1:35 P. M. until call of the Chair.

Senate met at expiration of recess at 3:15 P. M. President Pro Tem presiding.

The Chair announced the signing of SS 2 for SB 43 with HA 1.

The following bills were reported by the majority of the respective committees as follows: SB 222, 3 favorable, SB 185, 3 favorable, by Buildings and Highways; SB 5, 3 favorable, 2 on merits, SB 144, 2 favorable, 3 on merits, by Public Health.

On privilege of the floor, Mr. Cook announced that on Tuesday, April 23, 1957, Dr. Tarumianz, director of the Delaware State Hospital, would speak before the members of the Senate concerning SB 5.

The Chair announced the signing of HB 90 and HB 212.

The following bill was introduced, given reading by title only, and referred to committee as follows:

SB 224—"An Act to Amend Chapter 62, Title 9, Delaware Code Relating to "Sussex County Indigent Sick Fund," by Johnson and Steen; to Public Health.

The Hon. John N. McDowell, Secretary of State, delivered a message from the Governor, as follows:

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, April 18, 1957

To the Senate of the State of Delaware:

This will advise that on the dates indicated I approved the following legislation:

April 12, 1957, House Bill No. 118—An Act to Provide a Survivor's Pension for Edith E. French, a Widow Whose Husband Died Seventeen Days Before Becoming Eligible for a State Pension.

April 15, 1957, House Bill No. 13—An Act Appropriating Certain Money to Palmer Home, Incorporated.

April 15, 1957, House Bill No. 17—An Act Appropriating Money to Layton Home for Aged Colored Persons.

April 15, 1957, House Bill No. 163—An Act to Appropriate Money to the New Castle Historic Buildings Commission for the Purpose of Repairing and Restoring the Central Portion of the New Castle Courthouse.

April 15, 1957, House Bill No. 165—An Act to Appropriate Money to the New Castle Historic Building Commission for the Purpose of Repairing and Restoring the East Wing of the New Castle Courthouse.

April 15, 1957, House Bill No. 44—An Act to Amend Title 19, Delaware Code, Entitled "Labor" to Exempt Minors from Certain Labor Certificate Requirements After Their 18th Birthday.

April 15, 1957, House Bill No. 85—An Act to Amend An Act Entitled "An Act Changing the Corporate Name of 'The Commissioners of Wyoming' to 'The Town of Wyoming' and

Establishing a Charter Therefor", Being Chapter 189, Volume 43, Laws of Delaware, 1941, as Amended by Chapter 87, Volume 47, Laws of Delaware, 1949, by Increasing the Amount of Money Which May be Raised Each Year in Taxes.

April 15, 1957, House Bill No. 99—An Act Appropriating Money to Ross Point School District #215.

April 15, 1957, Senate Bill No. 30—An Act to Amend Title 14 of the Delaware Code by Increasing the Number of Unused Days of Sick Leave That May be Accumulated by School Employees.

April 16, 1957, Senate Bill No. 120—An Act to Authorize Payment of Certain Unpaid Expenses of the Senate of the 118th General Assembly of the State of Delaware; Appropriation.

April 17, 1957, House Bill No. 101—An Act to Amend Title 9, Delaware Code of 1953 by Authorizing the Levy Court of Kent County to Appropriate Certain Money to the Kent County Volunteer Firemen's Association.

April 17, 1957, Senate Bill No. 73—An Act to Amend Chapter 1, Title 7, of the Delaware Code Relating to the Use of Funds Derived from Sale of Hunting and Trapping Licenses.

April 18, 1957, Senate Bill No. 145—An Act Appropriating Funds for the Improvement of the Assawoman Canal in Sussex County.

April 18, 1957, House Bill No. 219—An Act Making a Deficiency Appropriation to the State Highway Department for Maintenance.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Pryor, **HB 222**—"An Act Making a Deficiency Appropriation to a Salary and Wages Account of the Motor Vehicle Department," was taken up for consideration and read a second time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. McCullough, Melson, Nechay, Reilly—4.

So the question was decided in the affirmative and the bill: **HB 222**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 126** and **SCR 20**.

On motion of Mr. Pryor, **HB 223**—"An Act Making a Deficiency Appropriation to the Secretary of the State Highway Department for the Salary and Wages Account," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. McCullough, Melson, Nechay, Reilly—4.

So the question was decided in the affirmative and the bill: **HB 223**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On behalf of the young daughter of the President Pro Tempore, Mr. Lammot moved that Senate Rule 22 be suspended for the rest of this day's session. Motion prevailed.

The following bills were reported by the Committee on Finance as follows: **SB 200**, 3 on merits, **SB 125**, 2 on merits, 3 favorable.

Upon motion by Mr. Lammot, motion prevailing, Senate Rule 9 was suspended, and without objection from the members, he further moved as follows:

On motion of Mr. Lammot, **SB 222**—"An Act to Repeal Chapter 399, Volume 50, Laws of Delaware Which Created a Department of Motor Vehicles for the City of Wilmington," was taken up for consideration and read a second time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, Pryor, Tull, Mr. President Pro Tem—12.

NAYS—Mr. Williams—1.

ABSENT—Messrs. McCullough, Melson, Nechay, Reilly—4.

So the question was decided in the affirmative and the bill: **SB 222**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Cook, the Senate adjourned at 3:45 P. M. until 1:00 P. M., Tuesday, April 23, 1957.

60TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:15 P. M., on Tuesday, April 23, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: At the beginning of another legislative week, following the vacation of a glorious Eastertide, we pause in Thy presence, our Father, to ask of Thee: "Help us Lord to ponder more earnestly, what Easter should mean to us, hence to the human family." Create within us, our Master, a profound conviction that Christ is not dead; that He is tremendously alive here in this world, ruling and guiding the Universe; and that He is willing to guide each one of us, if we will be submissive to His Holy and righteous Will. With this conviction in mind, may we rededicate ourselves to the tasks before us. Grant that the leverage of Thy Holy Spirit may so lift us above all personal or factional interests, that each decision may be made as for Thee and with Thee. We love our state for what she is, and for what she ought to be: therefore, we ask Thee to help each member of this General Assembly to see and know that there never was a better time, a better place nor a better opportunity, then here and now, for some constructive and wisely; yea! prayfully, planned legislation for this grand Commonwealth. That these goals may be accomplished, we again implore Thy continued guidance and blessing upon: His Excellency, the Governor of this State, and his staff; the President of this Senate; the President Pro Tem—and each member of this honored body; the learned and esteemed attorneys; the kind and obliging attaches, and the distinguished visitors who frequent these halls from time to time. We offer our prayer in the Name of Him, Who died and rose again—Christ the Risen Lord. Amen.

Members present—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Lammot, Nechay, Reilly, Tull, Mr. President Pro Tem—11.

Members absent — Messrs. Hoey, Johnson, McCullough, Melson, Pryor, Williams—6.

On motion by the Chair, motion prevailing, the reading of the Journal of the Previous Session was omitted.

The following bill was introduced, given reading by title only, and referred to committee as follows:

SB 225—"An Act Making an Deficiency Appropriation to the State Department of Welfare," by Lammot; to Finance.

Upon request of the Chair, by Mr. Cook, Dr. Tarumianz, director of the Delaware State Hospital, was granted the privilege of the floor to explain certain matters concerning SB 5.

Mr. Cook questioned Dr. Tarumianz on certain matters concerning the bill under discussion.

At this time the President of the Senate took the Chair.

Following the remarks of Dr. Tarumianz, and upon privilege of the floor, Mr. McCullough requested that **SB 54** be stricken from the Senate Calendar. Without objections, the request was granted.

The Chair announced the signing of **SB 126** and **SCR 20**.

On motion of Mr. Cook, the Senate recessed at 1:35 P. M. until call of the Chair.

Senate met at expiration of recess at 3:30 P. M. The President of the Senate presiding.

Messrs. McCullough, Hoey, Melson, Johnson and Williams asked to be marked present.

The following bill was introduced, given reading by title only, and referred to committee as follows:

SB 226—"An Act to Amend Chapter 43, Title 21, Delaware Code Relating to the Use of Mufflers on Motor Vehicles," by Cook; to Buildings and Highways.

On motion of Mr. Behen, **HB 231**—"An Act to Provide for Referendums on Bingo; Regulate Bingo, Provide Penalties and Appropriate Funds," was taken up for consideration and read a third time by title in order to pass the Senate.

Mr. Melson introduced **SA 1**, which he read and which amendment the Chair ordered roll call as follows:

On the question, "Shall the Amendment pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Correll, Harrison, Hoey, Johnson, Melson, Williams, Mr. President Pro Tem—7.

NAYS—Messrs. Behen, Cook, Gray, Hickman, Lammot, McCullough, Nechay, Reilly, Tull—9.

ABSENT—Mr. Pryor—1.

So the question was decided in the negative and **SA 1** to **HB 231** not having received the required constitutional majority, was lost.

On motion of Mr. Reilly, Andrew J. Christie of the Legislative Reference Bureau; Samuel Russell, Senate Attorney; Albert Stifel, House Attorney, and Mr. Stuart Lynch, Attorney, were granted the privilege of the floor.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Nechay, Reilly, Tull, Williams, Mr. President Pro Tem—13.

NAYS—Messrs. Correll, Johnson, Melson—3.

ABSENT—Mr. Pryor—1.

So the question was decided in the affirmative and the bill: **HB 231**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Nechay, **HB 29** with **HA 1**—"An Act Agreeing to the Proposed Amendment to Section 17 of Article Two of the Constitution of the State of Delaware," was taken up for consideration and read a third time by title in order to pass the Senate.

Messrs. Melson, McCullough and Lammot were granted the privilege of the floor.

On the question, "Shall the Bill as Amended pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Nechay, Reilly, Tull, Williams, Mr. President Pro Tem—13.

NAYS—Messrs. Correll, Johnson, Melson—3.

ABSENT—Mr. Pryor—1.

So the question was decided in the affirmative and the bill: **HB 29** with **HA 1**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

At the request of the Chair, by Mr. Williams, and without objection, **SB 193** and **SB 200** were placed on the agenda.

On motion of Mr. Cook, the Senate adjourned at 5:15 P. M., until 1:00 P. M., Wednesday, April 24, 1957.

61ST LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:40 P. M., on Wednesday, April 24, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: Once more we bow in Thy presence, O Lord, realizing that we are the same needy creatures of yesterday, and the many yesterdays of the past. Thou hast been mindful of us, in days gone by, even in our unconscious moments, while we slept Thou hast protected us. O Thou Who didst calm the storm of Galilee, wilt Thou hover over us when the storms of life overshadow our pathway. Be Thou unto each member of this Senate, and their associates a light along their pathway, strength in the hour of need, and a shelter in the time of storm. And Thy Name shall have the honor and the glory forever. Amen.

Members present—Messrs. Behen, Correll, Gray, Harrison, Hickman, Lammot, Reilly, Tull, Mr. President Pro Tem—9.

Members absent—Messrs. Cook, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Williams—8.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session was dispensed with, and the Journal approved.

On motion of Mr. Lammot, the Senate recessed at 1:45 P. M. until call of the Chair.

Senate met at expiration of recess at 2:55 P. M. President Pro Tem presiding.

Messrs. Cook, McCullough, Nechay, Williams and Johnson asked to be marked present.

The Chair announced the signing of **HB 131**.

Upon motion by Mr. Reilly, motion prevailing, Senate Rule 22 was suspended for the rest of this day's session.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 227—"An Act to Amend Title 19, Delaware Code by Providing for the Determination and Establishment of Minimum Wages and Supporting Standards by Occupation and by Providing Penalties for Violations," by McCullough; to Labor.

SB 228—"An Act to Amend Chapter 82, Title 9, Delaware Code Entitled "Boards of Assessment" by Excepting the Levy Court of Sussex County from Filling Vacancies or Removing Members of the Sussex County Board of Assessment," by Tull, Hoey, Hickman, Steen; to Miscellaneous.

The Chair granted the privilege of the floor to the Hon. Clarence Sutherland, Chief Justice of the Supreme Court of Delaware, who spoke on matters relative to **HB 170**, **HB 171**, and **HB 172**.

On motion of the President Pro Tem, the Senate recessed at 3:15 P. M. until call of the Chair.

Senate met at expiration of recess at 4:30 P. M.

The following bill was introduced, given reading by title only, and referred to committee as follows:

SB 229—"An Act to Appropriate Certain Funds to the Christiana School District No. 44 to Enable It to Purchase and Erect a Fence in and Around the Christiana School Property," by McCullough; to Finance.

On motion of Mr. Williams, **SB 193**—"An Act to Amend Chapter 81, Title 9, Delaware Code Relating to the Exemption of the Brookland Terrace Civic Club from Taxation Upon Its Real Property," was taken up for consideration and read a second time by title in order to pass the Senate.

Messrs. Hoey, Hickman and Reilly were granted the privilege of the floor.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correll, Harrison, Hickman, Johnson, Lammot, Reilly, Tull, Williams, Mr. President Pro Tem—10.

NAYS—Messrs. Hoey and Nechay—2.

NOT VOTING—Mr. Behen—1.

ABSENT—Messrs. Gray, McCullough, Melson, Pryor—4.

So the question was decided in the affirmative and the bill: **SB 193**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The Chief Clerk of the House informed the Senate that the House had concurred in **SJR 4**, and that the House had passed and requested the concurrence of the Senate in the following bills: **HB 170**, **HB 172** and **HB 179**.

The Chair presented the following House Bills, which were given reading by title only and referred to committees as follows:

HB 170—"An Act Agreeing to the Proposed Amendments to Article IV of the Constitution of the State of Delaware, Relating to the Judiciary," to Judiciary.

HB 172—"An Act Proposing Amendments to Article IV of the Constitution of the State of Delaware, Relating to the Judiciary," to Judiciary.

HB 179—"An Act to Amend Title 20, Delaware Code, Entitled "Military and Civil Defense," to Provide Pensions for Paraplegic Veterans and Appropriating Funds," to Miscellaneous.

On motion of Mr. Williams, **SB 200**—"An Act Authorizing the State Highway Department to Study and Construct Flood Control Measures Along Little Mill Creek in Christiana Hundred and Appropriating Funds Therefore," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

Messrs. McCullough and Hoey were granted the privilege of the floor.

On motion of Mr. Hoey, **SB 200** was deferred.

Mr. Johnson, with Mr. Reilly, as co-sponsor, introduced the following concurrent resolution, which on further motion by Mr. Johnson was adopted, and ordered to the House for concurrence: **SCR 21**—"Relative to the Death of Paul R. Rinard."

WHEREAS, the Senate and the House of Representatives of the 119th General Assembly of the State of Delaware have learned with deep regret of the death of Paul R. Rinard on Sunday, April 21, 1957; and

WHEREAS, the said Paul R. Rinard had attained a position of great eminence and affection in his community; and

WHEREAS, his long and valuable service as an officer of the Delaware National Guard, as Adjutant General of the State, as a Senator in the 1939 and 1941 sessions of the General Assembly, and as Majority floor leader in the 1941 session, as a member of the board of trustees of the Ferris School, as an Attorney-at-law, and in various other civic and educational activities will long be remembered and appreciated by the people of his community and State; and

WHEREAS, it is fitting and proper that the members of the Senate and the House of Representatives should express their sympathy to the family and friends of a man who by his faithful, diligent and unselfish work in his community and State earned the esteem and respect of his fellow citizens;

NOW THEREFORE,

BE IT RESOLVED, by the Senate of the 119th General Assembly of the State of Delaware, the House of Representatives concurring therein that the sincere sympathy of the General Assembly is hereby extended to the family and friends of Paul R. Rinard, late resident and well known citizen of Wilmington, New Castle County, Delaware; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be spread upon the Journal, that a copy be sent to the family of the said Paul R. Rinard, and copies hereof be delivered to the press.

Mr. Nechay introduced the following resolution, which on further motion by him was adopted: **SR 59**—"Authorizing Payment of Certain Bills for Expenses Incurred by the Senate."

BE IT RESOLVED by the Senate that the sum of \$5.80 is hereby appropriated to pay for repair of an I B M typewriter in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be, and he is hereby authorized and directed to pay to International Business Machines Corporation, 909 Delaware Avenue, Wilmington, Delaware, the sum of \$5.80 as payment for repair of I B M typewriter, and

BE IT FURTHER RESOLVED by the Senate that the sum of \$431.75 is hereby appropriated to pay for printing in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be and she is hereby authorized and directed to pay to Delaware State News, Dover, Delaware, the sum of \$431.75 in payment for printing.

Mr. Nechay introduced the following resolution, which on further motion by him was adopted: **SR 60**—"Authorizing Payment on Account to Attaches and Employees of the Senate."

BE IT RESOLVED by the Senate of the 119th General Assembly, that the State Treasurer be and she hereby is authorized and directed to pay to any attache or employee, who has been duly appointed by Resolution of the Senate, upon the order of the President Pro Tem of the Senate, sums on account from time to time not to exceed the total of One Hundred Dollars (\$100.00) to any one person, on account of services to the present Session of the Senate, excepting the Senate attorneys who shall receive the sums on account from time to time, not to exceed the total of Two Hundred Dollars (\$200.00) to any one attorney. Any such sums so paid shall be charged

against the salary of the individual attache or employee to whom such sum or sums are paid, and shall be a part of the expenses of this Session of the Senate.

Mr. Nechay introduced the following resolution, which on further motion by him was adopted: **SR 61**—"Authorizing an Appropriation for Telephone Service Charges and Toll Calls in Connection With the Work of the Senate of the 119th General Assembly of the State of Delaware."

BE IT RESOLVED by the Senate, that the amount of \$72.83 is hereby appropriated, to pay for telephone service charges, and toll calls in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be, and he is hereby authorized and directed to pay to the Diamond State Telephone Company the sum of \$72.83 for telephone service charges for the period ending April 11, 1957.

The Hon. John N. McDowell, Secretary of State, delivered a message from the Governor, as follows:

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, April 24, 1957

To the Senate of the State of Delaware:

This will advise you that on the dates indicated I approved the following legislation:

April 18, 1957, Senate Bill No. 180—An Act to Amend Chapter 138, Volume 41, Laws of Delaware, 1937, Entitled An Act to Reincorporate the Town of Clayton, Relating to Terms and Vacancies of Members of Town Council, Duties and Powers of Aldermen, Retirement Funds for Town Police and Sewer and Water Systems.

April 18, 1957, House Bill No. 90—An Act to Appropriate Funds to the Board of Post Mortem Examiners to Provide for Expenses of the Office Exclusive of the Salary of the State Medical Examiner.

April 18, 1957, House Bill No. 212—An Act to Amend Title 14, of the Delaware Code Relating to Education by Adding the Words "Under God" to the Salute of the Flag.

April 23, 1957, Senate Bill No. 47—An Act Appropriating Certain Monies to Sally Glynn Paris for Additional Salary to Which She Was Entitled to be Paid as a Teacher at the Marshallton School District #77.

April 24, 1957, House Bill No. 157 as amended—An Act to Amend Title 30, Delaware Code by Providing for a State Municipal Aid Street Fund from the Proceeds of the State Motor Fuel Tax; Distribution of Such Fund to Incorporated Cities and Towns for Street Purposes.

April 24, 1957, Senate Bill No. 126—An Act to Amend Chapter 170, Volume 43, Laws of Delaware, Entitled "An Act to Reincorporate the Town of Lewes" as Amended.

April 24, 1957, House Bill No. 131 as amended—An Act Making an Appropriation to the Board of Trustees of the State Welfare Home and Hospital for the Chronically Ill at Smyrna to Enlarge and Equip the Present Laundry and Main Kitchen at the State Welfare Home.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Nechay, **SB 110**—"An Act Proposing an Amendment to the Constitution of the State of Delaware Relating to the Time and Frequency of Sessions of the General Assembly," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Harrison, Hickman, Hoey, Johnson, Lammot, Nechay, Reilly, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Gray, McCullough, Nechay, Pryor—4.

So the question was decided in the affirmative and the bill: **SB 110**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Hoey, **HB 123**—"An Act Authorizing the Levy Court of Kent County to appropriate a Certain Sum to the Kent and Sussex Association for Retarded Children for Operational Expenses," was taken up for consideration and read a second time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Nechay, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Gray, Melson, Pryor—3.

So the question was decided in the affirmative and the bill: **HB 123**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Cook, **SB 204**—"An Act Authorizing the Levy Court of Kent County to appropriate a Certain Sum to the Mid-Del Association for Retarded Children for Operational Expenses," was taken up for consideration and read a second time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Nechay, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Gray, Melson, Pryor—3.

So the question was decided in the affirmative and the bill: SB 204, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The following bills were reported by the majority of the respective committees as follows: SB 228, 2 favorable, 1 on merits, by Miscellaneous; SB 201, 2 favorable, 1 on merits, by Judiciary; SB 225, 3 favorable, by Finance.

The following bill was introduced, given reading by title only, and referred to committee as follows:

SB 230—"An Act to Amend Section 3112 of Title 10 of the Delaware Code Relating to Service of Process on Non-Resident Owners, Operators or Drivers of Motor Vehicles," by Reilly; to Revised Statutes.

On motion of Mr. Cook, the Senate adjourned at 5:30 P. M. until 1:00 P. M., Thursday, April 25, 1957.

62ND LEGISLATIVE DAY

Senate met pursuant to adjournment at 4:45 P. M., on Thursday, April 25, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: As we enter upon the duties of another legislative day, we pause in Thy presence, our Father, to pray for the blessed inspirational guidance of Thy Holy Spirit, for we are amazed to note how strong the frail human nature can become when constrained by the love and power of the Divine, as was evidenced in the life of Paul, the great Apostle. We come to Thee with loving wonder, for we are lost in the mystery of Godliness. Answer Thou the longings of our hearts, and send us forth through the hours of this day clothed in righteousness and with the mercy of forgiveness in our hearts. Remind us of our solemn vows and our slighted obligations, and forgive us as we pray to be forgiven. With grateful hearts, we now thank Thee for the loving eye that sees our path, and for the loving ear that hears our prayer. In the Name of Him Who loves us and gave Himself for us. Amen.

Members present—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Nechay, Reilly, Tull, Williams, Mr. President Pro Tem—15.

Members absent—Messrs. Melson and Pryor—2.

The Journal of the Previous Session stood approved upon motion by the Chair, which motion prevailed, to dispense with the reading of the same.

The following bills were reported by the majority of the respective committees as follows: **SB 223**, 3 favorable, by Fish, Oysters and Game; **HB 170**, 3 favorable, 1 on merits, **HB 172**, 2 favorable, 1 on merits, by Judiciary.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SS 1 for SB 170—"An Act to Amend Chapter 39, Title 14, Delaware Code, Relating to Teachers' Retirement and Disability Benefits and Providing an Appropriation Therefore," by Williams and Reilly; to Education.

SB 231—"An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees Pension Plan by Providing for an Increase in the Monthly Benefits and by Appropriating Funds Therefore," by Williams, Reilly and McCullough; to Miscellaneous.

Upon motion by Mr. Hickman, motion prevailing, the Senate resolved itself into Executive Session, the President of the Senate presiding, at 4:55 P. M.

Upon the conclusion of the business of the Executive Session, Mr. Hickman moved that the Senate resolve itself into Regular Session. Motion prevailed. The Senate sat again in Regular Session at 5:05 P. M.

On motion of Mr. Cook, the Senate adjourned at 5:10 P. M., until 1:00 P. M., Friday, April 26, 1957.

63RD LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:15 P. M., on Friday, April 26, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: Our Heavenly Father as we are entering upon the affairs of this Senate, for the sake of ourselves, our homes, our country, and for the sake of mankind, of which we are a part, we bow before Thee for prayer and praise and to implore Thy guidance upon all that we do. Enable each member of this honored body to exercise such self-restraint that the people of our entire State, Yea! the people of our great Nation may appear before their vision in such a manner that they may have both consideration and passion for those who are weak. Be Thou, at all times, our remedy for that which is wrong, our Guide toward that which is right, and our help in those emergencies for which human strength is in vain. Throughout this day and the days to come keep our thoughts clean, our hearts pure, and our deportment upright. In His Name. Amen.

Members present—Messrs. Behen, Correll, Gray, Harrison, Hickman, Lammot, Reilly, Tull, Mr. President Pro Tem—9.

Members absent—Messrs. Cook, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Williams—8.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session was dispensed with.

Asked to be marked present: Messrs. Hoey, McCullough, Johnson, Melson and Williams.

The Chief Clerk of the House informed the Senate that the House had concurred in **SCR 21**, and that the House had passed and requested the concurrence of the Senate in the following bills: **HB 95**, **HB 134**, **HB 161**, **HB 199** with **HA 1**, **HB 242**, **HB 251**, **HB 255**, and **HB 224**.

The Chair presented the following House Bills, which were given reading by title only and referred to committees as follows:

HB 95—"An Act Appropriating Certain Monies to the Adjutant General's Department, Delaware National Guard, for the Purpose of Constructing an Armory," to Finance.

HB 134—"An Act to Appropriate Money to the Augustine Beach Fire Co., Inc.," to Finance.

HB 161—"An Act Appropriating Money to the State Soil Conservation Commission for the Drainage of Tax Ditches in New Castle County," to Finance.

HB 199 with **HA 1**—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" by Providing for Identification Markings on Certain State Property," to Buildings and Highways.

HB 224—"An Act Making a Deficiency Appropriation to the Superior Court of the State of Delaware for the Salary and Wages Account," to Finance.

HB 242—"An Act Making a Deficiency Appropriation for State Pension Benefits," to Finance.

HB 251—"An Act to Appropriate Money to the Belvedere Volunteer Fire Company; to Finance.

HB 255—"An Act Making Appropriations to the American Legion, Department of Delaware, for the Furnishing of Services to Veterans and Their Dependents," to Finance.

The Chair announced the signing of **HB 22**, **HB 123**, **HB 222**, **HB 223** and **HB 231**.

On motion of Mr. Reilly, **HB 82**—"An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pension Plan, by Changing the Conditions Under Which the Surviving Spouse of a Deceased Employee May be Eligible for Payments," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Harrison, Hickman, Lam-mot, Tull—6.

NAYS—Messrs. Gray, Reilly, Mr. President Pro Tem—3.

NOT VOTING—Messrs. Hoey and McCullough—2.

ABSENT—Messrs. Cook, Johnson, Melson, Nechay, Pryor, Williams—6.

So the question was decided in the negative and the bill: **HB 82**, not having received the required constitutional majority, was lost.

HB 82 was restored to the calendar at the request of Mr. Reilly.

On motion of Mr. Behen, **SB 156**—"An Act to Amend Chapter 9, Title 5 of the Delaware Code, Entitled "Regulations Governing Business of Banks and Trust Companies," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Reilly, Tull—10.

NAYS—None.

NOT VOTING—Mr. Gray—1.

ABSENT—Messrs. Cook, Melson, Nechay, Pryor, Williams, Mr. President Pro Tem—6.

So the question was decided in the affirmative and the bill: **SB 156**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Lammot, **SB 225**—"An Act Making a Deficiency Appropriation to the State Department of Welfare," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correl, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, Reilly, Tull—10.

NAYS—Mr. President Pro Tem—1.

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Cook, Melson, Nechay, Pryor, Williams—5.

So the question was decided in the affirmative and the bill: **SB 225**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Lammot, the Senate recessed at 1:35 P. M. until call of the Chair.

Senate met at expiration of recess at 3:15 P. M.

On motion of Mr. Reilly, **HB 82**—"An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pension Plan, by Changing the Conditions Under Which the Surviving Spouse of a Deceased Employee May be Eligible for Payments," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Johnson, Lammot, McCullough, Melson, Reilly, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. Cook, Nechay, Pryor—3.

So the question was decided in the affirmative and the bill: **HB 82**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Steen, **SB 87**—"An Act to Amend Chapter 11, Title 10, Delaware Code, Relating to the Judge of the Juvenile Court of Kent and Sussex Counties," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Cook, Nechay, Pryor—3.

So the question was decided in the affirmative and the bill: **SB 87**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Williams, **SB 200**—"An Act Authorizing the State Highway Department to Study and Construct Flood Control Measures Along Little Mill Creek in Christiana Hundred and Appropriating Funds Therefore," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Correll, Gray, Harrison, Hickman, Johnson, Lammot, McCullough, Melson, Reilly, Tull, Williams, Mr. President Pro Tem—12.

NAYS—None.

NOT VOTING—Messrs. Behen and Hoey—2.

ABSENT—Messrs. Cook, Nechay, Pryor—3.

So the question was decided in the affirmative and the bill: **SB 200**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Johnson, **SB 165**—"An Act to Amend Title 21, Delaware Code, Entitled "Motor Vehicles" in Respect to Certain Second Offenses," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Johnson, Mr. Andrew J. Christie of the Legislative Reference Bureau, was granted the privilege of the floor.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Reilly, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Behen, Cook, Nechay, Pryor—4.

So the question was decided in the affirmative and the bill: **SB 165**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. McCullough, **SB 135**—"An Act to Appropriate Funds to the University of Delaware for the Purpose of Establishing Scholarships at the University of Delaware to be Awarded to Students Desirous of Entering the Teaching Profession," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Cook, Nechay, Pryor—3.

So the question was decided in the affirmative and the bill: **SB 135**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. McCullough, **SB 173**—"An Act to Amend Chapter 53, Title 16, Delaware Code, by Changing the Age Limits for Maladjusted Children at Governor Bacon Health Center," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Cook, Nechay, Pryor—3.

So the question was decided in the affirmative and the bill: **SB 173**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. McCullough, **SB 172**—"An Act Making an Appropriation to the State Board of Trustees of the Delaware State Hospital at Farnhurst for the Purpose of Making

Needed Repairs at Governor Bacon Health Center," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Cook, Nechay, Pryor—3.

So the question was decided in the affirmative and the bill: **SB 172**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Behen, **HB 7**—"An Act Appropriating Money to the Veterans of Foreign Wars, Department of Delaware," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Cook, Nechay, Pryor—3.

So the question was decided in the affirmative and the bill: **HB 7**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Behen, **HB 9**—"An Act Appropriating Moneys for Education and Training of Children of Veterans of World War I, World War II and Korean Conflict Who Died While in the Service of the Army, Navy, Marine Corps, Air Forces or Coast Guard of the United States or Who Died from Disease, Wounds or Disabilities Resulting from Such Service," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Cook, Nechay, Pryor—3.

So the question was decided in the affirmative and the bill: **HB 9**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Behen, **HB 10**—"An Act Appropriating Money to the American Legion, Department of Delaware," was taken up for consideration and read a third time by title in order to pass the House.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Cook, Nechay, Pryor—3.

So the question was decided in the affirmative and the bill: **HB 10**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Behen, **HB 11**—"An Act Appropriating Money to the Disabled American Veterans of Delaware," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Cook, Nechay, Pryor, Reilly—4.

So the question was decided in the affirmative and the bill: **HB 11**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Behen, **HB 18**—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware Which Maintain and Operate a Rescue Truck," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Cook, Nechay, Pryor, Reilly—4.

So the question was decided in the affirmative and the bill: **HB 18**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Behen, **HB 21**—"An Act Making Appropriations to the Veterans of Foreign Wars, Department of Delaware, for the Furnishing of Services to Veterans and Their Dependents," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Cook, Nechay, Pryor—3.

So the question was decided in the affirmative and the bill: **HB 21**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Behen, **HB 166**—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" to Permit the Waiver of Pension Benefits," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Cook, Nechay, Pryor—3.

So the question was decided in the affirmative and the bill: **HB 166**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Behen, **SB 86**—"An Act to Amend Chapter 91, Title 10, Delaware Code Relating to Justices of the Peace, Organization and Operation," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Reilly, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

NOT VOTING—Mr. Melson—1.

ABSENT—Messrs. Cook, Nechay, Pryor—3.

So the question was decided in the affirmative and the bill: **SB 86**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Behen, **HB 191**—"An Act to Amend Chapter 3, Title 11, Delaware Code, Relating to Abandonment of Living Creatures; Penalties," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Reilly, Tull, Williams—13.

NAYS—Mr. President Pro Tem—1.

ABSENT—Messrs. Cook, Nechay, Pryor—3.

So the question was decided in the affirmative and the bill: **HB 191**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Behen, **HB 201**—"An Act to Amend the Charter of the Town of Woodside in Kent County by Increasing the Amount That Can be Raised Each Year by Taxes," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Cook, Nechay, Pryor—3.

So the question was decided in the affirmative and the bill: **HB 201**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Hoey, **SB 223**—"An Act to Amend Chapter 9, Title 7, Delaware Code Entitled Fishing in Delaware River and Delaware Bay," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Cook, Nechay, Pryor—3.

So the question was decided in the affirmative and the bill: **SB 223**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. McCullough, **SB 182**—"An Act to Amend Chapter 55, Title 14 of the Delaware Code by Establishing a Program for Financial Aid to Needy Students at the University of Delaware Who are Delaware Residents and Appropriating Funds Therefore," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Reilly, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

NOT VOTING—Mr. Melson—1.

ABSENT—Messrs. Cook, Nechay, Pryor—3.

So the question was decided in the affirmative and the bill: **SB 182**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. McCullough, **SB 124**—"An Act Making an Appropriation to Delaware State College to Provide for the Erection of or Improvements to Certain Buildings and for the Equipping and Furnishing Thereof," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. McCullough, Mr. Keller was granted the privilege of the floor.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Harrison, Hickman, Hoey, Lammot, McCullough, Melson, Reilly, Tull, Williams, Mr. President Pro Tem—12.

NAYS—None.

ABSENT—Messrs. Cook, Gray, Johnson, Nechay, Pryor—5.

So the question was decided in the affirmative and the bill: **SB 124**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 9**, **SB 142** and **SB 143**, and that the House had passed and requested the concurrence of the Senate in the following bills: **SB 71** with **HA 1**, **SB 72** with **HA 1**, **SB 74** with **HA 1**, **HB 33**, **HB 160** with **HA 1**, **HB 177**, **HB 261** and **HB 270**.

The Chair presented the following House Bills, which were given reading by title and referred to committees as follows:

HB 33—"An Act to Amend Title 9, Delaware Code, Entitled "Counties" to Increase the Bond Required of the Prothonotary in New Castle County," to Miscellaneous.

HB 160 with **HA 1**—"An Act Appropriating Money to the State Soil Conservation Commission for the Drainage of Tax Ditches in Sussex County," to Finance.

HB 177—"An Act to Provide for the Completion of the Construction, Equipping and Furnishing of Buildings Under Construction at the State Hospital at Farnhurst and Making an Appropriation Therefor," to Finance.

HB 261—"An Act to Amend Title 9, Section 4133, Delaware Code With Reference to Appropriations to Certain Organizations Providing Ambulance Service in Kent County," to Finance.

HB 270—"An Act to Amend Part II, Title 7, Delaware Code, Entitled "Shellfish" by Consolidating the Delaware Commission of Shell Fisheries and the Collector of Oyster Revenue and Generally Revising the Provisions Pertaining to Shellfish," to Miscellaneous.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 232—"An Act to Authorize the State Board of Health to Provide Poliomyelitis Immunization and Making an Appropriation Therefor," by Hoey; to Public Health.

SB 233—"An Act to Appropriate \$23,500 to the State Highway Department to be Used for the Purpose of Dredging Out the "Old Inlet" of the Broadkill River," by Hoey; to Finance.

SB 234—"An Act to Amend Chapter 31, Title 24, Delaware Code Relating to Examination of Undertakers," by Hoey; to Public Health.

Mr. Reilly introduced the following resolution, which on further motion by him was adopted: **SR 62**—"Expressing the Sympathy of the Senate on the Illness of Senator Clifford Pryor—."

WHEREAS, it has come to the attention of the Senate of the 119th General Assembly of the State of Delaware that Senator Clifford Pryor has been confined due to an unexpected illness, and

WHEREAS, all the members of the Senate of the 119th General Assembly of the State of Delaware desire to express and extend their regret and sympathy unto Senator Clifford Pryor.

NOW THEREFORE

BE IT RESOLVED that the members of the Senate of the 119th General Assembly of the State of Delaware do hereby express their best and sincere wishes for a speedy recovery of Senator Clifford Pryor and pray that the Almighty will watch over him.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journal of the Senate of the 119th General Assembly of the State of Delaware and a copy be forwarded to Senator Clifford Pryor, and a further copy be delivered to the Press.

The following bills were reported by the majority of the respective committees as follows: **HB 179**, 2 favorable, 2 on merits, **HB 270**, 3 favorable, 1 on merits, by Miscellaneous; **SB 139**, 2 favorable, 2 on merits, **SB 154**, 3 favorable, 1 on merits, by Judiciary.

On motion of Mr. Hickman, **SB 195**—"An Act to Amend Title 14, Delaware Code, Entitled "Education" Relating to the Board of Trustees of Delaware State College," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Correll, Harrison, Hickman, Hoey, Lamot, McCullough, Melson, Reilly, Tull, Williams, Mr. President Pro Tem—12.

NAYS—None.

ABSENT—Messrs. Cook, Gray, Johnson, Nechay, Pryor—5.

So the question was decided in the affirmative and the bill: **SB 195**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Reilly, the Senate adjourned at 5:40 P. M. until 1:00 P. M., Monday, April 29, 1957.

64TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:35 P. M., on Monday, April 29, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: We thank Thee, O Lord, for Thy unfailing goodness around us, above us, by day and by night. How we wonder, yet we praise Thee for Thy unvarying mercy. We bow before Thee with a feeling of reproach because we are so often forgetful of the abundance of Thy love. Overrule whatever has been imperfect or ungrateful in us. Send us forth as heralds of wisdom and knowledge whose duty it is to maintain the high standards of representative government. Before all men may we walk in the fear of God, honoring all Thy precepts. Inspire us with urgency and zeal, with Divine longings and aspirations that move us from within. Keep us in harmony with Thee, so that in our hearts there may be no bitterness, no hate, no envy, no jealousy, and nothing that hurts, but everything that creates a benevolent and wise disposition. Through Jesus Christ, our Lord. Amen.

Members present—Messrs. Cook, Correll, Harrison, Hickman, Hoey, Lammot, Reilly, Tull, Mr. President Pro Tem—9.

Members absent—Messrs. Behen, Gray, Johnson, McCullough, Melson, Nechay, Pryor, Williams—8.

Upon motion by the Chair, motion prevailing, the Journal of the Previous Session stood approved, and the reading of the same was dispensed with.

On motion of the President Pro Tem, the Senate recessed at 1:35 P. M., until call of the Chair.

Senate met at expiration of recess at 2:40 P. M.

Messrs. Gray, Williams, Melson, McCullough, Nechay and Behen asked to be marked present.

The Chair announced the signing of **SB 9**, **SB 142** and **SB 143**.

The following bills were reported by the majority of the respective committees as follows: **SB 209**, 3 favorable, 1 on merits, by Revised Statutes; **SB 233**, 4 on merits, **HB 177**, 2 favorable, 2 on merits, by Finance.

Upon motion by Mr. Reilly, motion prevailing, Senate Rule 9 was suspended for the rest of this day's session. Upon motion by Mr. Melson, the motion made by Mr. Reilly was amended to apply only to the consideration of and action on **HB 170**. Motion prevailed.

On motion of Mr. Hoey, **HB 177**—"An Act to Provide for the completion of the Construction, Equipping and Furnishing of Buildings Under Construction at the State Hospital at Farnhurst and Making an Appropriation Therefor," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Melson, Nechay, Reilly, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Behen, Johnson, Pryor—3.

So the question was decided in the affirmative and the bill: **HB 177**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Reilly, **HB 170**—"An Act Agreeing to the Proposed Amendment to Article IV of the Constitution of the State of Delaware, Relating to the Judiciary," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Reilly, Mr. Albert Stiftel, House Attorney, was granted the privilege of the floor.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Lammot, Melson, Nechay, Reilly, Tull, Williams, Mr. President Pro Tem—12.

NAYS—None.

NOT VOTING—Messrs. Hoey and McCullough—2.

ABSENT—Messrs. Behen, Johnson, Pryor—3.

So the question was decided in the affirmative and the bill: **HB 170**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Reilly, **HB 172**—"An Act Proposing Amendments to Article IV of the Constitution of the State of Delaware, Relating to the Judiciary," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Reilly, Mr. Albert Stiftel, House Attorney, was granted the privilege of the floor.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Lammot, McCullough, Melson, Nechay, Reilly, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. Behen, Johnson, Pryor—3.

So the question was decided in the affirmative and the bill: **HB 172**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Behen, **HB 179**—"An Act to Amend Title 20, Delaware Code, Entitled "Military and Civil Defense" to Provide Pensions for Paraplegic Veterans and Appropriating Funds," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Melson, Nechay, Reilly, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Johnson and Pryor—2.

So the question was decided in the affirmative and the bill: **HB 179**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 235—"An Act to Amend Chapter 1, Title 15 and Chapter 94, Title 9 of the Delaware Code Relating to the Authority to Issue Marriage Licenses, the Duration of the Validity of Marriage Licenses and Fees for Marriage Licenses and Other Services Rendered by Clerks of the Peace," by Reilly; to Judiciary.

SB 236—"An Act to Amend Chapter 9, Title 10, Delaware Code Entitled "Family Court for New Castle County" by Redefining Qualifications and Duties of the Director and Duties of the Judge Acting Jointly; Providing for Representation by Counsel of a Prosecuting Witness; and Amending the Law With Respect to Appeals and Reviews," by Melson; to Judiciary.

SB 237—"An Act to Amend Title 5, Delaware Code, Entitled, "Banking" by Providing for a New Part V Thereto Entitled "General Banking Provisions," by Behen; to Banking and Insurance.

SB 238—"An Act to Amend Part VI, Title 29, Delaware Code, by Adding a New Chapter 75 Thereto Entitled "General Provisions for State Agencies," by Hoey; to Miscellaneous.

On motion of the President Pro Tem, the Senate recessed at 3:20 P. M., until call of Chair.

Senate met at expiration of recess at 3:25 P. M.

The Chair announced that the Governor desired to see all members in the Governor's Office. The Chair then declared the Senate to be in recess until call of the Chair.

The Senate met at expiration of recess at 3:45 P. M.

The following bills were reported by the majority of the Committee on Finance: **HB 226**, 5 on merits, **SB 229**, 4 favorable, 1 on merits.

The following messages were this day received by the Senate from the Governor, which were referred by the Chair to the Chairman of the Executive Committee:

GOVERNOR'S MESSAGE

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

Dover, April 29, 1957

To the Senate of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

Charles L. Terry, Jr., Dover, to be President Judge of the Superior Court and of the Orphans' Court of the State of Delaware for a term of twelve years from April 29, 1957.

Andrew D. Christie, Wilmington, to be Associate Judge of the Superior Court and of the Orphans' Court of the State of Delaware resident in New Castle County for a term of twelve years from April 29, 1957.

Respectfully submitted,

J. CALEB BOGGS, Governor

GOVERNOR'S MESSAGE

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

Dover, April 29, 1957

To the Senate of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

William J. Storey, Dover, to be Associate Judge of the Superior Court and of the Orphans' Court of the State of Delaware resident in Kent County for a term of twelve years from April 29, 1957.

Respectfully submitted,

J. CALEB BOGGS, Governor

Upon motion by Mr. Hickman, motion prevailing, the Senate resolved itself into Executive Session.

Upon the conclusion of the Executive Session, Mr. Hickman moved that the Senate sit in Regular Session. Motion prevailed.

The Sergeant-at-Arms admitted a messenger from the Governor, and the Chair directed the message from the Governor to the Chairman of the Executive Committee. Mr. Hickman then moved that the Senate again sit in Executive Session. Motion prevailed.

At the conclusion of the Executive Session, Mr. Hickman moved that the Senate be in Regular Session. Motion prevailed.

The Senate sat in Regular Session at 4:05 P. M., the President of the Senate presiding. The President declared the Senate recessed until call of the Chair. The Senate met at expiration of recess at 4:15 P. M. Mr. Steen moved that a committee of two be appointed to escort the Governor, the Associate Justice of the Supreme Court of Delaware, the Hon. Daniel Wolcott, and the Hon. Charles Terry to the Senate Chamber. Motion prevailed. The President of the Senate then appointed Messrs. Williams and Steen to the committee.

The Sergeant-at-Arms admitted the Governor and party to the Senate Chamber. The Hon. Daniel F. Wolcott, Associate Justice of the Supreme Court of Delaware, then administered the oath of office to the Hon. Charles E. Terry as President Judge of the Superior Court of the State of Delaware.

The President of the Senate then introduced, in the following order, Associate Justice Wolcott, Governor Boggs, and Judge Terry, who spoke briefly, Judge Terry thanking Governor Boggs and Justice Wolcott for their congratulatory speeches.

The Chair then directed the aforementioned committee to escort the Governor and party from the Senate Chamber.

The President then ordered the Senate to commence Regular Session.

The following bills were reported favorably by the majority of the Committee on Public Health: SB 232 and SB 234.

Mr. Nechay introduced the following resolution, which on further motion by him was adopted: SR 63—"Authorizing Payment of Certain Bills for Expenses Incurred by the Senate."

BE IT RESOLVED by the Senate that the sum of \$2.85 is hereby appropriated to pay for ribbon on I B M typewriter in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be, and she is hereby authorized and directed to pay to International Business Machines Corporation, 909 Delaware Avenue, Wilmington, Delaware, the sum of \$2.85 as payment for ribbon on I B M typewriter, and

BE IT FURTHER RESOLVED by the Senate that the sum of \$241.20 is hereby appropriated to pay for file cabinets in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be and she is hereby authorized and directed to pay to Lo-Mar, Inc., duPont Road, Seaford, Delaware, the sum of \$241.20 in payment for file cabinets, and

BE IT FURTHER RESOLVED by the Senate that the sum of \$35.00 is hereby appropriated to pay for printing in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be and she is hereby authorized and directed to pay to Delaware State News, Dover, Delaware, the sum of \$35.00 in payment for printing.

On motion of Mr. Hoey, the Senate adjourned at 4:40 P. M., until 2:00 P. M., Tuesday, April 30, 1957.

65TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 3:10 P. M., on Tuesday, April 30, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Charles W. Spry: With grateful hearts, we bow in Thy presence, Blessed Lord, to thank Thee that Thou art still gracious and merciful, and that Thou art ever the same: yesterday, today, and forever. Therefore we are convinced that Thou art ever a prayer hearing and a prayer answering God. Hence we again ask Thee to bestow upon us, the law-making body of this Commonwealth, the blessing of Thy Holy Spirit, to temper our duties with patience, to enlarge our visions with long, long thoughts, to mellow our hearts with broad sympathies, and to interpret our lives by the standards of nobleness. O may we not be hardened by selfish business tactics, blunted by disappointments, or harmed by unfair competition or by conflicts of trade. Our Father, lure us to the high places of action, to congenial fellowships and splendid service. May we once more believe in the dreams of youth, feel again the allurements of the heart, and trust more and more the ideals of the hearthstone. Bless our country with all its manifold interests, and may all nations be brought into a more intimate relationship. Through Christ our Lord. Amen.

Members present—Messrs. Cook, Correll, Gray, Harrison, Hoey, Johnson, McCullough, Nechay, Tull, Mr. President Pro Tem—10.

Members absent — Messrs. Behen, Hickman, Lammot, Melson, Pryor, Reilly, Williams—7.

Upon motion by the Chair, motion prevailing, the reading of the Journal of the Previous Session was omitted.

The Hon. John N. McDowell, Secretary of State, delivered a message from the Governor, as follows:

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, April 30, 1957

To the Senate of the State of Delaware:

This will advise that on the dates indicated I approved the following legislation:

April 25, 1957, S. S. #2 for Senate Bill No. 43 with H. A. No. 1—An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees and Making Appropriation.

April 29, 1957, Senate Bill No. 142—An Act to Amend Chapter 122, Volume 29, Laws of Delaware, Entitled "An Act Providing for Assessment Against Abutting Properties in the City of Wilmington for a Portion of the Cost of Paving and Improving the Public Street Roadways" by Repealing the Provision for Assessment.

April 29, 1957, Senate Bill No. 143—An Act to Repeal "An Act Providing for Assessment Against Abutting Properties in the City of Wilmington in Proportion to the Special Benefit the Present Improved Street Roadway Will Have to Said Properties", as Amended, Being Chapter 121, Volume 29, Laws of Delaware, as Amended by Chapter 123, Volume 30, Laws of Delaware.

Respectfully submitted,

J. CALEB BOGGS, Governor

The Chair directed the following notice from the arrangements committee for the annual dinner given by the Attaches of the Senate for the members to be read: Due to the illness of the Majority Leader, our esteemed Senator John E. Reilly, Sr., the dinner to be held by the Attaches of the Senate, for the members, on May 1, 1957, at the Dinner Bell Inn will be postponed until further notice.

The President Pro Tempore accepted the resignation of the Reverend Charles W. Spry as Chaplain of the Senate, and the resignation of Edgar Pierson as Page of the Senate, as follows:

I, Charles W. Spry, do hereby tender my resignation from the office of Chaplain of the Senate of the 119th General Assembly, effective April 30, 1957.

(Signed) CHAS. W. SPRY

I, Edgar Pierson, do hereby tender my resignation from the office of Page of the Senate of the 119th General Assembly, effective April 30, 1957.

(Signed) EDGAR PIERSON

Mr. Cook introduced the following resolution, which on further motion by him was adopted: **SR 64**—"With Reference to the Resignation of Reverend Charles W. Spry, Senate Chaplain."

WHEREAS, Reverend Charles W. Spry, Chaplain of the Senate of the 119th General Assembly has tendered his resignation as of April 30, 1957.

NOW THEREFORE,

BE IT RESOLVED by the Senate of the 119th General Assembly that the appreciation of each member of the Senate is hereby extended to the Reverend Charles W. Spry for the dignified and capable manner in which he has presided as Chaplain over the Senate, and for his attitude and actions being a personification of a true and outstanding character of the man himself; and

BE IT FURTHER RESOLVED that the resignation of the Reverend Charles W. Spry be hereby accepted.

Mr. McCullough introduced the following resolution, which on further motion by him was adopted: **SR 65**—"In Reference to Election of Officers."

BE IT RESOLVED by the Senate of the 119th General Assembly of the State of Delaware that the following named persons be and they are hereby elected to the respective offices appearing opposite their names, to serve during the pleasure of the Senate:

Page—George H. Exley

Chaplain—Clifford L. Brain

The President Pro Tempore administered the oath of office to the Rev. Clifford L. Brain as Chaplain of the Senate, and to George H. Exley as a Page of the Senate, as follows:

ILLUSTRATION OF OATH OF OFFICE

The State of Delaware, County of Kent, ss.

I, Clifford L. Brain, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Chaplain for the Senate in the General Assembly of the State, according to the best of my ability.

CLIFFORD L. BRAIN

Sworn and subscribed to this 30th day of April, A. D. 1957.

CURTIS W. STEEN, President Pro Tempore

On motion of the President Pro Tem, the Senate recessed at 3:25 P. M. until call of the Chair.

Senate met at expiration of recess at 4:50 P. M.

President Pro Tem presiding.

Messrs. Hickman and Williams asked to be marked present.

Mr. Cook introduced the following resolution, which on further motion by him was adopted: **SR 66**—"Expressing the Sympathy of the Senate on the Illness of Senator John Reilly."

WHEREAS, it has come to the attention of the Senate of the 119th General Assembly of the State of Delaware that Senator John Reilly has been confined due to an unexpected illness, and

WHEREAS, all the members of the Senate of the 119th General Assembly of the State of Delaware desire to express and extend their regret and sympathy unto Senator John Reilly.

NOW THEREFORE

BE IT RESOLVED that the members of the Senate of the 119th General Assembly of the State of Delaware do hereby express their best and sincere wishes for a speedy recovery of Senator John Reilly and pray that the Almighty will watch over him.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journal of the Senate of the 119th General Assembly of the State of Delaware and a copy be forwarded to Senator John Reilly, and a further copy be delivered to the Press.

The following bill was introduced, given reading by title only, and referred to committee as follows:

SB 239—"An Act to Amend Title 21, Delaware Code Relating to Fees Paid by the Department of Motor Vehicles for the Return of Number Plates," by Cook; to Miscellaneous.

The following bill was reported by the majority of the Committee on Public Health as follows: **SB 224**, 3 favorable, 1 on merits.

On motion of Mr. Cook, the Senate adjourned at 4:55 P. M. until 2:00 P. M., Wednesday, May 1, 1957.

66TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:40 P. M., on Wednesday, May 1, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Clifford L. Brain: Our Father and our God, we come again into Thy presence to thank Thee for Thy keeping power in bringing us together this afternoon. Grant Thy blessing upon this body of the Senate. May our hearts truly be conscious of Thy Divine presence and guidance in this today's session and may we be ever mindful of our basic obligations both unto Thee and unto the people whom we serve in this great State of Delaware. Bless with Thy healing touch upon the body of our dear Senator Reilly, and return him to us we pray. Bless all in this Legislative house we pray, in Jesus Name. Amen.

Members present—Messrs. Behen, Cook, Correll, Gray, Harrison, Johnson, Lammot, McCullough, Melson, Tull, Mr. President Pro Tem—11.

Members absent—Messrs. Hickman, Hoey, Nechay, Pryor, Reilly, Williams—6.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session was dispensed with, and the same stood approved.

Asked to be marked present: Messrs. Hoey and Nechay.

Upon motion by Mr. Cook, motion prevailing, Senate Rule 22 was suspended for the rest of this day's session.

On the invitation by the President Pro Tempore, Mr. Charles Sandman of the Senate of the State of New Jersey and the Speaker of the House, Mr. Harry Mayhew, were seated on the rostrum.

The following bill was introduced, given reading by title only, and referred to committee as follows:

SS 1 for SB 14—"An Act to Amend Chapter 1, Title 5, Delaware Code, Relating to the State Bank Commissioner," by McCullough; to Banking and Insurance.

On motion of Mr. Cook, **HB 100**—"An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety" to Authorize State Board of Health to Regulate Food Handlers in Schools," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Tull, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Hickman, Pryor, Reilly, Williams—4.

So the question was decided in the affirmative and the bill: **HB 100**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Cook, **SB 201**—"An Act to Amend Chapters 41 and 92, Title 9, Delaware Code Relating to the Payment of Salaries of Kent County Employees," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hoey, Johnson, Lammot, Melson, Nechay, Tull, Mr. President Pro Tem—12.

NAYS—None.

NOT VOTING—Mr. McCullough—2.

ABSENT—Messrs. Hickman, Pryor, Reilly, Williams—4.

So the question was decided in the affirmative and the bill: **SB 201**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The following bills were reported by the majority of the respective committees as follows: **HB 200**, 2 favorable, by Fish, Oysters and Game; **SB 213**, 4 favorable, Municipal Corporations.

On motion of Mr. McCullough, **SB 209**—"An Act Creating a Legislative Advisory Committee to Study the Needs of the General Assembly and Providing an Appropriation Therefore," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Harrison, Johnson, Lammot, McCullough, Melson, Nechay, Tull, Mr. President Pro Tem—11.

NAYS—None.

NOT VOTING—Mr. Gray—1.

ABSENT—Messrs. Hickman, Hoey, Pryor, Reilly, Williams—5.

So the question was decided in the affirmative and the bill: **SB 209**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. McCullough, **SB 41**—"An Act to Appropriate Funds to the State Board of Education for a State Director of Industrial Arts, Secretarial Assistance and Traveling Expenses," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Johnson, Lammot, McCullough, Melson, Nechay, Tull, Mr. President Pro Tem—12.

NAYS—None.

ABSENT—Messrs. Hickman, Hoey, Pryor, Reilly, Williams—5.

So the question was decided in the affirmative and the bill: **SB 41**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Cook, **SB 188**—"An Act to Amend Chapter 11, Title 10, of the Delaware Code Relating to the Appointment and Salaries of the Clerks and Probation Officers of the Juvenile Court of Kent and Sussex Counties," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Johnson, Lammot, McCullough, Melson, Nechay, Tull, Mr. President Pro Tem—12.

NAYS—None.

ABSENT—Messrs. Hickman, Hoey, Pryor, Reilly, Williams—5.

So the question was decided in the affirmative and the bill: **SB 188**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. McCullough, **SB 229**—"An Act to Appropriate Certain Funds to the Christiana School District No. 44 to Enable It to Purchase and Erect a Fence in and Around the Christiana School District," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Johnson, Lammot, McCullough, Melson, Nechay, Tull, Mr. President Pro Tem—12.

NAYS—None.

ABSENT—Messrs. Hickman, Hoey, Pryor, Reilly, Williams—5.

So the question was decided in the affirmative and the bill: **SB 229**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. McCullough, **SB 42**—"An Act to Appropriate Funds to the State Board of Education for a State Supervisor of School Libraries, Secretarial Assistance and Traveling Expenses," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correll, Gray, Harrison, Johnson, McCullough, Melson, Nechay, Tull—9.

NAYS—Mr. President Pro Tem—1.

NOT VOTING—Mr. Lammot—1.

ABSENT—Messrs. Behen, Hickman, Hoey, Pryor, Reilly, Williams—6.

So the question was decided in the affirmative and the bill: **SB 42**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Cook, the Senate recessed at 3:20 P. M. until call of the Chair.

Senate met at expiration of recess at 4:15 P. M.
President Pro Tempore presiding.

Mr. Hickman asked to be marked present.

On motion of Mr. Lammot, **HB 226**—"An Act Appropriating Funds to the Secretary of State for Microfilming State Records Under His Jurisdiction," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Johnson, Lammot, Melson, Nechay, Tull, Mr. President Pro Tem—11.

NAYS—None.

ABSENT — Messrs. Behen, Hoey, McCullough, Pryor, Reilly, Williams—6.

So the question was decided in the affirmative and the bill: **HB 226**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

Mr. Cook and Mr. Johnson, co-sponsor, introduced the following concurrent resolution, which on further motion by Mr. Cook, was adopted and ordered to the House for concurrence: **SCR 22**—"Extending Congratulations to Dr. M. A. Tarumianz on the 39th Anniversary of his Appointment as a Member of the Medical Staff of the Delaware State Hospital."

WHEREAS, on May 2, 1918, Mesrop A. Tarumianz, M. D., was appointed to the Medical Staff of the Delaware State Hospital; and

WHEREAS, in 1926 he was appointed as Superintendent of the Delaware State Hospital; and

WHEREAS, the Delaware State Hospital during the last thirty-nine years has risen to a position of prominence in the field of psychiatry; and

WHEREAS Dr. Tarumianz has himself, achieved an eminence, on a national level, in American psychiatry and a reputation of excellence in his many professional activities; and

WHEREAS, at the direction and leadership of Dr. Tarumianz, the Delaware State Hospital, Governor Bacon Health Center, and the Hospital for the Mentally Retarded at Stockley, have contributed manifestly to the increasing care rendered to mentally ill citizens of this State; and

WHEREAS, such citizens of Delaware as patients at the Delaware State Hospital, Governor Bacon Health Center, and the Hospital for the Mentally Retarded at Stockley, have continued to receive every advantage of advanced psychiatric methods and benefits of progressive research.

NOW THEREFORE,

BE IT RESOLVED that Dr. Tarumianz be congratulated for the high quality of his endeavors on behalf of the mentally ill citizens of this State on the 39th anniversary day of his appointment to the Medical Staff at the Delaware State Hospital.

BE IT FURTHER RESOLVED that a copy of this concurrent resolution be spread upon the respective Journals of the Senate and the House of Representatives of the 119th General Assembly of the State of Delaware and a copy be forwarded to Dr. M. A. Tarumianz, and a further copy be delivered to the Press.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 240—"An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees and Making Appropriation," by McCullough; to Education.

SB 241—"An Act to Amend Part III, Title 3, Delaware Code, Providing for a New Chapter 32, Entitled "Distribution; Regulation and Control of Milk Prices," by Tull, Cook and Correll; to Agriculture.

On motion of Mr. Cook, the Senate adjourned at 4:45 P. M. until 2:00 P. M., Thursday, May 2, 1957.

67TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:30 P. M., on Thursday, May 2, 1957. Lieutenant Governor Buckson presiding.

Prayer by the Chaplain, Rev. Clifford L. Brain: Almighty God, our Creator and Preserver, we invoke Thy blessing upon this gathering this afternoon. Grant us, O God, a real sense of Thy Divine presence, and direct our minds and hearts into paths that Thou wouldst have us to go. Temper our zeal with prudence, and lead us together and as individuals, toward greater victories, in the dedicated task to which we are called. Remember in Thy mercy, our Father, the sick of our number especially Senator Pryor and Senator Reilly, restoring them to health, if it is pleasing unto Thee. Strengthen us all us this day. Help us with Thy mighty power in our weaknesses, and keep us humble in our strength. Bless us with a definite expression of Thy grace in our midst, and may all that is done in this session be to the benefit of our people and pleasing in Thy sight. Through Jesus Christ our Lord. Amen.

Members present—Messrs. Cook, Correll, Gray, Harrison, Hickman, Lamot, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—13.

Members absent—Messrs. Behen, Hoey, Johnson, Reilly—4.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session was dispensed with.

Asked to be marked present: Mr. Hoey.

The Hon. John N. McDowell, Secretary of State, delivered a message from the Governor, as follows:

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, May 2, 1957

To the Senate of the State of Delaware:

This will advise that on May 1, 1957, I approved the following legislation:

Senate Bill No. 9—An Act to Amend Title 31, Delaware Code, Entitled "Welfare" in Regard to the Maximum Amount of Assistance to be Granted Under the Aid to the Blind Program.

House Bill No. 123—An Act Authorizing the Levy Court of Kent County to appropriate a Certain Sum to the Kent and Sussex Association for Retarded Children for Operational Expenses.

House Bill No. 222—An Act Making a Deficiency Appropriation to a Salary and Wages Account of the Motor Vehicle Department.

House Bill No. 223—An Act Making a Deficiency Appropriation to the Secretary of the State Highway Department for the Salary and Wages Account.

House Bill No. 231—An Act to Provide for Referendums on Bingo; Regulating Bingo, Provide Penalties and Appropriate Funds.

Respectfully submitted,

J. CALEB BOGGS, Governor

The Chair announced the signing of **HB 7, HB 9, HB 10, HB 11, HB 18, HB 21, HB 82, HB 166, HB 170, HB 172, HB 177, HB 179, HB 191, HB 201.**

The following bill was introduced, given reading by title only, and referred to committee as follows:

SB 242—"An Act to Amend Chapter 135, Volume 29, Laws of Delaware 1917, Entitled "An Act to Revise and Consolidate the Statutes Relating to Curbstone Markets in the City of Wilmington," by Lammot; to Agriculture.

On motion of Mr. Steen, **HB 270**—"An Act to Amend Part II, Title 7, Delaware Code, Entitled "Shellfish" by Consolidating the Delaware Commission of Shell Fisheries and the Collector of Oyster Revenue and Generally Revising the Provisions Pertaining to Shellfish," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Steen, Mr. Nathaniel Taylor was granted the privilege of the floor.

On motion of Mr. Steen, **HB 270** was deferred.

Upon privilege of the floor, Mr. Lammot announced that he had visited Mr. Reilly yesterday evening in the St. Francis Hospital in Wilmington, and had presented to him the wrist watch which the Attaches of the Senate were to have presented to him at the annual dinner given for the members of the Senate, originally scheduled for May 1st, but postponed, due to Mr. Reilly's illness.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 89**, **SB 90** and **SCR 22**, and that the House had passed and requested the concurrence of the Senate in the following bills: **HB 173**, **HB 207**, **HB 218**.

The Chair presented the following House Bills, which were given reading by title only, and referred to committees as follows:

HB 173—"An Act to Amend Chapter 11, Title 10, Delaware Code, Relative to the Jurisdiction of the Juvenile Court of Kent and Sussex Counties," to Judiciary.

HB 207—"An Act to Amend Chapter 39, Title 11, Delaware Code Relating to the Sentence in Capital Cases Which the Jury Recommends Mercy," to Judiciary.

HB 218—"An Act to Amend Chapter 5, Title 7, Delaware Code, Relative to Issuance of Complimentary Hunting and Fishing Licenses to Disabled Veterans," to Fish, Oysters and Game.

The following bills were reported by the majority of the respective committees as follows: **SB 98**, 2 favorable, 3 on merits, by Agriculture; **SB 210**, 4 favorable, 1 on merits, **SB 212**, 4 favorable, 1 on merits, **SB 214**, 3 favorable, 1 on merits, 1 unfavorable, **SB 217**, 4 favorable, 1 on merits, **SB 226**, 4 favorable, 1 on merits, by Buildings and Highways.

On motion of Mr. Steen, **SB 228**—"An Act to Amend Chapter 82, Title 9, Delaware Code Entitled "Boards of Assessment" by Excepting the Levy Court of Sussex County from Filling Vacancies or Removing Members of the Sussex County Board of Assessment," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correll, Harrison, Hickman, Hoey, Lammot, McCullough, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—12.

NAYS—None.

NOT VOTING—Messrs. Gray and Melson—2.

ABSENT—Messrs. Behen, Johnson, Reilly—3.

So the question was decided in the affirmative and the bill: **SB 228**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of the President Pro Tem, the Senate recessed at 3:00 P. M. until call of the Chair.

Senate met at expiration of recess at 4:55 P. M.

Upon motion by Mr. McCullough, motion prevailing, **SS 1** for **SB 14** was adopted in lieu of the original bill.

The following bills were reported by the majority of the respective committees as follows: **SS 1** for **SB 14**, 4 favorable, 1 on merits, by Banking and Insurance; **SB 242**, 3 on merits, 1 favorable, by Agriculture.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 243—"An Act to Amend Chapter 1, Title 17, Delaware Code by Authorizing the State Highway Department to Reimburse Public Utilities for the Cost of Relocating Facilities Required by Road Improvements, Where the State Receives Federal Funds," by Pryor; to Buildings and Highways.

SB 244—"An Act to Amend Chapter 25, Title 9, Delaware Code, to Require That Plans for the Development of Five (5) Lots or More Shall be Submitted to the Regional Planning Commission of New Castle County for Approval as to Lot Layout and Street Development," by Pryor; to Municipal Corporations.

SB 245—"An Act to Amend Chapter 15, Title 9, Delaware Code by Authorizing the Levy Court of New Castle County to Purchase Bonds or Other Obligations of the United States of America," by Pryor; to Banking and Insurance.

SB 246—"An Act to Amend Chapter 184, Volume 43, Laws of Delaware, Entitled "An Act Changing the Name of the 'Town of Seaford' to the 'City of Seaford', and Establishing a Charter Therefor," by Shortening the Hours That the Polls Must be Kept Open at the Annual Municipal Election If There is no Contest," by Tull; to Municipal Corporations.

SB 247—"An Act to Amend Chapter 184, Volume 43, Laws of Delaware Entitled "An Act Changing the Name of 'The Town of Seaford' to 'The City of Seaford' and Establishing a Charter Therefor", by Changing the Months of the Fiscal Year," by Tull; to Municipal Corporations.

The Chair announced that the dinner given for the members of the Senate by the Attaches would be held Monday, May 6, 1957, at 6 P. M. at the Dinner Bell Inn, Dover.

On motion of Mr. Cook, the Senate adjourned at 5:10 P. M. until 2:00 P. M., Friday, May 3, 1957.

68TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:30 P. M., on Friday, May 3, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Clifford L. Brain: Our God and our Heavenly Father, our hearts and our minds are again lifted unto Thee, in praise and adoration unto Thy Holy Name. We would thank Thee for all Thy loving kindness and tender mercies unto us. Yet we are deeply conscious, our Father, that the blessings of yesterday will not suffice for today. So be pleased to bless, every one of us, and remember our sick, Brother Reilly, in healing mercy. Guide and bless, O God, our Nation and State, and make us mindful of the part we play in the betterment of each. Meet such moral, spiritual, and temporal needs as we all may have, and Yours shall be the glory in Jesus Name. Amen.

Members present—Messrs. Cook, Correll, Gray, Harrison, Hickman, Lammot, Melson, Nechay, Pryor, Tull, Mr. President Pro Tem—11.

Members absent—Messrs. Behen, Hoey, Johnson, McCullough, Reilly, Williams—6.

The Journal of the Previous Session stood approved, following the motion by the Chair, motion prevailing, that the reading of the same be omitted.

Asked to be marked present: Messrs. McCullough, Williams, Johnson and Hoey.

The Chair announced the signing of SB 89, SB 90, HB 100 and HB 226.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 248—"An Act to Amend Chapter 237, Volume 46, Laws of Delaware as Amended, Entitled "City of Wilmington Employees' Retirement Act," by Lammot and Reilly; to Municipal Corporations.

SB 249—"An Act to Amend Title 9, Delaware Code, Entitled "Counties" in Respect to Employees Pensions in New Castle County," by Williams and Reilly; to Revised Statutes.

The Chief Clerk of the House informed the Senate that the House had concurred in SB 48, SB 135, SB 182, and that the House had passed and requested the concurrence of the Senate in the following bills: **HB 205, HB 206, HB 235, HB 239 and HB 247.**

The Chair presented the following House Bills, which were read by title only and referred to committees as follows:

HB 205—"An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Authorizing the Imposition of a Mercantile License Fee," to Municipal Corporations.

HB 206—"An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Clarifying the Provisions for the Fiscal Year and the Tax Year," to Municipal Corporations.

HB 235—"An Act Appropriating Certain Moneys to Harvey C. Fenimore in Payment of a Claim of the Said Harvey C. Fenimore Against the State of Delaware," to Miscellaneous.

HB 239—"An Act to Appropriate Funds to the School Boards for the Maintenance and Improvement of Public School Buildings of the State," to Finance.

HB 247—"An Act Appropriating Money to the United Spanish War Veterans, Department of Delaware," to Finance.

The following messages from the Governor were delivered to the Senate, and were referred by the Chair to the Chairman of the Executive Committee:

**GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

Dover, May 3, 1957

To the Senate of the 119th General Assembly of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

Elwood R. Rust, Georgetown, to be a member of the Unemployment Compensation Commission for a term of six years to expire May 1, 1963.

Respectfully submitted,

J. CALEB BOGGS, Governor

**GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT**

Dover, May 3, 1957

To the Senate of the 119th General Assembly of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

Richard C. Hairgrove, Camden, to be a Justice of the Peace in and for Kent County for a term of four years to expire May 3, 1961.

W. Frank Fleming, Clayton, to be a Justice of the Peace in and for Kent County for a term of four years to expire May 3, 1961.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Cook, the Senate recessed at 2:45 P. M. until call of the Chair.

Senate met at expiration of recess at 4:20 P. M.

President Pro Tempore presiding.

The Hon. John N. McDowell, Secretary of State, delivered a message from the Governor, as follows:

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, May 3, 1957

To the Senate of the State of Delaware:

This will advise that on May 3, 1957, I approved the following legislation:

House Bill No. 7—An Act Appropriating Money to the Veterans of Foreign Wars, Department of Delaware.

House Bill No. 9—An Act Appropriating Moneys for Education and Training of Children of Veterans of World War I, World War II and Korean Conflict Who Died While in the Service of the Army, Navy, Marine Corps, Air Forces or Coast Guard of the United States or Who Died from Disease, Wounds or Disabilities Resulting from Such Service.

House Bill No. 10—An Act Appropriating Money to the American Legion, Department of Delaware.

House Bill No. 11—An Act Appropriating Money to the Disabled American Veterans of Delaware.

House Bill No. 18—An Act Appropriating Money to Certain Fire Companies in the State of Delaware Which Maintain and Operate a Rescue Truck.

House Bill No. 21—An Act Appropriating Money to the Veterans of Foreign Wars, Department of Delaware, for the Furnishing of Services to Veterans and Their Dependents.

House Bill No. 82—An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pension Plan, by Changing the Conditions Under Which the Surviving Spouse of a Deceased Employee May be Eligible for Payments.

House Bill No. 166—An Act to Amend Title 29, Delaware Code, Entitled "State Government" to Permit the Waiver of Pension Benefits."

House Bill No. 177—An Act to Provide for the Completion of the Construction, Equipping and Furnishing of Buildings Under Construction at the State Hospital at Farnhurst and Making an Appropriation Therefor.

House Bill No. 179—An Act to Amend Title 20, Delaware Code, Entitled "Military and Civil Defense" to Provide Pensions for Paraplegic Veterans and Appropriating Funds.

House Bill No. 191—An Act to Amend Chapter 3, Title 11, Delaware Code, Relating to Abandonment of Living Creatures; Penalties.

House Bill No. 201—An Act to Amend the Charter of the Town of Woodside in Kent County by Increasing the Amount That Can be Raised Each Year by Taxes.

Respectfully submitted,

J. CALEB BOGGS, Governor

Upon request of the Chair, by Mr. Lammot, **SB 155** was stricken from the calendar and **SB 212** placed on the agenda. At the request of Mr. Williams, **SB 123** was placed on the agenda.

The following bills were reported by the majority of the respective committees as follows: **HB 224**, 3 favorable, 1 on merits, by Finance; **SB 123**, 4 on merits, by Banking and Insurance.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 250—"An Act to Amend Chapter 9, Title 2, Delaware Code Relating to Airports of Political Subdivisions," by Pryor; to Revised Statutes.

SB 251—"An Act to Appropriate Certain Funds to the Milton Consolidated School for the Purpose of Filling, Grading and Seeding 2½ Acres Around the School Property," by Hoey; to Education.

On motion of Mr. Nechay, **HB 117**—"An Act to Amend Chapter 65, Title 11, Delaware Code, Entitled "Prisons and Prisoners" in Respect to Surplus Products," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Behen and Reilly—2.

So the question was decided in the affirmative and the bill: **HB 117**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Johnson, **SB 224**—"An Act to Amend Chapter 62, Title 9, Delaware Code Relating to "Sussex County Indigent Sick Fund," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Behen and Reilly—2.

So the question was decided in the affirmative and the bill: **SB 224**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

Mr. Hickman introduced the following resolution, which on further motion by him was adopted: **SR 67**—"Authorizing Payment of Certain Bills for Expenses Incurred by the Senate."

BE IT RESOLVED by the Senate that the sum of \$1046.76 is hereby appropriated to pay for printing in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be, and she is hereby authorized and directed to pay to Delaware State News, Dover, Delaware, the sum of \$1046.76 in payment for printing.

On motion of Mr. McCullough, **SB 82**—"An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pension Plan, Credit for Other Employment," was taken up for consideration and a third time by title in order to pass the Senate.

Messrs. Melson and Nechay were granted the privilege of the floor.

On motion of Mr. McCullough, **SB 82** was deferred.

On motion of Mr. Johnson, **SB 213**—"An Act to Amend the Charter of the City of Rehoboth Beach as Established by Chapter 161, Volume 41, Laws of Delaware, as Amended, by Increasing the Amount of Taxes That May be Raised for Municipal Purposes," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Behen, Pryor, Reilly—3.

So the question was decided in the affirmative and the bill: **SB 213**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Johnson, **SB 179**—"An Act to Amend Chapter 31, Title 24 Relating to the Requirements for Certificates of Undertakers," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Tull, Williams—13.

NAYS—Mr. President Pro Tem—1.

ABSENT—Messrs. Behen, Pryor, Reilly—3.

So the question was decided in the affirmative and the bill: **SB 179**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Cook, the Senate adjourned at 4:55 P. M. until Monday, May 6, 1957 at 2:00 P. M.

69TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:10 P. M., on Monday, May 6, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Clifford L. Brain: Unto Thee do we lift by our eyes, Oh Thou that dwellest in the Heavens. For our help cometh from the Lord Who made heaven and earth. We thank Thee for journeying mercies, sparing us again from the hazards of the way. Bless we pray Thee, with Thy Divine wisdom, guidance, and strength, all assembled here in this chamber. Raise up the sick of our number. Reassure us, O Lord, with Thy Divine presence in our hearts, setting forth such principles and practices in our decorum, which shall be a credit to ourselves and to those whom we represent, in the solemn direction of the affairs of our beloved State; and ours shall be the good and Yours the Glory. In Jesus Name. Amen.

Members present—Messrs. Correll, Harrison, Hickman, Johnson, Lammot, McCullough, Nechay, Tull, Mr. President Pro Tem—9.

Members absent — Messrs. Behen, Cook, Gray, Hoey, Melson, Pryor, Reilly, Williams—8.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session was omitted, and the Journal stood approved.

Asked to be marked present: Messrs. Hoey and Gray.

The Chair directed the reading clerk to read a letter addressed to the Senate from the Sussex County Farming Association relative to **SB 159**.

Upon privilege of the floor, Mr. Lammot reported on the condition of Mr. Reilly, confined to the St. Francis Hospital in Wilmington, and asked the Chair to direct the reading clerk to read a letter addressed to the President Pro Tempore by Mr. Reilly.

Mr. Nechay introduced the following resolution, which on further motion by him was adopted: **SR 68**—"Authorizing Payment on Account to Attaches and Employees of the Senate."

BE IT RESOLVED by the Senate of the 119th General Assembly, that the State Treasurer be and she hereby is authorized and directed to pay to any attache or employee, who has been duly appointed by Resolution of the Senate, upon the order of the President Pro Tem of the Senate, sums on

account from time to time not to exceed the total of One Hundred Dollars (\$100.00) to any one person, on account of services to the present Session of the Senate, excepting the Senate attorneys who shall receive the sums on account from time to time, not to exceed the total of Two Hundred Dollars (\$200.00) to any one attorney. Any such sums so paid shall be charged against the salary of the individual attache or employee to whom such sum or sums are paid, and shall be a part of the expenses of this Session of the Senate.

On motion of Mr. Lammot, the Senate recessed at 2:20 P. M. until call of the Chair.

Senate met at expiration of recess at 4:55 P. M.

Lieutenant-Governor Buckson presiding.

Messrs. Behen, Cook, Williams and Melson asked to be marked present.

The following bills were introduced, given reading by title only, and referred to committees as follows:

SB 252—"An Act to Amend Chapter 19, Title 10, Delaware Code, Relating to Law Libraries, and to Provide for a State Law Library in Kent County Corresponding to Law Libraries in the Other Counties and to Appropriate Funds," by Cook; to Judiciary.

SB 253—"An Act to Amend Title 31, Delaware Code, Entitled "Welfare" by Providing for an Increase in the Maximum Amount of Assistance Allowed as Old Age Assistance in Certain Circumstances; Appropriating Funds," by Lammot; to Miscellaneous.

SB 254—"An Act to Appropriate \$500 to Senate Majority Leader John E. Reilly to Defray Secretarial Expenses While Confined and Incapacitated," by Lammot; to Miscellaneous.

SB 255—"An Act to Amend the Delaware Code, by Abolishing the State Library and to Authorize the Transfer of Material, Office Equipment and Supplies to Other State Agencies, and to Abolish the Office of State Librarian and Transfer the Duties Connected Therewith," by Cook; to Revised Statutes.

The Chair announced the signing of **SB 48**, **SB 135**, and **SB 182**.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 49** and **SB 165**, and that the House had passed and requested the concurrence of the Senate in the following bills: **HB 162**, **HB 202**, **HB 252**, **HB 304**, **HB 305**, **HB 306** and **HB 312**.

The Chair presented the following House Bills, which were read by title only and referred to committees as follows:

HB 162—"An Act to Amend Title 16, Delaware Code, Entitled, "Health and Safety," in Respect to Tuberculosis," to Public Health.

HB 202—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" in Respect to the Powers of the State Treasurer," to Revised Statutes.

HB 252—"An Act to Amend Chapter 11, Title 16, Delaware Code Relating to the Definition of Sanatoria, Rest Homes, Nursing Homes, Boarding Homes and Related Institutions," to Public Health.

HB 304—"An Act to Amend Chapter 184, Volume 43, Laws of Delaware, Entitled "An Act Changing the Name of 'The Town of Seaford' to 'City of Seaford' and Establishing a Charter Therefor" by Changing the Period Covered by the Annual Audit," to Municipal Corporations.

HB 305—"An Act to Amend Chapter 184, Volume 43, Laws of Delaware, Entitled "An Act Changing the Name of 'The Town of Seaford' to 'The City of Seaford' and Establishing a Charter Therefor" by Increasing the Annual Salary of the Mayor and Councilmen," to Municipal Corporations.

HB 306—"An Act Extending the Corporate Limits of the City of Seaford," to Municipal Corporations.

HB 312—"An Act Appropriating Funds to the State Highway Department for a Picnic Area at Oak Orchard," to Public Lands.

On motion of Mr. Williams, **SB 123**—"An Act to Amend Title 12, Delaware Code, Entitled "Decedents' Estates and Fiduciary Relations" in Respect to Guardian and Ward," was taken up for consideration and read a third time by title in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Lammot, McCullough, Melson, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Hoey, Johnson, Nechay, Reilly—4.

So the question was decided in the affirmative and the bill: **SB 123**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The following bills were reported by the majority of the Committee on Municipal Corporations as follows: **HB 70**, 4 favorable, **HB 184**, 3 favorable.

On motion of Mr. McCullough, **SB 82**—"An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pension Plan, Credit for Other Employment," was taken up for consideration and read a second time by title in order to pass the Senate.

On motion of Mr. McCullough, Mr. Charles Harris of the Delaware State Educational Association, was granted the privilege of the floor.