

Carmean, Clifton, Davidson, Dineen, English, Eskridge, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Lawson, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitts—31.

NAYS—None.

ABSENT—Messrs. Latina, Livingston, Quigley and Shockley—4.

HB 149 with **HA 1** to **HB 149** having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Davidson **HB 150**—"An Act to Amend Section 253, Title 8, Delaware Code, Entitled 'General Corporation Law' and Relating to the Merger of Parent Corporation and Subsidiary," was read for the third and final time and taken up for consideration in order to pass the House.

Mr. Davidson introduced **HA 1** to **HB 150** which was read for the first and only time and on further motion by Mr. Davidson was adopted by voice vote.

On the question, "Shall this bill pass the House?" roll call revealed that **HB 150** with **HA 1** to **HB 150**

YEAS—Messrs. Bartleson, Best, Best, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Lawson, Livingston, Long, (Mrs.) Manning, Opdyke, Paskey, Pawson, Pryor, Richards, Walls, Wright, Mr. Speaker Tribbitts—30.

NAYS—None.

NOT VOTING—Mr. McGinnes and Mr. Robbins—2.

ABSENT—Mr. Latina, Mr. Quigley and Mr. Shockley—3.

HB 150 with **HA 1** to **HB 150** having received its constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bills were introduced, given first and second reading and assigned to committee as follows:

HB 193—"An Act to Amend Chapter 23, Title 6, Delaware Code by Providing For a Maximum Service Charge on Installment Contracts," by Shockley, Latina and Dineen; to Manufacturing and Commerce.

HB 194—"An Act to Amend Chapter 6, Title 23, Delaware Code by Providing For A Maximum Default Charge on Installment Contracts," by Shockley, Latina and Dineen; to Manufacturing and Commerce.

HB 195—"An Act to Amend Chapter 63, Title 29, Delaware Code Relating to the General Powers and Duties of the Budget Commission," by Tribbitt and King, to Revised Statutes.

HB 196—"An Act Making Supplementary Appropriation

to the State Treasurer and the State Tax Department for the Fiscal Year Ending July 30, 1959," by King and Richards, to Appropriations.

HB 197—"An Act to Amend Chapter 1, Subchapter VI, Title 16, Delaware Code, Entitled 'State Board of Health', By Striking out Subchapter VI, 'Oral Hygienists', and Sections 171, 172, and 173 Thereof, and Substituting Therefor a New Subchapter VI, Entitled 'Dental Health', Creating A Division of Dental Health, and Providing for the Appointment of a Director of Dental Health," by Eskridge (By Request); to Health.

HB 198—"An Act to Authorize the Milford Special School District to Make Certain Tax Refunds," by Robbins; to Appropriations.

HB 199—"An Act to Amend Title 7, Delaware Code, Relating to the Accidental Killing of Deer by a Motor Vehicle Upon a Public Highway," by Betts, Paskey and Cain; to Fish, Oysters and Game.

HB 200—"An Act to Amend Chapter 1, Title 8, § 324 of the Delaware Code Relating to Attachment of Shares of Stock or any Right, Option or Interest Therein; Procedure; Sale; Title Upon Sale; Proceeds," by Davidson; to Corporations Private.

Mr. Betts on behalf of Revised Statutes Committee reported **HB 180**, 4 favorable.

Mr. Latina on behalf of Labor Committee, reported **SB 6** with **SA 1** to **SB 6**, with **SS 1** to **SB 6**, As Amended, 3 favorable, 1 merits.

Mr. Dineen on behalf of Election Committee, reported **SB 27**, 4 merits, 1 favorable.

Mr. Kenney, Passed Bills Chairman, reported delivering to the Governor's Secretary **HR 34**, **HR 35** and **HB 59** as amended.

The House on motion of Mr. King adjourned at 5:05 P.M. until Monday, March 23, 1959 at 1 P.M.

27TH LEGISLATIVE DAY

The House met pursuant to adjournment at 1:15 P.M. on Monday, March 23, 1959.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Walls, Mr. Speaker Tribbitt—33.

ABSENT—Mr. Davidson and Mr. Shockley—2.

The clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal, and that the Journal be approved. Motion prevailed.

The Chair recognized John Keller, former member of the House and gave him the privilege of the floor.

The Chair announced that he was about to sign **HB 80**.

Mr. Walls introduced **HS 1** for **HB 30**—"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 Walls and Best; which was given first and second reading by title only and assigned to Agriculture and Forestry Committee.

The House recessed at 1:45 P. M. to meet in joint Session with the Senate.

Joint Session was called at 2 P. M. by the President of the Senate Lt. Governor Buckson.

Mr. Reilly moved that the Senate and the House convene in Joint Session pursuant to adjournment. 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.

The President of the Senate appointed Mr. Reilly, Mr. Williams, Mr. King and Mr. Richards as a Committee to escort the Honorable Caleb J. Boggs, Governor of the State of Delaware and Dr. Robert C. Anderson, Director Southern Regional Education Board to the rostrum.

The President of the Senate introduced Governor Boggs who introduced the Speaker, Dr. Robert C. Anderson, who delivered the following address.

Address to a Joint Session of the Delaware General Assembly
by Dr. Robert C. Anderson, Director
Southern Regional Education Board
March 23, 1959, Dover, Delaware

Ten years ago a very happy marriage took place. A group of Southern governors signed the Southern Regional Education Compact on the theory that 16 could live cheaper than one. Not only cheaper, but better as far as higher education was concerned.

This was what you might call a marriage of convenience. After World War II there was a great demand in the South for professional, technical and graduate education. An expanding economy required larger and better educational facilities.

Realizing this, the Southern states decided that marriage was the only answer—that the states of the South must pool and share their resources in order to provide more and better education for every educational dollar spent.

The efforts of the governors resulted in the signing of the Southern Regional Education Compact. In 1955 the General Assembly of Delaware ratified that legal document which created a central agency, now supported by 16 Southern states, to help the states of the South work together to improve higher education and the economy of the region. The states party to the Compact comprise the full membership of the Southern Governors' Conference which was the birth place for the idea of regional cooperation in higher education.

The goal of this agency—the Southern Regional Education Board—is to improve higher education and to avoid unnecessary duplication: to save time, money and energy while increasing educational opportunities for the youth of sixteen states.

Thus through this interstate agreement, Delaware and other states in the region can rely on the educational facilities of their neighbor states instead of trying to provide every kind and type of higher education within their own borders.

The money saved by this sharing enables a state to improve the quality of the graduate and professional programs it has already has, to expand these programs, or to establish new ones which do not exist elsewhere.

In the early days of the SREB, cooperation between the states was limited to sharing the use of established schools of veterinary medicine, dentistry, medicine and social work. Later as the program grew, the states began to work with the Board and other states in joint planning of educational programs. The states also began to encourage research and states studies of general problems in higher education, such as faculty shortage, and research in more specific fields like mental health, forestry, and nursing.

Today these states are using the regional approach more and more in attempting to solve the problems which face all of our colleges and universities: problems of making the best possible use of higher educational institutions so that each state can meet the growing demands for many types of skilled personnel.

As it completes its first decade of service to the region, the SREB is active in over 30 academic fields which are of special significance to the development of the South.

And now, let me review for you briefly the specific role of each state in the organization and administration of the Southern Regional Education Board.

Each of the 16 participating states contributes \$20,000

annually for the support and operation of the Board. In addition, the states appropriate certain amounts from time to time for specific projects and contracts. It is our hope that you will once again provide for Delaware's participation in the program at this session of the legislature.

The Board has also received some very generous grants from private foundations which have helped it to undertake research projects and sponsor fellowships in research on problems of higher education. Currently SREB has an annual operating budget of approximately \$750,000.

Governor Caleb Boggs and the governors of the other 15 participating states are members of the Board. Each Governor appoints four other members to the Board—including one educator and legislator. Thus each state has five representatives on the Board.

If imitation is the sincerest form of flattery, the Southern Regional Education Board has been sincerely flattered twice. Both the Western and New England states have adopted regional compacts similar to the one we have in the South, and today 35 states are being served by this type of interstate agency for higher education. As a member of the Southern Governors' Conference, the SREB was the logical agency for your state to affiliate with.

Now let us consider for a moment what the Board does **not** do. The SREB has no coercive power over any state or any college. It does not accredit colleges. It does not and cannot force any state or college to take any course of action. The Board's job is simply to make it easier for states and universities to cooperate and work together if they want to do so. The Board helps the states to do things they cannot easily do for themselves. Its aim is to encourage a balanced growth of higher education in the region, with each college and university playing its own distinctive role.

How does the Board translate this aim into action?

I think you can better understand the services SREB offers Delaware and other participating states if we take a few minutes to look at a film released recently by the Board. Narrated by United States Senator Lister Hill of Alabama, this film describes the present activities and services of the Board and also gives some of the background for establishing the organization.

(SHOW FILM — 15 MINUTES — COLOR AND SOUND)

I believe that you will agree that Senator Hill has done a very good job of showing how the SREB can serve Delaware and the other states of the region.

Now let's take a closer look at the SREB services available to Delaware, the use the state has made of these ser-

vices and the programs you may wish to consider during the years ahead.

As Senator Hill pointed out in the film, the Board offers to Delaware student places in medicine, dentistry, veterinary medicine and social work. Under present contracts with SREB, universities reserve places for about 1,000 students a year in these key fields. States using the contract program are able to provide education for these students at a fraction of the cost required to build and maintain such expensive professional schools.

Thus far Delaware has made no use of the regional contract programs, although it lacks schools in each of these fields. This is one way Delaware could utilize the medical schools of neighboring states in the Southern Regional Education Compact for the young men and women who are anxious to obtain a medical education but are unable to enter various medical schools. The same thing applies to the other specialties for which your institutions of higher learning do not have facilities. Furthermore, under the Compact, the Southern Regional Education Board has the authority to enter into regional contracts for Delaware students in other fields if requested to do so. Certainly your state may find that contracts are needed to hold places for students in the future when large student enrollments will require many institutions to limit out-of-state enrollments.

I think this is of particular importance to your state when you realize that the last survey by the U. S. Office of Education on migration of students showed that 43.7 per cent of Delaware's students attended institutions of higher education outside the state. This is the highest percentage of migration in our 16-state region and is the second highest among the states of the nation. The nation-wide average is only 20 percent.

Looking further at the U. S. Office figures, you will find that 49.8 per cent of Delaware's graduate students go outside the state for their education.

This survey showed that one out of four of Delaware's students leaving the state attended institutions in the South. Even more impressive is the fact that 65.7 per cent of the outmigrants attending public institutions went to school in the region served by the SREB. The survey also showed that 46.9 per cent of the graduate students leaving Delaware enrolled in schools located in the South.

The Board also offers other cooperative programs you should consider in providing the youth of this great state with full opportunities for obtaining higher education in fields not now available in the state. These include using SREB to administer scholarship plans of student aid in fields not offered by the state's university. An example of this type of

arrangement is the present student aid program the state of Tennessee has in offering out-of-state training to its young citizens in forestry and architecture—two important professions not offered in the state.

Still another example of cooperation is the SREB's program in graduate nursing education. Not so long ago there were no graduate nursing programs in the region. The Schools of Nursing got together through the SREB to start graduate programs in six universities in the region. They have done so, and the colleges of nursing meet periodically to talk about ways of achieving the best possible education for our nurses.

Two Delaware students graduated last year from the new master's degree program in psychiatric nursing at the University of Maryland. Students from Delaware are enrolled in this program at the present time.

Another good example of benefits a state can derive from the SREB took place a few years ago when several colleges in the South decided they needed summer courses in special phases of statistic to supplement their courses. None of the colleges could assemble enough faculty without outside help, so they turned to the SREB for assistance.

SREB sponsored a conference of representatives from all the statistics programs in the South to discuss a series of summer courses which would benefit all colleges in the region. That series of courses is going on now, using faculty members from all the schools with each campus in turn being host for the course.

In the highly specialized field of city planning a similar series of summer courses was sponsored.

This summer 13 land-grant colleges and universities in the region are sponsoring a summer graduate session in nematology at North Carolina State University. Nematology is a highly specialized science dedicated to the study of small deadly round-worms which destroy countless dollars worth of crops. Specialists are urgently needed to help wipe out this destructive worm, but no school in the region has enough instructors to teach a graduate course.

With the help of the SREB, these colleges combined forces to invite expert nematologists from England, Holland, Japan, Canada and the United States to teach graduate students from each of the 13 participating schools at the session this summer. Not only have experts been brought in, but the SREB has seen to it that graduate students attending these sessions will have their expenses paid by the National Science Foundation.

In 1954 the Southern Governors' Conference urged the SREB to establish the Council on Mental Health Training and Research to function within the framework of the Board. The

need for this type of activity was clearly shown in a year of self-study by the states of the region, including Delaware, on the status of their mental health needs and facilities.

As you know, the state pays an additional \$8,000 per year for the support of the SREB mental health program. Delaware is ably represented on the program's advisory council by Dr. M. A. Tarumianz, Superintendent of the Delaware State Hospital.

In keeping with the survey findings this program concentrates on the fundamental problem of improving training and research rather than facilities. However where it is clear that training and research cannot be improved because the necessary schools and hospitals are not available or adequate, the SREB mental health unit will assist with the improvement of these institutions.

Your state is currently taking part in the mental health program's region-wide survey of mental health research to find out what research is being done (or **not** done) and what funds and facilities are available for doing it.

Delaware should also take advantage of the mental health program's in-service grants provided under a \$90,000 grant to the SREB from the National Institutes of Mental Health. These grants permit people working in Delaware's mental hospitals or institutions for the retarded to visit other hospitals anywhere in the country to observe new ways of doing their jobs more effectively. To date no Delaware mental health workers have applied for one of these grants.

Steps being taken under the mental health program will increase the number of psychiatrists, psychologists, social workers and nurses who will help Delaware as well as the other cooperating states.

As I mentioned earlier, the Board has conducted regional studies to determine whether states need to build additional graduate and professional schools, or depend on schools in other states within the region. Studies have been completed in architecture, veterinary medicine, recreation, public health, dentistry, forestry, graduate programs, mental health, foreign affairs and government. Copies of these completed studies are available for your use.

The Board has also helped with state studies at the request of individual states. SREB staff members have assisted in surveys of higher education in Florida, Louisiana, Tennessee and Alabama. It has just been asked to supervise a survey on the needs of higher education in the state of Virginia. The Board has supplied information to assist in surveys of higher education made in Arkansas and Kentucky. It has given information on needs for schools to a number of states: for example, medical schools in Florida and Kentucky; library and

social work schools in Maryland; forestry schools in Mississippi, South Carolina and Virginia.

Although Delaware has not requested assistance on state studies, the Board stands ready and willing to assist in any such undertaking you may plan in the future. This is a part of SREB's service to your state.

Under its research program the Board conducts university studies of problems common to institutions in the region. To carry out this program, the research program is currently supported by a five-year grant of \$450,000 from the Carnegie Corporation.

Studies have been made on projected enrollments, showing the number of college and university students to expect by 1970; bases for financing of higher education what attracts faculty members to teaching; how universities may increase their effectiveness through self-study.

Results of these research projects are available to Delaware for such use as it wishes to make. Representatives of the University have been invited to attend, at SREB expense, seminars held in connection with these studies.

Another service of the Board has been to encourage foundations to grant funds directly to universities undertaking regional programs. Grants of this type include \$600,000 for graduate programs in nursing at six universities and \$50,000 for a program for teachers of blind children at Peabody College. Over the past decade, SREB itself has received about \$1,500,000 from non-state sources for use with states and universities in making studies and initiating programs.

Delaware can benefit from non-state funds that have sponsored universities studies, graduate education in nursing and the in-service training grants in mental health. Your state has not yet received non-state funds for development of program like graduate education in nursing, where foundations made grants directly to universities to help them start programs made under regional agreements.

One Board group program I am sure many of you are familiar with is the SREB Legislative Advisory Council, which is composed of one member of the House and Senate from the legislature of each participating state. The Council advises the Board on legislative matters and serves as the steering committee for the annual region-wide Legislative Work Conference. Your legislature is ably represented on this council by Senator Wilmer Williams and Representative Charles C. King, and also sent legislators to the 1958 Work Conference at Charleston, South Carolina last August.

This unique activity of the Board brings together legislative leaders and educators for a work-study meeting which has been described as "the only regional forum for the shar-

ing of ideas among legislators and educators."

Thus you see a sample of the services available to your state through the SREB and the use which Delaware has made of these services. It is certainly obvious that Delaware has not used SREB services as fully as have some other compact states, but it seems clear that Delaware has derived some very concrete benefits from the program. These could be increased and broadened, if you wish to take advantage of them.

As legislators and interested citizens, I know that you realize that this is a time of crisis so far as our public higher education institutions are concerned. They are faced with the prospect of tripled enrollment by 1970. In all probabilities by 1970 the public higher institutions of the region will be called on to provide for three times as many students as they had enrolled in 1955 when Delaware approved the Southern Regional Education Compact.

The demands which this inevitable expansion of higher education will place on each state may seem overwhelming. Yet I am convinced that Delaware and the other states of the region can and will meet them. I am also convinced that we shall need every bit of ingenuity and every ounce of consecrated effort in order to do it. We can no longer afford to do just what we have been doing and hope for the best. We must do whatever we can to make sure that the best that can happen will happen.

The Southern Regional Education Board can help you solve some of these problems. As I have pointed out, its aim is to assist states and universities to advance knowledge and to raise the social and economic level of the region. Its method is cooperation — cooperation in planning and cooperation in programs — without regard to state lines. Are you prepared to fully utilize this instrument of regional planning and cooperation in higher education?

Instead of merely a "do-it-yourself" program, the SREB provides a "help-each-other-do-it" program. The Board helps states and institutions to see and do what each can do best. It then helps states and universities to fit these "bests" together across the region so that somewhere in this 16-state area there is provided what we need in the amount we need it, no more and no less.

Of course, all these problems cannot be solved entirely by a regional approach but through this type of cooperation over the past decade we have solved and reduced many of the problems confronting the states of the region.

It is true that Delaware is not usually considered to be a Southern state. Certainly your state does not share many of the characteristics of the states of the deep South. However, your state has much in common with your next-door

neighbor, Maryland, one of the original member states of the Southern compact. Geographically, Delaware is no further "north" than is Maryland.

So far as higher education is concerned, Delaware faces the same kinds of problems as Maryland, Virginia, West Virginia, and other states to the South. As far as educational organizations are concerned, Delaware is not a member of the Southern Association of Colleges and Secondary Schools, which includes most of the states to the South. But then neither is Oklahoma, nor Arkansas, nor Maryland, nor West Virginia, all actively participating states in the Southern Regional Educational Compact. Your state is a member state of the Southern Governors' Conference and your Governors have been active in the affairs of that organization.

If you are interested in the advantages of a regional compact program in higher education, your interest must be in the Southern compact. No other such program is available to you at the present time. All of the states of the union, except your immediate neighbors to the North and the 12 midwestern states are party to similar compacts. But populous and self-sufficient Pennsylvania and New York, and the less-sufficient, educationally speaking, State of New Jersey, do not have such a regional program.

It is my hope that you will continue, for the next few years at least, membership in the Southern Regional Education Compact. During the next year, if you wish, we will be glad to send staff members and consultants of the Board to Delaware to sit down with officials of this state and of your educational institutions, to develop a plan for Delaware's full participation in the compact program and full use of its facilities.

As you face a future which is filled with problems of tremendous significance for higher education, I know that you will search for those solutions which have the greatest meaning for your state and for the region. In this search, I urge you to use the SREB as a proven instrument of educational progress.

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

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.

House re-convened at the call of the Chair at 4:30 P. M.

On request of Mr. Gove **HB 184** was stricken from the calendar.

The Secretary of the Senate informed the House that the Senate had passed **SB 47** and requested the House to concur in same. **SB 47** was read for the first and second time by title only.

SB 47—"An Act proposing an Amendment to the Constitution of the State of Delaware by Adding a New Article Entitled 'Continuity of State and Local Governmental Operations in Periods of Emergency Resulting from Diasters Caused by Enemy Attack,' to Revised Statutes.

On motion of Mr. Graves **SB 39** with **SA 1**—"An Act to Authorize the State of Delaware to Borrow a Certain Sum of Money to Provide for Highway Improvements and Buildings under the Jurisdiction of the State Highway Department by Acquiring Lands and Rights-of-Ways, Constructing and Reconstructing Highways, Bridges, By Providing Buildings and Improvements incidental Thereto and to Issue Bonds and Notes Therefor and Appropriating Said Funds," was read for the third and final time and taken up for consideration in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Dineen, English, Eskridge, Fifer, Gove, Graves, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, McGinnes, Opdyke, Paskey, Pawson, Pryor, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—30.

NAYS—Mrs. Manning—1.

ABSENT—Messrs. Davidson, Johnson, Quigley and Shockley—4.

SB 39 with **SA 1** to **SB 39** having received its constitutional majority passed the House and was ordered returned to the Senate.

On motion of Mr. McGinnes **HB 171**—"An Act to Amend Title 14, of the Delaware Code by Providing for the Election of School Board Members in the Conrad High School District," was read for the third and final time and taken up for consideration in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cain, Cannon, Carmean, Clifton, Dineen, English, Eskridge, Gove, Graves, Kenney, King, Latina, Livingston, Long, McGinnes, Opdyke, Paskey, Pryor, Robbins, Walls, Wright, Mr. Speaker Tribbitt—23.

NAYS—Messrs. Bartleson, Best, Kleinbach, Lawson, (Mrs.) Manning, Pawson, Richards—7.

NOT VOTING—Mr. Fifer—1.

ABSENT—Messrs. Davidson, Johnson, Quigley and Shockley—4.

HB 171 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. King **HB 167** with **HA 1** and **HA 2** to **HB 167**—"An Act to Amend Title 19, Delaware Code, Relating to Unemployment Compensation, by Authorizing the Borrowing of Federal Funds Under Certain Conditions by Changing Certain of the Provisions Relating to Payment of Benefits and by Changing Certain of the Provisions Relating to Variable Contribution Rates," was read for the third and final time and taken up for consideration in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Dineen, English, Eskridge, Fifer, Gove, Graves, Keney, Kleinbach, Latina, Lawson, Livingston, Long, McGinnes, Opdyke, Paskey, Pawson, Pryor, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT—Messrs. Davidson, Johnson, (Mrs.) Manning, Quigley and Shockley—5.

HB 167 with **HA 1** and **HA 2** to **HB 167** having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Carmean **HB 157**—"An Act to Amend Title 10, Title 18, and Title 29, Delaware Code, Relating to the Salaries of Insurance Commissioner, Deputy Insurance Commissioner, State Treasurer, Deputy State Treasurer, State Auditor of Accounts and Deputy Auditor of Accounts," was read for the third and final time and taken up for consideration in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Cain, Clifton, Livingston, Walls—4.

NAYS—Messrs. Bartleson, Best, Cannon, Carmean, Kleinbach, Latina, Lawson, (Mrs.) Manning, Opdyke, Pawson, Richards—11.

NOT VOTING—Messrs. Betts, Dineen, English, Eskridge, Fifer, Gove, Graves, Kenney, King, Long, McGinnes, Paskey, Pryor, Robbins, Wright, Mr. Speaker Tribbitt—16.

ABSENT—Messrs. Davidson, Johnson, Quigley, Shockley—4.

Messrs. Cannon, Carmean and Latina changed their vote from Yea to Nay in order that **HB 157** be restored to the calendar.

HB 157 not having received its constitutional majority was declared lost by the Chair.

On motion of Mr. Carmean **HB 157** was restored to the calendar.

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

HB 201—"An Act to Amend Title 24, Delaware Code, By Creating and Establishing a New Chapter 34 concerning Radio and Television Repairmen in and for New Castle County," by Shockley; to Miscellaneous.

HB 202—"An Act to Amend Chapter 81, Title 9, Delaware Code, by Giving Taylor's Bridge Community Center Incorporated, Blackbird Community Center, Inc., and Oak Hill Community Center, Inc., Tax Exemption Status," by Gove and Pryor; to Revenue and Taxation.

HB 203—"An Act to Amend Chapter 5, Title 7, Delaware Code, Relating to License Fees for Residents," by Gove (By Request); to Fish, Oysters and Game.

HB 204—"An Act to Amend Chapter 3, Title 28, Delaware Code, Relating to Horse Racing," by Pryor; to Revised Statutes.

HB 205—"An Act to Amend Chapter 83, Title 11, Delaware Code, Relating to the Eligibility of the State Police for Pensions," by Eskridge and Best; to Judiciary.

HB 206—"An Act to Amend Title 9, Delaware Code Relating to County Taxes by Providing for the Assessment of Real Estate on House Trailers," by Cannon; to Revenue and Taxation.

HB 207—"An Act to Amend Chapter 41, Title 16, Delaware Code, Relating to Definitions and Standards of Ice Cream," by Tribbitt and King; to Public Health.

On motion of Mr. King the House adjourned at 5:20 P. M. until 1 P. M. on Tuesday, March 24, 1959.

28TH LEGISLATIVE DAY

The House met pursuant to adjournment at 1:30 P.M. on Tuesday, March 24th.

Prayer by Mr. Carmean.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—33.

Members Absent—Mr. Davidson and Mr. Shockley—2.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal, and the Journal be approved. Motion prevailed.

Mr. Cannon on behalf of Revenue and Taxation Committee reports **HB 104**, 1 favorable, 3 on merits.

The Chair announced that he was about to sign **HR 36**, and **HB 123** with **HA 1** to **HB 128**.

On motion of Mr. King the House recessed until the call of the Chair. The Chair called the House to reconvene at 3:30 P.M.

The following bills and resolutions were given their first and second reading by title only and assigned to committee as follows:

HJR 5—"Regarding the State Song of Delaware," by Manning and Tribbitt; to Miscellaneous.

HS 1 to **HB 99**—"An Act to Appropriate Certain Funds to the Selbyville School District to Enable It to Purchase Certain Lands Adjoining Selbyville School No. 32," by Johnson and Graves; to Appropriations.

HB 208—"An Act to Amend Title 29, Chapter 55, Delaware Code,, Entitled 'State Employees' Pension Plan' Relating to Amount of Benefits," by Richards and King; to Revised Statutes.

HB 209—"An Act to Amend Title 17, Delaware Code, By Providing for the Creation of a State Architectural Division, the Powers and Duties Thereof, and Appropriation Therefor," by McGinnes, Cain, Latina, Long, King, Gove and Quigley; to Public Buildings and Highways.

HB 210—"An Act to Amend Title 14, Delaware Code, Entitled 'Education' by Providing for Sabbatical Leave for Professional Employees of the School Districts, the Special School Districts, the Board of Education of the City of Wilmington, and the State Board of Education," by Dineen, Carmean and Johnson; to Education.

HB 211—"An Act Creating a Division of the Aging in the Board of Trustees of the State Welfare Home and Hospital for the Chronically Ill at Smyrna; Establishing a Delaware Citizens' Council for the Aging; Membership and Duties," by King and Richards; to Revised Statutes.

Mr. Walls presented **HR 37**—"Authorizing Payments for Services Rendered by Attaches and Employees of the House of Representatives of the Present Session of the 120th General Assembly."

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 120TH GENERAL ASSEMBLY that the State Treasurer be and she hereby is authorized and directed to pay to the attaches and employees of the House of Representatives whose names are listed below, the amounts set forth opposite their respective names and such sums are to be regarded as payments in full for services rendered by said attaches and employees for the period commencing with the 20th Legislative Day and including the 30th Legislative

Day, of the current session.

William G. Bush, 3rd	\$375.00
Maurice A. Hartnett, 3rd	375.00
Joseph Kwiatkowski	750.00
Kathryn R. Crompton	330.00
Frank X. Shoemaker	250.00
Rev. Harry L. Mayfield	200.00
Alice C. Woodward	250.00
Samuel Messick	250.00
Frank E. Devine	275.00
Virgil Bork	250.00
Angelo Perregrino	200.00
William P. Turner	200.00
Rosemary Tull	200.00
Olin Virdin, Sr.	200.00
David Ray	200.00
Vincent Ware	200.00
Ira Messick	200.00
Willie Holmes	200.00
Robert Allen Wilson	200.00
Alvin Adams	200.00
Lloyd Minner	200.00
Frank Ingram	200.00
Ernest S. Mattiford	200.00
Roland West	200.00
C. C. Hopkins	200.00
Betty Hudson	200.00
John Loder	200.00
Matthew Warrington	200.00
Norman Younger	200.00
Ruth Ross	200.00
George Nicholson	200.00
Marshall Hastings	200.00
Lillian Weston	200.00
Norman S. Hudson	200.00
Claude W. Jordan	200.00
Beatrice V. Hubbard	275.00
Lois F. Morgan	250.00
Margaret Cathell	250.00
Clara Campese	275.00
Mildred A. Keeler	200.00
Joseph Kelleher	250.00
Clifford M. Simpler	250.00
Herman Halloway	200.00
Irving H. Brinton	275.00
Thomas Gray	150.00
Leland Watson	200.00
Ernest Brooks	200.00
Helen N. Jones	300.00
Clifford E. Hall	540.00

which was read for first and only time and on motion of Mr. Walls was adopted by voice vote.

Mr. Quigley presented **HR 38**—"Authorizing the Payment of Certain Expenses for the Printing of Letterheads and Envelopes for the House of Representatives of the 120th General Assembly."

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 120TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE that the sum of One Hundred Twenty-Five Dollars (\$125.00) is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay Wesleys Print Shop, Dover, Delaware for the printing of Letterheads and Envelopes for The House of Representatives of the 120th General Assembly, which was read for the first and only time and on motion of Mr. Quigley was adopted by a voice vote.

On motion of Mr. King the House adjourned at 4:30 P.M. until 1 P.M. Wednesday, March 25, 1959.

29TH LEGISLATIVE DAY

The House met pursuant to adjournment at 1:40 P.M. Wednesday, March 25, 1959.

Prayer by Mr. Irvin Brinton.

Members Present—Messrs. Best, Betts, Cain, Cannon, Clifton, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—29.

Members Absent—Messrs. Bartleson, Carmean, Davidson, King, Opdyke, and Shockley—6.

The Clerk proceeded to read the Journal of the previous Session when Mr. Eskridge moved that so much be considered the reading of the Journal, and the Journal be approved. Motion prevailed.

Mr. Gove on behalf of Fish, Oyster and Game Committee, reported **HB 199**, 4 favorable and **HB 203**, 4 on merits.

Mr. Eskridge moved that the House recess at 2:15 until the call of the Chair. The Chair called the House back in Session at 3:30 P.M.

HR 39—"Expressing the Sympathy of the House of Representatives on the Illness of Paul E. Shockley, A Member of the House of Representatives."

WHEREAS, the members of the House of Representatives of the 120th General Assembly of the State of Delaware have learned of the illness of Paul E. Shockley a member of the House of Representatives, and

WHEREAS, the members of the House of Representatives desire to express and extend their regret and sympathy to Paul E. Shockley, NOW, THERERORE,

BE IT RESOLVED, that the members of the House of Representatives of the 120th General Assembly of the State of Delaware do hereby express their sincere wishes for a complete and speedy recovery, and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the Journal of the House of Representatives of the 120th General Assembly of the State of Delaware and a copy be forwarded to Paul E. Shockley.

HR 39 was presented by Mr. Eskridge and on further motion of Mr. Eskridge was adopted by voice vote.

A message from the Senate informed the House that the Senate had passed the following bills and resolutions and asked the concurrence of the House in the same: **SB 84**, **SB 46**, **SB 45**, **SB 43**, **SJR 5**.

The Chair presented the following Senate Bills and Resolutions which were for the first and second time and referred to committee as follows:

SB 84—"An Act to Amend Chapter 33, Title 19, Delaware Code, Entitled 'Unemployment Compensation' Relating to the Definition of Contribution," to Labor.

SB 46—"An Act to Authorize the Levy Court of Kent County to Make Certain Tax Refunds," to Revenue and Taxation.

SB 45—"An Act to Authorize the Caesar Rodney Special School District to Make Certain Tax Refunds," to Revenue and Taxation.

SB 43—"An Act to Amend Title 29, Delaware Code, Entitled 'State Government' in Regard to Retired School Employees," to Revised Statutes.

SJR 5—"Relating to a Proclamation Relating to Oil Centennial Year and Oil Centennial Week," to Miscellaneous.

The Secretary of the Senate informed the House that the Senate had passed **HB 173** with **SA 1** to **HB 173**. The Chair presented **SA 1** to **HB 173** which was read for the first and only time and adopted by voice vote on motion of Mr. Eskridge.

Mr. Betts on behalf of Revised Statutes Committee reported **HB 42**, 3 favorable and 1 on merits.

A messenger from the Governor delivered the following letter which was presented by the Chair, read and on motion of Mr. Eskridge was ordered spread upon the Journal:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
Dover

March 25, 1959

To the House of Representatives of the 120th General Assembly of the State of Delaware:

In my message to the General Assembly on January 8, 1959, I promised to make additional, detailed recommendations on Delaware's voting and election laws. Since early January, an extensive study of these important matters has been conducted at my direction.

We must establish fair election laws for the citizens of this State. These laws must be fair in providing voting opportunities through a modern registration system, fair in providing absentee voting rights, fair in establishing proper safeguards for election results, fair in apportioning the costs of elections, and fair in providing an opportunity for citizens to review and contest an election.

As in many other areas, Delaware is operating with out-dated voting and election procedures. The right to vote is a fundamental and cherished freedom of each citizen. This freedom must not be destroyed by the existence of faulty voting laws or procedures. The last general election in 1958 demonstrated clearly the inadequacies and injustices of our present voting system, the opportunities for extremely close elections with a comparatively small population, and the pressing need for major reforms.

In the movement of our population in Delaware from city to suburbs, from county to county, and from one residential area to another, our antiquated registration laws have created many difficulties for individual voters and in some cases people have been prevented from voting. The votes of a sizeable number of citizens have been cancelled by unfortunate regulations of the absentee voting law. Many absentee ballots were thrown out on technicalities in the 1958 election.

Another important reason to modernize voting and election laws is the possibility of close elections in our small state. Last year, the election of Delaware's one United States Representative was decided by less than 700 votes—two votes per election district. The State Treasurer was elected by only 495 votes. One State Senator won by 70 votes. Six State Representatives out of 35 won by less than 150 votes. One member of the New Castle County Levy Court won by 440 votes. These close elections underscore the need for immediate enactment of adequate voting safe-guards to insure that the will of the people will be served.

Fair election laws must be soundly based on at least three basic principles:

First, the opportunity to vote should be made conveniently available to the maximum number of citizens;

Second, a correct and honest voting system must be enforced;

Third, state-wide uniformity in election procedures is essential to avoid confusion and injustices, but the administration of election laws must be kept as close to the people as possible to insure a rapid, economical and efficient election system.

In view of the glaring deficiencies that exist in our election laws, I strongly recommend that the General Assembly take immediate action to bring far-reaching election reforms in the following categories: registration rules, absentee voting privileges, election costs and administration, and voting safeguards.

I. Better Registration Rules

Registration is a basic requirement for every person who wishes to exercise the right to vote. It is important that we take the following action to create better and easier registration rules for our citizens:

1. Issue voter identification cards to everyone who registers. Identification cards will make it easier to transfer voters who move from one district to another. This measure has already been passed, I am happy to say.
2. Repeal the law requiring the Department of Elections to send the applicant for a transfer notice of the transfer of registration.
3. Increase the number of registration days to make sure everyone has an opportunity to register.
4. Enact a Constitutional amendment to enable a voter who moves from one election district to another to vote in his previous election district if he has not established residency requirements in his new election district.
5. Remove from the registration lists the names of persons who have not voted in two consecutive general elections. There have been many complaints concerning the retention of names of deceased persons and persons who have moved out of the state.
6. Prepare lists of registered voters for county chairmen.
7. Appoint the Attorney General to determine, at the request of election departments, the names of deceased voters. In the past, it has been difficult to make this determination from information provided by the Bureau of Vital Statistics.

II. Adequate Absentee Voting Procedures

The General Assembly should take immediate steps to

establish adequate absentee voting privileges for residents of Delaware who are required to be out of the state at election time. In addition, we should establish procedures which will guarantee that absentee ballots properly cast by citizens will not be tossed out on some minor technicality. The following improvements in absentee voting rights should be enacted without delay:

1. Provide absentee registration and voting privileges for members of the Armed Forces and their dependents and for other persons whose work with the Armed Forces keeps them out of the state. This improvement has been advocated by military officials and is long overdue. It will have special meaning for many of our young men in Delaware who may be called into military service at the time they are first eligible to vote.
2. Repeal the part of the absentee voting law which requires county election clerks to sign the absentee ballot envelope in order that it may be counted. In the last election, Sussex County election clerks failed to sign the envelopes and a substantial number of votes were destroyed through no fault of the person casting the vote. This situation must not continue.
3. Provide that the Certificate of the Vote shall contain the number of absentee ballots cast for each candidate in an election.
4. Improve the handling of requests for absentee ballots and other communications by recording the date and time they are received. There have been past difficulties in this area.

III. Improved Administration and Allocation of Costs of Elections

The administration of our election laws can be materially improved in several respects, and it is important that this administration remain as close to the people as possible, at the county and local level of government rather than at the state level. There is no sound reason to continue the administration of these laws at Dover and the State Auditor who is the present State Elections Commissioner has neither the time nor the facilities to carry out his election responsibilities. Also, the costs of conducting elections should be placed at the county and local levels. Therefore, I urge the General Assembly to enact the following legislation:

1. Abolish the State Department of Elections and assign the administration and costs of elections to the City of Wilmington and the Levy Courts of each County. This should improve the conduct of our elections and save the state government nearly a half million dollars each biennium.

2. Require that expenses of individual Departments of Elections should be paid only after approval of the Department.
3. Require that each Department of Elections should meet at least once a month to conduct its business.
4. Limit merger of election districts to those districts where there were less than 300 voters in the district at the last election and it must be accomplished on or before the first of May in the year in which an election is to be held.

IV. Stronger Election Safeguards

The last election in November, 1958, pointed up the shortcomings in present procedures to provide citizens with a real opportunity to determine the possibility of fraud or error in voting results. The Supreme Court determined that any complaints about an election had to be presented by one O'clock of the day that the Court convened. Apparently, this procedure has been established by custom. Also, following last year's general election, it was found that proper protection of voting machines containing election results was not enforced. With these problems in mind, the following action is recommended:

1. Provide that complaints under oath of fraud or mistake in an election shall be filed with the Court within 24 hours after the Court determined the state of election in an election district. This will give citizens a real opportunity to be heard and establishes a time limit by law.
2. Establish proper procedures and the necessary enforcement to protect voting machines containing election results following the election.

These are the principal improvements which must be made if Delaware citizens are to have a body of fair election laws. The recommendations have been compiled as a coordinated, overall program of election reform, and bills incorporating many of these points have been introduced.

It is my hope that the General Assembly will act favorably on this program.

Respectfully submitted,
J. CALEB BOGGS
Governor

A message from the Senate informed the House that the Senate had passed **SCR 15** and requested the concurrence of the House.

SCR 15—"Providing for Adjournment of the Senate and House Until Monday, April 6, 1959," was read for the first and second time by title only. On motion of Mr. Eskridge rules were suspended and **SCR 15** was read for the third and

final time and adopted by a voice vote.

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

HB 212—"An Act to Make Water Rents and Sewer Service Charges Liens in Newark," by Kleinbach; to Miscellaneous.

On motion of Mr. Eskridge the House adjourned at 3:55 until 1 P. M. Thursday, March 26, 1959.

30TH LEGISLATIVE DAY

The House met pursuant to adjournment at 1:45 P. M. on Thursday, March 26, 1959.

Prayer by the Rev. Buckley.

Members Present—Messrs. Best, Betts, Cain, Cannon, Carmean, Clifton, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—32.

Members Absent—Messrs. Bartleson, Davidson and Shockley—3.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal, and the Journal be approved. Motion prevailed.

The Chair announced that he was about to sign **HB 45**, **HB 105** and **HCR 1**.

Mr. King moved that the House recess until the call of the Chair at 2:15 P. M. The Chair called the House to order at 3:45 P. M.

The Senate informed the House that it had passed **HB 167** with **HA 1** and **HA 2** to **HB 167** and was returning same to the House. The Secretary of the Senate informed the House that the Senate had passed **SJR 6** and requested the concurrence of the House.

SJR 6—"Re Hawaii the 50th State," was read for the first and second time by title only and referred to; Miscellaneous.

On motion of Mr. Eskridge rules were suspended in order that **SJR 6** pass the House. On further motion of Mr. Eskridge **SJR 6** was read for the third and final time in order to pass the House and on motion made by Mr. Eskridge and seconded by Mrs. Manning **SJR 6** was adopted by voice vote.

The following message from the Governor was received by the House: The Governor approved **HB 15**, March 9 and **HB 59** with **HA 1** March 16.

Mr. King on behalf of Appropriations committee reported **HB 196**.

Mr. King introduced **HA 1** to **HB 196**, which was read for the first and only time and on further motion of Mr. King was voted on with voice vote. Motion lost and **HA 1** to **HB 167** was declared lost by the Chair.

Mr. Dineen on behalf of election committee reported **HB 116**, 2 favorable, 2 merits, 1 unfavorable.

Mr. Eskridge on behalf of Miscellaneous Committee reported **HJR 5**, 5 favorable.

Mr. Latina on behalf of Labor Committee reported **HB 169**, 4 favorable.

The Chair announced that he was about to sign **SB 39** with **SA 1** to **SB 39** and **SCR 15**.

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

HB 213—"An Act Appropriating Money to the State Soil Conservation Commission for the Drainage of Tax Ditches in New Castle County," by Pryor; to Appropriations.

HB 214—"An Act to Amend Chapter 11, Title 10, Delaware Code, Entitled 'Juvenile Court of Kent and Sussex Counties' Relating to the Definition of a Child," by Richards, Johnson, Best and King; to Judiciary.

HB 215—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware which Maintain and Operate a Rescue Truck," by Paskey and Betts; to Appropriations.

HB 216—"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 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," by Johnson, Walls and Best; to Appropriations.

On motion of Mr. King the House adjourned until Monday, April 6, 1959 at 1 P. M.

31ST LEGISLATIVE DAY

The General Assembly met in regular Session Monday, April 6th. Mr. King presided.

Prayer by Mr. Eskridge.

Members Present—Messrs. King, Eskridge—2.

Members Absent—Messrs. Bartleson, Best, Betts, Cain,

Cannon, Carmean, Clifton, Davidson, Dineen, English, Fifer, Gove, Graves, Johnson, Kenney, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—33.

There being no quorum present Mr. Eskridge moved that the House adjourn until 1:00 P. M. Tuesday, April 7th, 1959. Motion prevailed.

32ND LEGISLATIVE DAY

The House met pursuant to adjournment at 1:45 P.M. on Tuesday, April 7th, 1959.

Prayer by the Chaplain: Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—33.

Members Absent—Mr. English and Mr. Shockley—2.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal, and the Journal be approved. Motion prevailed.

Mr. Quigley presented **HR 40**—"Authorizing the Payment of Certain Expenses for Steno Chairs for the House of Representatives of the 120th General Assembly."

BE IT RESOLVED by the House of Representatives of the 120th General Assembly of the State of Delaware that the sum of Seventy-Five Dollars (\$75.00) is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay Lo-Mar Inc., Seaford, Delaware for Steno Chairs connected with and necessary to the work of the present session," which was read for the first and only time and on motion of Mr. Quigley was adopted by a voice vote.

Mr. Walls presented **HR 41**—"In Reference to Election of Officers."

WHEREAS Betty Hudson was previously elected to the office of Page to the House, but has since resigned,

NOW THEREFORE:

BE IT RESOLVED by the House of the 120th General Assembly of the State of Delaware that Betty Hudson is hereby removed and discharged from the office of Page.

BE IT FURTHER RESOLVED that Rebecca Layfield is hereby elected to serve as a Page to the House, to serve during the pleasure of the House," was read for the first and only

time and on motion of Mr. Walls was adopted by a voice vote.

The Chair administered the employee's Oath in accordance with **HR 41**.

Mr. Cannon on behalf of Insurance Study Committee reported a report and requested that report be released to the Press.

Mr. Quigley made a motion that the report be filed and Mr. King seconded the motion. The Chair requested a roll call on the motion made by Mr. Quigley with the following result:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Carmean, Davidson, Eskridge, Fifer, Gove, Graves, Johnson, King, Kleinbach, Lawson, (Mrs.) Manning, Paskey, Richards, Robbins, Mr. Speaker Tribbitt—19.

NAYS—Messrs. Cannon, Clifton, Kenney, Livingston, Long, Walls, Wright—7.

NOT VOTING—Messrs. Dineen, Latina, Pawson—3.

ABSENT—Messrs. English, McGinnes, Opdyke, Pryor, Quigley, Shockley—6.

The Chair declared the motion carried and ordered the Clerk to file the report.

On motion made by Mr. Latina and seconded by Mr. King, **HB 123**, **HB 124** and **HB 125** were recommitted to committee.

Mr. Cannon on behalf of Committee on Revenue and Taxation reported **SB 9**, 3 favorable.

Mr. Eskridge on behalf of Miscellaneous Committee reported **SJR 5**, 5 favorable.

On motion of Mr. Eskridge, rules were suspended for the purpose of reading for the third and final time **SJR 5**—"Relating to a Proclamation Relating to Oil Centennial Year and Oil Centennial Week."

On motion of Mr. Eskridge **SJR 5** was adopted by voice vote.

On motion of Mrs. Manning, **HJR 5**—"Regarding the State Song of Delaware," was read for the third and final time. On further motion by Mrs. Manning **HJR 5** was adopted by voice vote.

Mr. King on behalf of Appropriations Committee reported **HB 198**, 5 favorable.

On motion of Mr. King, **HB 196**—"An Act Making Supplementary Appropriation to the State Treasurer and the State Tax Department for the Fiscal Year Ending June 30, 1959," was read for the third and final time and brought up for consideration in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon,

Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Livingston, Long, (Mrs.) Manning, McGinnes, Paskey, Pawson, Pryor, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—29.

ABSENT—Messrs. English, Latina, Lawson, Opdyke, Quigley, Shockley—6.

HB 196 having received its constitutional majority, passed the House and was ordered to the Senate for concurrence.

HCR 8—"Approving the First Interim Report of the Joint Revenue Committee and Adopting the Recommendation that Appropriations for Fiscal Year 1960 and Fiscal Year 1961 be Separately Considered by the General Assembly," introduced by McGinnes, King, Cain, Carmean, (Mrs.) Manning, Best, Fifer, Betts, Eskridge, Bartleson, was read for the first and second time by title only. On motion made by Mr. Cannon that rules be suspended for the sole purpose of reading **HCR 8** for the third and final time in order to pass the House. Motion carried and **HCR 8** was read for the third and final time and on further motion made by Mr. Cannon **HCR 8** was adopted by voice vote and ordered to the Senate for concurrence.

The following bills were introduced, read for the first and second time and assigned to Committee as follows:

HB 217—"An Act Amending Chapter 1, Title 3, Delaware Code, Entitled 'State Board of Agriculture' Relating to the Compensation of the Board," by Walls; to Agriculture and Forestry.

HB 218—"An Act to Amend Chapter 19, Title 30, Delaware Code, Entitled 'Corporation Income Tax' Relating to Definitions," by Bartleson; to Revenue and Taxation.

HB 219—"An Act to Amend Chapter 1, Title 26, Delaware Code, Relating to 'Public Utilities' by Limiting the Frequency of Rate Increases," by McGinnes; to Revised Statutes.

HB 220—"An Act to Amend Chapter 1, Title 8, Para. 243 (f) of the Delaware Code Relating to the Redemption, Purchase or Retirement of Stock," by Davidson; to Corporation Private.

HS 1 for **HB 4**—"An Act Proposing an Amendment to the Constitution of the State of Delaware by inserting at the End Thereof an Article Providing for Municipal Home Rule," by Lawson, Kleinbach, Richards, Best, Dineen, Eskridge, Davidson; to Corporation Municipal.

On motion of Mr. King the House adjourned at 5:05 P.M. until 9 A.M. on April 8, 1959.

33RD LEGISLATIVE DAY

The House of Representatives met in regular Session Wednesday, April 8th, 1959. Mr. King presided. Due to the

lack of a quorum the House adjourned to meet at 12:00 at the New Castle Court House for luncheon and to hold a token Session of the Legislature as guests of the New Castle Historical Buildings Commission.

At the token Session of the Legislature **HJR 6**—"Thanking the New Castle Historical Buildings Commission for the Opportunity of Attending a Luncheon in the City of New Castle and Holding a Token Meeting of the General Assembly in the Old Court House in the City of New Castle; State of Delaware," was introduced by Mr. Richards and Mr. King and on motion of Mr. King rules were suspended and **HJR 6** was adopted by voice vote and on motion of Mr. Reilly was adopted by voice vote by the members of the Senate.

SCR 6—"Thanking the New Castle Historical Buildings Commission," was read and on motion of Mr. Reilly was adopted by voice vote, by the members of the Senate and on motion of Mr. King **SCR 6**, was adopted by voice vote by the House Members.

34TH LEGISLATIVE DAY

The House met pursuant to adjournment at 1:35 P.M. on Thursday, April 9, 1959.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—32.

Members Absent—Messrs. Cannon, English, Shockley—3.

The Clerk proceeded to read the Journal of the pervious Session when Mr. King moved that so much be considered the reading of the Journal, and the Journal be approved. Motion prevailed.

Mr. Betts on behalf of Revised Statutes Committee reported **HB 70**, 4 favorable.

On motion of Mr. Latina **HB 123**, **HB 124** and **HB 125** were stricken from the calendar.

The Chair announced that he was about to sign **HB 95**, **HB 135**, **HB 149** with **HA 1** to **HB 149** and **HJR 4**.

The Chair recognized former Speaker of the House Harry E. Mayhew and invited him to the rostrum.

On motion of Mr. King the House recessed until the call of the Chair at 2:30 P.M.

Chair called the House back in Session at 3:45 P.M.

Mr. McGinnes moved that **HB 137**—"An Act to Amend

Chapter 3, SubChapter XVI, Title 11, Delaware Code Relating to Deadly Weapon and Firearms," be read for the third and final time and brought up for consideration in order to pass the House.

Mr. McGinnes introduced **HA 1** to **HB 137** which on further motion of Mr. McGinnes was adopted by voice vote.

On the question, "Shall **HB 137** with **HA 1** to **HB 137** pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Davidson, Dineen, Gove, King, Kleinbach, Latina, Long, Pawson, Pryor, Richards, Wright, Mr. Speaker Tribbitt—13.

Mr. Livingston, (Mrs.) Manning and Mr. McGinnes changing their vote from yea to nay in order that **HB 137** with **HA 1** to **HB 137** might be restored to the calendar.

NAYS—Messrs. Best, Betts, Clifton, Carmean, Fifer, Graves, Johnson, Kenney, Lawson, Livingston, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Robbins, Walls—16.

NOT VOTING—Mr. Cain and Mr. Eskridge—2.

ABSENT—Messrs. Cannon, English, Quigley, Shockley—4.

HB 137 with **HA 1** to **HB 137** not having received its constitutional majority was declared lost by the Chair.

On motion by Mr. McGinnes **HB 137** with **HA 1** was restored to the calendar.

On motion of Mr. Robbins **HB 198**—"An Act to Authorize the Milford Special School District to Make Certain Tax Refunds," was read for the third and final time and taken up for consideration in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Lawson, Livingston, Long, (Mrs.) Manning, Opdyke, Paskey, Pawson, Pryor, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—29.

ABSENT—Messrs. Cannon, English, Latina, McGinnes, Quigley, Shockley—6.

HB 198 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Dineen **HB 42**—"An Act to Amend Chapter 51, Title 29, of the Delaware Code by Authorizing the State Treasurer to Make Certain Pay Roll Deductions and Providing Compensation to the State Therefore," was read for the third and final time and taken up for consideration in order to pass the House.

Mr. Dineen introduced **HA 1** to **HB 42** which on further

motion of Mr. Dineen was adopted by voice vote. On further motion of Mr. Dineen **HB 42** with **HA 1** to **HB 42** was deferred.

On motion of Mr. Betts **HB 199**—"An Act to Amend Title 7, Delaware Code, Relating to the Accidental Killing of Deer by a Motor Vehicle Upon a Public Highway," was read for the third and final time and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cain, Carmean, Davidson, Dineen, Eskridge, Gove, Kenney, King, Latina, Lawson, Livingston, Long, McGinnes, Opdyke, Paskey, Pawson, Pryor, Robbins, Walls, Wright, Mr. Speaker Tribbitt—22.

NAYS—Messrs. Bartleson, Best, Clifton, Fifer, Johnson, Kleinbach, Richards—7.

NOT VOTING—Mrs. Manning—1.

ABSENT—Messrs. Cannon, English, Graves, Quigley, Shockley—5.

HB 199 having received its constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 221—"An Act to Amend Title 30, Delaware Code, Relating to 'State Taxes' by Providing for Full Payment of Income Taxes Due at the time of Filing Return," by McGinnes; to Revenue and Taxation.

HB 222—"An Act to Increase the Compensation of the Register of Wills, Recorder of Deeds and Register in Chancery and Clerk of the Orphans' Court in and for New Castle County," by Latina; to Judiciary.

HB 223—"An Act Appropriating Money to the State Soil Conservation Commission for the Drainage of Tax Ditches in Kent County," by Cain, Fifer, Wright, Robbins, King, Betts, Richards, Paskey, Opdyke, Long; to Appropriations.

HB 224—"An Act to Amend Chapter 9, Title 10, Delaware Code, Entitled 'Family Court, New Castle County' Relating to the Definition of a Child," by Kleinbach and Davidson; to Judiciary.

HB 225—"An Act to Amend Chapter 277, Volume 49, Laws of Delaware, Entitled 'An Act to Re-Incorporate the Town of Laurel' by Increasing the Debt Limit of Said Town," by Kenney (by Request); to Corporation Municipal.

HB 226—"An Act to Amend Chapter 83, Title 11, Delaware Code, Entitled 'State Police' Relating to Expanding the State Police Force, and Establishing a New State Police Station, Providing Funds Therefore," by Pawson, Tribbitt, Din-

een, Graves, Johnson, Quigley, Wright, Latina; to Judiciary.

On motion of Mr. King the House adjourned at 5:30 P.M. until 1:00 P.M. April 10, 1959.

35TH LEGISLATIVE DAY

The House met pursuant to adjournment at 1:45 P.M. on Friday, April 10, 1959.

Prayer by the Chaplain Rev. Harry L. Mayfield.

Members Present— Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—32.

Members Absent—Messrs. Cannon, English and Shockley —3.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal, and the Journal be approved. Motion prevailed.

Mr. Kenney, Chairman of Passed Bills Committee reporter that **HB 45**, **HB 105**, **HCR 1** and **HR 37**, **38** and **39** had been delivered to the Governor's Secretary.

Mr. Betts, Chairman of Revised Statutes Committee reported **HB 211**, 3 favorable and **SB 43**, 4 favorable.

A message from the Senate informed the House that the Senate had passed **SCR 17**—"Providing for Adjournment of the Senate and House Until Thursday, April 16, 1959," and asked the House to concur.

On motion of Mr. King the **SCR 17** was read for the third and final time and rules were suspended in order that **SCR 17** could pass the House.

On further motion by Mr. Eskridge **SCR 17** was adopted by voice vote. The Chair declared the motion carried and **SCR 17** was returned to the Senate.

Mr. McGinnes introduced **HA 2** to **HB 137** which was read for the first and only time and on further motion by Mr. McGinnes was adopted by voice vote.

On motion of Mr. King the House adjourned at 2:30 P.M. until the call of the Chair.

The House reconvened at 3:45 P.M.

Mr. Walls presented **HR 42**—"An Act Making an Appropriation to the Diamond State Telephone Company for services through March 11, 1959."

BE IT RESOLVED by the House of Representatives of the 120th General Assembly of the State of Delaware that

the sum of \$44.60 be paid to the Diamond State Telephone Company for services rendered through March 11, 1959, which was read for the first and only time and on motion of Mr. Walls was adopted by a voice vote.

Mr. Quigley presented **HR 43**—"Appropriation for Postage Stamps for the House of Representatives of the 120th General Assembly.

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly of the State of Delaware, that the sum of \$500 be and the same is hereby appropriated out of the General Fund of the State of Delaware for the purchase of postage stamps to be used for the official business of the House of Representatives of the 120th General Assembly.

BE IT FURTHER RESOLVED, that the State Treasurer of the State of Delaware is hereby authorized and directed to pay for such postage stamps out of said appropriation upon warrants approved by the Executive Director of the Legislative Reference Bureau, which was read for the first and only time and on motion of Mr. Quigley was adopted by a voice vote.

Mr. Clifton and Mr. Richards presented **HR 44**—"Authorizing the Payment of Certain Expenses for the Printing of Calendars for the House of Representatives of the 120th General Assembly."

BE IT RESOLVED by the House of Representatives of the 120th General Assembly of the State of Delaware that the sum of Twelve Hundred Ten Dollars and Fifty Cents (\$1210.50) is hereby appropriated out of any money in the State Treasury, not other wise appropriated, to pay The Harrington Journal, Harrington, Delaware for the printing of Calendars for the House of Representatives of the 120th General Assembly, up to and including March 27, 1959, which was read for the first and only time and on motion of Mr. Clifton was adopted by a voice vote.

HJR 7—"Appointing Directors on the Part of the State for the Farmers Bank of the State of Delaware," was introduced by Mr. King and read for the first and second time by title only.

HA 1 to **HB 180** was introduced by Mr. Richards, was read for the first and only time and on motion of Mr. Richards was adopted by voice vote.

On motion of Mr. McGinnes **HB 137** with **HA 1** and **HA 2** to **HB 137**, which had lost on April 9 and been restored to the calendar was brought up for consideration in order to pass the House.

On the question, "Shall **HB 137** with **HA 1** and **HA 2** pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Carmean, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—31.

NAYS—Mr. Clifton—1.

ABSENT—Messrs. Cannon, English, Shockley—3.

HB 137 with **HA 1** and **HB 2** to **HB 137** having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. McGinnes **SB 9**—"An Act to Amend Title 30, Delaware Code, Entitled 'State Taxes' Relative to Receipts for Income Taxes," was read for the third and final time and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Davidson, Eskridge, Fifer, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—30.

ABSENT—Messrs. Cannon, Dineen, English, Gove, Shockley—5.

SB 9 having received its constitutional majority passed the House and was returned to the Senate.

On motion of Mr. Betts, **SB 2**—"An Act Agreeing to a Proposed Amendment to the Constitution of the State of Delaware Relating to the Time and Frequency of Sessions of the General Assembly," was read for the third and final time and brought up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—31.

NAY—Mr. Livingston—1.

ABSENT—Messrs. Cannon, English, Shockley—3.

SB 2 having received its constitutional majority passed the House and was ordered return to the Senate.

On motion of Mr. Eskridge, Rules were suspended in order that **HJR 7** be read for the third and final time and taken up for consideration in order to pass the House.

On the question, "Shall this **HJR** pass the House?" roll call revealed:

YEAS—Messrs. Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—30.

NOT VOTING—Mr. Bartleson and Mrs. Manning—2.

ABSENT—Messrs. Cannon, English, Shockley—3.

HJR 7 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

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

HB 227—"An Act to Amend Chapter 31, Title 16, Delaware Code, Entitled 'Vital Statistics'," by McGinnes; to Public Health.

HB 228—"An Act to Amend An Act Entitled 'Housing Authority' Being Chapter 16, Volume 39, Laws of Delaware, by Repealing the Duties of the Resident Judge and by Providing for the Appointment of Commissioners," by Dineen and Lawson, to Revised Statutes.

HB 229—"An Act Amending Chapter 67, Title 29, Delaware Code, Relative to Printing Requirements for Printing for the State of Delaware," by Latina; to Revised Statutes.

HB 230—"An Act to Amend Chapter 13, Title 7, Delaware Code, Entitled 'Enforcement of Game and Fish Laws' Relating to Penalty for Violation of any Game or Fish Law Excepting those Specifying a Penalty," by Eskridge; to Fish, Oysters and Game.

A message from the Governor's Office informed the House that the Governor had on March 30 approved **HB 71**, **HB 72** and **HB 80**; April 2, **HSH 1** for **HB 12**. Also that **HB 89** had been vetoed on March 26, 1959.

Mr. King moved that the House adjourn until Thursday, April 16th in concurrence with **SCR 17**.

36TH LEGISLATIVE DAY

The House met pursuant to adjournment at 2:45 P.M. on Thursday, April 16, 1959.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eckridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Ltaina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Walls, Wright, Mr. Speaker Tribbitt—33.

Members Absent—Mr. English and Mr. Shockley—2.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal, and the Journal be approved. Motion prevailed.

A message from the Senate informed the House that the Senate had passed **SB 56** and requested the concurrence of the House.

SB 56—"An Act to Amend Chapter 29, Title 21, Delaware Code Relating to the Director of Safety Responsibility," was read for the first and second time by title only and assigned to Revised Statutes Committee.

A message from the Senate informed the House that the Senate had concurred in **HB 196** and same was returned to the House.

The Chair announced that he was about to sign **HB 150** with **HA 1**, **HJR 6**, **HR 41** and **HR 40**.

On motion of Mr. King the House recessed at 3:05 until the call of the Chair. The Chair called the House back into Session at 4:30 P.M.

Mr. Betts on behalf of Revised Statutes reported **HB 181**, 3 favorable and 1 on merits and **HB 204**, 4 favorable.

Mr. McGinnes on behalf of Public Health reported **HB 227**, 5 favorable.

Mr. Long on behalf of Agriculture and Forestry committee reported **HS 1** for **HB 30**, 3 favorable.

Mr. Cannon on behalf of Revenue and Taxation committee reported **HB 202**, 4 favorable.

Mr. Kenney on behalf of Passed Bills Committee reported having delivered to the Governor **HB 167** with **HA 1** and **HA 2** to **HB 167** and **HB 167** as amended, **HB 95**, **HB 93**, **HB 135** and **HJR 4**.

At the request of Mr. Walls **HB 30** was stricken from the Calendar.

The following bills were read for the first and second time, by title only and referred to committee as follows:

HB 231—"An Act to Amend Chapter 51, Title 29, Delaware Code, by Adding a New Section Concerning the Election of State Employees to Public Office; Leave of Absence," oy Latina; to Revised Statutes.

HB 232—"An Act to Amend Chapter 81, Title 9, Delaware Code, Giving the Veteran Employees Association, Delaware Division, Pennsylvania Railroad Tax Exemption Status," by Wright; to Revised Statutes.

HB 233—"An Act to Amend Title 16, Delaware Code Entitled 'Health and Safety' by Increasing the General Powers and Duties of the State Board of Health," by Paskey; to Public Health.

HB 234—"An Act to Amend Title 14, Delaware Code, Entitled 'Education' Relating to Termination of Services of Professional Employees," by McGinnes; to Education.

HB 235—"An Act to Amend Chapter 35, Title 3, Delaware Code Relating to Eggs," by Eskridge, King, Richards and Cain; to Agriculture and Forestry.

HB 236—"An Act to Amend Section 1704, Title 15, Delaware Code to Permit the Use of Certified Mail in Notifying Voters That Their Names May be Removed from the Rolls," by Dineen and Manning; to Elections.

HB 237—"An Act to Amend Title 9, Delaware Code, Entitled 'Counties' by Providing a New Chapter Therefor and Relating to Regional Planning in and for Sussex County," by Johnson, Graves and Walls; to Revised Statutes.

On motion of Mr. King the House adjourned at 5:05 P.M. until Friday, April 17, 1959 at 1:00 P.M.

37TH LEGISLATIVE DAY

The House met pursuant to adjournment at 1:35 P. M. on Friday April 17, 1959.

Prayer by the Chaplain Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—34.

Absent—Mr. Pawson—1.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal and that the Journal be approved. Motion prevailed.

Mr. Long on behalf of Agriculture and Forestry reported **HB 235**, 4 favorable.

Mr. Long on behalf of Agriculture and Forestry reported **HB 31**, 4 favorable.

Mr. Betts on behalf of Revised Statutes Committee, reported **SB 56**, 3 favorable, 2 merits; **HB 232**, 3 favorable, 2 on merits.

Mr. Eskridge on behalf of Miscellaneous Committee reported **HB 201**, 4 on merits, 1 favorable.

Mr. Gove on behalf of Fish, Game and Oyster Committee reported **HB 230**, 5 favorable.

Mr. Cannon passed out findings of Insurance Committee in form of report which was delivered to each Member of the House.

A letter was received from the Governor which the Chair ordered read. On motion of Mr. Eskridge the reading of the letter was deferred and the Chair requested the clerk to have copies made of the Governor's letter for each member of the House.

A message from the Senate informed the House that the Senate had passed the following bills and requested the concurrence of the House.

The following Senate bills were given first and second reading by title only and referred to Committee as follows:

SB 91—"An Act to Amend Section 4503(1), Title 21, Delaware Code Relating to Weights of Vehicles and Loads," to Revised Statutes.

SB 98—"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," to Corporations Municipal.

SB 106—"An Act to Amend the Charter of the City of Dagsboro, Chapter 161, Volume 43, Laws of Delaware, by Authorizing the Council to Extend the Boundaries of Said City to include Territories After a Special Election," to Corporations Municipal.

SB 50—"An Act Establishing the Last Friday in April as Arbor Day," to Miscellaneous.

SB 34—"An Act to Amend Chapter 13, Title 10, Delaware Code Relating to the Court of Common Pleas for New Castle County, and Extending the Term of the Judges of That Court," to Judiciary.

SB 4—"An Act to Amend Section 2112, Title 14, Delaware Code, Relating to Cancelled School Bonds and Coupons," to Education.

SB 96—"An Act to Authorize and Direct the Chairman of the Unemployment Compensation Commission to Enter Into an Agreement or Agreements with the Secretary of Labor of the United States of America to Designate the Unemployment Compensation Commission as Agent of the United States of America in Administering the Extension of the Temporary Unemployment Compensation Act of 1958 Enacted by the 86th Congress of the United States of America and Granting the Unemployment Compensation Commission Necessary Power to Act as Such Agent," to Labor.

The Chair announced that he was about to sign **HB 167**, as amended, and **HR 42**, **HR 43**, and **HR 44**.

Mr. King moved that the House recess at 2:50 P. M. until the call of the Chair. The House reconvened at 3:30 P. M.

On motion of Mr. Gove, **HB 202**—"An Act to Amend

Chapter 81, Title 9, Delaware Code by Giving Taylor's Bridge Community Center Incorporated, Blackbird Community Center, Inc., and Oak Hill Community Center, Inc. Tax Exemption Status," was read for the third and final time and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—34.

NAYS—None.

ABSENT—Mr. Pawson—1.

HB 202 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

Mr. Tribbitt and Mr. Eskridge introduced **HR 45**—"Expressing the Sympathy of the House of Representatives on the Illness of J. Allen Frear, Jr., U. S. Senator From the State of Delaware."

WHEREAS, the members of the 120th General Assembly of the State of Delaware have learned that J. Allen Frear, Jr., U. S. Senator from the State of Delaware is ill, and

WHEREAS, the members of the House of Representatives desire to express and extend their regret and sympathy to Senator J. Allen Frear, Jr., NOW THEREFORE

BE IT RESOLVED, that the members of the House of Representatives of the 120th General Assembly of the State of Delaware do hereby express their sincere wishes for a complete and speedy recovery to Senator J. Allen Frear, Jr., and

Be IT FURTHER RESOLVED, that a copy of this resolution be spread upon the Journal of the House of Representatives of the 120th General Assembly of the State of Delaware and a copy be forwarded to Senator J. Allen Frear, Jr.

HR 45 was read for the first and only time and on further motion of Mr. Eskridge was adopted by voice vote.

HR 46 was introduced by Messrs. Robbins, Betts and Paskey, "Relative to the Death of Charles W. Cain, Father of Representative George W. Cain."

WHEREAS, the House of Representatives of the 120th General Assembly of the State of Delaware has learned with deep regret of the recent death of Charles W. Cain, father of Representative George W. Cain of Kent County, and

WHEREAS, the members of the House desire to express

in this public manner their own feelings and the sense of loss which is felt by Representative George W. Cain and his colleagues in the House of Representatives, NOW, THEREFORE

BE IT RESOLVED by the House of Representatives of the 120th General Assembly of the State of Delaware that the members thereof extend their sincere sympathy and deep condolence to Representative George W. Cain at the death of his father, Charles W. Cain, and

BE IT FURTHER RESOLVED that this expression of sympathy be conveyed to the family of Charles W. Cain and a copy of this resolution be forwarded to the members of his immediate family, and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journal of the House of Representatives of the 120th General Assembly of the State of Delaware.

On motion of Mr. Betts **HR 46** was adopted by a voice vote.

HR 47 was introduced by Mrs. Manning, "Expressing the Best Wishes of Representatives of the 120th General Assembly to Mr. C. C. Hopkins, an Officer of the House."

WHEREAS, the members of the House of Representatives of the 120th General Assembly have learned that Mr. C. C. Hopkins, an Officer of the House, recently observed his 85th birthday, and

WHEREAS, the members of the House of Representatives wish to express their best wishes to Mr. C. C. Hopkins, NOW THEREFORE

BE IT RESOLVED by the House of Representatives of the 120th General Assembly of the State of Delaware, that the best wishes of its members for the continued good health and happiness of Mr. C. C. Hopkins for many more years are hereby extended to him, and

BE IT FURTHER RESOLVED, that a copy of this resolution be entered on the Journal of the House and a copy be delivered to the press and a copy be given to Mr. C. C. Hopkins.

On further motion of Mrs. Manning the above resolution, **HR 47** be adopted by voice vote. Motion prevailed.

Mr. Latina made a motion that rules be suspended for the purpose of making a committee report on **SB 96**. Motion carried and Mr. Latina made report on behalf of labor committee on **SB 96**, 4 favorable, 1 on merits.

The following bills were introduced, given first and second reading and referred to committee as follows.

HB 238—"An Act Authorizing the Mayor and Council of Wilmington to Compile, Revise, Amend and Codify Existing

Ordinances and Regulations Adopted By any Department, Board, or Agency of Said the Mayor and Council of Wilmington," by Shockley; to Corporation Municipal.

HB 239—"An Act Abolishing the Sinking Fund Commissioners of the City of Wilmington; Repealing Certain Acts Relating to the Sinking Fund Commissioners of the City of Wilmington and Transferring the Powers and Duties Heretofore Exercised by the Sinking Fund Commissioners of the City of Wilmington to the City Treasurer," by Shockley; to Corporations Municipal.

HB 240—"An Act to Authorize the Mayor and Council of Wilmington to Issue Negotiable Bonds and Notes for Lawful Purposes and to Provide for Their Payment," by Shockley; to Corporations Municipal.

HB 241—"An Act to Authorize and Empower the Mayor and Council of Wilmington to Bond all Officers, Agents and Employees by Blanket Bonds or 'Position Schedule Bonds,' " by Shockley; to Corporations Municipal.

HB 242—"An Act Requiring the Doing of All Work and the Furnishing of All Materials and Supplies to the Mayor and Council of Wilmington or to Any Board, Commission, Department or Agency thereof to the Lowest and Best Bidder and Providing the Procedure Relating Thereto," by Shockley; to Corporations Municipal.

HB 243—"An Act to Provide Additional Penalties For Failure to Enter a Satisfaction of A Conditional Sales Contract, Chattel Mortgage or Mortgage Upon Payment of the Same," by Graves (by Request); to Manufacturing and Commerce.

HB 244—"An Act Appropriating Money to the State Soil Conservation Commission for the Drainage of Tax Ditches in Sussex County," by Kenney and Johnson; to Appropriations.

HB 245—"An Act to Completely Revise, Recodify and Amend Title 11, Delaware Code in Relation to Sentencing, Probation, Parole and a Pardon of Adult Offenders; Creating a State Probation and Parole Commission, A State Department of Probation and Parole Services and A Probation and Parole Advisory Board; Procedures With Respect to Executive Clemency; Appropriating Funds and Repealing Contrary Provisions," by Shockley; to Judiciary.

HB 246—"An Act Making an Appropriation to the State Board of Agriculture for the Employment of Personnel to Make Egg Inspections in Compliance with Title 3, Chapter 35, Delaware Code and Rules and Regulations Promulgated Thereunder," by Walls; to Appropriations.

HB 247—"An Act to Create an Act Entitled 'A Boat Registration and Safety Act' Providing for the Registration

of Motor Boats; Classification and Required Equipment; Exemptions; Boat Liveries; Collisions, Accidents and Casualties; Transmittal of Information; Skis and Aqua-Planes; Regattas, Races, Marine Parades, Tournaments or Exhibitions; Local Regulations; Owners Civil Liability; Enforcement and Penalties," by Walls, Best and English; to Miscellaneous.

HB 248—"An Act Appropriating Certain Monies to the New Castle Historic Buildings Commission," by Quigley; to Appropriations.

HB 249—"An Act to Authorize the Levy Court of Kent County to appropriate Money to the Kent County Volunteer Fireman's Association," by Paskey and Betts; to Revised Statutes.

Mr. Kenney, Chairman of Committee on Passed Bills, reported having delivered to the Governor, **HB 75**, **HB 150** with **HA 1** to **HB 150**, As Amended, **HCR 8** and **HJR 6**.

A Message from the Governor's Office informed the House that the Governor had approved on April 10, **HB 173** with **SA 1**; on April 13, **HB 45**; on April 14, **HB 105**; on April 17, **HB 95**; **98**; **135**; **150** with **HA 1** and **HB 167** with **HA 1** and **2**.

On motion of Mr. King the House adjourned at 6:30 until 2:00 P. M. on April 20, 1959.

38TH LEGISLATIVE DAY

The House met pursuant to adjournment at 2:20 P.M. on Monday, April 20, 1959.

Prayer by Mr. Brinton.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—33.

Members Absent—Mr. Cannon and Mr. Opdyke—2.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Mr. Dineen on behalf of Election Committee reported **HB 236**, 5 favorable.

Mr. Graves on behalf of Public Buildings and Highways reported **HB 209**, 3 favorable, 1 unfavorable.

Mr. Shockley on behalf of Judiciary Committee reported the following bills, **HB 188**, 3 favorable, 1 on merits; **HB 185**, 4 favorable; **HB 189**, 4 favorable; **HB 191**, 4 favorable; **HB 205**, 3 merits, 1 favorable; **HB 222**, 3 merits, 1 favorable;

HB 226, 2 favorable, 2 merits; **HB 245**, 2 favorable, 2 merits; **HB 119**, 2 favorable, 2 merits; **HB 120**, 4 favorable; **HB 161**, 4 favorable; **HB 162**, 4 favorable; **HB 176**, 1 favorable, 2 merits, 1 unfavorable; **HB 177**, 4 favorable; **HB 183**, 1 favorable, 3 merits; **SB 34**, 1 favorable, 3 merits; **SB 57**, 3 unfavorable, 1 merits; **HB 178**, 4 favorable.

Mr. Betts on behalf of Revised Statutes Committee reported **HB 154** and **HB 195**, 5 favorable.

A message from the Governor informed the House that the Governor had approved and Signed **HB 149** with **HA 1** and **HB 196**.

On request of Mr. Dineen **HB 58** was stricken from the Calendar.

The Chair announced that he was about to sign **SB 2**, **SB 9** and **SCR 17**.

On motion of Mr. Eskridge **HB 235**—"An Act to Amend Chapter 35, Title 3, Delaware Code Relating to Eggs," was read for the third and final time and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Johnson, Kenney, King, Latina, Lawson, Livingston, Long, McGinnes, Paskey, Pryor, Richards, Robbins, Shockley, Wright, Mr. Speaker Tribbitt—26.

NAYS—Messrs. Bartleson, Graves, Kleinbach, Pawson, Quigley and Walls—6.

ABSENT—Mr. Cannon, (Mrs.) Manning, Mr. Opdyke—3.

HB 235 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. McGinnes **HB 70**—"An Act to Amend Title 29, Delaware Code Entitled State Government Relative to the Powers and Duties of the Budget Commission and the Auditor of Accounts," was read for the third and final time and brought up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, (Mrs.) Manning, McGinnes, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—32.

NAYS—None.

ABSENT—Messrs. Cannon, Long, Opdyke—3.

HB 70 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Latina **SB 96**—"An Act to Authorize and Direct the Chairman of the Unemployment Compensation Commission to Enter Into An Agreement or Agreements With the Secretary of Labor of the United States of America to Designate the Unemployment Compensation Commission as Agent of the United States of America in Administering the Extension of the Temporary Unemployment Compensation Act of 1958 Enacted by the 86th Congress of the United States of America and Granting the Unemployment Compensation Commission Necessary Power to Act as Such Agent," was read for the third and final time and brought up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Paskey, Pawson, Pryor, Quigley, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—31.

NAYS—None.

NOT VOTING—Messrs. Fifer and Richards—2.

ABSENT—Messrs. Cannon and Opdyke—2.

SB 96 having received its constitutional majority passed the House and was ordered returned to the Senate.

On motion of Mr. Betts **SB 56**—"An Act to Amend Chapter 29, Title 21, Delaware Code Relating to the Director of Safety Responsibility," was read for the third and final time and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Livingston, Long, McGinnes, Paskey, Pawson, Pryor, Quigley, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—30.

NAYS—Mr. Lawson, Mrs. Manning, Mr. Richards—3.

ABSENT—Messrs. Cannon and Opdyke—2.

SB 56 having received its constitutional majority passed the House and was ordered to be returned to the Senate.

On motion of Mr. Davidson **SB 22** with **HA 1** and **HA 2** to **SB 22**—"An Act to Amend Title 9, Delaware Code Providing for the Establishment of Park Districts for the Developing, Equipping, Improving and Maintaining of Parks and Other Recreational Facilities and Activities; and to Carry

on Recreational Programs; Authorizing and Regulating the Issuing of District Bonds to Finance Such Projects and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof," was read for the third and final time and brought up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Paskey, Pawson, Pryor, Richards, Robbins, Wright, Mr. Speaker Tribbitt—27.

NAYS—Messrs. Carmean, English, Shockley and Walls—4.

NOT VOTING—Mr. King—1.

VOTING PRESENT—Mr. Quigley—1.

ABSENT—Messrs. Cannon and Opdyke—2.

SB 22 with **HA 1** and **HA 2** to **SB 22** having received its constitutional majority was returned to the Senate for concurrence on **HA 1** and **HA 2** to **SB 22**.

On motion of Mr. Betts, **SB 43**—"An Act to Amend Title 29, Delaware Code, Entitled 'State Government' in Regard to Retired School Employees," was read for the third and final time and brought up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Davidson, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Mr. Speaker Tribbitt—32.

NAYS—None.

ABSENT—Messrs. Cannon, Dineen, and Opdyke—3.

SB 43 having received its constitutional majority passed the House and was ordered returned to the Senate.

Mr. Johnson introduced **HR 48**—"Expressing the Best Wishes of the House of Representatives of the 120th General Assembly to Representative Charles S. Kleinbach,"

WHEREAS, the members of the House of Representatives of the 120th General Assembly have learned that Representative Charles S. Kleinbach recently observed his 50th birthday, and

WHEREAS, the members of the House of Representatives wish to express their best wishes to Representative Charles S. Kleinbach, NOW, THEREFORE

BE IT RESOLVED by the House of Representatives of the 120th General Assembly of the State of Delaware, that the best wishes of its members for the continued good health and happiness of Representative Charles S. Kleinbach for many more years are hereby extended to him, and

BE IT FURTHER RESOLVED, that a copy of this resolution be entered on the Journal of the House and a copy be delivered to the press and a copy be given to Representative Charles S. Kleinbach.

On motion of Mr. Johnson **HR 48** was adopted by voice vote.

HJR 8 was introduced by Mr. Tribbitt—"Concerning the Veterans Rehabilitation and Education Department and the Delaware Loan Guaranty Office in the City of Wilmington, County of New Castle, State of Delaware," read for the first and second time by title only and referred to Miscellaneous Committee.

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

HB 250—"An Act to Amend Chapter 77, Title 11, Delaware Code, Relating to Parole," by Eskridge; to Judiciary.

HB 251—"An Act to Amend Chapter 3, Title 9, Delaware Code, Providing for the Date of Fixing the Capitation Tax in New Castle County," by Bartleson and King; to Revised Statutes.

HB 252—"An Act to Amend Chapter 24, Title 9, Delaware Code, by Defining the Term 'Garbage Disposal Plant' as Used Therein," by Bartleson and King; to Revised Statutes.

HB 253—"An Act to Amend Chapter 15, Title 9, of the Delaware Code Relating to the Annual Audit of Accounts of County Officers and Publication of Audit in New Castle County," by King and Bartleson; to Revised Statutes.

HB 254—"An Act to Amend Chapter 15, Title 9, of the 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 Bartleson and King; to Judiciary.

HB 255—"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 King, Bartleson and Manning; to Revised Statutes.

HB 256—"An Act to Amend Chapter 27, Title 10, Delaware Code Regarding the Time of Appointment of Constables

by the Levy Court of New Castle County," by King and Bartleson; to Judiciary.

HB 257—"An Act to Amend Chapter 35, Title 12, Delaware Code, Relating to Trusts," by Shockley and Pawson; to Judiciary.

HB 258—"An Act to Amend Section 1906, Title 12, Delaware Code, Entitled 'Assets of Estates' Relating to Failure to File Inventory, Etc.; Civil and Criminal Penalties; Removal," by Shockley and Pawson; to Judiciary.

Mr. Kenney on behalf of Passed Bills Committee reported having delivered to the Governor the following: **HB 196**, **HB 149** with **HA 1** and **HB 149**, as amended; **HR 40**, **HR 41**, **HR 42**, **HR 43** and **HR 44**.

On motion of Mr. King the House adjourned at 5:30 P.M. until Tuesday, April 21, 1959 at 1:00 P.M.

39TH LEGISLATIVE DAY

The House met pursuant to adjournment at 2:35 P.M. on Tuesday, April 21, 1959.

Prayer by Mr. Brinton.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—35.

ABSENT—None.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Communication received by Mr. Tribbitt against States changing non-residents State Income Tax read and filed.

Mr. Davidson on behalf of Corporations Private reported **HB 200** and **HB 220**, 5 favorable.

A message from the Senate informed the House that the Senate had passed **SCR 18** and **SB 136** requesting the concurrence of the House.

The Secretary of the Senate informed the House that the Senate had passed **HB 52** and was returning same to the House.

On motion of Mr. King, **HB 211**—"An Act Creating a Division of the Aging in the Board of Trustees of the State Welfare Home and Hospital for the Chronically Ill at Smyrna; Establishing a Delaware Citizens' Council for the Aging; Membership and Duties," was read for the third and final

time and brought up for consideration in order to pass the House.

After discussion of the bill Mr. Shockley moved that action on **HB 211** be deferred and Mr. McGinnes seconded the motion.

The Chair asked for a roll call on Mr. Shockley's motion that action on **HB 211** be deferred roll call follows:

YEAS—Messrs. Cain, Cannon, Clifton, Carmean, Davidson, Gove, Kenney, Long, McGinnes, Opdyke, Paskey, Quigley, Robbins, Shockley, Walls—15.

NAYS—Messrs. Bartleson, Best, Dineen, English, Eskridge, Fifer, Graves, Johnson, King, Kleinbach, Lawson, Livingston, (Mrs.) Manning, Payson, Pryor, Richards, Wright, Mr. Speaker Tribbitt—18.

NOT VOTING—Mr. Betts—1.

ABSENT—Mr. Latina—1.

The Chair declared the motion lost and called a recess.

When the House returned to Session at 3:30 P.M. the Chair asked for a roll call on **HB 211**, on the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—35.

HB 211 having received its constitutional majority was declared passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley **HB 158**—"An Act to Amend Chapter 92, Volume 23, Laws of Delaware, as Amended, Being an Act Entitled 'An Act to Provide for the Organization and Control of the Public Schools of the City of Wilmington by Providing for the Appointment of the Members of the Board of Public Education in Wilmington, Qualifications of Members; Powers and Duties of Board,'" which had been read for the third and final time on March 9, 1959 and was re-restored to calendar on March 9, 1959.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Gove, Graves, Kenney, King, Kleinbach, Latina, Livingston, Long, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Shockley, Walls, Wright, Mr. Speaker Tribbitt—27.

NAYS—Messrs. Bartleson, Fifer, Lawson, (Mrs.) Manning, Richards—5.

NOT VOTING—Messrs. Best, Johnson, Robbins—3.

HB 158 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. King, **HB 195**—"An Act to Amend Chapter 63, Title 29, Delaware Code Relating to the General Powers and Duties of the Budget Commission," was read for the third and final time and was brought up for discussion in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Messrs. Kleinbach and Pawson—2.

HB 195 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Eskridge, **HB 230**—"An Act to Amend Chapter 13, Title 7, Delaware Code, Entitled 'Enforcement of Game and Fish Laws' Relating to Penalty for Violation of Any Game or Fish Law Excepting Those Specifying a Penalty," was read for the third and final time and brought up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—34.

NAYS—None.

NOT VOTING—Mr. Fifer—1.

HB 230 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Graves **HB 119**—"An Act to Authorize the Recorder of Deeds in and for Sussex County to Make New Indices for Mortgages," was read for the third and final time and brought up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina,

Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—35.

NAYS—None.

HB 119 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Quigley, **HB 60** with **HA 1** to **HB 60**—“An Act to Amend Title 28, Delaware Code, Relating to Horse and Dog Racing in the State of Delaware,” which had been read for the third and final time on March 2 was brought up for consideration in order to pass the House.

On motion of Mrs. Manning to have **HB 60** with **HA 1** to **HB 60** deferred the Chair called for a roll call which revealed:

YEAS—Messrs. Bartleson, Best, Carmean, Fifer, Johnson, Lawson, (Mrs.) Manning, Pryor, Richards, Robbins—10.

NAYS—Messrs. Betts, Cain, Cannon, Davidson, Dineen, English, Gove, Graves, Kenney, Kleinbach, Latina, Livingston, Long, McGinnes, Opdyke, Paskey, Quigley, Shockley, Walls, Wright, Mr. Speaker Tribbitt—21.

NOT VOTING—Messrs. Clifton, Eskridge, King, Pawson—4.

The Chair declared the motion lost and asked for a roll call on **HB 60**, with **HA 1** to **HB 60**.

On the question, “Shall this Bill pass the House” roll call was asked for.

Mr. Shockley moved that the roll call on **HB 60** with **HA 1** be tabled. Motion prevailed.

Mr. Shockley on behalf of Corporations Municipal reported the following bills 4 favorable: **SB 106**, **SB 98**, **HB 239**, **HB 148**, **HB 225**, **HB 242**, **HB 238**, **HB 240** and **HB 241**.

Mr. Walls presented **HR 49**—“Authorizing Payments for Services Rendered by Attaches and Employees of the House of Representatives of the Present Session of the 120th General Assembly.”

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 120TH GENERAL ASSEMBLY that the State Treasurer be and she hereby is authorized and directed to pay to the attaches and employees of the House of Representatives whose names are listed below, the amounts set forth opposite their respective names and such sums are to be regarded as payments in full for services rendered by said attaches and employees for the period commencing with the 30th Legislative Day and including the 40th Legislative Day, of the current session.

William G. Bush, 3rd	\$375.00
Maurice A. Hartnett, 3rd	375.00

Joseph Kwiatkowski	750.00
Kathryn R. Crompton	330.00
Frank X. Shoemaker	250.00
Rev. Harry L. Mayfield	200.00
Alice C. Woodward	250.00
Samuel Messick	250.00
Frank E. Devine	275.00
Virgil Bork	250.00
Angelo Perregrino	200.00
William P. Turner	200.00
Rosemary Tull	200.00
Olin Virdin, Sr.	200.00
David Ray	200.00
Vincent Ware	200.00
Ira Messick	200.00
Willie Holmes	200.00
Robert Allen Wilson	200.00
Alvin Adams	200.00
Lloyd Minner	200.00
Frank Ingram	200.00
Ernest S. Mattiford	200.00
Roland West	200.00
C. C. Hopkins	200.00
Rebecca Layfield	200.00
John Loder	200.00
Matthew Warrington	200.00
Norman Younger	200.00
Ruth Ross	200.00
George Nicholson	200.00
Marshall Hastings	200.00
Lillian Weston	200.00
Norman S. Hudson	200.00
Claude W. Jordan	200.00
Beatrice V. Hubbard	275.00
Lois F. Morgan	250.00
Margaret Cathell	250.00
Clara Campese	275.00
Mildred A. Keeler	200.00
Joseph Kelleher	250.00
Clifford M. Simpler	250.00
Herman Holloway	200.00
Irving H. Brinton	275.00
Thomas Gray	165.00
Leland Watson	220.00
Ernest Brooks	200.00
Helen N. Jones	237.50
Clifford E. Hall	427.50

which was read for the first and only time and on motion of Mr. Walls was adopted by a voice vote.

Mr. Walls presented **HR 50**—"Appropriating Money Out

of the General Fund of the State Treasury to Pay Certain expenses of the Present Session of the 120th General Assembly."

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly of the State of Delaware, that the following amounts are 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 120th General Assembly of the State of Delaware, up to and including the 40th Legislative Day, which expenses are declared proper and reasonable expenses actually incurred by the respective members of the House of Representatives for traveling expenses, commonly called mileage expenses, in traveling from their respective homes to Dover and returning from Dover to their respective homes in the performance of their duties as members of the House of Representatives, during the present Legislative Session thereof, and the Auditor of Accounts is directed to approve and properly execute warrants for, and the State Treasurer is directed to pay to the respective members of the House of Representatives hereinafter named, the respective amounts set opposite their respective names, viz:

Paul F. Livingston	\$200.00
Russell D. F. Dinnen	200.00
Harry G. Lawson	200.00
Paul E. Shockley	380.00
Joseph F. Latina	200.00
T. Lees Bartleson	395.20
F. Earl McGinnes	188.00
Mrs. Margaret Manning	192.00
Charles S. Kleinbach	172.00
James R. Quigley	180.00
Robert E. Pawson	176.00
R. C. Davidson	124.00
Sherman W. Tribbitt	100.00
Chester Gove, Jr.	100.00
Charles R. Pryor	60.00
Charles C. King	98.80
Edward Long, Jr.	20.00
Edward F. Wright	60.00
William W. Opdyke	20.00
Charles F. Richards	12.00
Elmer L. Betts	70.00
Harvey P. Fifer	40.00
William J. Paskey	56.00
George W. Cain	136.80
George A. Robbins	76.00
Carlton Clifton	112.00
Edgar English	136.00

Norman Eskridge	266.00
R. Allen Cannon	172.00
Paul H. Kenney	228.00
James W. Carmean	212.00
Tilghman S. Johnson	224.00
Joseph S. Walls	184.00
William F. Graves	180.00
William T. Best	192.00

which was read for the first and only time and on motion of Mr. walls was adopted by a voice vote.

House adjourned at 5:15 on motion of Mr. King.

40TH LEGISLATIVE DAY

The House met pursuant to adjournment at 2:10 P. M. on Wednesday, April 22, 1959.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—35.

Members Absent—None.

The Chair announced that he was about to sign **HB 37**, **HB 52** and **HR 45**, **HR 46**, **HR 47**, **HR 48**, **HR 49**, and **HR 50**.

Mr. Latina introduced **HA 1** to **HB 169** which was read for the first and only time and on motion of Mr. Latina was adopted by voice vote.

Mr. Clifton introduced **HCR 9**—"An Act Making Appropriations to Certain Companies for Supplies and Services Rendered the 120th General Assembly," which was given its first and second reading by title only. Mr. Eskridge moved that rules be suspended for the purpose of reading **HCR 9** for the third and final time in order to pass the House. On further motion of Mr. Eskridge **HCR 9** was adopted by voice vote.

Mr. McGinnes on behalf of Health Committee reported **HB 233**, 5 favorable.

The Chair declared a recess at 2:30 P. M. The House was called back into Session at 4:35 P. M.

On motion of Mr. Shockley **HB 60** with **HA 1** to **HB 60** was removed from the table and the Chair asked the Clerk for the results of the roll call.

Roll called revealed:

YEAS—Messrs. Best, Betts, Cannon, Clifton, Dineen, English, Gove, Graves, Kleinbach, Latina, Livingston, Mc-

Ginnes, Opdyke, Paskey, Quigley, Shockley, Walls, Wright—18.

NAYS—Messrs. Bartleson, Cain, Carmean, Davidson, Eskridge, Fifer, Johnson, Kenney, King, Lawson, Long, (Mrs.) Manning, Pawson, Pryor, Richards, Robbins—16.

NOT VOTING—Mr. Speaker Tribbitt—1.

HB 60 with **HA 1** to **HB 60** having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley, **SB 34**—"An Act to Amend Chapter 13, Title 10, Delaware Code, Relating to the Court of Common Pleas for New Castle County and Extending the Term of the Judges of That Court," was read for the third and final time and brought up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Dineen, English, Graves, Latina, Livingston, Long, McGinnes, Paskey, Robbins, Walls, Wright, Mr. Speaker Tribbitt—12.

Mr. Gove, Mr. King and Mr. Livingston changed their vote from Yea to Nay in order that **SB 34** be restored to the calendar.

NAYS—Messrs. Bartleson, Best, Betts, Cannon, Clifton, Eskridge, Fifer, Gove, Johnson, King, Kleinbach, Lawson, (Mrs.) Manning, Opdyke, Pawson, Pryor, Shockley—17.

NOT VOTING—Messrs. Cain, Carmean, Davidson and Kenney—4.

ABSENT—Mr. Quigley and Mr. Richards—2.

SB 34 not having received its constitutional majority was declared lost by the Chair.

On motion of Mr. Latina, **HB 169** with **HA 1** to **HB 169**, "An Act to Amend Chapter 23, Title 19, Delaware Code, Entitled Workmen's Compensation Relating to Compensation During Partial Disability and Compensation for Certain Permanent Injuries," was read for the third and final time and brought up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—32.

ABSENT—Messrs. Carmean, Quigley and Richards—3.

HB 169 with **HA 1** to **HB 169** having received its con-

stitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Dineen, **HB 236**—"An Act to Amend Section 1704, Title 15, Delaware Code to Permit the Use of Certified Mail in Notifying Voters That Their Names May be Removed From the Rolls," was read for the third and final time and brought up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—32.

NAYS—None.

ABSENT—Messrs. Pryor, Quigley and Richards—3.

HB 236 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley **SB 98**—"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 read for the third and final time and brought up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—32.

NAYS—None.

ABSENT—Messrs. Latina, Quigley and Richards—3.

SB 98 having received its constitutional majority passed the House and was ordered returned to the Senate.

On motion of Mr. Kenney, **HB 225**—"An Act to Amend Chapter 277, Volume 49, Laws of Delaware, Entitled 'An Act to Re-Incorporate the town of Laurel by Increasing the Debt Limit of Said Town,'" was read for the third and final time and brought up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer,

Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Mr. Quigley and Mr. Richards—2.

HB 225 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley **SB 106**—"An Act to Amend the Charter of the City of Dagsboro, Chapter 161, Volume 43, Laws of Delaware, by Authorizing the Council to Extend the Boundaries of Said City to Include Territories After a Special Election," was read for the third and final time in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Dineen, English, Eskridge, Fifer, Gove, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, Opdyke, Paskey, Pawson, Pryor, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT—Messrs. Davidson, Graves, McGinnes, Quigley and Richards—5.

SB 106 having received its constitutional majority passed the House and was ordered returned to the Senate.

Mr. Shockley presented **HR 51**—"In Reference to Election of Officers."

WHEREAS, Ernest Brooks was previously elected to the office of House Messenger but has resigned effective April 22, 1959, NOW, THEREFORE

BE IT RESOLVED by the House of Representatives of the 120th General Assembly of the State of Delaware that Ernest Brooks is hereby removed and discharged from the office of House Messenger effective April 22, 1959, and

BE IT FURTHER RESOLVED that Martha Dickerson is hereby elected to serve as House Messenger effective April 23, 1959 to serve during the pleasure of the House of Representatives," which was read for the first and only time and on motion of Mr. Shockley was adopted by a voice vote.

On motion of Mr. King the House adjourned at 4:30 P. M. until 1:00 P. M. April 23, 1959.

41ST LEGISLATIVE DAY

The House met pursuant to adjournment at 1:45 P. M. on Thursday, April 23, 1959.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pryor, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—32.

Members Absent—Messrs. Dineen, Pawson and Shockley—3.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

The Chair announced that he was about to sign **SB 96**, **SB 56** and **SB 43**.

On motion of Mr. Gove **SB 34** was restored to the calendar.

On motion of Mr. Graves **HB 34** was recommitted.

On motion of Mr. Walls **HB 34** was stricken from the calendar.

Mr. Betts on behalf of Revised Statutes Committee reported **HB 67**, 4 on merits.

At 2:10 P. M. the House recessed until the call of the Chair.

House called back at 4:30 P. M.

HCR 10—"Providing for Adjournment of the House of Representatives and Senate," was introduced by Mr. King, and read for the first and second time by title only.

On motion of Mr. Eskridge rules were suspended in order that **HCR 10** be read for the third and final time in order to pass the House. On further motion of Mr. Eskridge **HCR 10** was brought up for passage and roll call revealed:

YEAS—Messrs. Best, Betts, Cain, Carmean, Clifton, Davidson, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Pawson, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pryor, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—27.

NAYS—Messrs. Cannon, Livingston and Long—3.

ABSENT—Messrs. Bartleson, Dineen, Pawson, Quigley and Shockley—5.

HCR 10 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Paskey **HB 233**—"An Act to Amend Title 16, Delaware Code, Entitled 'Health and Safety' by Increasing the General Powers and Duties of the State Board of Health," was read for the third and final time and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, English, Eskridge, Fifer, Gove, Graves, Kenney, King, Kleinbach, Latina, Lawson, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pryor, Richards, Robbins, Walls, Mr. Speaker Tribbitt—26.

NOT VOTING—Messrs. Johnson, Livingston, Long, Wright—4.

ABSENT—Messrs. Bartleson, Dineen, Pawson, Quigley and Shockley—5.

HB 233 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

HB 232, on motion of Mr. Wright, "An Act to Amend Chapter 81, Title 9, Delaware Code, Giving the Veteran Employees Association, Delaware Division, Pennsylvania Railroad Tax Exemption Status," was read for the third and final time and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Best, Betts, Cannon, Carmean, Clifton, Davidson, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—28.

NAYS—None.

NOT VOTING—Mr. Cain and Mr. Pryor—2.

ABSENT—Messrs. Bartleson, Dineen, Latina, Pawson, Shockley—5.

HB 232 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

Mr. Robbins on behalf of Education Committee reported **HB 182**, 5 favorable.

Mr. Eskridge on behalf of Miscellaneous Committee reported **HJR 8**, 5 favorable.

On motion of Mr. Eskridge rules were suspended for the purpose of reading **HJR 8**—"Concerning the Veterans Rehabilitation and Education Department and the Delaware Loan Guaranty Office in the City of Wilmington, County of New Castle, State of Delaware," for the third and final time and taking **HJR 8** for consideration in order to pass the House.

On the question, "Shall the Resolution pass the House?" roll call revealed.

YEAS—Messrs. Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long,

(Mrs.) Manning, McGinnes, Opdyke, Paskey, Pryor, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT—Messrs. Bartleson, Dineen, English, Pawson, Shockley—5.

HJR 8 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

Mr. Cannon on behalf of Revenue and Taxation Committee reported **HB 130**, 3 favorable, 1 merits.

SB 71—"An Act to Amend Section 2904, Title 14, Delaware Code, Relating to Minimum Insurance Coverage Requirements for School Buses," was read for the first and second time by title only and referred to Education Committee.

The Governor informed the House that he had approved the following legislation: **SB 9**, **SB 43**, **SB 56**, **SB 96**, **HB 37** and **HB 52**.

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

HB 259—"An Act to Amend SubChapter V, Entitled 'Controlled-Access Highways' of Chapter 1, Title 17, of the Delaware Code, to Prohibit the Construction and Location of Commercial Establishments for Serving Motor Vehicle Users Along Controlled-Access Facilities on Public Owned Lands," by Walls; to Public Buildings and Highways.

HB 260—"An Act to Amend Chapter 27, Title 18, Delaware Code Relating to the Rate of Special Tax on Gross Premiums of Fire Insurance Companies for the Purpose of Assisting in Maintaining Fire Companies," by Paskey, Quigley, Dineen, Kenney, Best, McGinnes, Shockley, Fifer, Johnson; to Banking and Insurance.

HB 261—"An Act to Amend Titles 9, 10, and 11, Delaware Code, by Increasing the Salary of the Clerk of the Peace, Coroner, Comptroller, Levy Court Commissioners, Recorder of Deeds, Members of the Board of Assessment, Receiver of Taxes, Prothonotary, Sheriff, Register in Chancery, and Clerk of the Orphans' Court, and Register of Wills in and for Sussex County," by Carmean, Clifton, Kenney, Graves, Johnson, Best, English and Walls; to Revised Statutes.

On motion of Mr. King the House adjourned at 5:45 P. M. until Wednesday, April 29, at 1:00 P. M. in accordance with provisions of **HCR 10** adopted by House and Senate.

42ND LEGISLATIVE DAY

The House met pursuant to adjournment at 1:50 P.M. on Wednesday, April 29, 1959.

Prayer by the Chaplain Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—33.

Members Absent—Mr. King and Mr. Pryor—2.

The Clerk proceeded to read the Journal of the previous Session when Mr. Eskridge moved that so much be considered the reading of the Journal, and that the Journal be approved. Motion prevailed.

A message from the Secretary of the Senate informed the House that the Senate had passed **HCR 10** and **HB 137** with **HA 1** and **HA 2**. They also passed **SJR 7** and asked that the House concur in same.

The Chair announced that he was about to sign **HB 87**, **HB 94**, **HB 54**, **SB 106** and **SB 98**.

Martha Frances Dixon was sworn in by the Speaker of the House as Messenger and took the Oath of Employees.

The Chair recognized Former Representative Henry Wolf and gave him the privilege of the floor. Mr. Wolf thanked the Speaker and gave a talk to the members of the House of the 120th General Assembly.

Mr. Eskridge on behalf of Miscellaneous Committee reported **SJR 7**, 5 favorable and asked that rules be suspended in order that **SJR 7** could pass the House.

SCR 18—"Thanking the Officers and Airmen of the Dover Air Force Base, Dover, Delaware."

WHEREAS the Officers and Airmen of the Dover Air Force Base invited the members of the 120th General Assembly of the State of Delaware to attend a luncheon and to tour that base; and

WHEREAS the members of the 120th General Assembly did attend a luncheon and did tour that base on April 20, 1959; NOW THEREFORE;

BE IT RESOLVED by the Senate of the 120th General Assembly, The House of Representatives concurring therein, that the General Assembly in appreciation of the invitation of the Officers and Airmen of the Dover Air Force Base, extend thanks to the Officers and Airmen of that base and to the following persons, individually

Colonel John L. Parker

Brigadier General Robert J. Goewey

Colonel John R. Delapp

and

BE IT FURTHER RESOLVED that an invitation is extended to the Officers and Airmen of that Air Force Base to

attend a session of the 120th General Assembly in Dover, Delaware and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journal of the Senate of the 120th General Assembly of the State of Delaware and a copy be forwarded to the Airmen of the Air Force Base and to the above named men, individually, by the Secretary of the Senate and a further copy be delivered to the Press, was read for the first and second time by title only and a motion made by Mr. Eskridge was adopted by a voice vote under suspension of rules.

SJR 7—"Relating to the Fourth Anniversary of the Blood Bank of Delaware, Inc."

WHEREAS, the Blood Bank of Delaware, Inc., has made and is making important contributions to the health and welfare of the individual citizens of the State of Delaware through its blood replacement program, and assures the citizens of this state the maximum security and protection in time of personal, statewide or national emergency; **NOW, THEREFORE**,

BE IT RESOLVED by the Senate of the 120th General Assembly of the State of Delaware, the House of Representatives concurring therein, that the 120th General Assembly of the State of Delaware extends its best wishes and congratulations to the Blood Bank of Delaware, Inc., upon the occasion of its fourth anniversary; and

BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the Journals of the Senate and House of Representatives, and that a copy thereof be forwarded to the members of the press' was read for the third and final time and under suspension of rules on Mr. Eskridge's motion was adopted by a voice vote.

On motion of Mr. Eskridge the House recessed at 2:30 P.M. until the call of the Chair. House was recalled into Session at 3:45 P.M.

Mr. Eskridge on behalf of Miscellaneous Committee reported **HJR 3**, 4 favorable; **HB 247**, 4 favorable; and **HB 174**, 3 favorable.

Mr. Betts on behalf of Revised Statutes Committee reported **HB 231**, 2 favorable, 3 merits and **SB 91**, 1 favorable and 4 merits.

Mr. Quigley on behalf of Printing Committee reported **HB 28**, 4 favorable.

Mr. Graves on behalf of Public Buildings and Highways reported **HB 259**, 3 favorable, 1 merits.

Mr. Shockley on behalf of Judiciary Committee reported **HB 250**, 4 favorable and **HB 254**, 4 favorable.

The following bills were given first and second reading by title only and assigned to committee as follows:

HB 262—"An Act to Amend Title 19, Delaware Code, Relating to Unemployment Compensation by Changing Certain of the Provisions Relating to Payment of Benefits," by Eskridge and Bartleson; to Labor.

HB 263—"An Act to Amend Chapter 1, Title 17, Delaware Code, by Requiring the State Highway Department to Provide the Governor an Automobile Suitable and Befitting the Office of Governor," by Eskridge; to Public Buildings and Highways.

HB 264—"An Act to Amend Title 19, Delaware Code Entitled 'Labor' by Adding a New Chapter 9 Thereto Relating to Organization Officers," by Gove and Davidson; to Labor.

HB 265—"An Act to Amend Title 21, Delaware Code, Entitled 'Motor Vehicles' by Adding a New Chapter Thereto, Relating to an Unsatisfied Claim and Judgment Fund; Providing for the Creation and Maintenance of Fund; Procedure; Fees, Violations and Penalties," by Richards, Kleinbach, Johnson, English, Dineen; to Revised Statutes.

HB 266—"An Act to Amend Part III, Title 3, Delaware Code, Providing for a New Chapter 32, Entitled, 'Regulations and Control of Milk Prices to Producers,' by Long; to Agriculture and Forestry.

SB 136—"An Act to Ament Chapter 21, Title 19, Delaware Code, Relating to the Industrial Accident Board," was read for the first and second time and was assigned to the Labor Committee.

Mr. Latina on behalf of the Labor Committee asked that rules be suspended in order that he might make a committee report on **SB 136**. Motion prevailed and Mr. Latina reported **SB 136**, 4 favorable, 1 merits.

A message from the Governor informed the members of the House that the Governor had vetoed **HB 75**. The Governor's message follows:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

April 28, 1959

To the House of Representatives of the
120th General Assembly of the State of Delaware:

On April 17, 1959, I receiver House Bill No. 75, entitled:
AN ACT PROVIDING FOR THE METHOD OF
COMPUTING THE PENSION OF JENNIE C.
JOHNSON, WIDOW OF A DECEASED EM-
PLOYEE OF THE STATE OF DELAWARE.

I respectively return herewith this Bill without my approval.

This Bill would change the present method of computing the pension of a widow of a deceased employee of the State of Delaware. As the Pension Law now stands, a surviving spouse of a state pensioner receives one-half of the amount of the pension to which the primary pensioner was entitled.

This Bill is returned without my approval for the following reasons:

(1) The present Pension Law applies to all primary and secondary pensioners in the same manner. To change it for the benefit of one person would place all other state pensioners and future state pensioners in an inequitable position.

(2) While the cost to the State of this individual case may amount to about only \$3,000.00, on the basis of present inquiry it is not known what the ultimate cost to the State would be if this same type of legislation were applied to all pensioners.

Respectfully submitted,
J. CALEB BOGGS, Governor

The following Senate Bills were read for the first and second time by title only and referred to committee as follows:

SB 104—"An Act to Amend Title 31, Delaware Code, by Repealing Section 5131 Relating to the Detention of Juveniles Under 18 Years of Age," to Judiciary.

SS 1 for SB 12—"An Act to Amend Chapter 51, Title 31, Delaware Code, Relating to the Youth Services Commission of Delaware, to Redefine the Functions of the Commission, Qualifications of Executive Director, Setting his Salary, Appointment of Other Personnel, Powers and Duties of the Commission, Custody of Children Committed to Institutions Prior to July 1, 1958," to Judiciary.

SB 10—"An Act to Amend Title 31, Delaware Code, Repealing Provisions Relating to Transfer of Custody of a Juvenile to State Board of Corrections," to Judiciary.

SS 1 for SB 13—"An Act to Amend Chapter 51, Title 31, Delaware Code Relating to the Youth Services Commission of Delaware Authorizing the Commission to Accept the Transfer of Certain Property from the Woods Haven School for Girls after Certain Agreements and Conditions are Met," to Judiciary.

SB 62—"An Act to Amend Title 21, Delaware Code, Entitled 'Motor Vehicles' in Respect to Penalties for Violations of Speed Limits," to Public Buildings and Highways.

SB 93—"An Act to Authorize the Milford Special School District to Make Certain Tax Refunds," Revenue and Taxation.

SB 49—"An Act to Amend Chapter 81, Title 9, Delaware Code Relating to the Limitations upon Taxing Power, by Exempting Lands and Improvements of Pencader Grange No. 60

P. of H., Inc. from Assessment and Taxation," to Revised Statutes.

SB 63—"An Act to Amend Title 21, Delaware Code, Entitled 'Motor Vehicles' in Respect to Specific Speed Limits," to Public Buildings and Highways.

SB 33—"An Act Proposing Amendments to Article IV of the Constitution of the State of Delaware, Relating to the Composition of the Superior Court and Orphans' Court," to Judiciary.

SB 76—"An Act to Amend Section 2128, Title 21, Delaware Code, Relating to the Status of Plates upon a Transfer of Title to a Motor Vehicle," to Revised Statutes.

SB 24—"An Act to Amend Title 31, Delaware Code, Entitled 'Welfare' in Respect to the Confidential Character of Public Assistance Records," to Revised Statutes.

SB 60—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Exemption of the Manor Community Center, Inc., from Taxation upon its Real Property," was read for the first and second time by title only. Mr. Quigley moved that the rules be suspended in order that **SB 60** be read for the third and final time in order to pass the House.

Mr. Opdyke seconded the motion and the Chair ordered the Clerk to call the roll on the motion.

YEAS—Messrs. Cannon, Clifton, Davidson, Dineen, English, Gove, Graves, Kenney, Latina, Livingston, Long, McGinnes, Opdyke, Paskey, Quigley, Robbins, Shockley, Wright, Mr. Speaker Tribbitt—19.

NAYS—Messrs. Bartleson, Best, Betts, Cain, Eskridge, Fifer, Johnson, Kleinbach, Lawson, Pawson, Richards—11.

NOT VOTING—Mr. Carmean—1.

ABSENT—Messrs. King, (Mrs.) Manning, Pryor, Walls—4.

The Chair declared the motion to suspend the rules carried and ordered a roll call on **SB 60**. Roll call as follows:

YEAS—Messrs. Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Gove, Graves, Johnson, Kenney, Kleinbach, Latina, Lawson, Livingston, Long, McGinnes, Opdyke, Paskey, Pawson, Quigley, Richards, Robbins, Shockley, Wright, Mr. Speaker Tribbitt—28.

NAYS—None.

NOT VOTING—Messrs. Bartleson, Best, Fifer—3.

ABSENT—Messrs. King, (Mrs.) Manning, Pryor, Walls—4.

SB 60 having received its constitutional majority passed the House and was ordered returned to the Senate.

On motion of Mr. Shockley **HB 89**, which had been read

for the third and final time, had passed the House on February 16, passed the Senate on March 5, and was vetoed by the Governor on March the 26, was brought up for consideration in order to pass over the Governor's veto.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Gove, Graves, Kenney, Latina, Livingston, Long, McGinnes, Opdyke, Paskey, Quigley, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—24.

NAYS—Messrs. Best, Fifer, Johnson, Kleinbach, Pawson, Richards—6.

ABSENT—Messrs. Bartleson, King, Lawson, (Mrs.) Manning, Pryor—5.

HB 89 having received the two-thirds majority needed to override the Governor's veto was declared passed the House and was ordered returned to the Senate for concurrence.

HB 104—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Brookside Community, Inc., from Assessment and Taxation," was requested to be read the third and final time and taken up for consideration, by Mr. Pawson.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, Kleinbach, Latina, Livingston, Long, McGinnes, Opdyke, Paskey, Pawson, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT—Messrs. Bartleson, King, Lawson, (Mrs.) Manning, Pryor—5.

HB 104 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. English **HB 205**—"An Act to Amend Chapter 83, Title 11, Delaware Code, Relating to the Eligibility of the State Police for Pensions," was read for the third and final time and brought up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, Kleinbach, Latina, Livingston, McGinnes, Opdyke, Paskey, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—27.

NAYS—None.

NOT VOTING—Mr. Pawson—1.

PRESENT—Mr. Quigley—1.

ABSENT—Messrs. Bartleson, King, Lawson, Long, (Mrs.) Manning, Pryor—6.

HB 205 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley **HB 239**—"An Act Abolishing the Sinking Fund Commissioners of the City of Wilmington; Repealing Certain Acts Relating to the Sinking Fund Commissioners of the City of Wilmington and Transferring the Powers and Duties Heretofore Exercised by the Sinking Fund Commissioners of the City of Wilmington to the City Treasurer," was read for the third and final time and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, Kleinbach, Latina, Livingston, Long, McGinnes, Opdyke, Paskey, Pawson, Quigley, Richards, Robbins, Quigley, Walls, Wright, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT—Messrs. Bartleson, King, Lawson, (Mrs.) Manning, Pryor—5.

HB 239 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley **HB 241**—"An Act to Authorize and Empower the Mayor and Council of Wilmington to Bond all Officers, Agents and Employees by Blanket Bonds or 'Position Schedule Bonds'," was read for the third and final time and taken up for consideration in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Best, Betts, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, Kleinbach, Latina, Livingston, Long, McGinnes, Opdyke, Paskey, Pawson, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—29.

NAYS—None.

ABSENT—Messrs. Bartleson, Cain, King, Lawson, (Mrs.) Manning, Pryor—6.

HB 241 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Johnson, **HB 148**—"An Act to Amend

Chapter 212, Volume 25, Laws of Delaware 1909, Entitled 'An Act to Incorporate the Town of Bethany Beach and Giving it Authority to Issue Bonds,' Eliminating the Requirement that Voters Attend or Spend at Least One Week in Said Town Immediately preceeding the Day on Which the Election is Held to be Entitled to Vote," was read for the third and final time and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Best, Betts, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, Kleinbach, Latina, Livingston, Long, McGinnes, Opdyke, Paskey, Pawson, Quigley, Ricahrs, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—29.

NAYS—None.

ABSENT—Messrs. Bartleson, Cain, King, Lawson, (Mrs.) Manning, Pryor—6.

HB 148 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley, **SB 57**—"An Act to Amend Section 811, Delaware Code, Title 11 Relating to the Crime of Robbery," was read for the third and final time and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cannon, Carmean, Clifton, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, Kleinbach, Long, McGinnes, Opdyke, Paskey, Quigley, Richards, Robbins, Walls, Wright, Mr. Speaker Tribbitt—22.

NAYS—Messrs. Betts, Livingston, Shockley—3.

NOT VOTING—Mr. Davidson and Mr. English—2.

ABSENT—Messrs. Bartleson, Cain, King, Latina, Lawson, (Mrs.) Manning, Pawson, Pryor—8.

SB 57 having received its constitutional majority passed the House and was ordered returned to the Senate.

On motion of Mr. King the House adjourned at 6:55 P.M. until 1:00 P.M. on Thursday, April 30, 1959.

43RD LEGISLATIVE DAY

The House met pursuant to adjournment at 2:10 P.M. on Thursday, April 30, 1959.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach,

Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—35.

Absent—None.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal and that the Journal be approved. Motion prevailed.

The following House and Senate bills were given first and second reading by title only and referred to committee as follows:

SB 135—"An Act to Appropriate Money to Donald Dephew Short, A Resident of the State of Delaware and a Veteran of the Korean War for the Veterans' Military Pay Act II," to Appropriations.

SB 94—"An Act to Amend Subchapter IV, Chapter 1, Title 23, Delaware Code, Relating to Pilotage Rates, by Increasing the Rates for the Pilotage of Certain Vessels," to Public Buildings and Highways.

HB 267—"An Act to Amend Title 26, Delaware Code, Entitled 'Railroads, Railways and Other Public Conveyances' Relating to Equipment of Rail Track Motor Cars Used by or Furnished by Common Carriers to Transport Employees and Illumination of Obstructions Land Marks, Warning Signs and Grade Crossing on Railroads and Railways; Extensions by Order of the Public Service Commission to Comply with the Provisions Herein; Penalties for Violation Thereof," by Paskey; to Public Buildings and Highways.

HB 268—"An Act to Amend Chapter 5, Title 17, Delaware Code Relating to Highway Construction," by Latina; to Public Buildings and Highways.

HB 269—"An Act to Amend an Act to Incorporate the Town of Fenwick Island, Delaware, and Relating to the Town Council," by Johnson and Cannon; to Corporations Municipal.

On motion of Mr. Latina, **SB 136**—"An Act to Amend Chapter 21, Title 19, Delaware Code, Relating to the Industrial Accidents Board," was read for the third and final time and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cain, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Gove, King, Latina, Long, McGinnes, Opdyke, Paskey, Quigley, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—21.

NAYS—Mr. Lawson and Mr. Livingston—2.

NOT VOTING—Messrs. Bartleson, Best, Fifer, Johnson, Kleinbach, (Mrs.) Manning, Pawson, Pryor, Richards—9.

ABSENT—Messrs. Cannon, Graves, Kenney—3.

SB 136 having received its constitutional majority passed the House and was ordered returned to the Senate.

On motion of Mr. Walls, **HB 259**—"An Act to Amend SubChapter V, Entitled 'Controlled-Access Highways,' of Chapter 1, Title 17, of the Delaware Code, to Prohibit the Construction and Location of Commercial Establishments for Serving Motor Vehicle Users Along Controlled-Access Facilities on Public Owned Lands," was read for the third and final time and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Long, (Mrs.) Manning, Paskey, Pawson, Quigley, Richards, Robbins, Shockley, Walls, Mr. Speaker Tribbitt—27.

NAYS—None.

NOT VOTING—Mr. Fifer—1.

PRESENT—Mr. Gove—1.

ABSENT—Messrs. Betts, Livingston, McGinnes, Opdyke, Pryor, Wright—6.

HB 259 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley, **HB 238**—"An Act Authorizing the Mayor and Council of Wilmington to Compile, Revise, Amend and Codify Existing Ordinances and Regulations Adopted By any Department, Board, or Agency of Said Mayor and Council of Wilmington," was read for the third and final time and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Lawson, Livingston, Long, (Mrs.) Manning, Opdyke, Paskey, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—32.

NAYS—None.

ABSENT—Mr. Latina, Mr. McGinnes, Mr. Pawson—3.

HB 238 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley, **HB 240**—"An Act to Authorize the Mayor and Council of Wilmington to Issue Negotiable Bonds and Notes for Lawful Purposes and to Provide for

Their Payment," was read for the third and final time and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Gove, Graves, Kenney, King, Latina, Livingston, Long, McGinnes, Opdyke, Paskey, Pryor, Quigley, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—26.

NAYS—Messrs. Bartleson, Fifer, Kleinbach, Lawson, (Mrs.) Manning, Pawson—6.

NOT VOTING—Mr. Best, Mr. Johnson, Mr. Richards—3.

HB 240 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. King the House adjourned at 5:15 P. M. until Monday, May 4, 1959 at 1:00 P. M.

44TH LEGISLATIVE DAY

The House met pursuant to adjournment on Monday, May 4, 1959 at 2:05 P. M.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—34.

Members Absent—Mr. Carmean—1.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal, and the Journal be approved. Motion prevailed.

The Chair introduced the members of the Senior Class of Newark High School. Miss Delaware, Miss Esther Onley was introduced and escorted to the rostrum by Rep. Kleinbach.

Mr. Betts on behalf of Revised Statutes Committee reported **SB 76**, 5 favorable.

Mr. Long on behalf of Agriculture and Forestry Committee reported **HB 266**, 4 favorable.

Mr. McGinnes on behalf of Public Health Committee reported **HB 197**, 5 on merits.

The Chair announced that he was about to sign **SB 57**, **SJR 7**, **SCR 18**, **SB 60**, **HCR 10**, **SB 136**, **HB 54**, **HB 87**, **HB 94**, **HB 137** with **HA 1** and **HA 2** and **HB 225**.

Mr. King moved that the House recess at 2:30 P. M. until the call of the Chair.

The Chair called the House to order at 4:10 P. M.

Mr. Shockley introduced **HA 1** to **HB 242** which was read for the first and only time and on further motion by Mr. Shockley was adopted by voice vote.

SA 1 to **HB 79** on motion of Mr. Gove was adopted by voice vote. **HB 79** with **SA 1** was brought up for passage and the Chair ordered the Clerk to call the roll on **HB 79** as amended. Roll call revealed:

YEAS—Messrs. Betts, Cain, Cannon, Clifton, Davidson, Dineen, English, Eskridge, Gove, Kenney, King, Latina, Livingston, Long, McGinnes, Opdyke, Paskey, Pryor, Quigley, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—24.

NAYS—Messrs. Bartleson, Best, Fifer, Johnson, Kleinbach, Lawson, (Mrs.) Manning, Pawson, Richards—9.

ABSENT—Mr. Carmean and Mr. Graves—2.

HB 79 with **SA 1** to **HB 79** having passed the House was ordered sent to the Governor for his approval.

HB 171 with **SA 1** on motion of Mr. McGinnes was brought up for consideration and the Chair ordered the Clerk to call the roll on **HB 171** with **SA 1**, roll call revealed:

YEAS—Messrs. Betts, Cain, Cannon, Clifton, Davidson, Dineen, Eskridge, Gove, Kenney, King, Latina, Livingston, Long, McGinnes, Opdyke, Paskey, Pryor, Quigley, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—23.

NAYS—Messrs. Bartleson, Best, Fifer, Johnson, Kleinbach, Lawson, (Mrs.) Manning, Pawson, Richards—9.

ABSENT—Messrs. Carmean, English, Graves—3.

HB 171 with **SA 1** having received its constitutional majority passed the House and was ordered to the Governor for approval.

HA 1 to **HB 242** was introduced by Mr. Shockley, read for the first and only time and on further motion of Mr. Shockley was adopted by voice vote.

HA 1 to **HB 182** was introduced by Mr. Dineen, read for the first and only time and on motion of Mr. Dineen was adopted by voice vote.

The following bills were read for the third and final time and brought up for further consideration in order to pass the House.

On motion of Mr. Shockley, **HB 242** with **HA 1**—"An Act Requiring the Doing of All Work and the Furnishing of All Materials and Supplies to the Mayor and Council of Wilmington or to Any Board, Commission, Department or Agency Thereof to the Lowest and Best Bidder and Providing the

Procedure Relating Thereto," was read for the third and final time and brought up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Johnson, Kenney, King, Kleinbach, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—32.

NAYS—None.

ABSENT—Messrs. Carmean, Graves, Latina—3.

HB 242 with **HA 1** having received its constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley **SB 34**—"An Act to Amend Chapter 13, Title 10, Delaware Code Relating to the Court of Common Pleas for New Castle County and Extending the Term of the Judges of that Court," was brought up for further consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Mr. Carmean and Mr. Graves—2.

SB 34 having received its constitutional majority passed the House and was ordered returned to the Senate.

On motion of Mr. Dineen, **HB 182** with **HA 1**—"An Act to Amend Chapter 283, Volume 51, Laws of Delaware, to Provide for the Financing of Capital Improvements Thereunder and Appropriating the Necessary Funds," was read for the third and final time and taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cain, Cannon, Clifton, Davidson, Dineen, English, Eskridge, Gove, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—27.

NAYS—Mr. Bartleson and Mr. Fifer—2.

NOT VOTING—Messrs. Best, Johnson, (Mrs.) Manning, Richards—4.

ABSENT—Mr. Carmean and Mr. Graves—2.

HB 182 with **HA 1** having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley **HB 174**—"An Act to Amend Chapter 11, Title 28, Delaware Code, Entitled 'Bingo' by Repealing Section with Advertising and Relating to Transportation to and from Authorized Game Locations," was read for the third and final time and brought up for consideration in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cain, Cannon, Davidson, Dineen, English, Eskridge, Gove, King, Livingston, Long, McGinnes, Opdyke, Paskey, Quigley, Shockley, Walls, Wright, Mr. Speaker Tribbitt—19.

NAYS—Messrs. Bartleson, Best, Fifer, Johnson, Lawson, (Mrs.) Manning, Pryor, Robbins—8.

NOT VOTING—Messrs. Clifton, Kenney, Kleinbach, Pawson, Richards—5.

ABSENT—Messrs. Carmean, Graves, Latina—3.

HB 174 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

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

HS 1 for **HB 222**—"An Act to Increase the Compensation of the Register of Wills, Recorder of Deeds and Register in Chancery and Clerk of the Orphans' Court in and for New Castle County," by Latina; to Judiciary.

HB 270—"An Act to Amend Chapter 1, Title 26, Delaware Code, Relating to the Public Service Commission and Its Charges and Fees, and Reimbursement by Utilities for Certain Costs and Expenses, and the Establishment of a Revolving Fund and the Appropriation Therefor," by Shockley, King, McGinnes, Best, Fifer, Bartleson; to Appropriations.

HB 271—"An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1960," by King, Shockley, Cain, Bartleson, Eskridge; to Appropriations.

HB 272—"An Act to Amend Title 34, Delaware Code, Relating to 'Education' by Changing the Form Required for Appropriations," by Davidson; to Education.

HB 273—"An Act to Amend Title 14, Delaware Code, Entitled 'Education' Concerning Limitations on Salary In-

creases and Decreases, and a Salary Schedule for Supervisors, Directors and Assistant Superintendents Employed by the State Board of Education, the State Board of Vocational Education and the Board of Education of the City of Wilmington," by Davidson, Cain; to Education.

Mr. Paskey presented **HR 52**—"In Reference to the Election of Officers in the House."

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly that the resignation of Vincent Ware as a Messenger of said House of Representatives, effective April 30, 1959, is accepted and the said Vincent Ware is hereby relieved of duties from said office as of the close of the legislative day on April 30, 1959; and

BE IT FURTHER RESOLVED, by the House of Representatives of the 120th General Assembly that James H. Kates is hereby elected to serve as a Messenger of the House of Representatives beginning May 4, 1959, at the pleasure of the House, which was read for the first and only time and adopted by a voice vote.

Mr. Cain presented **HR 53**—"In Reference to the Election of Officers of the House.

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly of the State of Delaware the said House proceed with the nomination and election of the following officers and do elect those whose names appear hereafter in this Resolution to serve in the office placed opposite their respective names during the pleasure of the 120th General Assembly of the State of Delaware:

Typist Sara Emily Masten.

which was read for the first and only time and on motion of Mr. Cain was adopted by a voice vote.

The Speaker administered the employees oath to Sarah Emily Masten and James H. Kates.

On motion of Mr. King the House adjourned until 1:00 P. M. on Tuesday, May 5, 1959.

45TH LEGISLATIVE DAY

The House met pursuant to adjournment on Tuesday, May 5 at 2:10 P. M.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Mr. Speaker Tribbitts—33.

Absent—Mr. English and Mr. Wright—2.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal, and the Journal be approved. Motion prevailed.

Mr. Graves on behalf of Public Buildings and Highways reported **HB 263**, 5 favorable.

Mr. Eskridge on behalf of Miscellaneous Committee reported **HB 155**, 4 on merits.

Mr. King on behalf of Appropriations Committee reported **HB 18**, 5 favorable; **HB 19**, 5 favorable; **HB 271**, 4 favorable, 1 merits; **HB 55**, 4 favorable, 1 merits; **HB 56**, 4 favorable, 1 merits.

Mr. Shockley on behalf of Judiciary Committee reported **HB 258**, 4 favorable; **HB 257**, 4 favorable; **HS 1** for **HB 222**, 3 favorable, 1 merits; **SB 10**, 4 favorable; **SS1** for **SB 12**, 3 favorable, 1 merits; **SS1** for **SB 13**, 4 favorable; **SB 104**, 4 favorable.

Mr. Shockley on behalf of Corporations Municipal reported **HB 269**, 5 favorable.

Mr. Latina on behalf of Labor Committee reported **HB 76**, 3 favorable, 2 merits.

Mr. Robbins on behalf of Education Committee reported **SB 4**, 3 favorable, 2 merits; **HB 152**, 4 favorable, 1 merits.

Mr. Cannon on behalf of Revenue and Taxation Committee reported **SB 45**, 3 favorable, 1 merits; **SB 46**, 3 favorable, 1 merits; **SB 93**, 3 favorable, 1 merits.

SJR 8—"Relating to the Advent of the Common Law of England in the New World," was read for the first and second time by title only and referred to Miscellaneous Committee.

On motion of Mr. King the House recessed at 2:45 P. M. until the call of the Chair. The House reconvened at 4:10 P. M.

The Chair announced that he was about to sign **SB 34**.

Mr. Walls moved that **HS 1** for **HB 30**—"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," was read for the third and final time and be taken up for consideration in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Richards, Robbins, Shockley, Walls, Mr. Speaker Tribbitts—32.

NAYS—None.

ABSENT—Messrs. English, Quigley, Wright—3.

HS 1 for **HB 30** having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley **HB 191**—"An Act to Amend Chapter 9, Title 10, Delaware Code, with Respect to the Powers of Police, Justices of the Peace, Other Courts and Other Committing Magistrates in Issuance of Process; Conduct of Preliminary Proceedings and Detention of Children in Family Court Matters," was taken up for consideration and read for the third time in order to pass the House.

Mr. Shockley requested the privilege of the floor for Judge Elwood S. Melson who explained the bill.

Mr. Cannon moved that action on **HB 191** be deferred and the motion was seconded by Mr. Latina.

The Chair called for a roll call on Mr. Cannon's motion to defer **HB 191**; the roll call revealed:

YEAS—Messrs. Betts, Cain, Cannon, Clifton, Davidson, Fifer, Graves, Kenney, Livingston, Long, Opdyke, Paskey, Quigley, Robbins, Walls, Mr. Speaker Tribbitt—16.

NAYS—Messrs. Bartleson, Best, Carmean, Dineen, Eskridge, Johnson, King, Kleinbach, Lawson, (Mrs.) Manning, Pawson, Pryor, Richards, Shockley—14.

NOT VOTING—Mr. Latina and Mr. McGinnes—2.

PRESENT—Mr. Gove—1.

ABSENT—Mr. English and Mr. Wright—2.

The Chair declared that **HB 191** be deferred.

On motion of Mr. McGinnes **HB 227**—"An Act to Amend Chapter 31, Title 16, Delaware Code, Entitled 'Vital Statistics' was taken up for consideration and read for the third time in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, (Mrs.) Manning, McGinnes, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. English, Long, Opdyke, Wright—4.

HB 227 having received its constitution majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Dineen, **HB 185**—"An Act Amending Chapter 5, Title 13, Delaware Code, Entitled 'Desertion and Support' Concerning Support Wage Assignments and Other

Wage Attachments and Garnishments," was taken up for consideration and read for the third time in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Mr. Speaker Tribbitt—32.

NAYS—None.

ABSENT—Messrs. English, Latina, Wright—3.

HB 185 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Betts **SB 76**—"An Act to Amend Section 2128, Title 21, Delaware Code, Relating to the Status of Plates upon a Transfer on Title to a Motor Vehicle," was taken up for consideration and read for the third time in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Carmean, English, Pawson, Wright—4.

SB 76 having received its constitutional majority passed the House and was ordered returned to the Senate.

On motion of Mr. Betts **SB 91**—"An Act to Amend Section 4503 (1) Title 21, Delaware Code Relating to Weights of Vehicles and Loads," was taken up for consideration and read for the third time in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT—Messrs. Cannon, Carmean, English, Livingston, Wright—5.

SB 91 having received its constitutional majority passed the House and was ordered returned to the Senate.

On motion of Mr. Kenney **HB 181** was recommitted.

On motion of Mr. Kenney **HB 181** was stricken from the calendar.

The following bills were introduced, read for the first and second time by title only and referred to committee as follows:

HS 1 for **HB 181**—"An Act Relating to State and County Employees' Pensions by Prohibiting Persons Receiving State or County Pensions from Holding a Non-Elective State or County Public Office or Being Employed by the State or County," by Kenney; to Revised Statutes.

HB 274—"An Act to Amend Chapter 81, Title 9, Delaware Code, by Giving the Women's Civic Club of Richardson Park Tax Exemption Status," by McGinnes; to Revenue and Taxation.

HB 275—"An Act to Amend Title 9, Delaware Code by Adding Thereto a New Chapter 27 Concerning Trenches and Excavations in New Castle County," by Latina; to Revised Statutes.

HB 276—"An Act to Amend Title 3, Delaware Code, Entitled 'Agriculture' Relating to the Determination of Weight, Measure, Grade and Classification of Lima Beans, Peas and Other Leguminous Vegetables," Tribbitt (By Request); to Agriculture and Forestry.

HB 277—"An Act to Amend Title 28, Delaware Code, by Providing for Civil Rights, Protecting the Public Welfare, Entitling all Persons to the Full and Equal Accommodations, Facilities, Advantages and Privileges of Places of Public Accommodations, Resort, Amusement or Entertainment, and Making it Unlawful to Refuse the Same to any Person on Account of Race, Creed, Color or National Origin or to Publish any Communication to the Effect that the Same Shall be Refused on Account of Race, Creed, Color or National Origin, and Providing Criminal Penalties and Civil Damages for the Violation Thereof, and Repealing Section 1501, Title 24, and Section 902, Title 28, and Section 703, Title 26, Delaware Code, Insofar as Said Sections are Inconsistent Herewith," by Livingston; to Miscellaneous.

HB 278—"An Act to Amend Chapter 7, Title 14, Delaware Code, Relating to the Authority of Administrators and Teachers," by Johnson and Carmean; to Education.

HB 279—"An Act to Amend Title 15, Delaware Code, by Adding a New Chapter 20 Providing for Registration of Voters Who Because of Sickness or Physical Disability are Unable to Apply in Person at the Designated Place for Registration and Making the Other Chapters of Title 15 Apply Insofar as

Pertinent to Registration Under this New Chapter 20, and to Amend Sections 2302 and 2303 of Chapter 23 of Title 15 of the Delaware Code to Make Certain Penalties Apply to Violations of New Chapter 20 of Title 15," by Manning, Best, Eskridge, Fifer; to Elections.

On motion of Mr. King the House adjourned at 5:35 until Wednesday, May 6, 1959 at 1:00 P. M.

46TH LEGISLATIVE DAY

The House met pursuant to adjournment at 2:10 P.M. on Wednesday, May 6, 1959.

Prayer by the Chaplain Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Clifton, Davidson, Dineen, English, Fifer, Gove, Graves, Johnson, King, Kenney, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—33.

Members Absent—Mr. Carmean and Mr. English—2.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Mr. King on behalf of Appropriations Committee reported **HB 81**, 4 favorable; **HB 170**, 4 favorable.

Mr. Carmean presented **HR 54**—"In Reference to Election of Officers."

WHEREAS, Norman Hudson was previously elected to the office of File Clerk but has resigned effective May 5, 1959, NOW, THEREFORE

BE IT RESOLVED by the House of Representatives of the 120th General Assembly of the State of Delaware that Norman Hudson is hereby relieved from the duties of File Clerk effective May 5, 1959, and

BE IT FURTHER RESOLVED that Norman Baker is hereby elected to serve as File Clerk effective May 6, 1959, to serve during the pleasure of the House of Representatives, which was read for the first and only time and on motion of Mr. Carmean was adopted by a voice vote.

The Speaker administered Employees Oath to Mr. Norman Baker.

Mr. Cannon presented **HR 55**:

WHEREAS, the House of Representatives of the 120th General Assembly of the State of Delaware has learned with regret of the passing of Edward Shiles, a former member of the House; and

WHEREAS, former State Representative Edward Shiles served his State faithfully and well during his term in the General Assembly of the State of Delaware, and

WHEREAS, the members of the House desire to express in this public manner their own feelings and the sense of loss which is felt throughout the entire State of Delaware; NOW, THEREFORE

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly of the State of Delaware, that the members wish to give expression to the regret they experienced at the passing of Edward Shiles, a prominent figure in his community and a former member of the House of Representatives; and

BE IT FURTHER RESOLVED, that the family of the deceased has the full sympathy of the members of the House of Representatives of the 120th General Assembly of the State of Delaware which is extended by sending a copy of this resolution to the members of his immediate family: and

BE IT FURTHER RESOLVED, that the text of this resolution be made a part of the Journal of the proceedings of the House of Representatives of the 120th General Assembly of the State of Delaware, which was read for the first and only time by title only and on motion of Mr. Cannon was adopted by a voice vote.

The Chair introduced Major Robert Kelton a former member of the House of Representatives who was invited to the rostrum.

Mr. King moved for a recess at 2:45 P.M. until the call of the Chair. House reconvened at 4:35 P.M.

On motion of Mr. Best **HB 31**—"An Act to Amend Chapter 15, Title 3, Delaware Code, Entitled 'Seeds' by Repealing the Present Provisions and Substituting New Administrative and Substantive Provisions," was taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Clifton, Dineen, English, Fifer, Gove, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—30.

NAYS—None.

A B S E N T — Messrs. Carmean, Davidson, Eskridge, Graves, McGinnes—5.

HB 31 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley **SS 1** for **SB 13**—"An Act to

Amend Chapter 51, Title 31, Delaware Code, Relating to the Youth Services Commission of Delaware Authorizing the Commission to Accept the Transfer of Certain Property from the Woods Haven School for Girls after Certain Agreements and Conditions are Met," was taken up for consideration and read for the third time in order to pass the House.

Mr. Shockley moved that **HS 1** for **SB 13** be deferred. Motion prevailed.

On motion of Mr. King **HB 117**—"An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pension Plan," was taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Clifton, Davidson, Dineen, English, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—32.

NAYS—None.

ABSENT—Messrs. Carmean, Eskridge, Quigley—3.

HB 117 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Latina **HS 1** for **HB 222**—"An Act to Increase the Compensation of the Register of Wills, Recorder of Deeds and Register in Chancery and Clerk of the Orphans' Court in and for New Castle County," was taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cain, Cannon, Clifton, Davidson, Dineen, English, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—29.

NAYS—Mr. Bartleson—1.

NOT VOTING—Mr. Best—1.

PRESENT—Mr. Fifer and Mr. Pawson—2.

ABSENT—Mr. Carmean and Mr. Eskridge—2.

HS 1 for **HB 222** having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Latina **HB 231**—"An Act to Amend Chapter 51, Title 29, Delaware Code, by Adding a New Section Concerning the Election of State Employees to Public

Office; Leave of Absence," was taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cain, Cannon, Clifton, Davidson, Gove, Graves, Kenney, King, Latina, Livingston, Long, Opdyke, Paskey, Quigley, Walls, Wright, Mr. Speaker Tribbitt—18.

NAYS—Messrs. Bartleson, Best, Fifer, Kleinbach, Lawson, (Mrs.) Manning, Shockley—7.

NOT VOTING—Messrs. Dineen, Johnson, McGinnes, Pawson, Pryor, Richards, Robbins—7.

ABSENT—Messrs. Carmean, English, Eskridge—3.

HB 231 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. King **SCR 8**—"An Act Authorizing the State Treasurer to Make Payment to the Diamond State Telephone Company for Services Ending January 11, 1959," was taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. McGinnes action on **SCR 8** was deferred. Motion prevailed.

On motion of Mr. Shockley **HB 176**—"An Act to Amend Chapter 81, Title 10 of the Delaware Code, Relating to Limitations of Actions," was taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Best, Betts, Cain, Cannon, Clifton, Davidson, Dineen, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT—Messrs. Bartleson, Carmean, English, Eskridge, Lawson—5.

HB 176 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley **HB 177**—"An Act to Amend Chapter 15, Title 13, Delaware Code, Relating to Bars to Divorce," was taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Best, Betts, Cain, Cannon, Clifton, Davidson, Graves, Johnson, King, Kleinbach, Livingston, Long, McGinnes, Opdyke, Paskey, Pawson, Pryor, Richards, Rob-

bins, Shockley, Wright, Mr. Speaker Tribbitt—22.

NAYS—Mr. Fifer and Mrs. Manning—2.

NOT VOTING—Messrs. Dineen, Kenney, Latina—3.

PRESENT—Messrs. Gove, Quigley, Walls—3.

ABSENT—Messrs. Bartleson, Carmean, English, Eskridge, Lawson—5.

HB 177 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley **HB 178**—"An Act to Amend Chapter 27, Title 12, of the Delaware Code Relating to the sale of Lands by Executors and Administrators by Providing a Procedure Where the Real Estate is in More Than One County," was taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Best, Betts, Cain, Cannon, Clifton, Davidson, Dineen, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—29.

NAYS—Mr. Latina—1.

ABSENT—Messrs. Bartleson, Carmean, English, Eskridge, Lawson—5.

HB 178 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

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

HB 280—"An Act to Amend Section 2521, Title 12, Delaware Code, Entitled 'Decedents' Estates' and Relating to Kent County," by Robbins, Cain, Betts, Paskey, Opdyke, King, Wright; to Judiciary.

HB 281—"An Act to Repeal Section 8303, Title 9, Delaware Code, Relating to New General Assessments Every Four Years in Kent County," by Robbins, Cain, Betts, Paskey, Opdyke, Wright; to Revised Statutes.

HB 282—"An Act to Amend Chapter 3, Title 17, Delaware Code, Relating to the Authority of the State Highway Department to Issue Revenue Bonds to Defray the Cost of Construction of a Bridge over the Delaware River, by Increasing the Aggregate of the Bonds That May Be Issued Thereunder and to Authorize and Empower the Delaware Interstate Highway Division, Successor of the State Highway Department for the Operation and Control of the Delaware Memorial Bridge from Time to Time, to Improve and Make Additions to the Bridge, its Appurtenances and Approaches

As May Be Deemed Appropriate by Such Division at a Cost Not to Exceed in the Aggregate Fifty-Two Million Five Hundred Fifty Thousand Dollars (\$52,550,000) and to Issue Additional Revenue Bonds Not to Exceed Said Amount for Such Purposes, and to Authorize the Division to Enter Into Agreement With the State Highway Department, Among Others, to Construct Such Additions and Improvements and to Pay or Reimburse Said Department, In Whole or Part, the Costs Thereof," by Shockley, Lawson; to Public Buildings and Highways.

HB 283—"An Act Relating to the Reimbursement of Funds Received by the State of Delaware or Any Agency Thereof for the Cost of Construction of Interstate Roads or Highways," by Lawson and Shockley; to Revised Statutes.

HB 284—"An Act Appropriating Money to Ellendale School District No. 125," by Clifton; to Appropriations.

HB 285—"An Act to Amend Title 14, Delaware Code, Entitled 'Education' Relating to Procurement of Land for School Sites," by Fifer, Manning, Robbins, Best, Johnson, Pawson, Kleinbach; to Education.

HB 286—"An Act to Amend Chapter 19, Title 9, Delaware Code, Entitled 'Fire and Police' Protection," by Pawson, Manning, Bartleson, Graves, Best, Cannon, Lawson, Latina, Fifer, Kleinbach, Richards, Dineen, Livingston, Shockley, English; to Revised Statutes.

HB 287—"An Act to Amend Title 19, Delaware Code, Creating a State Commission Against Discrimination in Employment and Otherwise of Persons Because of Race, Creed, Color or National Origin," by Livingston; to Labor.

HS 1 for HB 159—"An Act Adding a New Chapter 9 to Title 19, Delaware Code, Entitled 'Labor' and Relating to Emigrant Labor Agents; Application for License; License Fees; Clerk of the Peace of Each County to Issue Licenses; Penalty for Violations," by Fifer, Walls, Best, English; to Labor.

On motion of Mr. King the House adjourned at 6:00 P.M. until 1:00 P.M. on Thursday, May 7, 1959.

47TH LEGISLATIVE DAY

The House met pursuant to adjournment at 3:15 P.M. on Thursday, May 7, 1959.

Prayer by Mr. Brinton.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—33.

Members Absent—Mr. Davidson and Mr. Quigley—2.

The Clerk proceeded to read the Journal of the previous Session when Mr. Gove moved that so much be considered the reading of the Journal, and the Journal be approved. Motion prevailed.

Mr. Graves on behalf of Public Buildings and Highways Committee reported **SB 94**, 3 favorable, 2 merits; **HB 268**, 1 favorable, 1 merits, 3 unfavorable.

SB 151—"An Act to Amend an Act Entitled 'An Act to Re-Incorporate the Town of Millsboro' Being Chapter 203 of Volume 25, Laws of Delaware as Amended, By Authorizing the Annexation of Certain Contiguous Territory to the Said Town," was read for the first and second time by title only and referred to Corporations Municipal Committee.

SB 65—"An Act to Amend Chapter 9, Title 5, Delaware Code Relating to Regulations Governing Business of Banks and Trust Companies," was read for the first and second time by title only and referred to Banking and Insurance Committee.

The Chair announced that he was about to sign **HB 64**; **HB 171** with **SA 1** to **HB 171** and **HB 171** as amended; **HB 79** with **SA 1** as amended; and House Resolutions 51, 52, 53.

Mr. Eskridge on behalf of Miscellaneous Committee reported **SJR 8**, 5 favorable.

On further motion of Mr. Eskridge rules were suspended for the purpose of reading **SJR 8**—"Relating to the Advent of the Common Law of England in the New World," for the third and final time and bringing it up for consideration in order to pass the House. On further motion by Mr. Eskridge **SJR 8** was adopted by voice vote.

SJR 8 having passed the House was ordered returned to the Senate.

Mr. Gove introduced **HR 56**—"Expressing the Best Wishes of the House of Representatives of the 120th General Assembly to Kathryn R. Crompton, Chief Clerk of the House."

WHEREAS, the Members of the House of Representatives of the 120th General Assembly have learned that May 7, is the birthday of Kathryn R. Crompton, Chief Clerk of The House, and

WHEREAS, the Members of the House of Representatives wish to express their best wishes to Kathryn R. Crompton, NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 120th General Assembly of the State of Delaware, that the best wishes of its members for the continued good health and happiness of Kathryn R. Crompton, Chief Clerk of The House for many more years are hereby extended to her, and

BE IT FURTHER RESOLVED, that a copy of this Resolution be entered on the Journal of the House, a copy be delivered to the press and a copy be given to Kathryn R. Crompton.

On further motion by Mr. Gove **HR 56** was adopted by voice vote.

Mr. Latina introduced **HR 57**—"Expressing the Best Wishes of the House of Representatives of the 120th General Assembly to Representative Russell D. F. Dineen on his Birthday."

WHEREAS, the members of the House of Representatives of the 120th General Assembly have learned that May 7, is the birthday of Representative Russell D. F. Dineen, and

WHEREAS, the members of the House of Representatives wish to express their best wishes to Representative Dineen, NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 120th General Assembly of the State of Delaware, that the best wishes of its members for the continued good health and happiness of Representative Dineen for many more years are hereby extended to Representative Dineen.

BE IT FURTHER RESOLVED, that a copy of this Resolution be entered on the Journal of the House, a copy be delivered to the press and a copy be given to Representative Dineen.

On further motion by Mr. Latina **HR 57** was adopted by voice vote.

On motion of Mr. King the House adjourned at 4:30 P. M. until the call of the Chair. House reconvened at 4:55 P. M.

On motion of Mr. Richards **HB 28**—"An Act to Amend Title 1, Delaware Code, Relating to a Contract for the Compilation, Revision, Annotation, Printing and Binding of the Pocket Parts," was brought up for consideration and read for the third time in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Cain, Cannon, Clifton, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Best, Betts, Davidson, Quigley—4.

HB 28 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. King **SCR 8**—"An Act Authorizing the

State Treasurer to Make Payment to the Diamond State Telephone Company for Services Ending January 11, 1959," was taken up for further consideration and on further motion by Mr. King, **SCR 8** was adopted by voice vote.

SCR 8 having passed the House was ordered returned to the Senate.

On motion of Mr. Eskridge **HB 263**—"An Act to Amend Chapter 1, Title 17, Delaware Code, By Requiring the State Highway Department to Provide the Governor an Automobile Suitable and Befitting the Office of Governor," was taken up for consideration and read for the third time in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Cain, Cannon, Carmean, Clifton, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, Paskey, Pawson, Pryor, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—31.

NAYS—Mr. Opdyke—1.

ABSENT—Messrs. Betts, Davidson, Quigley—3.

HB 263 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

The following bills were given first and second reading by title only and assigned to following committees:

HB 288—"An Act to Amend Title 11, Delaware Code, In Relation to the Prosecution of Children as Adults," by Dineen and Richards; to Judiciary.

HB 289—"An Act to Amend Chapter 9, Title 10, Delaware Code, by Enlarging the Jurisdiction of the Family Court in the Disposition of Certain Children," by Dineen, Kleinbach and Davidson; to Judiciary.

HCR 11—"Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Joint Revenue Committee of the 120th General Assembly," by McGinnes; to Appropriations.

On motion of Mr. King the House adjourned at 5:05 P. M. until Monday, May 11 at 1:00 P. M.

48TH LEGISLATIVE DAY

The House met pursuant to adjournment at 2:05 P. M. on Monday, May 11, 1959.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach,

Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinness, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—35.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal, and the Journal be approved. Motion prevailed.

Mr. King on behalf of Appropriations Committee reported **HCR 11**, 5 favorable; **HS 1** for **HB 99**, 3 favorable, 1 merits; **HB 153**, 3 favorable, 1 merits.

Mr. Pryor on behalf of Banking and Insurance Committee reported **SB 65**, 5 favorable.

The Chair announced that he was about to sign **SB 22** with **HA 1** and **HA 2**.

HR 58—"An Act making an Appropriation to the Diamond State Telephone Company for Services Rendered Through April 11, 1959," was read for the first and only time and on further motion of Mr. Walls was deferred.

HCR 12—"An Act Making Appropriations to Various Companies for Services and Supplies Rendered the 120th General Assembly of the State of Delaware," was introduced by Mr. Clifton and read for the first and second time by title only. On motion of Mr. Clifton rules were suspended for the sole purpose of reading **HCR 12** for the third and final time and taken up for consideration in order to pass the House. On further motion by Mr. Clifton **HCR 12** was adopted by voice vote.

HCR 12 having passed the House was ordered to the Senate for concurrence.

On motion of Mr. King the House recessed at 2:45 P. M. until the call of the Chair. House reconvened at 3:45 P. M.

Mr. Shockley on behalf of Corporations Municipal Committee reported **SB 151**, 4 favorable.

Mr. Latina on behalf of Labor Committee reported **HB 190**, 2 favorable, 3 merits.

Mr. Latina introduced **HA 1** to **HB 67**, which was read for the first and only time and on further motion by Mr. Latina was adopted by voice vote.

On motion of Mr. Latina **HB 67** with **HA 1** to **HB 67**—"An Act to Amend Title 21, Section 2733, Delaware Code Relating to Discretionary Suspension or Revocation of Driver's License," was taken up for consideration and read for the third time in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cannon, Dineen, Long, Opdyke, Paskey, Shockley, Wright—8.

NAYS—Messrs. Bartleson, Best, Cain, Carmean, Clifton, Davidson, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, (Mrs.) Manning, McGinnes, Pawson, Pryor, Quigley, Richards, Robbins, Walls, Mr. Speaker Tribbitt—27.

Mr. Latina and Mr. Livingston and Mr. Quigley changed their votes from Yea to Nay in order to restore **HB 67** with **HA 1** to the calendar.

Mr. Quigley moved that **HB 67** with **HA 1** be restored to the calendar. Motion prevailed.

On motion of Mr. McGinnes rules were suspended for the sole purpose of bringing **HCR 11** up for consideration and read for the third time in order to pass the House.

HCR 11—"Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Joint Revenue Committee of the 120th General Assembly," Motion prevailed.

On the question "Shall this **HCR 11** pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cain, Cannon, Clifton, Davidson, Dineen, English, Eskridge, Gove, Graves, Kenney, King, Latina, Livingston, Long, McGinnes, Opdyke, Paskey, Pryor, Quigley, Robbins, Shockley, Walls, Wrights, Mr. Speaker Tribbitt—25.

NAYS—None.

NOT VOTING—Messrs. Bartleson, Best, Fifer, Johnson, Kleinbach, Lawson, (Mrs.) Manning, Pawson, Richards—9.

ABSENT—Mr. Carmean—1.

HCR 11 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley **HB 188**—"An Act to Repeal Para. 3957 of Title 12 of the Delaware Code, Relating to Commissions and Costs on the Sale of Lands and Tenements Under Order of Court and to Add a New Section to Chapter 7 of Title 10 of the Delaware Code Empowering the Orphans' Court to Adopt Rules Relating to Commissions and Cost on Such Sales," was brought up for consideration and read for the third and final time in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Carmean, Johnson, Kleinbach, Lawson, (Mrs.) Manning, Pawson, Pryor, Richards, Walls, Mr. Speaker Tribbitt—12.

NAYS—Messrs. Betts, Clifton, Dineen, King, Latina, Livingston, Long, Opdyke, Paskey, Quigley, Robbins, Shockley—12.

NOT VOTING—Messrs. Cain, Davidson, English, Esk-

ridge, Fifer, Graves, Kenney, McGinnes, Wright—9.

ABSENT—Mr. Cannon—1.

PRESENT—Mr. Gove—1.

Mr. King, Mr. Livingston and Mr. Shockley changed their vote in order that **HB 188** might be restored to the Calendar.

On motion of Mr. Shockley **HB 188** was restored to the calendar.

On motion of Mrs. Manning **HJR 3**, be read for the third and final time in order to pass the House, Mr. Quigley moved that the **HJR 3** be tabled and Mr. Opdyke seconded the motion.

The Chair ordered the Clerk to call the roll on Mr. Quigley's motion that **HJR 3** be tabled; roll call revealed:

YEAS—Messrs. Cain, Cannon, Carmean, Clifton, English, Gove, Kenney, King, Latina, Livingston, Long, Opdyke, Paskey, Quigley, Shockley, Walls, Wright—17.

NAYS—Messrs. Bartleson, Best, Fifer, Graves, Johnson, Kleinbach, Lawson, (Mrs.) Manning, McGinnes, Pawson, Pryor, Richards—12.

NOT VOTING—Messrs. Betts, Davidson, Dineen, Eskridge, Robbins, Mr. Speaker Tribbitt—6.

The Chair declared Mr. Quigley's motion carried, to table **HJR 3**, passed.

ON motion of Mr. Graves **SB 94**—"An Act to Amend Subchapter IV, Chapter 1, Title 23, Delaware Code, Relating to Pilotage Rates, By Increasing the Rates for the Pilotage of Certain Vessels," was brought up for consideration and and read for the third time in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—35.

SB 94 having received its constitutional majority passed the House and was ordered returned to the Senate.

HS 1 for **HB 261**—"An Act to Amend Titles 9, 10, and 11, Delaware Code by Increasing the Salary of the Clerk of the Peace, Coroner, Comptroller, Levy Court Commissioners, Recorder of Deeds, Members of the Board of Assessment, Receiver of Taxes, Prothonotary, Sheriff, Register in Chancery, and Clerk of the Orphans' Court, and Register of Wills, in and for Sussex County," by Carmean, Graves, English, Kenney, Johnson, Best, Clifton, Walls; to Judiciary, was read for the first and second time by title only.

HS 1 for **HB 183** was read for the first and second time by title only—"An Act to Amend Chapter 17, Title 10, Delaware Code, Entitled 'Municipal Court Wilmington' Relating to Appointment of Assistant to the Chief Judge of the Municipal Court," by Dineen and Lawson; to Judiciary.

The following bills were read for the first and second time by title only and referred to Committee as follows:

HB 290—"An Act to Amend Section 2151, Chapter 21, Title 21, Delaware Code Relating to Fees for the Registration of Motor Vehicles," by Latina; to Revised Statutes.

HB 291—"An Act to Amend Title 4, Delaware Code, Entitled 'Alcoholic Liquors' Relating to the Sale of Spirits, Wine and Beer by a Restaurant for Consumption off Premises," by King and Bartleson; to Miscellaneous.

On motion of Mr. King the House adjourned at 5:10 P. M. until 1:00 P. M. on Tuesday, May 12, 1959.

49TH LEGISLATIVE DAY

The House met pursuant to adjournment at 2:10 P.M. on Tuesday, May 12, 1959.

Prayer by the Chaplain Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Dineen, Davidson, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Shockley, Walls, Wright, Mr. Speaker Tribbitt—34.

Absent—Mr. Robbins—1.

The Clerk proceeded to read the Journal of the previous session when Mr. King moved that so much be considered the reading of the Journal, and the Journal be approved. Motion prevailed.

Mr. Davidson on behalf of Corporations-Private reported **HB 175**, 5 favorable.

Mr. Pryor on behalf of Insurance and Banking Committee reported **SB 143**, favorable, 4; **SB 145**, favorable 4.

The Chair announced that he was about to sign **SB 76** and **SB 91**.

Mr. Walls presented **HR 59**—"Authorizing Payments for Services Rendered by Attaches and Employees of The House of Representatives of The Present Session of The 120th General Assembly."

BE IT RESOLVED by the House of Representatives of the 120th General Assembly that the State Treasurer be and she hereby is authorized and directed to pay to the attaches and employees of the House of Representatives whose names are listed below, the amounts set forth opposite their respec-

tive names and such sums are to be regarded as payments in full for services rendered by said attaches and employees for the period commencing with the 40th Legislative Day and including the 50th Legislative Day, of the current session.

William G. Bush, 3rd	\$375.00
Maurice A. Hartnett, 3rd	375.00
Joseph Kwiatkowski	750.00
Kathryn R. Crompton	330.00
Frank X. Shoemaker	250.00
Rev. Harry L. Mayfield	200.00
Alice C. Woodward	250.00
Samuel Messick	250.00
Frank E. Devine	275.00
Virgil Bork	250.00
Angelo Perregrino	200.00
William P. Turner	200.00
Rosemary Tull	200.00
Olin Virdin, Sr.	200.00
David Ray	200.00
Vincent Ware	60.00
Ira Messick	200.00
Willie Holmes	200.00
Robert Allen Wilson	200.00
Alvin Adams	200.00
Lloyd Minner	200.00
Frank Ingram	200.00
Ernest S. Mattiford	200.00
Roland West	200.00
C. C. Hopkins	200.00
Rebecca Layfield	200.00
John Loder	200.00
Matthew Warrington	200.00
Norman Younger	200.00
Ruth Ross	200.00
George Nicholson	200.00
Marshall Hastings	200.00
Lillian Weston	200.00
Norman S. Hudson	100.00
Claude W. Jordan	200.00
Beatrice V. Hubbard	275.00
Lois F. Morgan	175.00
Margaret Cathell	250.00
Clara Campese	275.00
Mildred A. Keeler	200.00
Joseph Kelleher	250.00
Clifford M. Simpler	250.00
Herman Halloway	200.00
Irving H. Brinton	275.00
Thomas Gray	150.00

Leland Watson	200.00
Helen N. Jones	187.50
Clifford E. Hall	337.50
Sara Emily Masten	175.00
Norman R. Baker	100.00
James Kates	140.00
Martha Dickerson	200.00

was read for the first and only time and on further motion of Mr. Walls was adopted by voice vote.

Mr. Walls presented **HR 60**—"An Act Making An Appropriation to The Diamond State Telephone Company for Services Rendered through April 11, 1959."

BE IT RESOLVED by the House of Representatives that the sum of \$53.40 be paid to the Diamond State Telephone Company for Services rendered the House through April 11, 1959, which was read for the first and only time and on motion of Mr. Walls was adopted by voice vote.

Mr. Clifton presented **HR 61**—"Authorizing The Legislative Reference Bureau to Supply Pocket Parts of the Delaware Code and A Copy of Volume 51 Laws of Delaware to The House Attorneys' Office."

BE IT RESOLVED, by the House of Representatives of the 120th General Assembly that the Legislative Reference Bureau is instructed to furnish one current set of the pocket parts to the 1953 Delaware Code and a copy of Volume 51, Laws of Delaware, to the House Attorney's Office," which was read for the first and only time and on motion of Mr. Clifton was adopted by a voice vote.

Mr. Quigley presented **HR 62**—"Authorizing The Payment of Certain Expenses for the Printing of Identification Cards for the House of Representatives of the 120th General Assembly."

BE IT RESOLVED by the House of Representatives of the 120th General Assembly of the State of Delaware that the sum of Thirty-Seven Dollars (\$37.00) is hereby appropriated out of any money in the State Treasury, not other wise appropriated, to pay Smyrna Printing Service, 220 East Street, Smyrna, Delaware, for the printing of Identification Cards for the House of Representatives of the 120th General Assembly," which was read for the first and only time and on motion of Mr. Quigley was adopted by a voice vote.

Mr. Walls presented **HR 63**—"Authorizing The Payment of Certain Expenses for the Printing of Calendars for the House of Representatives of the 120th General Assembly."

BE IT RESOLVED by the House of Representatives of the 120th General Assembly of the State of Delaware that the sum of Eleven Hundred Seventy One Dollars and Fifty Cents (\$1171.50) is hereby appropriated out of any money in

the State Treasury, not other wise appropriated, to pay The Harrington Journal, Harrington, Delaware for the printing of Calendars for the House of Representatives of the 120th General Assembly, which was read for the first and only time and on motion of Mr. Walls was adopted by a voice vote.

On motion of Mr. King the House recessed at 2:25 P.M. until the call of the Chair. House reconvened at 3:45 P.M.

Mr. Ray McDowell was given the privilege of the floor to discuss **HB 247**.

Mr. Betts on behalf of Revised Statutes Committee reported **HB 283**, favorable 5; **SB 49**, favorable 3, merits 1.

Mr. Graves on behalf of Public Buildings and Highways Committee reported **HB 282**, merits 4; **SB 62**, favorable 3, merits 1; **SB 63** favorable 4.

HB 153—"An Act Appropriating Money to Wilmington Manor Fire Company With Which to Operate and Maintain on Ambulance," was taken up for consideration and read for the third and final time in order to pass the House and on the question, "Shall this Bill Pass the House?" the roll call was taken. On motion of Mr. Quigley the roll call was tabled.

HB 169 with **HA 1** was returned to the House from the Senate with **SA 1** to **HB 169** with **HA 1**. Mr. Latina moved that **HB 169** with **HA 1** and **SA 1** be brought up for consideration and on the question, "Shall **HB 169**, as amended pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Shockley, Walls, Wright, Mr. Speaker Tribbitt—32.

NAYS—None.

MEMBERS ABSENT—Messrs. English, McGinnes, Robbins—3.

HB 169 with **HA 1** and **SA 1** passed the House.

On motion of Mr. Richards **HB 39**—"An Act Prohibiting the Use of State-Owned Motor Vehicles and Equipment for Hire or Personel Use and Providing Penalties Therefore; Duties of State Highway Department; Exceptions; Penalties," was taken up for consideration and read for the third and final time in order to pass the House.

On motion of Mr. Quigley **HB 39** was deferred.

Mr. Carmean requested that **HB 261** be stricken from the calendar.

Mr. Shockley on behalf of Judiciary Committee reported **HS 1** for **HB 183**, favorable 3, merits 2; **HS 1** for **HB 261** favorable 3, merits 2.

The Chair announced that he was about to sign **HB 259**, and **HR 54**, **HR 55**, **HR 56**, **HR 57**.

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

HB 292—"An Act to Amend Title 14, Section 7136, Delaware Code, Relative to the District Library Commission of Dover, Delaware," by Richards and Long; to Education.

HB 293—"An Act to Amend Chapter 11, Title 30, Delaware Code, Entitled 'Income Tax', by Tribbitt and Lawson; to Revenue and Taxation.

HB 294—"An Act to Amend Title 21, Delaware Code, Relating to Motor Vehicles, by Increasing the Fine for Reckless Driving," Davidson and McGinnes; to Judiciary.

On motion of Mr. King the House adjourned at 5:10 P.M. until Wednesday, May 13, at 1:00 P.M.

50TH LEGISLATIVE DAY

The House met pursuant to adjournment on Wednesday, May 13, 1959, at 1:50 P.M.

Prayer by Mr. Carmean.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Clifton, Dineen, Davidson, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—35.

Absent—None.

Mr. Latina on behalf of Labor Committee reported **SB 84**, favorable 1, merits 3.

Mr. Cannon on behalf of Revenue and Taxation Committee, reported **HB 25**, favorable 3, merits 1; **HB 274**, favorable 4.

Mr. Betts on behalf of Revised Statutes Committee reported **HS 1** for **HB 181**, 5 favorable; **HB 275**, 5 merits; **252**, 3 favorable, 2 merits.

Mr. Eskridge reported on behalf of Miscellaneous Committee **HB 292**, 5 favorable.

Mr. Robbins on behalf of Education Committee reported **HB 285**, 3 favorable, 2 merits.

House recessed at 2:35 P.M. on motion of Mr. King until the call of the Chair. House reconvened at 4:30 P.M.

A Message from the Senate informed the House that the Senate had passed **SB 136** over the Governor's veto and **HB 236** and **HB 94**.

On motion of Mrs. Manning that **HJR 3** be lifted from

the table Mr. Quigley moved that action be deferred. Mr. Quigley's motion carried.

Mrs. Manning introduced **HA 1** to **HB 271**, which on motion of Mr. King and seconded by Mr. Eskridge was tabled.

Mr. King introduced **HA 2** to **HB 271**, which on further motion of Mr. King was adopted by voice vote.

The following bills were introduced given first and second reading by title only and assigned to committee as follows:

SB 15—"An Act to Amend Chapter 43, Title 21, Delaware Code, Relating to Equipment and Construction of Vehicles by Providing for a New Subchapter Thereto Entitled 'Brake Fluids,'" to Miscellaneous.

SB 105—"An Act to Amend Chapter 245, Volume 51, Laws of Delaware, Relating to the State Board of Health Building, by Authorizing the State Board of Health to Expend Remaining Moneys for the Construction of a Health Center for Sussex County," to Public Health.

SB 155—"An Act to Amend Sections 3102 and 3103, Title 30, Delaware Code, Relating to Hucksters' and Peddlers' Licenses," to Revenue and Taxation.

SB 154—"An Act to Amend Chapter 23, Title 19, Delaware Code, Relating to Workmen's Compensation," to Labor.

HS 1 for **HB 267**—"An Act to Amend Title 26, Delaware Code, Entitled 'Railroads, Railways and Other Public Conveyances' Relating to Equipment of Rail Track Motor Cars Used by or Furnished by Common Carriers to Transport Employees Extensions by Order of the Public Service Commission to Comply With the Provisions Herein; Penalties for Violations Thereof," by Paskey; to Public Buildings and Highways.

HB 295—"An Act to Amend Chapter 51, Title 14, Delaware Code, Entitled 'University of Delaware' Relating to the Powers of the University," Kleinbach (by request); to Education.

HB 296—"An Act Making an Appropriation for Certain Contingencies to the State Board of Education for the Fiscal Year Beginning July 1, 1959 and Ending June 30, 1960, and Prescribing Limitations Upon Use Thereof and the Powers and Duties of the Budget Commission in Relation Thereto," by King, Eskridge, Shockley, Cain, Bartleson; to Appropriations.

HB 297—"An Act to Provide for the Exemption of Real Property from School Taxes; Duties of the Receiver of Taxes; Notices to School Boards," by Kleinbach and Gove; to Revenue and Taxation.

HB 298—"An Act to Amend Chapter 27, Title 18, of the Delaware Code by Providing for a Special Tax on Certain

Gross Premiums of Insurance Companies, the Distribution Thereof, and Requiring Certain Police Departments or Bureaus to Make Certain Registrations with the State Treasurer," by Shockley; to Insurance and Banking.

HR 64—"In Reference to Resignation of Officer," introduced by Mr. English was read for the first and only time.

Mr. Clifton moved that **HR 64** be tabled, Mr. Quigley seconded the motion and the Chair called for a roll call. Roll call revealed:

YEAS—Messrs. Cannon, Clifton, Livingston, Long, Opdyke, Quigley—6.

NAYS—Messrs. Cain, Carmean, English, Eskridge, King, Walls—6.

NOT VOTING—Messrs. Bartleson, Best, Betts, Davidson, Dineen, Eskridge, Graves, Johnson, Kenney, Kleinbach, Latina, Lawson, (Mrs.) Manning, McGinnes, Paskey, Pawson, Pryor, Richards, Robbins, Wright, Mr. Speaker Tribbitt—21.

PRESENT—Mr. Gove and Mr. Shockley—2.

The Chair declared Mr. Quigley's motion to table **HR 64** lost.

Mr. English moved that **HR 64** be withdrawn, motion was seconded by Mr. Shockley. Motion prevailed.

On motion of Mr. Pryor, **SB 143**—"An Act to Amend Chapter 7, Title 18, Delaware Code, Relating to Investment of Funds by Domestic Insurance Companies Secured by Mortgages or Deeds of Trust," was brought up for consideration and read for the third time in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Livingston, Long, (Mrs.) Manning, McGinnes, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Messrs. Lawson and Opdyke—2.

SB 143 having received its constitutional majority passed the House and was ordered returned to the Senate.

On motion of Mr. Pryor **SB 145**—"An Act to Amend Chapter 9, Title 1, Delaware Code, Relating to Valuation and Nonforfeiture Requirements of Life Insurance Policies," was brought up for consideration and read for the third time in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—34.

NAYS—None.

ABSENT—Mr. Opdyke—1.

SB 145 having received its constitutional majority passed the House and was ordered returned to the Senate.

On motion of Mr. Graves, **HB 166**—"An Act to Amend Chapter 15, Title 17 of the Delaware Code Relating to the Ferry Between Lewes and Cape May," was brought up for consideration and read for the third time in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Cannon, Carmean, Clifton, Eskridge, Johnson, Kleinbach, Latina, McGinnes, Pawson, Quigley, Richards, Robbins, Shockley, Walls—14.

NAYS—Messrs. Bartleson, Best, Betts, Cain, English, Gove, Graves, Kenney, King, Lawson, Long, (Mrs.) Manning, Opdyke, Paskey, Pryor, Wright—16.

NOT VOTING—Messrs. Davidson, Dineen, Fifer, Livingston, Mr. Speaker Tribbitt—5.

Mr. Best, Mr. English, Mr. Graves and Mr. Kenney changed their votes from Yea to Nay in order that **HB 166** might be restored to the calendar.

HB 166 not having received its constitutional majority was declared lost by the Chair.

ON motion of Mr. Graves **HB 166** was restored to the calendar.

ON motion of Mr. Davidson **HB 200**—"An Act to Amend Chapter 1, Title 8, para. 324 of the Delaware Code Relating to Attachment of Shares of Stock or Any Right, Option or Interest Therein; Procedure; Sale; Title Upon Sale; Proceeds," was brought up for consideration and read for the third time in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Lawson, Livingston, Long, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—31.

NAYS—Mr. Clifton—1.

NOT VOTING—Mr. English—1.

ABSENT—Mr. Latina and Mrs. Manning—2.

HB 200 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Davidson **HB 220**—"An Act to Amend Chapter 1, Title 8, Para 243 (f) of the Delaware Code Relating to the Redemption, Purchase or Retirement of Stock," was brought up for consideration and read for the third time in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—34.

NAYS—None.

NOT VOTING—Mr. Latina—1.

HB 220 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley, **SB 151**—"An Act to Amend An Act Entitled 'An Act to Re-Incorporate the Town of Millsboro' being Chapter 203 of Volume 25, Laws of Delaware as Amended, by Authorizing the Annexation of Certain Contiguous Territory to the Said Town," was brought up for consideration and read for the third time in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Lawson, Livingston, Long, (Mrs.) Manning, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Mr. Latina and Mr. McGinnes—2.

SB 151 having received its constitutional majority passed the House and was ordered returned to the Senate.

On motion of Mr. Shockley, **HB 162**—"An Act to Amend Subchapter 11, Chapter 45, Title 10, Delaware Code, Relating to Special Juries," was brought up for consideration and read for the third time in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove,

Johnson, Kenney, King, Kleinbach, Latina, Lawson, (Mrs.) Manning, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT—Messrs. Cannon, Graves, Livingston, Long, McGinnes—5.

HB 162 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley **HB 189**—"An Act to Amend Section 3709 of Title 12, Now Relating to Trustees of Non-Resident Mentally Ill Persons, the Amendment to Encompass Fiduciaries of Non-Resident Mentally Ill, Aged, or Infirm Persons," was brought up for consideration and read for the third time in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Lawson, Livingston, (Mrs.) Manning, Opdyke, Paskey, Pawson, Pryor, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—29.

NAYS—Mr. Opdyke and Mr. Quigley—2.

NOT VOTING—Mr. Clifton, Mr. Latina, Mr. Long—3.

ABSENT—Mr. McGinnes—1.

HB 189 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

The House adjourned at 6:30 P. M. until Thursday, May 14, 1959 at 1:00 P. M.

51ST LEGISLATIVE DAY

The House met pursuant to adjournment on Thursday, May 14, 1959 with Mr. King presiding.

Prayer by Mr. Long.

Due to lack of quorum the House adjourned until Monday, May 18, 1959 at 1:00 P. M.

52ND LEGISLATIVE DAY

The House met pursuant to adjournment at 1:50 P. M. on Monday, May 18, 1959.

Prayer by the Chaplain Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—34.

Absent—Mr. Pawson—1.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal and that the Journal be approved. Motion carried.

The Chair recognized the 11th and 12th grades from Friends School.

On motion of Mrs. Manning **HJR 3**—"An Act Creating a Joint Committee to Study the Salaries of the Employees of the State of Delaware and Report to the 120th General Assembly," was read for the third and final time and taken up for consideration in order to pass the House.

Mrs. Manning further moved that **HJR 3** be adopted by a voice vote. Motion lost.

The Chair called for a roll call on **HJR 3**. Roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Carmean, Davidson, Eskridge, Fifer, Graves, Johnson, Kleinbach, Lawson, (Mrs.) Manning, McGinnes, Pryor, Richards, Robbins, Wright—18.

NAYS—Messrs. Cain, Cannon, Clifton, English, Gove, Kenney, King, Latina, Livingston, Long, Opdyke, Paskey, Quigley, Shockley, Walls, Mr. Speaker Tribbitt—16.

ABSENT—Mr. Pawson—1.

HJR 3 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

The Chair announced that he was about to sign **HR 59, 60, 61, 62, 63, HCR 11, HB 134, HB 169**, as Amended by **HA 1** and **SA 1, SB 143** and **SB**.

Mr. Latina reported on behalf of Labor Committee, **HB 186**, 3 favorable, 1 merits; **SB 154**, 3 favorable, 2 merits.

A Message from the Senate informed the House that the Senate had passed **SB 158** and **SB 149** and requested the concurrence of the House.

Mr. Betts on behalf of Revised Statutes Committee reported **HB 281**, 5 favorable; **HB 228**, 5 merits.

Mr. Shockley reported on behalf of Judiciary Committee **HB 280**, 3 favorable; **HB 288**, 3 favorable; **HB 289**, 3 favorable.

HA 1 to **HB 254** was presented by Mr. Bartleson and Mr. King and on motion of Mr. Bartleson was adopted by voice vote.

Mr. Carmean presented **HA 1** to **HS 1** for **HB 261** which on further motion of Mr. Carmean was adopted by voice vote.

On motion of Mr. Davidson **HB 144** was stricken.

The following bills were introduced, given first and sec-

ond reading by title only and referred to committees as follows:

HB 299—"An Act to Amend An Act Entitled 'An Act Changing the Name of 'The City of Harrington' and Establishing a Charter Therefor' by Cain and Betts; to Corporations Municipal.

HB 300—"An Act to Amend Section 170 (a), Title 8, Delaware Code, Relating to the Delaware Corporation Law," by Davidson; to Corporations Private.

HB 301—"An Act to Amend Section 6108 Title 10, Delaware Code, Relating to Transcript of Trial," by Shockley; to Judiciary.

HB 302—"An Act to Amend Chapter 35, Title 10, Delaware Code, Relating to Attachments," by Shockley; to Judiciary.

HB 303—"An Act to Permit the Sussex County Register of Wills to Record Instruments By Using A Photo Copying Machine," by Carmean and Kenney; to Miscellaneous.

On motion of Mr. Bartleson **HB 254** with **HA 1**—"An Act to Amend Chapter 15, Title 9, of the 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," was read for the third and final time and taken up for consideration in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Livingston, Long, McGinnes, Opdyke, Paskey, Pryor, Richards, Robins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—30.

NAYS—None.

NOT VOTING—Messrs. Betts, Fifer, (Mrs.) Manning—3.

ABSENT—Mr. Pawson and Mr. Quigley—2.

HB 254 with **HA 1** to **HB 254** having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

Mr. Bartleson moved that **HB 252**—"An Act to Amend Chapter 24, Title 9, Delaware Code, by Defining the Term 'Garbage Disposal Plant' as Used Therein," was read for the third and final time and taken up for consideration in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer,

Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pryor, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—32.

NAYS—None.

NOT VOTING—Mr. Long—1.

ABSENT—Mr. Pawson and Mr. Quigley—2.

HB 252 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. King the House adjourned at 5:30 P.M. until Tuesday, May 19, 1959.

53RD LEGISLATIVE DAY

The House met pursuant to adjournment at 1:40 on Tuesday, May 19, 1959.

Prayer by Mr. Carmean.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinness, Opdyke, Paskey, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—33.

Members Absent—Mr. Pawson and Mr. Pryor—2.

On motion of Mr. Dineen **HB 129** was recommitted to Committee.

On motion of Mr. Dineen **HB 111** was recommitted to Committee.

On motion of Mr. Dineen **HB 111** was stricken.

Mr. Latina moved that **HB 275**—"An Act to Amend Title 9, Delaware Code by Adding Thereto a New Chapter 27 Concerning Trenches and Excavations in New Castle County," was read for the third and final time and taken up for consideration.

On further motion of Mr. Latina action on **HB 275** was deferred.

Mr. Kenney Chairman on Passed Bills Committee reported having sent to the Governor's office **HB 134**, **HB 169** with **HA 1** and **SA 1** to **HB 169**, and **HB 169** as Amended, **HCR 11**, and **HR 59**, **60**, **61**, **62**, and **63**.

Mr. Shockley on behalf of Corporations Municipal Committee reported **HB 299**, 4 favorable.

Mr. Shockley on behalf of Judiciary Committee reported **HB 294**, 1 favorable, 3 merits.

Mr. Eskridge on behalf of Miscellaneous Committee reported **HB 303**, 4 favorable.

Mr. Robbins on behalf of Education Committee reported

HB 292, 4 favorable, 1 merits; **HB 278**, 3 favorable, 2 merits.

A Message was received from the Governor's Office.

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover

May 19, 1959

To the House of Representatives of the 120th General Assembly of the State of Delaware:

On May 11, 1959, I received House Bill No. 171 with Senate Amendment No. 1, entitled:

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE BY PROVIDING FOR THE ELECTION OF SCHOOL BOARD MEMBERS IN THE CONRAD HIGH SCHOOL DISTRICT.

This Bill would change the present Law by providing for the election of school board members in the Conrad High School District where under the present system members of this board are appointed by the Resident Judge. This Bill would also provide for a subsequent general election referendum to decide whether or not to revert to the present system.

I respectfully return herewith this Bill without my signature for the following reasons:

(1) Reasonable and sound local option is not provided for. The referendum local option provision is a backhanded approach which would cause a dislocation in present school administration and would confuse this issue with all of the other issues involved at a general election.

(2) The impressive record of good administration and progress under the present system should be encouraged rather than arbitrarily switched to the uncertainty of an elective system likely to be switched back under the local option referendum provision. Such uncertainty and resulting unrest could have nothing but a harm effect upon the proper administration of this school.

Respectfully submitted,
J. CALEB BOGGS, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
Dover

May 19, 1959

To the House of Representatives of the 120th General Assembly of the State of Delaware:

On May 11, 1959, I received House Bill No. 79 with Senate Amendment No. 1, entitled:

AN ACT TO AMEND TITLE 14, DELAWARE
CODE RELATING TO SCHOOL BOARD ELEC-
TIONS.

This Bill would change the present Law by providing for elective school board members in all districts, with certain exceptions, where school board members are now appointed by the Resident Judge. This Bill would also provide for a subsequent general election referendum to decide whether or not to revert to the present system.

I respectfully return herewith this Bill without my signature for the following reasons:

(1) Reasonable and sound local option is not provided for. The referendum local option provision is a backhanded approach which would cause a dislocation in present school administration and would confuse this issue with all of the other issues involved at a general election.

(2) The impressive record of good administration and progress under the present system should be encouraged rather than arbitrarily switched to the uncertainty of an elective system likely to be switched back under the local option referendum provision. Such uncertainty and resulting unrest could have nothing but a harmful effect upon the proper administration of the schools involved.

Respectfully submitted,

J. CALEB BOGGS, Governor

The following bill was read for the first and second time by title only,

HB 304—"An Act Relating to the Use of Certified Mail in Lieu of Registered Mail by the State of Delaware, Its Various Offices, Departments and Agencies," by Opdyke; to Miscellaneous.

SCR 20—"That the Two Houses Meet in Joint Session to Hear the Message of the Governor."

On further motion by Mr. Eskridge, seconded by Mr. King **SCR 20** was adopted by voice vote and ordered returned to the Senate.

On motion of Mr. King the House adjourned at 4:45 P.M. until Wednesday, May 20th, 1959.

54TH LEGISLATIVE DAY

The House met pursuant to adjournment on Wednesday, May 20, 1959 at 1:00 P.M.

Prayer by Mr. Shoemaker.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the

reading of the Journal and the Journal be approved. Motion prevailed.

Members Present—Messrs. Bartleson, Best, Betts, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pyror, Quigley, Richards, Shockley, Walls, Wright, Mr. Speaker Tribbitt—31.

Members Absent—Messrs. Cain, Gove, Pawson, Robbins—4.

The following bills were presented, read for the first and second time by title only and referred to committee as follows:

HB 305—"An Act to Appropriate Moneys to Certain Hospitals in the State of Delaware," by Shockley; to Appropriations.

HB 306—"An Act to Amend Chapter 61, Title 10 Delaware Code Relating to Condemnation, by Providing that the Goodwill or Going Concern Value of a Business Located Upon Land Taken in Eminent Domain Proceedings Shall Be Considered as a Proper Element of Just Compensation and That Evidence of Such Goodwill or Going Concern Value Shall Be Competent and Relevant Evidence Upon the Issue of Just Compensation," by Shockley; Judiciary.

HB 307—"An Act to Amend Section 4503, Title 21, Delaware Code, Relating to Weights of Vehicles and Loads," by Quigley; to Public Buildings and Highways.

HB 308—"An Act to Amend Chapter 3, Title 9, Delaware Code; Providing for an Increase in the Levy Court Commissioners for New Castle County from Three to Seven," by Quigley; to Revised Statutes.

HJR 9—"Appointing Directors on the Part of the State of Delaware for the Farmers Bank of the State of Delaware," by Cannon; to Miscellaneous.

SB 101—"An Act to Amend Chapter 118, Volume 33, Laws of Delaware, Entitled 'An Act Providing for a Firemen's Pension Fund for Members of the Bureau of Fire of the Department of Public Safety of the City of Wilmington,' as Amended,"; to Miscellaneous.

SB 160—"An Act to Amend Section 4126 (c) Title 21, Delaware Code Relating to Specific Speed Limits and the Penalties Therefor," to Public Buildings and Highways.

SB 158—"An Act to Amend Chapter 7, Title 7 Delaware Code, by Adding Thereto a New Subchapter Relating to the Woodchuck or Ground Hog," to Fish, Oyster and Game.

SB 149—"An Act to Amend Chapter 35, Title 12, of the Delaware Code, Relating to Assignments of Interests in Spendthrift Trusts," to Judiciary.

Mr. Pryor moved that **SB 65**—"An Act to Amend Chapter 9, Title 5, Delaware Code Relating to Regulations Governing Business of Banks and Trust Companies," be read for the third and final time and be taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pryor, Quigley, Richards, Shockley, Walls, Wright, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Cain, Gove, Pawson, Robbins—4.

SB 65 having received its constitutional majority passed the House and was ordered returned to the Senate.

Mr. Latina moved that **HB 275** which had been deferred on May 19, be brought up for further consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Betts, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pryor, Quigley, Richards, Shockley, Walls, Wright, Mr. Speaker Tribbitt—30.

NAYS—None.

NOT VOTING—Mr. Best—1.

ABSENT—Messrs. Cain, Gove, Pawson, Robbins—4.

HB 275 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

Mr. Latina moved that **SB 154**—"An Act to Amend Chapter 23, Title 19, Delaware Code, Relating to Workmen's Compensation," be read for the third and final time and be taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Graves, Johnson, Kenney, King, Kleinbach, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pryor, Richards, Shockley, Walls, Wright, Mr. Speaker Tribbitt—28.

NAYS—Mr. Cannon, Mr. Quigley—2.

NOT VOTING—Mr. Latina—1.

ABSENT—Messrs. Cain, Gove, Pawson, Robbins—4.

SB 154 having received its constitutional majority passed the House and was ordered to the Senate.

Mr. Carmean moved that **HB 303**—"An Act to Permit the Sussex County Register of Wills to Record Instruments by Using a Photo Copying Machine," be read for the third and final time and be taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, Opdyke, Paskey, Pryor, Quigley, Richards, Shockley, Walls, Wright, Mr. Speaker Tribbitt—30.

NAYS—None.

ABSENT—Messrs. Cain, Cannon, Gove, Pawson, Robbins—5.

HB 303 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Dineen **HB 129** was stricken.

On motion of Mr. Shockley **HB 160** was stricken.

The Chair announced that he was about to sign **SB 151**; **SCR 20** and **SCR 19**.

Mr. Opdyke on behalf of Manufacturing and Commerce Committee reported **HB 194**, 3 favorable, 1 merits; **HB 243**, 2 favorable, 1 merits, 2 unfavorable; **HB 193**, 3 favorable, 1 merits; **HB 179**, 2 favorable, 2 merits.

Mr. Shockley presented **HA 1** to **HB 245**. Action was deferred on motion of Mr. Shockley.

A message from the Governor informed the House that the Governor had approved **HB 134**; and **HB 169** with **HA 1** and **SA 1**, **SB 34** and **91**; **HB 64**; **94**; **236**; and **259**, May 14, 1959; May 15, 1959 **SB 76**.

55TH LEGISLATIVE DAY

The House met pursuant to adjournment at 2:40 P.M. on Thursday, May 21, 1959.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pryor, Quigley, Richards, Robbins, Shockley, Mr. Speaker Tribbitt—32.

Members Absent—Messrs. Pawson, Robbins, Shockley—3.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Mr. Davidson on behalf of Corporations Private reported **HB 300**, 4 favorable, 1 merits.

The Chair announced that he was about to sign **HB 97**; **HB 232**; and **HJR 5**.

Mrs. Vera G. Davis a former member of the House was introduced and invited to the rostrum.

Mr. Graves on behalf of Public Buildings and Highways reported **SB 160**, 4 favorable, 1 merits.

Mr. Gove on behalf of Fish, Oyster and Game Committee reported **SB 158**, 5 favorable.

The Chair announced that he was about to sign **HB 96** as amended with **HA 1**.

Mr. King moved that the House recess until the call of the Chair for the purpose of a Joint Session with the Senate to hear a message from the Governor.

JOINT SESSION

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.

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 a committee be appointed to escort the Governor to the Joint Session for the ceremonies. Motion prevailed.

The Chair appointed Messrs. Reilly, Price, Spicer and Simpson to the committee.

The Sergeant-at-Arms announced the Honorable J. Caleb Boggs, Governor of the State of Delaware. President Buckson invited Governor Boggs to the Rostrum.

Mr. Buckson introduced the Governor to the members of the Joint Session.

The Governor delivered the following message to the Joint Session.

Mr. President

Mr. Speaker

Members of the One Hundred and Twentieth
General Assembly of the State of Delaware:

The citizens of Delaware are paying a high price in taxes and inadequate services for an antiquated, inefficient, sprawling state government. The government consists of about 100 separate agencies, boards, and commissions, which are far removed from the people. The duties of these agencies often conflict, their expenditures often overlap, and their operating heads cannot be directly responsible to the citizens. There is built into the system a lack of direction, coordination, and cooperation.

It is for this reason that I firmly believe we must take bold and decisive action to carry out a full-scale reorganization of the present government in Delaware into a system that can provide better services, greater efficiency, lower costs, and bring government closer to the people.

This message is designed to outline the first step in this reorganization or reform program which can update and modernize the overgrown and inefficient system we are now operating in Dover.

There will always be some persons who attack any governmental reorganization as a means of increasing political power. Let us erase any such thoughts right at the start. I strongly recommend that the changes to be proposed become effective July 1, 1961. My term as Governor will expire about seven months prior to that date, and I am not eligible under the Constitution to seek another term. Obviously I cannot personally benefit from them. Furthermore, a general election will be held next year, and neither party can know whether Republicans or Democrats will be in office at the time this governmental reform becomes effective. Therefore, the benefits derived from this reorganization will be for the people of this state, and not for either political party.

I have been personally studying the present structure of our state government and, having served two terms as Governor, I believe I can speak with some feeling about the strangling effects of our present cumbersome system. I am planning to submit a series of reorganization plans to bring about modern government in Delaware. As each individual plan is ready, I shall make it public. If the legislature is not in session, I will have bills prepared and ready for delivery to the General Assembly at its very next session. The legislature will have ample time to study the plans, sample public opinion, then act when they are again in session. It is my firm conviction that the people will not tolerate any longer this inefficient government organization.

In the message which I presented to the General Assembly at the beginning of this session in January, I outlined the two fundamental and pressing governmental problems which confront Delaware. The first problem is the critical financial situation, which includes a heavy deficit for the present fiscal year, the complete absence of efficient budget controls, and the failure to provide a long-range, realistic revenue structure for future state needs. Appropriate recommendations were made again to head off financial chaos through a balanced budget, a new Department of Finance, and a top-to-bottom revenue study.

The second basic problem is the futile attempt to meet adequately the demands of our people for state services with an ancient governmental structure.

The recommendations I made in January are designed to help create a new day for Delaware. These new proposals for governmental reorganization might be considered a second phase, a Part II, of the new day for Delaware program.

Our system of government in the United States rests on three equal but separate branches; the Legislative branch which has the power to make the laws by which we live; the Executive branch which is responsible for administering those laws; and the Judiciary which has the duty to administer justice under the laws.

Today, in Delaware, the operation of the Executive branch of the government cannot be truly responsible to the people because it is not under the administrative direction of the Governor who is elected as the chief executive of the state. All of the 100 agencies are in reality operated independently. About seventy agencies are run by commissions or boards over whom there is little or no control provided by law. Hence we have a government-by-commission in this state.

As a matter of comparison, the nation's most populous state, New York, has a maximum of nineteen departments all of which are responsive to the direction and leadership of the Governor and are really responsible through him to the people.

I believe that the people elect a Governor with the thought that this one man can be held accountable for the operation of the Executive branch of the state government according to the laws which are established by the legislature. Further, I believe our citizens elect a Governor who is expected to carry out the program which he has proposed. Our Constitution says, "The supreme executive powers of the State shall be vested in the Governor."

In Delaware, however, the Governor has very little, if any chance to direct the activities of the Executive branch of the government. He is blocked in attempting to carry out

any program. A Democratic Governor and a Republican legislature in 1949 recognized this situation and had an extensive study made by a bi-partisan commission and a professional consulting firm. Concrete recommendations were made in 1950 for reorganizing the government but both Republican and Democratic legislatures have completely ignored this pressing problem.

I do not mean to infer that the people who are appointed to operate our 100 agencies are doing a poor job. I believe that almost all of them are doing a good job, an outstanding one in many instances. Regardless of the caliber of the people heading our agencies, Delaware's government is run by several hundred people, over whom the citizens have no effective control through the Governor. Over the years, our government has been moved farther and farther from our citizens. Also, through the lack of coordination and central administration in our system there is ever present the risk of inefficiency, duplication of activities, lack of attention to certain important problems, waste, and an absence of planning.

In the January message to the legislature, I recommended the first step in reorganizing the Executive branch of the government. I asked that the present Highway Department be reorganized into a Department of Public Works. A special message was promised to spell out the details of such a reorganization plan.

It seems to me that the Highway Department is a sensible and logical place to begin our streamlining efforts. It is an agency that spends over \$30,000,000 a year. It is an agency which is vitally important to the progress of our citizens. It has about 1,400 employees scattered throughout the state. Most important of all, it is in real need of reorganization because it now contains many activities that do not have any direct relationship to its primary responsibility of building and maintaining highways and some of the other public works in the state.

Specifically, it is recommended that a Department of Public Works be established to take over functions of the present Highway Department and appropriate legislation has been prepared to carry out this recommendation.

This legislation will be introduced immediately and I respectfully recommend that each member of the legislature devote careful study to the bill, the details of its provisions, the reorganization concept, and also seek the advice of his constituents.

The new department would have the following responsibilities: (1) to provide the planning, design, contracting, construction and maintenance of all public works in the state such as buildings, highways, bridges, and interstate highway.

facilities; (2) to provide a central service for all state engineering needs; (3) to insure close budgetary and administrative control of all these activities; and (4) to perform the present functions of the State Board of Housing, the Buildings and Grounds Commission, the State Custodian, and the Interstate Highway Division.

To carry out its assigned responsibilities, the Department of Public Works would have a director appointed by Governor with the advice and consent of the Senate. The director would be paid \$17,500 a year in order that a man of high caliber could be attracted to the job. The Director should serve at the pleasure of the Governor.

I propose a department which will have six permanent divisions. The division managers will be appointed by the department director and will receive not more than \$12,500 a year. The Engineering Division would provide the central service for engineering required by all state agencies. At the present time, we require the services of highway engineers, sanitary engineers, drainage engineers, water pollution, air pollution and survey engineers. This central engineering division would provide the design and engineering work for all public works and for all other activities of government in need of engineering assistance.

The Highway Division would plan, supervise the construction of, and maintain the state's highway system. It would also have the responsibility for developing and administering our part of the interstate highway program.

The Buildings Division would administer the present activities of the Buildings and Grounds Commission, which is now a separate state agency. It would administer the maintenance programs for all state buildings, allocate space for government activities, plan for additional space requirements, and serve in an advisory and planning capacity for school construction where needed.

The Housing Division would take over the present functions of the State Board of Housing which is designed to implement public housing plans initiated by the Federal Government and to administer state housing programs whenever they are indicated.

The Contracting Division will be responsible for preparing, negotiating, and letting all contracts for work to be conducted by the department for itself or for other state agencies. This division will be staffed by men who are thoroughly familiar with the problems of contracting work, and it will guarantee performance under contracts through testing, inspection, and contract supervision, in conjunction with other personnel.

The Administration and Control Division will provide the so-called housekeeping functions of the entire department and

will provide close control of all expenditures under the budget appropriated for the department by the General Assembly.

There will be a Division of **Temporary Services**. This division will provide the means of continuing other activities of the present Highway Department, including the State Police, Motor fuel tax collection, public lands, motor vehicle registration, mosquito control, and communications, until they are transferred to other new departments to be recommended shortly. Since no reorganization plan is to take effect before July 1, 1961, it is hoped that reorganization of the entire executive branch of the government will be completed by that time.

A final organizational feature of the new Department of Public Works will be an advisory board of eight members. The Board will be comprised of two members from each county and two members at large, all with specific qualifications in some field allied with public works. The Board members will serve without compensation except for expenses incurred. This reorganization plan, which might be referred to as Reorganization Plan Number 1, will eliminate the need for the present Highway Commission of twelve members.

What will this new modern Department of Public Works mean to our citizens? In my judgment it will have these benefits:

1. It will save money by consolidating in one department the engineering and contracting functions now carried on independently by many present state agencies. It will also consolidate maintenance service for all state buildings.
2. It will improve the quality of the state public works services by centralizing planning, coordinating the talents of experts in these fields, and removing from the Highway Department many unrelated activities.
3. It will reduce the number of state agencies by lopping off four other separate agencies: the Buildings and Grounds Commission, the State Board of Housing, the State Custodian, and Delaware Interstate Highway Division, and centralize allied functions of others.
4. It will provide citizens with greater control over public works projects by having the director of the department responsible to the Governor, an elected official.
5. It will eliminate at least 25 specific, top-level administrative jobs in the state government.

Even greater benefits will be evident when the additional reorganization plans are presented. Since January, I have

been studying the deficiencies in our governmental organization, drawing on experienced sources, and planning the best way to modernize our present system. We must discard our commission-type government and establish a cabinet-type government that will bring the state's services back closer to the people.

To be really effective, the new departments to be developed under these reorganization plans must be permanently established in our Constitution. This certainly is a matter that should be dealt with by the Constitutional Convention that I have recommended. Constitutional provision will insure that neither political party can tamper with the foundation of our government for political patronage purposes. Ripper legislation will be as dead in Delaware as the dodo bird.

The future stature of Delaware and the quality of its services to the people will depend in large measure on the enactment of sound reorganization plans. We can no longer shore up our present governmental organization with piecemeal action.

The time is here when a complete rebuilding job must be undertaken and accomplished. Anything less will mean that the people will suffer. I will work for this reform program with every ounce of energy that I have. I will fight for it if that is required. A modern state government will depend on action by the General Assembly. A new day for Delaware depends on a new government responsive to the needs of the people.

After having delivered his message the Governor was escorted back to his office by the appointed committee.

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

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

The House reconvened at 5:15 P.M. at the call of the Chair.

The following bills were read for the first and second time by title only and referred to committee as follows:

HB 309—"An Act to Amend Title 15, Delaware Code, Relating to Elections," by Dinnen; to Elections.

HB 310—"An Act to Amend Title 28, Delaware Code Relating to the Hours During Which Bingo Games May be Played," by English; to Revised Statutes.

HB 311—"An Act to Amend Titles 9, 10, and 12, Delaware Code by Increasing the Salary of the Clerk of the Peace, Coroner, Comptroller, Levy Court Commissioners, Recorder of Deeds, Members of the Board of Assessment, Receiver of Taxes, Prothonotary, Sheriff, Register in Chancery, and Clerk

of the Orphans' Court, and Register of Wills in and for Sussex County," by Eskridge, Walls, Best, Kenney, Carmean, Graves, English, Johnson, Cannon, Clifton; to Revised Statutes.

Mr. Walls presented **HR 65**—"Appropriation for Postage Stamps for the House of Representatives of the 120th General Assembly."

BE IT RESOLVED, by The House of Representatives of the 120th General Assembly of the State of Delaware, that the sum of \$500 be and the same is hereby appropriated out of the General Fund of the State of Delaware for the purchase of postage stamps to be used for the official business of the House of Representatives of the 120th General Assembly.

BE IT FURTHER RESOLVED, that the State Treasurer of the State of Delaware is hereby authorized and directed to pay for such postage stamps out of said appropriation upon warrants approved by the Executive Director of the Legislative Reference Bureau; which was read for the first and only time and on motion of Mr. Walls was adopted by a voice vote.

Mr. Fifer presented **HR 66**—"Expressing the Sympathy of the House of Representatives on the Illness of Edward Kelly, a Member of the State Highway Commission."

WHEREAS, the members of the House of Representatives of the 120th General Assembly of the State of Delaware have learned of the illness of Edward Kelly, a member of the State Highway Commission, and

WHEREAS, the members of the House of Representatives desire to express and extend their regret and sympathy to Edward Kelly, **NOW, THEREFORE**

BE IT RESOLVED, that the members of the House of Representatives of the 120th General Assembly of the State of Delaware do hereby express their sincere wishes for a complete and speedy recovery, and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the Journal of the House of Representatives of the 120th General Assembly of the State of Delaware and a copy be forwarded to Edward Kelly; which was read for the first and only time and on motion of Mr. Fifer was adopted by a voice vote.

Mr. Walls moved that **SCR 9**—"Appropriating Money to several companies for Services and Supplies of the 120th General Assembly," be read for the third and final time and be taken up for consideration in order to pass the House. On further motion of Mr. Walls **SCR 9** was adopted by a voice vote.

Mr. King came to the Rostrum at the request of Mr.

Speaker Tribbitt to act as Temporary Speaker.

Mr. Tribbitt moved that **HB 130**—"An Act to Amend Title 30, Delaware Code, Chapter 11, Relating to Income Taxes by Exempting Certain Non-Residents From the Application Thereof," be read for the third and final time and be considered in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Gove, Graves, Kenney, King, Kleinbach, Latina, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pryor, Walls, Wright, Mr. Speaker Tribbitt—25.

NAYS—Mr. Quigley and Mr. Richards—2.

NOT VOTING—Messrs. Best, Fifer, Johnson—3.

ABSENT—Messrs. Bartleson, Lawson, Pawson, Robbins, Shockley—5.

HB 130 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

Mr. Speaker Tribbitt returned to the Rostrum.

Mr. Gove moved that **HB 79** as amended with **SA 1**, which had been vetoed by the Governor on May 19, be brought up for further consideration in order to pass it over the Governor's Veto.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Gove, Graves, Kenney, King, Latina, Livingston, Long, McGinnes, Opdyke, Paskey, Pryor, Quigley, Walls, Wright, Mr. Speaker Tribbitt—24.

NAYS—Messrs. Bartleson, Best, Fifer, Johnson, Kleinbach, (Mrs.) Manning, Richards—7.

ABSENT—Messrs. Lawson, Pawson, Robbins, Shockley—4.

HB 79, as amended with **SA 1** having received the constitutional majority needed to over-ride the Governor's Veto passed the House and was ordered to the Senate for concurrence.

Mr. McGinnes moved that **HB 171** as amended by **SA 1** which had been vetoed by the Governor on May 19, be brought up for consideration in order to pass it over the Governor's Veto.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Gove, Graves, Kenney, King, Latina, Livingston, Long, McGinnes, Opdyke, Paskey,

Pryor, Quigley, Walls, Wright, Mr. Speaker Tribbitt—24.

NAYS—Messrs. Bartleson, Best, Fifer, Johnson, Kleinbach, (Mrs.) Manning, Richards—7.

ABSENT—Messrs. Lawson, Pawson, Robbins, Shockley—4.

HB 171, as amended with **SA 1** having received the constitutional majority needed to over-ride the Governor's Veto passed the House and was ordered to the Senate for concurrence.

Mr. King moved that the House adjourn at 6:25 P.M. until Monday, May 25, 1959 at 1:00 P.M.

56TH LEGISLATIVE DAY

The House met pursuant to adjournment on Monday, May 25, 1959, at 2:05 P. M.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—33.

Members Absent—Mr. Kenney and Mr. Pawson—2.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal, and the Journal be approved.

Mr. Betts on behalf of Revised Statutes committee reported **HB 310**, 3 favorable, 2 merits; **HB 311**, 5 favorable.

Mr. Eskridge on behalf of Miscellaneous Committee reported **HB 304**, 5 favorable.

Mr. Graves on behalf of Public Buildings and Highways committee reported **HS 1** for **HB 267**, 5 merits; **HB 307**, 1 favorable, 4 merits.

Mr. Richards moved that **HB 292** be recommitted. Motion prevailed.

HS 1 for **HB 292**, "Original Title" was presented May 25 by Mr. Richards and Mr. Long; was read for the first and second time by title only and referred to Education Committee.

SCR 21—"Relating to the Oyster Industry of the State of Delaware," was read for the first and second time. Mr. Eskridge moved that rules be suspended for the sole purpose of reading **SCR 21** for the third and final time and taking it up for consideration in order to pass the House. Motion prevailed.

SCR 21—"Relating to the Oyster Industry of the State

of Delaware," was read for the third and final time. Mr. Eskridge moved that **SCR 21** be adopted by a voice vote. Motion prevailed.

Mr. Shockley presented **HA 1** to **SB 13**.

Mr. Shockley moved that **HA 1** to **SB 13** be deferred. Motion carried.

Mr. Shockley moved that **SB 13** be given further consideration in order to pass the House. Mr. Cannon moved that **SB 13** be deferred. Motion prevailed.

Mr. McGinnes presented **HR 67**—"Expressing The Best wishes of the House of Representatives of the 120th General Assembly to Representative R. C. Davidson on his Birthday."

WHEREAS, the Members of the House of Representatives of the 120th General Assembly have learned that May 24, is the birthday of Representative R. C. Davidson, and

WHEREAS, the Members of the House of Representatives wish to express their best wishes to Representative Davidson, NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 120th General Assembly of the State of Delaware, that the best wishes of its members for the continued good health and happiness of Representative Davidson for many more years are hereby extended to Representative Davidson.

BE IT FURTHER RESOLVED, that a copy of this Resolution be entered on the Journal of the House, a copy be delivered to the press and a copy be given to Representative Davidson," which was read for the first and only time by title only. On further motion by Mr. McGinnes **HR 67** was adopted by a voice vote.

Mr. Wright presented **HR 68**—"In Reference to Election of Officers."

WHEREAS, John Loder was previously elected to the office of Page but has resigned effective May 21, 1959, NOW, THEREFORE

BE IT RESOLVED by the House of Representatives of the 120th General Assembly of the State of Delaware that John Loder is hereby removed and discharged from the office of Page effective May 21, 1959, and

BE IT FURTHER RESOLVED that John T. Robinson is hereby elected to serve as Page effective May 25, 1959 to serve during the pleasure of the House of Representatives, which on further motion of Mr. Wright was adopted by a voice vote.

The speaker administered the Employees Oath to John T. Robinson.

On motion of Mr. McGinnes **HB 274**—"An Act to Amend Chapter 81, Title 9, Delaware Code, by Giving the Women's Civic Club of Richardson Park Tax Exemption Status," was

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

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, Eskridge, Fifer, Gove, Graves, Johnson, King, Kleinbach, Latina, Long, (Mrs.) Manning, McGinnes, Paskey, Pryor, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—26.

NOT VOTING—Mr. English—1.

ABSENT—Messrs. Bartleson, Cannon, Kenney, Lawson, Livingston, Opdyke, Pawson, Quigley—8.

HB 274 having received its constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Cain **HB 299**—"An Act to Amend an Act Entitled 'An Act Changing the Name of 'The City of Harrington, and Establishing a Charter Therefor,'" was read for the third and final time and taken up for consideration to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, King, Kleinbach, Latina, Livingston, Long, (Mrs.) Manning, McGinnes, Paskey, Pryor, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—29.

NAYS—None.

ABSENT—Messrs. Bartleson, Kenney, Lawson, Opdyke, Pawson, Quigley—6.

HB 299 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

HA 1 to **HB 296** was introduced by Mr. King, Mrs. Manning, Mr. McGinnes and on further motion of Mr. King was adopted by a voice vote.

HA 3 to **HB 296** was presented by Mr. McGinnes and on further motion of Mr. McGinnes was deferred.

The following bills were introduced, read for the first and second time by title only and referred to committee as follows:

HB 312—"An Act to Amend Title 11, Delaware Code, Relating to Causing a Fire By Careless Use of Cigarettes, Cigars, Pipes or Other Inflammable Device," by Shockley; to Judiciary.

HB 313—"An Act to Provide for Self-Insurance by the State of Delaware on All State Owned or State Used Property," by Cannon; to Banking and Insurance.

The House adjourned at 6:15 P. M. until Tuesday, May 26th, 1959 at 1:00 P. M.

57TH LEGISLATIVE DAY

The House met pursuant to adjournment at 2:10 P.M. on Tuesday, May 26, 1959.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—32.

Members Absent—Messrs. Cannon, Latina, Pawson—3.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal, and the Journal be approved. Motion prevailed.

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

HS 1 for HB 180—"An Act to Amend Chapter 5, Title 31, Delaware Code Relating to the Financial Participation of the Counties in Administrating the State Public Assistance Code, Beginning July 1, 1959," by Richards and King; to Revised Statutes.

HB 314—"An Act to Amend Section 5143, Title 30, Delaware Code, Relating to Refunds of Motor Fuel Taxes," by Dineen and Lawson; to Revenue and Taxation.

HB 315—"An Act to Amend Title 15, Delaware Code, Relating to Absentee Ballots," by Dineen and Manning; to Elections.

HB 316—"An Act to Amend Title 30, Delaware Code, Entitled 'State Taxes' by Providing for Exemption from Taxation for Paraplegic Veterans and Their Widows," by Quigley; to Revenue and Taxation.

SB 52—"An Act to Amend Section 5401, Title 7, Delaware Code, Relating to the Delaware Archaeological Board," to Miscellaneous.

Mr. Gove and Mr. Richards presented **HR 69**—"Relative to the Death of Former Secretary of State of the United State John Foster Dulles."

WHEREAS, the House of Representatives of the 120th General Assembly of the State of Delaware has learned with deep regret of the untimely passing of John Foster Dulles, former Secretary of State of the United States of America, and

WHEREAS, John Foster Dulles has for many years faithfully and diligently served his country as a public official of the United States Government, and

WHEREAS, John Foster Dulles has for the past 6 years served the people of the United States as Secretary of State of the United States, and

WHEREAS, John Foster Dulles has while serving as Secretary of State of the United States given untirely of himself for the welfare of the people of the United States and for the welfare of all the peoples of the free world, and

WHEREAS, the members of the House of Representatives in conjunction with all the peoples of the free world desire to express in this public manner their feelings of sorrow and regret and their deep sense of loss of this great public figure, and

WHEREAS, they wish to express their gratitude for the many years of faithful public service performed by John Foster Dulles, NOW THEREFORE

BE IT RESOLVED by the House of Representatives of the 120th General Assembly of the State of Delaware that the members hereby give expression of their regret at the passing of John Foster Dulles, and

BE IT FURTHER RESOLVED that the family of the deceased has the full sympathy of the members of the House of Representatives of the 120th General Assembly of the State of Delaware, and the People of Delaware, and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the immediate family of John Foster Dulles and that the text of this resolution be made a part of the Journal of the proceedings of the House of Representatives of the 120th General Assembly of the State of Delaware; which was read for the first and only time and on further motion of Mr. Gove was adopted by a voice vote.

HA 1 to **HB 228** was presented by Dineen and Lawson. On further motion by Mr. Dineen action on **HA 1** to **HB 228** was deferred.

HA 1 to **SS 1** for **SB 13** was adopted by voice vote on motion of Mr. Shockley.

The Secretary of the Senate informed the House that the Senate had passed **HB 200**, **HB 220**, **HB 263**.

The Chair announced that he was about to sign **SCR 9**, **SB 154**, **SB 65**, **HR 65**, **HR 66**, **HR 67**, **HR 68**, **HB 131**, **HB 200**, **HB 220**.

Mr. Dineen on behalf of Election Committee reported **HB 309**, 5 favorable.

Mr. Shockley on behalf of Judiciary Committee reported **HB 302**, 4 favorable; **HB 301**, 3 favorable, 1 merits; **HB 306**, 4 favorable; **SB 149**, 2 favorable, 1 merits; **SB 33**, 3 favorable.

Mr. Robbins on behalf of Education Committee reported **HB 272**, 3 favorable, 2 merits; **HS 1** for **HB 292**, 3 favorable, 2 merits.

On Mr. Shockley's motion **SS 1** to **SB 13** with **HA 1** which had been deferred was brought up for consideration in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Johnson, Kenney, King, Kleinbach, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pryor, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—28.

NAYS—Mr. Livingston—1.

ABSENT—Messrs. Cannon, Graves, Latina, Lawson, Pawson, Quigley—6.

SS 1 for **SB 13** with **HA 1** having received its constitutional majority passed the House and was ordered returned to the Senate.

Mr. Pryor moved that **HB 204**, "An Act to Amend Chapter 3, Title 28, Delaware Code, Relating to Horse Racing," was read for the third and final time and be taken up for consideration in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pryor, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—29.

NAYS—None.

NOT VOTING—Mr. Lawson—1.

ABSENT—Messrs. Cannon, Latina, Livingston, Pawson, Quigley—5.

HB 204 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

Mr. King moved that **HB 271** with **HA 2**—"An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1960," be read for the third and final time and be taken up for consideration in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cain, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Gove, Graves, Kenney, King, Long, McGinnes, Opdyke, Paskey, Pryor, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—22.

NAYS—Messrs. Kleinbach, Lawson, Quigley—3.

NOT VOTING—Messrs. Bartleson, Best, Fifer, Johnson, (Mrs.) Manning, Richards—6.

ABSENT—Messrs. Cannon, Latina, Livingston, Pawson—4.

HB 271 with **HA 2** having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

Mr. King moved that **HB 296** with **HA 1**—"An Act Making Appropriation for Certain Contingencies to the State Board of Education for the Fiscal Year Beginning July 1, 1959 and Ending June 30, 1960 and Prescribing Limitations Upon Use Thereof and the Powers and Duties of the Budget Commission in Relation Thereto," be read for the third and final time and be taken up for consideration in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Lawson, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Cannon, Latina, Livingston, Pawson—4.

HB 296 with **HA 1** having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

Mr. Eskridge moved that **HB 311**—"An Act to Amend Titles 9, 10, and 12, Delaware Code by Increasing the Salary of the Clerk of the Peace, Coroner, Comptroller, Levy Court Commissioners, Recorder of Deeds, Members of the Board of Assessment, Receiver of Taxes, Prothonotary, Sheriff, Register in Chancery and Clerk of the Orphans' Court, and Register of Wills in and for Sussex County," be read for the third and final time and be taken up for consideration in order to pass the House.

On the question "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Lawson, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—31.

NAYS—None.

NOT VOTING—Mr. Livingston—1.

ABSENT—Messrs. Cannon, Latina, Pawson—3.

HB 311 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

SCR 21—"Relating to the Oyster Industry of the State of Delaware," was read for the first and second time by title only.

On motion of Mr. Eskridge rules were suspended for the sole purpose of reading **SCR 21**—"Relating to the Oyster Industry of the State of Delaware," for the third and final time in order to pass the House.

On further motion by Mr. Eskridge rules were suspended and **SCR 21** was adopted by a voice vote.

SCR 21 having passed the House was ordered returned to the Senate.

On motion of Mr. King the House adjourned at 5:20 P.M. until 1:00 P.M. on Wednesday, May 27th, 1959.

58TH LEGISLATIVE DAY

The House met pursuant to adjournment on Wednesday, May 27, 1959 at 1:50 P.M.

Prayer by the Chaplain, Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Paskey, Pawson, Pryor, Quigley, Richards, Shockley, Walls, Wright, Mr. Speaker Tribbitt—31.

Members Absent—Messrs. Cain, Gove, Opdyke, Robbins—4.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal and the Journal be approved. Motion carried.

The Chair welcomed the members of the Delmar Women's Democratic Club.

Mr. King on behalf of Appropriation Committee reported **HB 284**, 4 favorable.

Mr. Pryor on behalf of Insurance and Banking Committee reported **HB 298**, 4 merits, 1 unfavorable.

Mr. Dineen on behalf of Elections Committee reported **HB 315**, 5 favorable.

Mr. McGinnes on behalf of Public Health reported **HB 207**, 3 merits, 1 unfavorable; **SB 105**, 3 favorable, 1 merits.

Mr. Kenney on behalf of Passed Bills Committee reported having delivered to the Governor's Office the following: **HB 96** with **HA 1** and **HB 96**, as amended, **HB 97**, **HB 131**, **HB 222** with **SA 1**, **HB 232**. **HJR 5** and **HR 65**, **HR 66**, **HR 67**, **HR 68**.

The following bills were introduced given first and second readings by title only and referred to committee as follows:

HB 317—"An Act to Increase the Maxium Allowable County Tax Rate in Kent County," by Betts, Paskey, Long, King, Cain, Wright; to Revenue and Taxation.

HB 318—"An Act to Amend Title 17, Delaware Code Entitled Highways Relating to Locomotive Engines Sounding Whistles at Public Highway Crossings," by Wright and Kenney; to Public Buildings and Highways.

HB 319—"An Act Relating to the Sale of Motor Vehicles Owned By the State of Delaware," by Richards, Walls, Kleinbach, Best, Davidson, Cain; to Miscellaneous.

HB 320—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Hillside Civic Association from Assessment and Taxation," by Kleinbach; to Revenue and Taxation.

HB 321—"An Act to Amend Chapter 428, Volume 50, Laws of Delaware, Relating to the Town of Elsmere," by McGinnes; to Corporations Municipal.

HB 322—"An Act to Amend Chapter 1, Title 8, Para. 274 of the Delaware Code Relating to Surrender of Corporate Rights Before Payment of Capital and Beginning Business," by Davidson; to Corporations Private.

HB 323—"An Act to Amend Title 24, Delaware Code Entitled 'Professions and Occupations' Relating to the Sale and Dispensing of Drugs, Chemicals, Medicines and Poisons," by Livingston; to Public Health.

Mr. Shockley presented **HA 1** to **HB 191**, which on further motion by Mr. Shockley was adopted by voice vote.

Mr. Walls introduced **HR 70**—"Authorizing Payments for Services Rendered By Attaches and Employees of the House of Representatives of the Present Session of the 120th General Assembly."

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 120TH GENERAL ASSEMBLY that the State Treasurer be and she hereby is authorized and directed to pay to the attaches and employees of the House of Representatives whose names are listed below, the amounts set forth opposite their respective names and such sums are to be regarded as payments in full for services rendered by said attaches and employees.

William G. Bush, 3rd	\$375.00
Maurice A. Hartnett, 3rd	375.00
Joseph Kwiatkowski	750.00
Kathryn R. Crompton	330.00
Frank X. Shoemaker	250.00

Rev. Harry L. Mayfield	200.00
Alice C. Woodward	250.00
Samuel Messick	250.00
Frank E. Devine	275.00
Virgil Bork	250.00
Angelo Perregrino	200.00
William P. Turner	200.00
Rosemary Tull	200.00
Olin Virdin, Sr.	200.00
David Ray	200.00
Ira Messick	200.00
Willie Holmes	200.00
Robert Allen Wilson	200.00
Alvin Adams	200.00
Lloyd Minner	200.00
Frank Ingram	200.00
Ernest S. Mattiford	200.00
Roland West	200.00
C. C. Hopkins	200.00
Rebecca Layfield	200.00
John Loder	100.00
Matthew Warrington	200.00
Norman Younger	200.00
Ruth Ross	200.00
George Nicholson	200.00
Marshall Hastings	200.00
Lillian Weston	200.00
Claude W. Jordan	200.00
Beatrice V. Hubbard	275.00
Lois F. Morgan	325.00
Margaret Cathell	250.00
Clara Campese	275.00
Mildred A. Keeler	200.00
Joseph Kelleher	250.00
Clifford M. Simpler	250.00
Herman Holloway	200.00
John T. Robinson	100.00
Irving H. Brinton	275.00
Thomas Gray	150.00
Leland Watson	200.00
Helen N. Jones	162.50
Clifford E. Hall	292.50
Sara Emily Masten	250.00
Norman R. Baker	200.00
James Kates	200.00
Martha Dickerson	200.00

HR 70 was read for the first and only time and on motion of Mr. Walls was adopted by a voice vote.

Mr. Paskey moved that **HS 1** for **HB 267**—"An Act to

Amend Title 26, Delaware Code Entitled 'Railroads, Railways and Other Public Conveyances' Relating to Equipment of Rail Track Motor Cars Used By or Furnished By Common Carriers to Transport Employees Extensions by Order of the Public Service Commission to Comply With the Provisions Herein; Penalties For Violation Thereof," be read for the third and final time and be taken up for consideration in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Graves, Kenney, King, Long, McGinnes, Pryor, Shockley, Walls, Mr. Speaker Tribbitt—16.

NAYS—Messrs. Bartleson, Best, Betts, Kleinbach, Latina, Lawson, Livingston, Paskey, Pawson, Quigley, Wright—11.

NOT VOTING—Messrs. Fifer, Johnson, (Mrs.) Manning, Richards—4.

ABSENT—Messrs. Eskridge, Gove, Opdyke, Robbins—4.

Messrs. Betts, Latina, Paskey, Quigley changed their vote from Yea to Nay for purpose of further consideration of **HS 1** for **HB 267**.

HS 1 for **HB 267** not having received its constitutional majority did not pass the House.

On motion of Mr. Paskey **HS 1** for **HB 267** was restored to the calendar.

Mr. Davidson moved that **HB 272**—"An Act to Amend Title 34, Delaware Code, Relating to 'Education' by Changing the Form Required for Appropriations," be read for the third and final time and be taken up for consideration in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Fifer, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Paskey, Pawson, Pryor, Quigley, Richards, Shockley, Walls, Wright, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Eskridge, Gove, Opdyke, Robbins—4.

HB 272 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

Mr. Dineen moved that **HB 288**—"An Act to Amend Title 11, Delaware Code, In Relation to the Prosecution of Children as Adults," be read for the third and final time and be taken

up for consideration in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cannon, Carmean, Davidson, Dineen, English, Eskridge, Fifer, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Paskey, Pawson, Pryor, Quigley, Richards, Shockley, Walls, Wright, Mr. Speaker Tribbitt—30.

NAYS—Mr. Clifton—1.

ABSENT—Messrs. Cain, Gove, Opdyke, Robbins—4.

HB 288 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

Mr. Dineen moved that **HB 289**—"An Act to Amend Chapter 9, Title 10, Delaware Code, by Enlarging the Jurisdiction of the Family Court in the Disposition of Certain Children," be read for the third and final time and be taken up for consideration in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Paskey, Pawson, Pryor, Quigley, Richards, Shockley, Walls, Wright, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Cain, Gove, Opdyke, Robbins—4.

HB 289 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

Mr. Long moved that **HS 1** for **HB 292**—"An Act to Amend Title 14, Section 7136, Delaware Code, Relative to the District Library Commission of Dover, Delaware," be read for the third and final time and be given consideration in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Paskey, Pawson, Pryor, Quigley, Richards, Shockley, Walls, Wright, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Cain, Gove, Opdyke, Robbins—4.

HS 1 for **HB 292** having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

Mr. Quigley moved that **HB 153** which had been read for the third and final time and been tabled on May 12, be brought up for further consideration in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed.

YEAS—Messrs. Bartleson, Best, Betts, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Paskey, Pawson, Pryor, Quigley, Richards, Shockley, Walls, Wright, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Cain, Gove, Opdyke, Robbins—4.

HB 153 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

Mr. Cannon moved that **SB 136** which had passed the House on April 21, and been vetoed by the Governor on May 11, be brought up for further consideration in order to override the Governor's Veto.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Graves, Kenney, King, Latina, Livingston, Long, McGinnes, Paskey, Pryor, Quigley, Shockley, Walls, Wright, Mr. Speaker Tribbitt—22.

NAYS—Messrs. Bartleson, Best, Fifer, Kleinbach, Lawson, (Mrs.) Manning, Pawson—7.

ABSENT—Messrs. Cain, Gove, Johnson, Opdyke, Richards, Robbins—6.

SB 136 having received the majority needed to override the Governor's Veto was returned to the Senate.

Mr. Shockley moved that **HB 191** with **HA 1**, which had been read for the third and final time and deferred on May 5, be brought up for further consideration in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Betts, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Graves, Kenney, King, Latina, Livingston, Long, McGinnes, Paskey, Pryor, Quigley, Shockley, Walls, Wright, Mr. Speaker Tribbitt—22.

NAYS—None.

NOT VOTING—Messrs. Bartleson, Best, Fifer, Kleinbach, Lawson, (Mrs.) Manning, Pawson—7.

ABSENT—Messrs. Cain, Gove, Johnson, Opdyke, Richards, Robbins—6.

HB 191 with **HA 1** having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

On motion of Mr. King the House adjourned at 6:30 P. M. until Thursday, May 28th, 1959.

59TH LEGISLATIVE DAY

The House met pursuant to adjournment on Thursday, May 28th, 1959, at 1:35 P. M.

Prayer by Mr. Carmean.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinness, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—34.

ABSENT—Mr. Opdyke—1.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal, and the Journal be approved. Motion prevailed.

Mr. King on behalf of Appropriations Committee reported **HB 187**, 4 favorable, 1 merits; **HB 305**, 5 favorable; **HB 270**, 5 favorable.

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

HB 324—"An Act to Amend Chapter 135, Volume 29, Laws of Delaware, Entitled 'An Act to Revise and Consolidate the Statutes Relating to Curbstone Markets in the City of Wilmington,' by Providing for a Building to be Known as the 'Farmers' and Truckers' Market," by Shockley, Manning, Wright, Dineen, Paskey, Cain, Latina, Best, Lawson, Betts, Kenney, Fifer, Walls, King, Tribbitt; to Corporations Municipal.

HB 325—"An Act Making a Supplementary Appropriation to the State Board of Education, Vocational Education, and Rehabilitation Division and to the Wilmington Board of Education for the Fiscal Year Beginning July 30, 1960," by Robbins, Dineen, Carmean; to Appropriations.

Mr. Kenney Chairman of Passed Bills reported having delivered to the Governor's office: **HB 200**, **HB 220**, **HB 263**.

Mr. King introduced **HCR 13**—"Providing for Adjournment of the House of Representatives and Senate," which was read for the first and second time by title only and on further motion by Mr. King rules were suspended for the purpose of reading **HCR 13** for the third and final time in

order to pass the House. **HCR 13** on motion of Mr. King, seconded by Mr. Eskridge was adopted by voice vote and ordered to the Senate for concurrence.

Mr. Shockley moved that **HB 190**—"An Act to Amend Title 19, Delaware Code, Relating to Workmen's Compensation," be read for the third and final time and be taken up for consideration in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—32.

NAYS—None.

ABSENT—Messrs. (Mrs.) Manning, McGinnes, Opdyke—3.

HB 190 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

Mr. Shockley moved that **HB 283**—"An Act Relating to the Reimbursement of Funds Received by the State of Delaware or Any Agency Thereof for the Cost of Construction of Interstate Roads or Highways," be read for the third and final time and be taken up for consideration in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, McGinnes, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—33.

NAYS—None.

ABSENT—Mrs. Manning and Mr. Opdyke—2.

HB 283 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

Mr. Shockley moved that **HB 282**—"An Act to Amend Chapter, Title 17, Delaware Code, Relating to the Authority of the State Highway Department to Issue Revenue Bonds to Defray the Cost of Construction of a Bridge over the Delaware River, by Increasing the Aggregate of the Bonds That May Be Issued Thereunder and to Authorize and Empower the Delaware Interstate Highway Division, Successor of the State Highway Department for the Operation and Control of the Delaware Memorial Bridge, from Time to Time, to

Improve and Make Additions to the Bridge, Its Appurtenances and Approaches As May Be Deemed Appropriate by Such Division at a Cost not to Exceed in the Aggregate Fifty-Two Million Five Hundred Fifty Thousand Dollars (\$52,550,000) and to Issue Additional Revenue Bonds Not to Exceed Said Amount for Such Purposes, and to Authorize the Division to Enter Into Agreement With the State Highway Department, Among Others, to Construct Such Additions and Improvements and to Pay or Reimburse Said Department, In Whole or Part, the Costs Thereof," be read for the third and final time and be taken up for consideration in order to pass the House.

On the question, "Shall this Bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Betts, Cain, Cannon, Carmean, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Kenney, King, Kleinbach, Latina, Lawson, Long, McGinnes, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—30.

NAYS—Mr. Livingston—1.

NOT VOTING—Mr. Best and Mr. Johnson—2.

ABSENT—Mrs. Manning and Mr. Opdyke—2.

HB 282 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

Mr. English moved that **HB 310**—"An Act to Amend Title 28, Delaware Code Relating to the Hours During Which Bingo Games May be Played," be read for the third and final time and be taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, McGinnes, Paskey, Pawson, Quigley, Richards, Shockley, Walls, Wright, Mr. Speaker Tribbitt—29.

NAYS—Messrs. Bartleson, Pryor, Robbins—3.

NOT VOTING—Mr. Fifer—1.

ABSENT—Mrs. Manning, Mr. Opdyke—2.

HB 310 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

Mr. Shockley moved that **HB 161**—"An Act Agreeing to the Proposed Amendments to Article IV of the Constitution of the State of Delaware Relating to the Judiciary," be read for the third and final time and be taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Lawson, Livingston, Long, McGinnes, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—31.

NAYS—None.

ABSENT—Messrs. Dineen, Latina, (Mrs.) Manning, Opdyke—4.

HB 161 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

Mr. Shockley moved that **HB 175**—"An Act to Amend Chapter 33, Title 25 of the Delaware Code Relating to Factors' Liens By Changing and Enlarging the Definition of the Term Factor Therein," be read for the third and final time and be taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call was taken and on motion of Mr. Shockley was deferred.

Mr. Robbins moved that **HB 280**—"An Act to Amend Section 2521, Title 12, Delaware Code Entitled 'Decedents' Estates' and Relating to Kent County," be read for the third and final time and be taken up for consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Best, Betts, Cain, Cannon, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Lawson, Livingston, Long, McGinnes, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—29.

NAYS—None.

ABSENT—Messrs. Bartleson, Carmean, Kleinbach, Latina, (Mrs.) Manning, Opdyke—6.

HB 280 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

Mr. Robbins moved that **HB 281**—"An Act to Repeal Section 8303, Title 9, Delaware Code, Relating to New General Assessments Every Four Years in Kent County," be read for the third and final time and be given consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson,

Long, McGinnes, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—32.

ABSENT—Mr. Bartleson, Mrs. Manning, Mr. Opdyke—3.

HB 281 having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

Mr. Davidson introduced **HA 1** to **HB 300**, which on further motion of Mr. Davidson was adopted by a voice vote.

Mr. Davidson moved that **HB 300** with **HA 1**—"An Act to Amend Section 170 (a), Title 8, Delaware Code, Relating to the Delaware Corporation Law," be read for the third and final time and be taken up for consideration in order to pass the House.

YEAS—Messrs. Bartleson, Best, Cain, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Johnson, King, Kleinbach, Lawson, Long, McGinnes, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—25.

NAYS—Mr. Betts and Mr. Latina—2.

NOT VOTING—Messrs. Graves, Kenney, Paskey—3.

PRESENT—Mr. Gove and Mr. Livingston—2.

ABSENT—Mr. Cannon, Mrs. Manning, Mr. Opdyke—3.

HB 300 with **HA 1** having received its constitutional majority passed the House and was ordered to the Senate for concurrence.

Mr. Fifer moved that **HB 25**—"An Act Proposing an Amendment to Article 8 of the Constitution of the State of Delaware Entitled 'Revenue and Taxation' by Adding a New Section 9 Thereto," be read for the third and final time and be taken up for consideration in order to pass the House.

Mr. King moved that action on **HB 25** be deferred. Motion prevailed.

Mr. Fifer moved that **HB 285**—"An Act to Amend Title 14, Delaware Code, Entitled 'Education' Relating to Procurement of Land for School Sites," be read for the third and final time and be given consideration in order to pass the House.

On the question, "Shall this bill pass the House?" roll call revealed:

YEAS—Messrs. Bartleson, Carmean, Dineen, English, Graves, Johnson, Kleinbach, Pawson, Pryor, Richards, Robbins, Shockley—12.

NAYS—Messrs. Best, Betts, Cain, Cannon, Clifton, Eskridge, Fifer, Gove, Kenney, King, Latina, Lawson, Livingston, Long, Paskey, Quigley, Walls—17.

NOT VOTING—Messrs. Davidson, McGinnes, Wright, Mr. Speaker Tribbitt—4.

ABSENT—Mrs. Manning and Mr. Opdyke—2.

Mr. Best, Mr. Fifer and Mr. Lawson changed their vote from Yea to Nay in order that **HB 285** be restored to the calendar.

HB 285 not having received its constitutional majority did not pass the House.

On motion of Mr. Fifer **HB 285** was restored to the calendar.

House adjourned at 3:50 P.M. until Tuesday, June 2, 1959 at 1:00 P.M. on motion of Mr. King in accordance with provisions of **HCR 13**.

60TH LEGISLATIVE DAY

The House met pursuant to adjournment at 1:50 P. M. on Tuesday, June 2, 1959.

Prayer by the Chaplain Rev. Harry L. Mayfield.

Members Present—Messrs. Bartleson, Best, Betts, Cain, Cannon, Carmean, Clifton, Davidson, Dineen, English, Eskridge, Fifer, Gove, Graves, Johnson, Kenney, King, Kleinbach, Latina, Lawson, Livingston, Long, (Mrs.) Manning, McGinnes, Opdyke, Paskey, Pawson, Pryor, Quigley, Richards, Robbins, Shockley, Walls, Wright, Mr. Speaker Tribbitt—35.

Absent—None.

The Clerk proceeded to read the Journal of the previous Session when Mr. King moved that so much be considered the reading of the Journal and that the Journal be approved. Motion prevailed.

The Chair announced that he was about to sign **HB 148** and **HR 69**, **HR 70** and **HCR 9**.

The following bills were read for the first and second time by title only and referred to committee as follows:

HB 326—"An Act to Amend Para. 6906, Title 29, Delaware Code Relating to Delaware Labor on Public Improvement Contracts," by Latina; to Revised Statutes.

HB 327—"An Act to Amend Chapter 81, Title 9, Delaware Code by Giving the Sussex Chapter of Delaware Humane Association Tax Exemption Status," by Best, Walls, Graves, Johnson; to Revenue and Taxation.

HB 328—"An Act to Increase the Fees of the Recorder in Kent County," by Betts, Paskey, Cain, Robbins, Long, Opdyke, King; to Revised Statutes.

HB 329—"An Act to Appropriate to the State Board of Education for the Biennium Beginning July 1, 1959 and Ending June 30, 1961, for the Purpose of Matching Funds Made Available Under the Provisions of Public Law 85-864 Entitled the 'National Defense Education Act of 1958,' by Carmean, Dineen, Johnson; to Appropriations.