

Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—33.

Members absent—Messrs. Carpenter and Wolf—2.

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

The Secretary of the Senate informed the House that the Senate had concurred in **HB 84**, **HB 367**, **HB 380**, and that the Senate had passed and requested the concurrence of the House in the following bill: **SB 371**.

The following bills were reported out of committee as follows: **HB 464** from Fish, Oysters and Game, 4 on merits; **SB 265** as amended from Miscellaneous, favorable, and **SB 327** from Public Buildings and Highways, favorable.

On motion of Mr. McAllister **SCR 36**—"Relative to the Reporting Date of the Special Committee Created by Senate Concurrent Resolution 28 to Study the School Construction Program," was given the third and final reading on order to pass the House. Mr. Eskridge moved the rules be suspended in order that the resolution be adopted by voice vote. Motion prevailed. **SCR 36** was adopted by voice vote and ordered returned to the Senate.

Mr. Eskridge moved that **HB 450**—"An Act to Amend Chapter 81, Title 9, Delaware Code by Exempting Municipally Owned Real Estate from Taxation by Counties or Other Political Subdivision," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—33.

NAYS—None.

ABSENT—Messrs. Carpenter and Wolf—2.

HB 450 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Tribbitt moved that **HB 465**—"An Act to Authorize the Townsend School District to Make Certain Tax Refunds," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—32.

NAYS—None.

ABSENT—Messrs. Carpenter and Wolf—2.

PRESENT—Mr. Quigley—1.

HB 465 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 467—"An Act to Amend Section 322, Title 28 of the Delaware Code Relating to the Award of Dates for Horse Racing," by Alexander; to Private Corporations.

HB 468—"An Act to Amend Title 9, Chapter 86, Delaware Code Relating to Collection of Taxes in New Castle County by Providing for the Elimination of the Abatement of Taxes, and by Increasing the Penalty for Late Payment of Taxes in New Castle County," by Shockley and Lambert; to Revenue and Taxation.

HB 469—"An Act to Amend Title 14, Chapter 19, Delaware Code Entitled "Education" Relating to Collection of School Taxes by Providing for the Elimination of the Abatement of Taxes for Early Payment, and by Providing for a Penalty for Late Payment of Taxes," by Shockley and Lambert; to Education.

HB 470—"An Act to Amend Chapter 119, Volume 28, Laws of Delaware Entitled "An Act Providing for the Collection of Taxes for the City of Wilmington" by Amending Section 9 Thereof," by Shockley; to Municipal Corporations.

HB 471—"An Act Amending Chapter 11, Title 30, Delaware Code as Amended by Chapter 299, Volume 51, Laws of Delaware, Relating to the Effective Date of the Increase in Rates of Tax on Personal Incomes," by Snedeker; to Revenue and Taxation.

On motion by Mr. Quigley, the House adjourned until Monday, January 20th, 1958, at 1:00 P. M.

107TH LEGISLATIVE DAY

Dover, Delaware, January 20th, 1958

House met pursuant to adjournment at 2:20 P. M., on January 15th, 1958.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—32.

Members absent—Messrs. Alexander, Carpenter and Mills—3.

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

Communications were presented by Messrs. Mayhew, Ehinger and Snedeker.

Mr. Speaker signed **HB 84**, **HB 367** and **HB 380**.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 364**, and that the Senate had passed and requested the concurrence of the House in the following bills, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

SB 38—"An Act to Amend Title 14 of the Delaware Code Entitled "Education" by Providing for a Duty Free Period Near the Lunch Time," to Education.

SB 230—"An Act to Amend Section 3112 of Title 10 of the Delaware Code Relating to Service of Process on Non-Resident Owners, Operators or Drivers of Motor Vehicles," to Judiciary.

SB 344—"An Act to Amend Chapter 27, Title 25, Delaware Code Relating to Mechanics' Liens by Eliminating the Requirement That a Claim Against Two or More Structures Owned by the Same Person be Apportioned Among Each Structure," to Judiciary.

SB 345—"An Act to Amend Chapter 27, Title 25, Delaware Code, Relating to Mechanics' Liens by Liberalizing the Procedural Requirements Therefor," to Judiciary.

SB 371—"An Act to Amend Chapter 41, Title 11, Delaware Code, Relating to Non-Payment of Fines and Costs; Imprisonment and Discharge," to Judiciary.

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

HB 472—"An Act to Amend Chapter 15, Title 9, Delaware Code, Relating to the Powers and Duties of the Levy Court of New Castle County," by Quigley and Snowden; to Judiciary.

HB 473—"An Act to Amend Chapter 1, 3, 5, and 9 of Title 10, of the Delaware Code Relating to the Supreme Court, Court of Chancery, Superior Court and Family Court of New Castle County," by Quigley and Snowden; to Judiciary.

HB 474—"An Act to Amend Chapter 199, Volume 51, Laws of Delaware, Relating to Buildings and Grounds Supervisors by Repealing the Appropriations for the Fiscal Year Beginning July 1, 1958," by Lambert; to Appropriations.

HB 475—"An Act to Repeal Chapter 266, Volume 51, Laws of Delaware (Chapter 14, Title 24, Delaware Code) Pertaining to "Electrical Contractors," by Eskridge; to Miscellaneous.

HB 476—"An Act to Amend Chapter 283, Volume 51, Laws of Delaware, so as to Provide That Middletown #60 School District be Permitted to Finance Capital Improvements Thereunder and Appropriating the Necessary Funds," by Tribbitt; to Education.

HB 477—"An Act Appropriating Money to the Appomattox Camp No. 2, Sons of Union Veterans of the Civil War," by Lawson and Massey; to Appropriations.

Mr. Snowden moved that **HB 404**—"An Act Authorizing the State Treasurer to Transfer Certain Balances in the Accounts of Former State Treasurer Clarence S. Collins, Jr., to the General Fund of the State of Delaware," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, (Mrs.) Manning, Massey, McAllister, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—30.

NAYS—None.

ABSENT — Messrs. Alexander, Carpenter, Livingston, Mills and Quigley—5.

HB 404 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Shockley moved that **HB 443**—"An Act to Authorize the Mayor and Council of Wilmington to Issue Negotiable Notes in Anticipation of the Issuance of Bonds Previously Authorized for Lawful Purposes," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—31.

NAYS—None.

ABSENT — Messrs. Alexander, Carpenter, Mills and Quigley—4.

HB 443 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The Secretary of the Senate informed the House that the Senate had passed and requested the concurrence of the House in the following resolutions, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

SCR 37—"In Reference to the Holding of Hearings by the Legislative Joint Finance Committee," to Miscellaneous.

SCR 38—"Fixing the Time for Temporary Adjournment by the Senate and the House of Representatives of the 119th General Assembly," to Miscellaneous.

Mr. Massey introduced the following resolution, which on further motion by him was adopted: **HR 115**—"In Reference to the Resignation of a Typist and the Election of an Attorney's Clerk for the House of Representatives."

BE IT RESOLVED, by the House of Representatives of the 119th General Assembly that the resignation of Elizabeth Covell as a Typist of said House of Representatives, effective January 15, 1958, is accepted and the said Elizabeth Covell is hereby relieved of duties from the said office as of the close of the legislative day on January 15, 1958; and

BE IT FURTHER RESOLVED, by the House of Representatives of the 119th General Assembly that Harold Powell is hereby elected to serve as Attorney's Clerk of the House of Representatives beginning January 20, 1958, at the pleasure of the House.

The following employee oath was administered by Mr. Speaker Mayhew:

OATH OF EMPLOYEES

The State of Delaware, County of Kent, ss.

I, Harold Powell, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Attorney's Clerk for the House of Representatives in the General Assembly of the State, according to the best of my ability.

HAROLD POWELL

Sworn and subscribed to this 20th day of January, A. D. 1958.

H. E. MAYHEW

Speaker of the House of Representatives

On motion by Mr. Eskridge, the rules were suspended for the purpose of a committee report.

HB 475 from Miscellaneous with 4 favorable and 1 on merits.

On further motion by Mr. Eskridge, the rules were suspended so **HB 475** could be given the third and final reading in order to pass the House.

Mr. Ehinger moved that action be deferred on **HB 475**.

Roll Call revealed:

YEAS—Messrs. Bartleson, Ehinger, Hussey, Lawson, Livingston, Pryor, Richards, Shockley, Simpler, Snowden, Wolf—11.

NAYS—Messrs. Appleford, Betts, Cain, Clark, English, Eskridge, Kauffman, Keller, King, Lambert, (Mrs.) Manning, Massey, McAllister, Reed, Snedeker, Tribbitt, Walls, West, Mr. Speaker Mayhew—19.

NOT VOTING—Mr. Spicer—1.

ABSENT — Messrs. Alexander, Carpenter, Mills, and Quigley—4.

Motion lost.

On motion by Mr. Snowden, the House recessed for a caucus on **HB 475**.

At the expiration of the recess, Mr. Snowden moved that action be deferred on **HB 475**. Motion prevailed.

On motion by Mr. Eskridge, the rules were suspended for the purpose of a committee report.

SCR 37 from Miscellaneous, 3 favorable and 2 on merits.

On further motion by Mr. Eskridge, the rules were suspended so that **SCR 37**—"In Reference to the Holding of Hearings by the Legislative Joint Finance Committee," be given the third and final reading in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Betts, Cain, Clark, English, Eskridge, Hussey, King, Livingston, Massey, Shockley, Simpler, Tribbitt, Walls, Mr. Speaker Mayhew—14.

NAYS—Messrs. Appleford, Bartleson, Ehinger, Kauffman, Lambert, Lawson, (Mrs.) Manning, McAllister, Reed, Richards, Snedeker, Snowden, Spicer, West, Wolf—15.

NOT VOTING—Mr. Keller—1.

ABSENT—Messrs. Alexander, Carpenter, Mills, Pryor, Quigley—5.

On motion by Mr. Tribbitt, the Roll Call was tabled.

On motion by Mr. Eskridge, the rules were suspended for a committee report on **SCR 38**.

SCR 38 from Miscellaneous, 3 favorable and 2 on merits.

Mr. Eskridge moved that **SCR 38** be adopted by voice vote.

Mr. Speaker Mayhew declared a short recess.

At the expiration of the recess, Mr. Quigley moved that the House adjourn until Thursday, January 23rd, 1958 at 1:00 P. M. Motion prevailed.

108TH LEGISLATIVE DAY

Dover, Delaware, January 23rd, 1958

House met pursuant to adjournment at 2:50 P. M., on January 20th, 1958.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning,

Massey, McAllister, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—32.

Members absent—Messrs. Carpenter, Ehinger, Mills—3.

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

A communication was presented by Mr. Quigley pursuant to SB 241.

On motion by Mr. Eskridge, action on SCR 38 was deferred.

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

HB 478—"An Act Refunding Certain Monies to Insurance Companies by the State Insurance Commissioner, Said Monies Having Been Collected by Authority of Acts of the 118th General Assembly Subsequently Declared Unconstitutional," by Lawson and Richards; to Insurance and Banking.

HB 479—"An Act to Repeal Section 3919, Title 10, Delaware Code, Relating to the Limitation of Liability of Newspapers for Libel," by Shockley; to Judiciary.

HB 480—"An Act to Amend Chapter 35, Title 11, Delaware Code, by Adding a New Section 3508 Relating to the Power of Courts and Judges to Order Material Witnesses to Enter Into Undertakings for Appearance in Court or to be Committed on Refusal to Comply Therewith," by Shockley; to Judiciary.

HB 481—"An Act to Authorize and Empower All Municipal Corporations of the State of Delaware to Enact, Levy and Collect a Tax on Employers Engaged in a Trade or Business," by Shockley; to Municipal Corporations.

HS 1 for HB 130—"An Act Appropriating Funds to the Board of Mental Health Training and Research," by Shockley; to Public Health.

HB 130 was recommitted on motion by Mr. Shockley.

Mr. Eskridge moved that **HB 475**—"An Act to Repeal Chapter 266, Volume 51, Laws of Delaware (Chapter 14, Title 24, Delaware Code) Pertaining to "Electrical Contractors," be taken up for further consideration in order to pass the House.

The opponents and proponents were given special privilege of the floor to discuss this bill.

Roll Call revealed:

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Kauffman, Keller, King, Lambert, Livingston, (Mrs.) Manning, Massey, McAllister, Quigley, Reed, Snedeker, Tribbitt, Walls, West, Mr. Speaker Mayhew—21.

NAYS — Messrs. Bartleson, Hussey, Lawson, Richards, Shockley, Simpler, Snowden, Wolf—8.

NOT VOTING—Messrs. Appleford, Pryor, Spicer—3.

ABSENT—Messrs. Carpenter, Ehinger, Mills—3.

HB 475 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 364, HB 367, HB 84, HB 380.**

The Secretary of the Senate informed the House that the Senate had concurred in **HB 443**, and that the Senate had passed and requested the concurrence of the House in the following bill: **SB 381.**

HCR 17—"Expression of Deep Regret by Members of the House of Representatives and the Members of the Senate of the 119th General Assembly on the Untimely Death of Charles E. Klingmeyer," was introduced by Mr. Quigley and on further motion by him the rules were suspended for the purpose of giving the resolution the third and final reading in order to pass the House. **HCR 17** was adopted by voice vote, and ordered to the Senate for concurrence.

The following bills were reported out of committee as follows: **HB 473, SB 344 and SB 345** from Judiciary, 2 favorable and 3 on merits.

Mr. Speaker signed **SCR 36, SB 149 and SB 364.**

On motion by Mr. Quigley, the rules were suspended in order that **HB 473** be given the third and final reading in order to pass the House.

Mr. West moved that action be deferred on **HB 473.**

Mr. Quigley moved that Mr. West's motion be tabled.

Roll Call revealed:

YEAS — Messrs. Alexander, Appleford, Clark, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, Pryor, Quigley, Reed, Shockley, Snedeker, Snowden, Spicer, Tribbitt—18.

NAYS—Mrs. Manning, Messrs. Massey, Simpler, Walls, West, Mr. Speaker Mayhew—6.

NOT VOTING—Messrs. Betts, Cain, English, Eskridge—4.

PRESENT — Messrs. Bartleson, Carpenter, Ehinger, McAllister, Mills, Richards, Wolf—7.

Motion carried.

Mr. Quigley moved that **HB 473**—"An Act to Amend Chapter 1, 3, 5 and 9 of Title 10, of the Delaware Code Relating to the Supreme Court, Court of Chancery, Superior Court and Family Court of New Castle County, be taken up for consideration in order to pass the House.

Roll Call revealed:

YEAS — Messrs. Alexander, Clark, Hussey, Kauffman, Keller, King, Lambert, Livingston, Quigley, Reed, Snedeker, Spicer, Tribbitt—13.

Messrs. Shockley and Snowden changed their vote from yes to no for the purpose of reconsideration.

NAYS — Messrs. Appleford, Betts, English, Eskridge, Lawson, (Mrs.) Manning, Massey, Pryor, Richards, Simpler, Walls and West—12.

NOT VOTING—Mr. Cain and Mr. Speaker Mayhew—2.

ABSENT—Messrs. Bartleson, Carpenter, Ehinger, McAllister, Mills, Wolf—6.

HB 473 not having received the constitutional majority, was lost in the House.

On motion by Mr. Shockley, **HB 473** was restored to the calendar.

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

HB 482—"An Act Prohibiting the Use of State-Owned Motor Vehicles and Equipment for Hire or For Personal Use and Providing Penalties Therefore; Duties of State Highway Departments; Exceptions; Penalties," by Appleford and Richards; to Public Buildings and Highways.

HB 483—"An Act to Amend Chapter 299, Volume 51, Laws of Delaware (Chapter 11, Title 30, Delaware Code) by Changing the Effective Date of the Increase in the Rates of Tax on Personal Incomes," by Quigley; to Appropriations.

HB 484—"An Act to Amend Chapter 205, Volume 17, Laws of Delaware, Being An Act Entitled "An Act to Establish a Board of Water Commissioners for the City of Wilmington and for Other Purposes", as Amended, by Providing That the Board of Water Commissioners for the City of Wilmington Shall Fix Water Rates Sufficient to Pay the Running Expenses and Operations of Said Board of Water Commissioners, Provide for Adequate Replacement, Depreciation and Obsolescence Reserves and Pay the Maturities and Interest on Water Bonds," by Shockley and Hussey; to Municipal Corporations.

HB 485—"An Act to Amend "An Act to Provide for the Organization and Control of the Public Schools of the City of Wilmington", Being Chapter 92, Volume 23, Laws of Delaware, as Amended, by Changing the Procedure Applicable to the Exercise of the Right of Eminent Domain by and in Behalf of the Board of Public Education in Wilmington," by Shockley and Hussey; to Municipal Corporations.

HB 486—"An Act to Amend Chapter 223, Volume 51, Laws of Delaware Relating to Refund of Registration Fees of Vehicles Retitled in Another State," by Tribbitt and Snowden; to Public Buildings and Highways.

SB 381—"An Act to Amend Chapter 51, Title 29, Delaware Code, by Providing That Persons Who Receive Pensions Contributed to by the State of Delaware Shall be Ineligible for State Office or Employment by Virtue of Which Compensation is Received," to Appropriations.

Mr. Massey introduced the following resolution, which on further motion by him was adopted: **HR 116**—"Authorizing the Payment of Certain Expense of the House of Representatives for Repair Service to Typewriter."

BE IT RESOLVED by the House of Representatives of the 119th General Assembly of the State of Delaware that the hereinafter named amounts are hereby appropriated out of any money in the State Treasury, not otherwise appropriated, on account of expenses connected with the present session and necessary to the work of the session, as follows:

International Business Machines Corporation, 909 Delaware Avenue, Wilmington 99, Delaware, for repair service on IBM Electric Typewriter #538064 on January 15, 1958. .\$.9.10

On motion by Mr. Quigley, the House adjourned until Monday, January 27th, 1958, at 1:00 P. M.

109TH LEGISLATIVE DAY

Dover, Delaware, January 27th, 1958

House met pursuant to adjournment at 2:45 P. M., on January 23, 1958.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Alexander, Appleford, Bartleson, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—31.

Members absent—Messrs. Betts, Carpenter, Snowden and Wolf—4.

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

The following bills were reported out of committee as follows: **HB 469** from Education, favorable; **HB 453** from Public Buildings and Highways, 2 favorable and 1 on merits; **HB 478** from Insurance and Banking, 3 favorable and 1 on merits; **SB 230** from Judiciary, 3 favorable and 1 on merits; **HB 470** from Municipal Corporations, 3 favorable and 1 on merits, and **HB 477** from Appropriations, favorable.

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

HB 487—"An Act to Amend Chapter 157, Volume 51, Laws of Delaware, Relating to State Supported Salary Schedule for School Lunch Employees," by McAllister; to Education.

HB 488—"An Act to Repeal Section 3905, Chapter 39, Title 11, Delaware Code, Relating to Remission of Corporal Punishment," by Appleford and Massey; to Judiciary.

HB 489—"An Act to Amend the Motor Vehicle Laws of the State of Delaware by Repealing Title 21, Delaware Code, and by Enacting in Lieu Thereof a New Title 21 Delaware Code," by Alexander and Spicer, Public Buildings and Highways.

HB 490—"An Act to Amend Chapter 167, Volume 37, Laws of Delaware, Entitled "An Act to Incorporate the Town of Slaughter Beach" Relating to Duties and Powers of Alderman; Taxation," by Keller and Mayhew; Municipal Corporations.

HB 491—"An Act Proposing an Amendment to Article 11, Section 11 of the Constitution of the State of Delaware by Providing for Reapportionment of the House of Representatives," by Manning, Bartleson and Lambert; to Revised Statutes.

HB 492—"An Act Making an Appropriation to the State Board of Education for Driver Education," by Appleford and Ehinger; to Education.

HB 493—"An Act to Amend Chapter 3, Title 28, Delaware Code, Entitled "Horse Racing" and Chapter 5, Title 28, Delaware Code, Relating to Harness Racing by Providing for the Disposition of Outstanding Pari-Mutuel Tickets Not Claimed Within 60 Days," by Snedeker; to Miscellaneous.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 135**.

The Secretary of the Senate informed the House that the Senate had concurred in **HCR 17**.

Mr. Walls moved that **HB 403**—"An Act to Amend Chapter 41, Title 16, Delaware Code Entitled "Ice Cream" Relating to Ice Milk," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS — Messrs. Appleford, Bartleson, Cain, Clark, Ehinger, Eskridge, Kauffman, Keller, King, Lambert, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—26.

NAYS—None.

ABSENT—Messrs. Alexander, Betts, Carpenter, English, Hussey, Lawson, Snedeker, Snowden, Wolf—9.

HB 403 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. McAllister moved that **HB 464**—"An Act to Amend Section 703, Title 7, Delaware Code, Relating to Open Season for Game," be taken up for consideration and read for the third time in order to pass the House.

HA 1 to **HB 464** was introduced by Mr. Eskridge and on further motion by him was adopted.

Roll Call revealed:

YEAS—Messrs. Cain, Clark, Eskridge, Hussey, King, Livingston, Massey, McAllister, Mills, Pryor, Walls, West, Mr. Speaker Mayhew—13.

NAYS—Messrs. Appleford, Bartleson, Ehinger, English, Kauffman, Keller, Lambert, Lawson, (Mrs.) Manning, Quigley, Reed, Richards, Simpler, Snedeker, Spicer—15.

NOT VOTING—Mr. Shockley—1.

ABSENT—Messrs. Alexander, Betts, Carpenter, Snowden, Tribbitt, Wolf—6.

Messrs. Eskridge and West changed their vote from yes to no for the purpose of reconsideration.

HB 464 as amended not having received the constitutional majority, was lost in the House.

On motion by Mr. Eskridge, **HB 464** as amended, was restored to the calendar.

On motion by Mr. Quigley, the House adjourned until Tuesday, January 28th, 1958, at 1:00 P. M.

110TH LEGISLATIVE DAY

Dover, Delaware, January 28th, 1958

House met pursuant to adjournment at 4:28 P. M., on January 27th, 1958.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Alexander, Appleford, Bartleson, Cain, Clafk, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—31.

Members absent—Messrs. Betts, Carpenter, Snowden and Wolf—4.

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

A communication was presented by Mr. English pursuant to School Legislation. A communication was presented by Mr. Quigley, pursuant to **HB 55** and **SB 308**.

Mr. Lawson moved that **HB 478** be given the third and final reading in order to pass the House. On motion by Mr. Quigley, action was deferred.

The following bills were reported out of their respective committees: **HB 493** from Miscellaneous, 3 favorable and 1 on merits; **HB 449** from Miscellaneous, 5 favorable; **HB 484** from Municipal Corporations, 4 favorable, and **HB 485** from Municipal Corporations, 3 favorable and 1 on merits.

Mr. Speaker signed **HB 135**.

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, **HB 135**, **HB 443** and **HCR 17**.

On motion by Mr. Quigley, the House adjourned until Wednesday, January 29th, 1958, at 1:00 P. M.

111TH LEGISLATIVE DAY

Dover, Delaware, January 29th, 1958

House met pursuant to adjournment at 2:27 P. M., on January 28th, 1958.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Alexander, Appleford, Bartleson, Cain, Clark, Ehinger, English, Eskridge, Hussey, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—30.

Members absent—Messrs. Betts, Carpenter, Kauffman, Snowden and Wolf—5.

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

Mr. Walls introduced the following resolution, which on further motion by him was adopted: **HR 117**—"In Reference to the Resignation of an Attorney's Clerk and the Election of a Telephone Messenger for the House of Representatives."

BE IT RESOLVED, by the House of Representatives of the 119th General Assembly that the resignation of Betty Cordrey as an Attorney's Clerk of said House of Representatives, effective January 28, 1958, is accepted and the said Betty Cordrey is hereby relieved of duties from the said office as of the close of the legislative day on January 28, 1958; and

BE IT FURTHER RESOLVED, by the House of Representatives of the 119th General Assembly that Richard Norwood is hereby elected to serve as Telephone Messenger of the House of Representatives beginning January 29, 1958, at the pleasure of the House.

The following oath was administered by Mr. Speaker:

OATH OF EMPLOYEES

The State of Delaware, County of Kent, ss.

I, Richard Norwood, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Telephone Messenger for the House of Representatives in the General Assembly of the State, according to the best of my ability.

RICHARD NORWOOD

Sworn and subscribed to this 29th day of January, 1958.

H. E. MAYHEW

Speaker of the House of Representatives

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

HG 494—"An Act to Amend Section 3105 (2), Title 29, Delaware Code, Relating to General Powers and Duties of the State Building and Grounds Commission by Providing for a Site for the Construction of One or More Modern Office Buildings," by Spicer, Alexander, Mayhew and Ehinger; to Public Buildings and Highways.

HCR 18—"Relating to Toll Charges for Non-Profit Delaware Ambulance Service in the State of Delaware," was introduced by Mr. Richards and referred to the Committee on Miscellaneous.

On motion by Mrs. Manning, **HB 319** was taken up for further consideration. On further motion by Mrs. Manning, **HA 1** to **HB 319** was lifted from the table. **HA 1** to **HB 319** was adopted by voice vote.

Mrs. Manning moved that **HB 319** as amended—"An Act to Add to Title 15 of the Delaware Code 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," be taken up for further consideration in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Appleford, Bartleson, Clark, Ehinger, English, Eskridge, Hussey, Keller, King, Lambert, Lawson, (Mrs.) Manning, Pryor, Quigley, Reed, Richards, Simpler, Snedeker, Spicer, Walls, Mr. Speaker Mayhew—21.

NAYS—Messrs. Alexander, Cain, Livingston, Mills and Shockley—5.

NOT VOTING—Messrs. Massey, McAllister and Tribbitt—3.

ABSENT—Messrs. Betts, Carpenter, Kauffman, Snowden, West and Wolf—6.

HB 319 as amended having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

SB 371 was reported out of the Judiciary Committee with 3 favorable and 1 on merits.

On motion by Mr. Hussey, **HB 445** was given the third and final reading. On motion by Mr. Shockley, action was deferred on **HB 445**.

Mr. English introduced the following resolution, which on further motion by him was adopted: **HR 118**—"Authorizing the Payment of Certain Expenses of the House of Representatives for Telephone Service and Repair Service to Type-writer and Equipment."

BE IT RESOLVED by the House of Representatives of the 119th General Assembly of the State of Delaware that the hereinafter named amounts are hereby appropriated out of any money in the State treasury, not otherwise appropriated, on account of expenses connected with the present session and necessary to the work of the session, as follows:

The Diamond State Telephone Company, 124 South State Street, Dover, Delaware, for local service and equipment and calls on telephones numbered Dover 6-1611 and Dover 6-1712 covering the period from December 10, 1957 to and including January 10, 1958 \$38.92

The International Business Machines Corporation, 909 Delaware Avenue, Wilmington, Delaware, for repair service on machine #476-16796 \$5.50

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

BE IT RESOLVED, by the House of Representatives of the 119th 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 119th General Assembly of the State of Delaware, up to and including the One Hundred and Eleventh 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:

Mr. Paul F. Livingston	\$225.00
Mr. James H. Snowden	255.00
Mr. Harry G. Lawson	255.00
Mr. Paul E. Shockley	255.00
Mr. Edward J. Hussey, Jr.	255.00
Mr. T. Lees Bartleson	265.20
Mr. Harry H. Lambert	244.80
Mrs. Margaret R. Manning	244.80
Mr. Henry H. Wolf	229.50
Mr. James R. Quigley	229.50
Mr. Wililam H. Carpenter	229.50
Mr. Henry E. Snedeker	178.50
Mr. Sherman W. Tribbitt	127.50
Mr. Edgar Alexander	127.50
Mr. Charles R. Pryor	76.50
Mr. Charles C. King	66.30
Mr. H. Clifford Clark	66.30
Mr. Nelson Massey	25.50
Mr. Charles R. Richards	10.20
Mr. Elmer L. Betts	91.80
Mr. Henry B. Appleford	25.50
Mr. Clifford M. Simpler	61.20
Mr. George W. Cain	96.90
Mr. Harry E. Mayhew	102.00
Mr. John Keller	127.50
Mr. Edgar English	168.30
Mr. Norman Eskridge	178.50
Mr. Horace W. Mills	255.00
Mr. Harry G. McAllister	270.30
Mr. Charles P. West	321.30
Mr. Lester M. Kauffman	306.00
Mr. Joseph B. Walls	234.60
Mr. Harvey B. Spicer	204.00
Mr. Arthur R. Reed	214.20

On motion by Mr. Alexander, **SB 327** was given the third and final reading. On further motion by Mr. Alexander, action was deferred on **SB 327**.

On motion by Mr. Tribbitt, **HB 388** was given the third and final reading. On further motion by Mr. Tribbitt, action was deferred on **HB 388**.

Mr. Eskridge moved that **HB 464**—"An Act to Amend Section 703, Title 7, Delaware Code, Relating to Open Season for Game," be taken up for further consideration in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Cain, Clark, English, Eskridge, Hussey, King, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—18.

NAYS—Messrs. Appleford, Bartleson, Ehinger, Lambert, Lawson, Reed, Richards, Simpler, Snedeker and Spicer—10.

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

ABSENT—Messrs. Betts, Carpenter, Kauffman, Snowden and Wolf—5.

HB 464 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Shockley moved that **HB 469**—"An Act to Amend Title 14, Chapter 19, Delaware Code Entitled "Education" Relating to Collection of School Taxes by Providing for the Elimination of the Abatement of Taxes for Early Payment, and by Providing for a Penalty for Late Payment of Taxes," be taken up for consideration and read for the third time in order to pass the House.

HA 1 to **HB 469** was introduced by Mr. Lambert and on further motion by him was adopted.

Roll Call revealed:

YEAS—Messrs. Appleford, Bartleson, Cain, Clark, Ehinger, Eskridge, Hussey, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—27.

NAYS—None.

ABSENT—Messrs. Alexander, Betts, Carpenter, English, Kauffman, Snowden, West and Wolf—8.

HB 469 as amended having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Shockley moved that **HB 449**—"An Act to Amend Chapter 489, Volume 50 Laws of Delaware, (1955-56) and to Provide for the Use of the Old Detention Home as a Temporary Place of Residence for Persons on Probation or Released from Correctional Institutions," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Cain, Clark, Ehinger, English, Eskridge, Hussey, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—28.

NAYS—None.

ABSENT—Messrs. Betts, Carpenter, Kauffman, Keller, Snowden, West and Wolf—7.

HB 449 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 495—"An Act to Amend Title 10, Section 4913, Relating to Exemption and Attachment of Wages in Sussex County," by English; to Judiciary.

HB 496—"An Act Appropriating Funds for an Architectural Study of the Old State House in Dover," by Ehinger and Richards; to Appropriations.

HB 497—"An Act to Amend Title 31, Delaware Code, Entitled "Welfare" by Revising the Definition of Aid to Dependent Children to Conform With Federal Legislation," by Hussey; to Miscellaneous.

HB 498—"An Act to Amend Chapter 5, Title 1, Delaware Code Relating to Legal Holidays," by Quigley; to Miscellaneous.

HB 499—"An Act Appropriating Funds to the State Library Commission for the State of Delaware to Enable the State to Receive Federal Aid to Rural Libraries Through the "Library Services Act", by Tribbitt; to Appropriations.

HB 500—"An Act to Amend Section 1, Article 8, of the Constitution of the State of Delaware Entitled "Uniformity of Taxes; Collection Under General Laws; Exemption for Public Welfare Purposes" by Prohibiting Any Form of Taxation Being Retroactive," by Snedeker and Quigley; to Revenue and Taxation.

On motion by Mr. Quigley, the rules were suspended in order that **HB 500** be given the third and final reading in order to pass the House.

Mr. Quigley moved that **HB 500**—"An Act to Amend Section 1, Article 8, of the Constitution of the State of Delaware Entitled "Uniformity of Taxes; Collection Under General Laws; Exemption for Public Welfare Purposes" by Prohibiting Any Form of Taxation Being Retroactive," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Clark, Ehinger, Eskridge, Hussey, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—27.

NAYS—None.

NOT VOTING—Messrs. Cain, English and McAllister—3.

ABSENT—Messrs. Betts, Carpenter, Kauffman, Snowden and Wolf—5.

HB 500 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bills were reported out of the Committee on Education: **HB 476**, 5 favorable; **HB 451**, 4 favorable, and **SS 1** for **SB 16**, 1 favorable and 2 on merits.

Mr. Tribbitt introduced the following resolution, which on further motion by him was adopted: **HR 120**—"In Reference to the Resignation of a File Clerk and the Election of a Typist for the House of Representatives."

BE IT RESOLVED, by the House of Representatives of the 119th General Assembly that the resignation of James Sylvester as a File Clerk of said House of Representatives, effective January 28, 1958, is accepted and the said James Sylvester is hereby relieved of duties from the said office as of the close of the legislative day on January 28, 1958; and

BE IT FURTHER RESOLVED, by the House of Representatives of the 119th General Assembly that Marjorie J. Regener is hereby elected to serve as Typist of the House of Representatives beginning January 29, 1958, at the pleasure of the House.

Mr. Shockley moved that **HB 470**—"An Act to Amend Chapter 119, Volume 28, Laws of Delaware Entitled "An Act Providing for the Collection of Taxes for the City of Wilmington" by Amending Section 9 Thereof," be taken up for consideration and read for the third time in order to pass the House.

HA 1 to **HB 470** was introduced by Mr. Lawson, and on further motion by him was adopted.

Roll Call revealed:

YEAS — Messrs. Appleford, Bartleson, Cain, Clark, Ehinger, Eskridge, Hussey, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning) Massey, McAllister, Mills, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—27.

NAYS—Messrs. Alexander and Quigley—2.

ABSENT—Messrs. Betts, Carpenter, English, Kauffman, Snowden and Wolf—6.

HB 470 as amended having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. West moved that **HB 448**—"An Act to Amend Title 14, Delaware Code, Relating to the Public Schools of Delaware; Providing for the Automatic Closing and Suspension of Operation of Any Public School in the State Upon the Employ of Federal Troops in the Vicinity of Said School for Certain Purposes; Providing Certain Powers and Duties of School Board of Education in Connection With Such Closing of Schools," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Appleford, McAllister, Mills, Walls, West, Mr. Speaker Mayhew—6.

Messrs. Mills and West changed their vote from yes to no for the purpose of reconsideration.

NAYS—Messrs. Bartleson, Clark, Ehinger, Hussey, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Spicer and Tribbitt—17.

NOT VOTING—Messrs. English and Massey—2.

ABSENT—Messrs. Betts, Carpenter, Eskridge, Kauffman, Keller, Pryor, Snowden and Wolf—8.

PRESENT—Messrs. Alexander and Cain—2.

HB 448 not having received the constitutional majority, was lost in the House.

On motion by Mr. West, **HB 448** was restored to the calendar.

HB 501—"An Act to Appropriate Funds to the State Highway Department for the Construction of a Sidewalk Near the Ann P. Mote School," was introduced by Mrs. Manning and Mr. Lambert, and referred to the Committee on Appropriations.

HB 55 was reported out of the Revised Statutes Committee with 2 favorable and 2 on merits.

On motion by Mr. Quigley, the Committee Report on **HB 55** was tabled.

On motion by Mr. Quigley, the House adjourned until Monday, February 3rd, 1958, at 1:00 P. M.

112TH LEGISLATIVE DAY

Dover, Delaware, February 3rd, 1958

House met pursuant to adjournment at 2:58 P. M., on January 29th, 1958.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—33.

Members absent—Messrs. Carpenter and Kauffman—2.

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

Communications were presented by Messrs. Bartleson and Snowden pursuant to **HB 452**.

HB 452 was reported from the Appropriations Committee as favorable; **HB 466** was reported from the Education Committee with three favorable.

On motion by Mr. Snowden, the rules were suspended in order that **HB 452** be given the third and final reading in order to pass the House.

Mr. Quigley moved that action be deferred on **HB 452**. Motion lost.

Mr. Quigley further moved that the House recess at the call of the Chair. The Roll Call revealed:

YEAS—Messrs. Alexander, Betts, Cain, English, Eskridge, Hussey, Livingston, McAllister, Mills, Pryor, Quigley, Tribbitt, Walls, West—14.

NAYS—Messrs. Appleford, Bartleson, Clark, Ehinger, Keller, King, Lambert, Lawson, (Mrs.) Manning, Massey, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Wolf, Mr. Speaker Mayhew—19.

ABSENT—Messrs. Carpenter and Kauffman—2.

Motion lost.

Mr. Speaker declared a short recess in order that the House Attorney could prepare a report from the Delaware Code referring to the bill. Recessed at 3:20 p. m.

Mr. Speaker called the House to order at 3:45 P. M.

After an explanation of the bill by the House Attorney, Mr. Speaker ordered a Roll Call on **HB 452**.

On motion of Mr. Snowden, **HB 452**—"An Act Making a Supplementary Appropriation to the State Board of Education, Certain School Districts and the Wilmington Board of Education for the Fiscal Year Ending June 30, 1958, be taken up for consideration in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—30.

NAYS—None.

NOT VOTING—Mr. Quigley—1.

ABSENT—Messrs. Carpenter, Kauffman, Keller and Reed—4.

HB 452 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bills were reported out of committees as follows: **HB 487** from Education with 3 favorable; **HB 486**, **HB 489** and **HB 494** from Public Buildings and Highways with 2 favorable and 1 on merits; **HB 468** from Revenue and Taxation with 4 favorable; **SB 193** from Revenue and Taxation with 3 favorable; **HB 497** from Miscellaneous with 4 favorable and **SB 282** from Public Buildings and Highways with 4 favorable.

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

HB 502—"An Act to Amend Chapter 69, Title 16, Delaware Code Relating to the Sale of Fireworks," by McAllister; to Miscellaneous.

HB 503—"An Act to Amend Chapter 75, Title 16, Delaware Code, Relating to Buildings, Requiring Fire Escapes; Kinds," by Eskridge; to Miscellaneous.

HB 504—"An Act to Amend Chapter 191, 45 Laws of Delaware "An Act to Reincorporate the Town of Delaware City," by Snedeker; to Municipal Corporations.

HB 505—"An Act to Amend Chapter 43, Title 21, Delaware Code Relating to the Regrooving and Retreading of Rubber Tires," by Alexander; to Miscellaneous.

The following petition was presented by Mr. Quigley:

We, the undersigned, do hereby petition **HB 483** out of Appropriations Committee pursuant to the rules of the House of Representatives of the State of Delaware.

James Quigley, S. W. Tribbitt, Charles R. Pryor, Edward J. Hussey, H. C. Clark, Charles C. King, Paul F. Livingston, E. J. English, Jas. B. Walls, G. W. Cain, Henry E. Snedeker, Harry K. Lambert, Marg. R. Manning, Henry B. Appleford, A. R. Reed, John Keller, C. F. Richards, George Ehinger

Mr. Speaker declared that **HB 483** was out of committee, pursuant to the rules of the House of Representatives.

The Secretary of the Senate informed the House that the Senate had concurred in: **HB 204**, **HB 450**, **HB 475**, **HB 449**, and that the Senate had passed and requested the concurrence of the House in the following bills: **SB 158**, **SB 207**, **SB 379** with **SA 1**, **SB 385**, **SB 388**, **SB 389**.

Mr. West moved that **HB 448**—"An Act to Amend Title 14, Delaware Code, Relating to the Public Schools of Delaware; Providing for the Automatic Closing and Suspension of Operation of Any Public School in the State Upon the Employ of Federal Troops in the Vicinity of Said School for Certain Purposes; Providing Certain Powers and Duties of School Board of Education in Connection With Such Closing of Schools," be taken up for further consideration in order to pass the House.

Senators Melson and Hoey were granted privilege of the floor on request of Mr. West, to explain the bill.

Roll Call revealed:

YEAS—Messrs. Appleford, Betts, Cain, Keller, Massey, McAllister, Mills, Walls, West, Mr. Speaker Mayhew—10.

NAYS — Messrs. Bartleson, Clark, Ehinger, Eskridge, Hussey, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt and Wolf—20.

NOT VOTING—Messrs. English and Spicer—2.

ABSENT—Messrs. Alexander, Carpenter and Kauffman—3.

Messrs. Mills and West changed their vote from yes to no for the purpose of reconsideration.

HB 448 not having received the constitutional majority, was lost in the House.

Mr. West moved that **HB 448** be restored to the calendar.

Mr. Ehinger moved that the motion to restore the bill be tabled.

Roll Call revealed:

YEAS — Messrs. Alexander, Bartleson, Clark, Ehinger, Hussey, Lambert, Lawson, Livingston, (Mr.) Manning, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Wolf—17.

NAYS—Messrs. Appleford, Betts, Cain, English, Keller, Massey, McAllister, Mills, Walls, West and Mr. Speaker Mayhew—11.

NOT VOTING—Messrs. Eskridge, King, Pryor, Spicer and Tribbitt—5.

ABSENT—Messrs. Carpenter and Kauffman—2.

Motion prevailed.

Mr. Speaker Mayhew administered the following oath:

OATH OF EMPLOYEES

The State of Delaware, County of Kent, ss.

I, Marjorie J. Regener, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Typist for the House of Representatives in the General Assembly of the State, according to the best of my ability.

MARJORIE J. REGENER

Sworn and subscribed to this 3rd day of February, 1958.

H. E. MAYHEW

Speaker of the House of Representatives

HR 121 was introduced by Mr. English and on further motion by him was adopted.

Mr. Quigley moved that **HB 473** be taken up for further consideration. On further motion by Mr. Quigley, action was deferred on the bill.

On motion by Mr. Quigley, the House adjourned until Tuesday, February 4th, 1958, at 1:00 P. M.

113TH LEGISLATIVE DAY

Dover, Delaware, February 4th, 1958

House met pursuant to adjournment at 2:38 P. M., on February 3rd, 1958.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt, Walls, West, Mr. Speaker Mayhew—31.

Members absent—Messrs. Carpenter, Kauffman, Spicer and Wolf—4.

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

A communication was presented by Mr. Walls, pursuant to **HB 452**.

The following bills were reported out of committee as favorable, unless otherwise specified: **HB 502** and **HB 503**, from Miscellaneous; **HB 490**, from Municipal Corporations; **HB 479** and **HB 480**, from Judiciary, 3 favorable and 1 on merits, and **HB 495**, from Judiciary, 2 favorable and 2 on merits.

Mr. Lawson moved that **HB 478**—"An Act Refunding Certain Monies to Insurance Companies by the State Insurance Commissioner, Said Monies Having Been Collected by Authority of Acts of the 118th General Assembly Subsequently Declared Unconstitutional," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, Eskridge, Hussey, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snowden, Tribbitt, Walls, West, Mr. Speaker Mayhew—29.

NAYS—None.

NOT VOTING—Mr. English—1.

ABSENT — Messrs. Carpenter, Kauffman, Snedeker, Spicer and Wolf—5.

HB 478 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Pryor moved that **SB 168**—"An Act to Amend Section 3521, Title 12, Delaware Code Relating to Accounting and Distribution of Trust Funds," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Geller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snowden, Tribbitt, Walls, West, Mr. Speaker Mayhew—30.

NAYS—None.

ABSENT — Messrs. Carpenter, Kauffman, Snedeker, Spicer and Wolf—5.

SB 168 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Quigley moved that HB 483—"An Act to Amend Chapter 299, Volume 51, Laws of Delaware (Chapter 11, Title 30, Delaware Code) by Changing the Effective Date of the Increase in the Rates of Tax on Personal Incomes," be taken up for consideration and read for the third time in order to pass the House.

Mr. Quigley moved that Mr. Snedeker's name appear as co-sponsor of the bill. Motion carried.

Roll Call revealed:

YEAS—Messrs. Appleford, Betts, Cain, Clark, Ehinger, English, Hussey, Keller, King, Livingston, (Mrs.) Manning, Massey, Mills, Pryor, Quigley, Tribbitt, Mr. Speaker Mayhew—17.

NAYS — Messrs. Lambert, Reed, Richards, Shockley, Simpler, Snowden, Walls and West—8.

NOT VOTING—Mr. McAllister—1.

ABSENT — Messrs. Alexander, Bartleson, Carpenter, Eskridge, Kauffman, Lawson, Snedeker, Spicer and Wolf—9.

Messrs. Livingston and Quigley changed their vote from yes to no for the purpose of reconsideration.

HB 483 not having received the constitutional majority, was lost in the House.

Mr. Quigley moved that HB 483 be restored to the calendar.

Roll Call revealed:

YEAS — Messrs. Appleford, Clark, Ehinger, English, Hussey, Keller, King, Lambert, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Tribbitt, Mr. Speaker Mayhew—18.

NAYS—Messrs. Betts, Cain, Shockley, Simpler, Snowden, Walls and West—7.

NOT VOTING—Mr. Eskridge—1.

ABSENT — Messrs. Alexander, Bartleson, Carpenter, Kauffman, Lawson, (Mrs.) Manning, Snedeker, Spicer and Wolf—9.

Mr. West moved that the Roll Call on the motion to restore HB 483 to the calendar be tabled.

Roll Call revealed:

YEAS—Messrs. Betts, Cain, Eskridge, Shockley, Simpler, Snowden, Walls, West—8.

NAYS — Messrs. Appleford, Clark, Ehinger, English, Hussey, Keller, King, Lambert, Livingston, Mills, Pryor, Quigley, Reed, Richards, Tribbitt and Speaker Mayhew—16.

NOT VOTING—Messrs. Massey and McAllister—2.

ABSENT — Messrs. Alexander, Bartleson, Carpenter, Kauffman, Lawson, (Mrs.) Manning, Snedeker, Spicer and Wolf—9.

Motion lost and **HB 483** was restored to the calendar.

Mr. Hussey moved that **HB 445**—"An Act to Amend Chapter 1, Title 17 of the Delaware Code Relating to the Authority of the Highway Department to Establish Controlled-Access Facilities," be taken up for further consideration in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Cain, Clark, Hussey, Lambert, Livingston, McAllister, Mills, Pryor, Quigley, Snedeker, Tribbitt, Walls, West, Mr. Speaker Mayhew—15.

NAYS—Messrs. Appleford, Ehinger, Keller, Reed, Richards, Simpler and Snowden—7.

NOT VOTING—Messrs. Betts, Eskridge, King and Massey—4.

ABSENT—Messrs. Bartleson, Carpenter, English, Kauffman, Lawson, (Mrs.) Manning, Shockley, Spicer and Wolf—9.

Messrs. Hussey and Livingston changed their vote from yes to no for the purpose of reconsideration.

HB 445 not having received the constitutional majority, was lost in the House.

HB 506—"An Act to Amend Chapter 27, Title 29, Delaware Code, Relative to the Method of Payments of State Officials and Employees," was introduced by Mr. Appleford and assigned to the Miscellaneous Committee.

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

SB 389—"An Act Conferring Upon the Mayor and Council of Wilmington Power to Enact, Levy and Collect a Tax on Business Within the City of Wilmington," to Municipal Corporations.

SB 388—"An Act Authorizing the Levy Court of New Castle County to Appropriate Certain Sums to the Five Points Volunteer Fire Company for the Maintenance of a Rescue Wagon," to Appropriations.

SB 385—"An Act to Amend Section 5715, Title 11, Delaware Code, Concerning the Municipal Court for the City of Wilmington and Relating to Fees, Costs, and Charges in Said Court," to Judiciary.

SB 379—"An Act to Amend Chapter 3, Title II, of the Delaware Code Relating to Obscene Literature," to Miscellaneous.

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

SB 207—"An Act to Amend Chapter 25, Title 24, Delaware Code, Entitled "Pharmacy", to Miscellaneous.

Mr. Tribbitt moved that **SB 371**—"An Act to Amend Chapter 41, Title 11, Delaware Code, Relating to Non-payment of Fines and Costs; Imprisonment and Discharge," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS — Messrs. Alexander, Clark, Ehinger, Eskridge, Hussey, Keller, King, Lambert, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt, Walls, West—24.

NAYS—Mr. Appleford—1.

NOT VOTING—Messrs. Betts, English and Mr. Speaker Mayhew—3.

ABSENT — Messrs. Bartleson, Carpenter, Kauffman, Lawson, Spicer and Wolf—6.

PRESENT—Mr. Cain—1.

SB 371 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 452**, **HB 470** with **HA 1**, and that the Senate had passed and requested the concurrence of the House in the following bills: **SB 189**, **SB 190** with **SA 1**, **SB 284**.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 465**, **HB 469** with **HA 1**, and that the Senate had passed and requested the concurrence of the House in the following bill: **SB 392**.

Mr. Hussey moved that **HB 484**—"An Act to Amend Chapter 205, Volume 17, Laws of Delaware, Being An Act Entitled "An Act to Establish a Board of Water Commissioners for the City of Wilmington and for Other Purposes", as Amended, by Providing That the Board of Water Commissioners for the City of Wilmington Shall Fix Water Rates Sufficient to Pay the Running Expenses and Operations of Said Board of Water Commissioners, Provide for Adequate Replacement, Depreciation and Obsolescence Reserves and Pay the Maturities and Interest on Water Bonds," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, King, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, Mr. Speaker Mayhew—19.

NAYS—None.

NOT VOTING—Messrs. Appleford, Keller and Simpler—3.

ABSENT — Messrs. Bartleson, Carpenter, Kauffman, Lawson, Spicer and Wolf—6.

PRESENT — Messrs. Lambert, (Mrs.) Manning, Reed, Richards, Snedeker, Snowden and West—7.

Messrs. Hussey and Shockley changed their vote from yes to no for the purpose of reconsideration.

HB 484 not having received the constitutional majority, was lost in the House.

Mr. Alexander moved that SB 327—"An Act to Amend Paragraph (8), Subsection (c), Section 132, Title 17, Delaware Code, Pertaining to the Power of the State Highway Department to Grant Franchises and Licenses to Use the State Highways," be taken up for consideration and read for the third time in order to pass the House.

HA 1 to SB 327 was introduced by Mr. Appleford and on further motion by him was adopted.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Betts, Cain, Clark, Ehinger, English, Eskridge, Keller, King, Lambert, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt, Walls, West, Mr. Speaker Mayhew—27.

NAYS—Messrs. Hussey and Pryor.

ABSENT — Messrs. Bartleson, Carpenter, Kauffman, Lawson, Spicer and Wolf—6.

SB 327 as amended having received the constitutional majority, passed the House and was ordered returned to the Senate for concurrence.

On motion by Mr. Eskridge, the Roll Call on SCR 37 was lifted from the table.

Mr. Eskridge moved that SCR 37—"In Reference to the Holding of Hearings by the Legislative Joint Finance Committee," be taken up for further consideration in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, Keller, King, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Reed, Shockley, Tribbitt, Walls, Mr. Speaker Mayhew—20.

NAYS —, Messrs. Appleford, Ehinger, (Mrs.) Manning Richards, Simpler, Snedeker and Snowden—7.

ABSENT — Messrs. Bartleson, Carpenter, Kauffman, Lambert, Lawson, Spicer and Wolf—7.

PRESENT—Mr. West—1.

SCR 37 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Shockley moved that **HB 485**—"An Act to Amend "An Act to Provide for the Organization and Control of the Public Schools of the City of Wilmington", Being Chapter 92, Volume 23, Laws of Delaware, as Amended, by Changing the Procedure Applicable to the Exercise of the Right of Eminent Domain by and in Behalf of the Board of Public Education in Wilmington," be taken up for consideration and read for the third time in order to pass the House.

HA 1 to **HB 485** was introduced by Mr. Shockley and on further motion by him was adopted.

Roll Call revealed:

YEAS—Messrs. Appleford, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Keller, King, Lambert, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Walls, Mr. Speaker Mayhew—26.

NAYS—None.

ABSENT — Messrs. Alexander, Bartleson, Carpenter, Kauffman, Lawson, Spicer, Tribbitt and Wolf—8.

PRESENT—Mr. West—1.

HB 485 as amended having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 507—"An Act to Amend Chapter 162, Volume 37, Laws of Delaware, Entitled "An Act Changing the Name of "The Town of Milford" to "The City of Milford", and Establishing a Charter Therefor," by Making Provision for Salaries to Members of the City Council and the Mayor," by Mayhew and Keller; to Municipal Corporations.

HB 508—"An Act to Amend Chapters 1, 3, 5, 9, and 11 of Title 10, of the Delaware Code Relating to the Supreme Court, Court of Chancery, Superior Court, Family Court of New Castle County, and the Juvenile Court of Kent and Sussex Counties," by Quigley; to Judiciary.

HB 509—"An Act to Amend Chapter 21, Title 14, Delaware Code, Entitled ".Education", Relating to the Sale of School Bond Anticipation Notes," by Snowden; to Education.

HB 510—"An Act Making a Deficiency Appropriation for State Pension Plans and State's Share of Social Security Contributions," by Snowden and Shockley; to Appropriations.

HB 511—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Collins Park Community and Civic Association, Inc., from Assessment and Taxation," by Quigley; to Municipal Corporations.

Mr. Speaker signed **HB 204**, **HB 449**, **HB 450** and **HB 475**.

On motion by Mr. King, the rules were suspended in order that **SB 389** be reported from the Committee on Municipal Corporations as 3 favorable and 1 on merits.

HCR 18 was reported from the Miscellaneous Committee as favorable; **HB 504** was reported from the Municipal Corporations as favorable.

Mr. Massey introduced the following resolution, which on further motion by him was adopted: **HR 122**—"Relative to the Payment on Account for Collecting Data, Compiling, Editing and Publishing the Weekly Calendar for the House of Representatives of the 119th General Assembly of the State of Delaware."

BE IT RESOLVED by the House of Representatives of the 119th General Assembly of the State of Delaware that the sum of Seven Hundred Seventy-Five Dollars and Seventy-two Cents (\$775.72) is hereby appropriated out of the moneys of the State Treasury, not otherwise appropriated, for payment to the Elder Printing Service, of Dover, Delaware, the lowest and responsible bidder, for collecting data, compiling, editing and publishing the weekly calendar for the House of Representatives of the State of Delaware, said calendar being necessary to the business of the House and the expense thereof being a necessary expense connected with this Session.

On motion by Mr. Quigley, the House adjourned until Wednesday, February 5th, 1958, at 1:00 P. M.

114TH LEGISLATIVE DAY

Dover, Delaware, February 5th, 1958

House met pursuant to adjournment at 4:07 P. M., on February 4th, 1958.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Keller, King, Lambert, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—30.

Members absent—Messrs. Carpenter, Kauffman, Lawson, Reed and Spicer—5.

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

Motion prevailed.

The following message from the Governor was read:

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, February 5, 1958

House of Representatives of the
119th General Assembly of the State of Delaware:

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

January 16, 1958—House Bill No. 262—An Act to Amend Chapter 13, Title 26, Delaware Code Relating to Gas, Water and Oil Corporations.

January 27, 1958—House Bill No. 84—An Act to Further Amend the Charter of the City of New Castle, as Amended, by Increasing the Compensation of the City Clerk.

January 27, 1958—House Bill No. 364—An Act to Amend Section 716, Title 7, Delaware Code Relating to Possession of Game.

January 27, 1958—House Bill No. 367—An Act to Amend "An Act to Re-incorporate the Town of Middletown" and Relating to the Duties and Powers of the Alderman, and the Jail of Said Town.

January 27, 1958—House Bill No. 380—An Act to Amend Chapter 277, Volume 49, Laws of Delaware, Entitled "An Act to Reincorporate the Town of Laurel" by Increasing the Annual Salary of the Mayor and Councilmen.

Respectfully submitted,

J. CALEB BOGGS, Governor

A communication was presented by Mr. McAllister, pursuant to a House Bill.

On motion by Mr. Shockley, **HB 484** was restored to the calendar.

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

HB 512—"An Act to Amend Chapter 19, Title 30, Delaware Code, Relating to Corporation Income Tax," by Snowden, King and Shockley; to Revenue and Taxation.

HB 513—"An Act to Amend Subchapter V, Entitled "Controlled-Access Highways," of Chapter 1, Title 17 of the Delaware Code, as Added Thereto by Chapter 603, Volume 50, Laws of Delaware, to Prohibit the Construction and Location of Commercial Establishments for Serving Motor Vehicle Users Along Controlled-Access Facilities," by Walls and Mayhew; to Public Buildings and Highways.

HB 514—"An Act to Provide a Survivor's Pension for Edith E. French, a Widow Whose Husband Died Seventeen Days Before Becoming Eligible for a State Pension at Age Sixty," by Richards, Ehinger, Eskridge, and Walls; to Claims.

Mr. King moved that **SB 389**—"An Act Conferring Upon the Mayor and Council of Wilmington Power to Enact, Levy and Collect a Tax on Business Within the City of Wilmington," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Betts, Cain, Clark, Hussey, King, Livingston, McAllister, Mills, Pryor, Shockley, Walls, West—12.

NAYS—Messrs. Appleford, Bartleson, Ehinger, Lambert, (Mrs.) Manning, Quigley, Richards, Snedeker, Snowden and Wolf—10.

NOT VOTING—Messrs. Eskridge, Keller, Massey, Simpler, Tribbitt and Mr. Speaker Mayhew—6.

ABSENT—Messrs. Alexander, Carpenter, English, Kauffman, Lawson, Reed and Spicer—7.

Messrs. Livingston, Mills and Shockley changed their vote from yes to no for the purpose of reconsideration.

SB 389 not having received the constitutional majority, was lost in the House.

On motion by Mr. Shockley, **SB 389** was restored to the calendar.

Mr. West moved that **SB 261**—"An Act to Amend Chapter 3, Title 11, Delaware Code, Relating to Lotteries, Gambling and Betting," be taken up for further consideration in order to pass the House.

HA 1 to **SB 261** was introduced by Mr. Hussey and on further motion by him was adopted.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, King, Mills, Pryor, Snowden, West, Wolf, Mr. Speaker Mayhew—15.

NAYS—Messrs. Hussey, Lambert, Livingston, (Mrs.) Manning, Quigley, Richards, Shockley, Simpler and Snedeker—9.

NOT VOTING—Messrs. Eskridge, Keller, Massey, McAllister and Tribbitt—5.

ABSENT—Messrs. Carpenter, Kauffman, Lawson, Reed and Spicer—5.

PRESENT—Mr. Walls—1.

Messrs. Alexander and West changed their vote from yes to no for the purpose of reconsideration.

SB 261 as amended not having received the constitutional majority was lost in the House.

On motion by Mr. West, **SB 261** as amended was restored to the calendar.

Mr. Tribbitt moved that **HB 476**—"An Act to Amend Chapter 283, Volume 51, Laws of Delaware, so as to Provide That Middletown #60 School District be Permitted to Finance Capital Improvements Thereunder and Appropriating the Necessary Funds," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Keller, King, Lambert, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt, Walls, Wolf, Mr. Speaker Mayhew—28.

NAYS—None.

NOT VOTING—Mr. Appleford—1.

ABSENT—Messrs. Carpenter, Kauffman, Lawson, Reed and Spicer—5.

PRESENT—Mr. West—1.

HB 476 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Speaker signed **SB 168** and **SB 371**.

Mr. Alexander moved that **SB 282**—"An Act to Authorize the Levy Court of New Castle County to Plan Construction, Equip and Furnish, an Additional County Building for New Castle County and to Issue Bonds to Finance the Cost Thereof," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Keller, King, Lambert, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt, Walls, Wolf, Mr. Speaker Mayhew—28.

NAYS—None.

ABSENT—Messrs. Carpenter, Kauffman, Lawson, Reed and Spicer—5.

PRESENT—Messrs. Quigley and West—2.

SB 282 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The Secretary of the Senate informed the House that the Senate had passed and requested the concurrence of the House in the following bills: **SB 377**, **SB 395**.

HB 515—"An Act to Amend Section 522, Title 28, Delaware Code, Relating to the Award of Dates for Harness Racing Meets," was introduced by Mr. Alexander and assigned to the Committee on Miscellaneous.

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

SB 377—"An Act to Amend Chapter 5, Title 7, Delaware Code Relating to Fishing License Requirements for Non-Residents," to Fish, Oysters and Game.

SB 395—To Fish, Oysters and Game.

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

SB 392—"An Act to Amend Chapter 82, Title 9, Delaware Code, Pertaining to the Valuation and Assessment of Real Property in New Castle County by Eliminating the Requirement That Assessment Rolls be Prepared by Election Districts," to Elections.

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

SB 284—"An Act to Amend Chapter 15, Title 9, of the Delaware Code Relating to the Power and Duties of the Levy Court of New Castle County," to Judiciary.

Mr. Speaker signed **HB 469** as amended, **HB 470** as amended, **HB 465** and **HB 452**.

Mr. Richards moved that **HCR 18** be given the third and final reading in order to pass the House. On further motion by him, **HCR 18** was adopted by voice vote and ordered to the Senate for concurrence.

Mr. Simpler moved that **HB 466**—"An Act to Amend Chapter 283, Volume 51, Laws of Delaware, to Provide That Frederica School #32 be Permitted to Finance Capital Improvements Thereunder and Appropriating the Necessary Funds," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Keller, King, Lambert, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—30.

NAYS—None.

ABSENT—Messrs. Carpenter, Kauffman, Lawson, Reed and Spicer—5.

HB 466 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. English moved that **HB 495**—"An Act to Amend Title 10, Section 4913, Relating to Exemption and Attachment of Wages in Sussex County," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Cain, Ehinger, English, Eskridge, Keller, Lambert, (Mrs. Manning, Pryor, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—21.

NAYS—Messrs. Clark, King, Livingston and Massey—4.

NOT VOTING—Mr. Betts—1.

ABSENT—Messrs. Carpenter, Hussey, Kauffman, Lawson, Mills, McAllister, Quigley, Reed and Spicer—9.

HB 495 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following message from the Governor was delivered to the House:

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, February 5, 1958

House of Representatives of the
119th General Assembly of the State of Delaware:

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

January 31, 1958—House Bill No. 443—An Act to Authorize the Mayor and Council of Wilmington to Issue Negotiable Notes in Anticipation of the Issuance of Bonds Previously Authorized for Lawful Purposes.

February 5, 1958—House Bill No. 452—An Act Making a Supplementary Appropriation to the State Board of Education, Certain School Districts and the Wilmington Board of Education for the Fiscal Year Ending June 30, 1958.

February 5, 1958—House Bill No. 469 as Amended—An Act to Amend Title 14, Chapter 19, Delaware Code Entitled "Education" Relating to Collection of School Taxes by Providing for the Elimination of the Abatement of Taxes for Early Payment, and by Providing for a Penalty for Late Payment of Taxes.

February 5, 1958—House Bill No. 470 as Amended—An Act to Amend Chapter 119, Volume 28, Laws of Delaware, Entitled "An Act Providing for the Collection of Taxes for the City of Wilmington" by Amending Section 9 Thereof.

Respectfully submitted,

J. CALEB BOGGS, Governor

The Secretary of the Senate informed the House that the Senate had concurred in: **HCR 18**, **HB 485** with **HA 1**, **HB 478**, **HB 403** with **SA 1**, and that the Senate had passed and requested the concurrence of the House in the following bills and resolutions: **SCR 41**, **SCR 42**, **SB 291**, **SB 376**, **SB 380**.

HR 123 was introduced by Messrs. Quigley and Snowden and on further motion by Mr. Quigley was adopted.

On motion by Mr. Hussey, **HB 445** was restored to the calendar.

On motion by Mr. Alexander, the rules were suspended for the purpose of a committee report. **HB 512** was reported out from Revenue and Taxation as favorable.

SCR 42—"Relating to the Reporting Date of the Special Committee Created by Senate Concurrent Resolution No. 28 to Study the School Construction Program," was given the first and second reading by title only and referred to the Committee on Education.

SCR 41—"Fixing the Time for Temporary Adjournment by the Senate and the House of Representatives of the 119th General Assembly," was given the first and second reading by title only and on motion by Mr. Shockley, the rules were suspended for the third and final reading in order that **SCR 41** pass the House. On motion by Mr. Eskridge, **SCR 41** was adopted by voice vote and ordered returned to the Senate.

Mrs. Snowden moved that the rules be suspended in order that **HB 512**—"An Act to Amend Chapter 19, Title 30, Delaware Code, Relating to Corporation Income Tax," be taken up for consideration and read for the third time in order to pass the House. Motion prevailed.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Keller, King, Lambert, Livingston, (Mrs.) Manning, Massey, Mills, Pryor, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt, Walls, Wolf, Mr. Speaker Mayhew—26.

NAYS—None.

ABSENT—Messrs. Carpenter, Hussey, Kauffman, Lawson, McAllister, Quigley, Reed and Spicer—8.

PRESENT—Mr. West—1.

HB 512 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mrs. Manning moved that the rules be suspended in order that **SB 193** be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Appleford, Bartleson, Clark, Ehinger, Keller, Livingston, (Mrs.) Manning, Massey, Richards, Simpler, Snedeker, Snowden, West, Wolf—14.

NAYS—Messrs. Alexander, Betts, Cain, Eskridge, King, McAllister, Mills, Pryor, Shockley, Tribbitt, Walls and Mr. Speaker Mayhew—12.

NOT VOTING—Mr. English—1.

ABSENT—Messrs. Carpenter, Hussey, Kauffman, Lambert, Lawson, Quigley, Reed and Spicer—8.

Motion prevailed.

Mrs. Manning moved that **SB 193**—"An Act to Amend Chapter 81, Title 9, Delaware Code Relating to the Exemption of the Brookland Terrace Civic Club from Taxation Upon Its Real Property," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Appleford, Bartleson, Ehinger, English, Eskridge, Keller, Lambert, Livingston, (Mrs.) Manning, Massey, Pryor, Quigley, Richards, Simpler, Snedeker, Snowden, Tribbitt, Walls, West, Wolf—20.

NAYS—Messrs. Alexander, Betts, Cain, King, McAllister, Mills, Shockley and Mr. Speaker Mayhew—8.

ABSENT—Messrs. Carpenter, Hussey, Kauffman, Lawson, Reed and Spicer—6.

PRESENT—Mr. Clark—1.

SB 193 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 512**, and that the Senate had passed and requested the concurrence of the House in the following bill: **SB 289**.

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 204**, **HB 449**, **HB 450**, **HB 475**, **HB 469** as amended, **HB 470** as amended, **HB 465** and **HB 452**.

On motion by Mr. Walls, the rules were suspended for the purpose of handing in two committee reports: **SB 395** was reported from Fish, Oysters and Game with 4 favorable and 1 on merits; **SB 377** was reported from Fish, Oysters and Game with 3 favorable and 1 on merits.

Mr. Speaker signed **HB 478**, **HCR 18**, **HB 485** as amended, **HB 512**, **SB 193**, **SB 327** as amended and **SB 282**.

On motion by Mr. Shockley, the House adjourned until Monday, March 3rd, 1958, at 1:00 P. M., pursuant to **SCR 41**.

115TH LEGISLATIVE DAY

Dover, Delaware, March 3rd, 1958

House met pursuant to adjournment at 2:05 P. M., on February 5th, 1958.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—33.

Members absent—Messrs. Carpenter and Reed—2.

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

Communications were presented by Messrs. Keller and Mayhew.

HB 515 was reported from the Committee on Miscellaneous with 3 favorable; **SB 302** was reported from the Committee on Miscellaneous with 4 favorable and 1 unfavorable.

The following message was received in the House from the Governor:

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, March 3, 1958

To the House of Representatives of the
119th General Assembly:

On February 5, 1958, I received House Bill No. 475, entitled:

**AN ACT TO REPEAL CHAPTER 266, VOLUME 51,
LAWS OF DELAWARE (CHAPTER 14, TITLE 24,
DELAWARE CODE) PERTAINING TO "ELEC-
TRICAL CONTRACTORS".**

I respectfully return herewith this Bill without my approval.

The Act creating the State Board of Electrical Examiners had for its purpose the reduction of fire hazards and the protection of life and property. This Act was passed after careful and thoughtful consideration of this 119th General Assembly. The need for reduction of fire hazards and for the protection of life and property remains the same today as it was in 1957 when this Act was passed by the General Assembly.

The full benefits of this Act to the State of Delaware and its people have not been realized because it has not had more than several months of operation. Experience gained so far, however, indicates that certain amendments would be desirable in both furtherance of the objective of the Act and from the standpoint of eliminating causes of complaints against the Act.

I am attaching herewith an amendment which may be introduced as a Bill to eliminate certain complaints and weaknesses of this Act.

This amendment preserves the basic structure of the Act. It eliminates, however, any license, regulation or inspection requirement over a person who installs his own electrical work unless the installation involves an amount in excess of \$25.00.

It eliminates the inequity of the original short-term license.

It eliminates the bond requirement.

It eliminates all but the two basic types of licenses.

It makes the expressed intent of the Act creating the State Board of Electrical Examiners that nothing contained in the Act shall be construed in any manner to limit the number of qualified licensees.

It is my opinion that with these amendments, the hardships and complaints registered against this Act will be removed and the basic and important purpose of the Act to reduce fire hazards and provide further protection of life and property will be accomplished.

It has been suggested to me that I should sign this repealer Bill and submit a new Bill to re-create the Board of Electrical Examiners and the regulatory provisions. After careful consideration of this suggestion, I chose the course I am following because the Board is already created and established; licenses have been issued; money has been spent and collected; much work has been accomplished; experience gained; and, progress made. To wipe out all of this and start again appears to me to be a great waste. Therefore, I believe with the proper amendments to the present Act, the Board can be retained; the work and progress made will not be lost; and, public interest will be better served.

I should also point out to the General Assembly that I cannot give my approval to this repealer Bill because approximately \$10,000 have already been collected for licenses issued and no provision is made in H. B. 475 for the repayment of these funds.

Respectfully submitted,

J. CALEB BOGGS, Governor

Proposed amendment to accompany Governor's veto message concerning H. B. 475:

AN ACT AMENDING CHAPTER 266, VOLUME 51, LAWS OF DELAWARE, RELATING TO ELECTRICAL CONTRACTORS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. § 1401, Title 24, Delaware Code, is amended by striking out the definition of "Master electrician, limited" and substituting a new definition to read as follows:

"Master electrician, limited" means:

Any person engaged in any or all of these or related types of work: electrically operated heating equipment, electrically operated air conditioning, or refrigerating equipment, electrically operated display signs, electrically operated stoves, disposal units, washers and dryers, fire alarm and detection systems.

Section 2. § 1422, Title 24, Delaware Code, is amended by striking out subsection (2) thereof and inserting in lieu thereof a new subsection (2) to read as follows:

(2) As a master electrician, limited:

A reasonable knowledge of electricity insofar as it relates to the particular type or types of equipment pertaining to the business of master electrician, limited, as defined in § 1401 of this title.

Section 3. § 1422, Title 24, Delaware Code, is further amended by striking out subsection (3) thereof.

Section 4. § 1424, Title 24, Delaware Code, is amended by striking out subsection (b) thereof.

Section 5. § 1427, Title 24, Delaware Code, is amended by striking out the word "June" where the same appears therein and by substituting in lieu thereof the word "December".

Section 6. § 1432, Title 24, Delaware Code, is amended by striking out subsection (3) thereof and by inserting in lieu thereof a new subsection (3) to read as follows:

(3) Any person who installs his own electrical work, service or equipment in or about his own home and not for sale, for installations costing more than \$25.

Section 7. § 1432, Title 24, Delaware Code, is further amended by striking out the letters and word "A" or "B" as the same appear in subsection (4) thereof.

Section 8. § 1432, Title 24, Delaware Code, is further amended by adding a new subsection (7) to read as follows:

(7) Electrical appliance repairs, radio and television or other electronic equipment and other small household appliances not otherwise mentioned herein.

Section 9. § 1432, Title 24, Delaware Code, is further amended by adding a new subsection (8) to read as follows:

(8) Excluded from the inspections required by this Act are such manufacturing or industrial establishments as carry in their regular employ a registered professional electrical engineer who shall be responsible for such inspections.

Section 10. § 1433, Title 24, Delaware Code, is amended by striking out subsection (b) thereof and inserting a new subsection (b) to read as follows:

(b) A person need not secure a permit under § 1432 (3) of this title to do his own electrical installation if the cost be not over \$25, otherwise a permit shall be required and must be obtained from any Board member, before starting any electrical work. There shall be no charge for said permit.

Section 11. § 1441, Title 24, Delaware Code, is added to read as follows:

§ 1441. Number of electrical examiners

It is the express intent of this Act that nothing contained herein shall be construed in any manner to vest in the Board of Electrical Examiners the authority to limit the number of qualified licensees authorized by these Acts.

Section 12. For the purpose of providing refunds for fees paid for the class of license eliminated by this Act there is appropriated to the State Board of Electrical Examiners out of the general funds of the State of Delaware the sum of \$2,000. Such refunds shall be paid by the State Treasurer upon the warrant of the President and Secretary of the Board of Electrical Examiners.

Mr. Snedeker moved that **HB 483**—"An Act to Amend Chapter 299, Volume 51, Laws of Delaware (Chapter 11, Title 30, Delaware Code) by Changing the Effective Date of the Increase in the Rates of Tax on Personal Incomes," be taken up for further consideration in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, McAllister, Mills, Proyor, Quigley, Richards, Shockley, Snedeker, Tribbitt, Walls, West, Mr. Speaker Mayhew—24.

NAYS — Messrs. Bartleson, Lawson, Massey, Simpler, Snowden and Spicer—6.

ABSENT—Messrs. Carpenter, Livingston, (Mrs.) Manning, Reed and Wolf—5.

HB 483 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The Secretary of the Senate informed the House that the Senate had concurred in: **HB 476**, and that the Senate had passed and requested the concurrence of the House in the following bill: **SB 405**.

On motion by Mr. Alexander, **HB 505** was stricken from the calender.

Mr. Walls et al introduced the following resolution, which on further motion by Mr. Walls was adopted by voice vote: **HR 124**—"Expressing the Sympathy of the House of Representatives on the Illness of Representative Arthur R. Reed."

WHEREAS, it has come to the attention of the House of Representatives of the 119th General Assembly of the State of Delaware that Representative Arthur R. Reed is confined due to illness, and

WHEREAS, all the members of the House of Representatives of the 119th General Assembly of the State of Delaware desire to express and extend their regret and sympathy unto Representative Arthur R. Reed, **NOW THEREFORE**

BE IT RESOLVED that the members of the House of Representatives of the 119th General Assembly of the State of Delaware do hereby express their best and sincere wishes for a rapid and complete recovery of his health, and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journal of the House of Representatives of the 119th General Assembly of the State of Delaware and a copy be forwarded to Representative Arthur R. Reed and a further copy be delivered to the Press.

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

HB 516—"An Act to Amend Chapter 29, Title 21, Delaware Code by Providing for Financial Responsibility as a Prerequisite to Motor Vehicle Registration and Imposing Certain Penalties and Suspension for Persons Failing to Maintain Financial Responsibility," by Tribbitt and Mills; to Insurance and Banking.

HB 517—"An Act to Authorize the Board of School Trustees of Bridgeville School District #90 to Spend Certain Funds Raised by School Taxation for the Purpose of Paying General and Current Expenses," by English; to Education.

HB 518—"An Act Appropriating Money to Blades School District #172," by Mills; to Appropriations.

HB 519—"An Act to Amend Chapter 71, Title 16, Delaware Code Relating to Use of Storage of Explosives in Factories and Business Plants or Establishments," by Quigley; to Miscellaneous.

HB 520—"An Act to Amend Title 21, Delaware Code by Providing for an Unsatisfied Claim and Judgment Fund Law," by Pryor and Tribbitt; to Judiciary.

SB 289—"An Act Proposing an Amendment to the Constitution of the State of Delaware to Abolish the Office of Coroner in New Castle County," to Miscellaneous.

SB 380—"An Act to Amend Chapter 23, Title 11, Delaware Code, by Granting Authority to the Attorney General or Any Deputy Attorney General to Apply to a Judge of the Supior Court of the State of Delaware for an Order to Intercept and Record Telegraphic and Telephonic Communications of Persons Suspected of Violating the Criminal Laws of This State and Providing for Contempt Proceedings for Improper Use of Such Authority," to Revised Statutes.

SB 291—"An Act Proposing an Amendment to the Constitution of the State of Delaware to Abolish the Office of Clerk of the Peace in New Castle County," to Revised Statutes.

SB 376—"An Act to Amend Chapter 344, Volume 11, Laws of Delaware, Relating to the Composition and Certain Powers of the Board of Managers of the Wilmington Institute," to Municipal Corporations.

SB 405—"An Act to Amend the Charter of the "Town of Milton" as Established by Chapter 194, Volume 45, Laws of Delaware, by Increasing the Amount of Taxes That May be Raised for Municipal Purposes," to Municipal Corporations.

Mr. Tribbitt announced that there would be a Public Hearing on **SB 299** on Tuesday, March 11th, 1958, at 2:00 P. M.

Mr. Keller moved that **HB 490**—"An Act to Amend Chapter 167, Volume 37, Laws of Delaware, Entitled "An Act to Incorporate the Town of Slaughter Beach" Relating to Duties and Powers of Alderman; Taxation," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Richards, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—31.

NAYS—None.

ABSENT—Messrs. Carpenter, (Mrs.) Manning, Reed and Snowden—4.

HB 490 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Snedeker moved that **HB 504**—"An Act to Amend Chapter 191, 45 Laws of Delaware "An Act to Reincorporate the Town of Delaware City," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Richards, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—31.

NAYS—None.

ABSENT—Messrs. Carpenter, (Mrs.) Manning, Reed and Snowden—4.

HB 504 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. King moved that **SB 389**—"An Act Conferring Upon the Mayor and Council of Wilmington Power to Enact, Levy and Collect a Tax on Employers Engaged in a Trade or Business Within the City of Wilmington," be taken up for further consideration in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, Mr. Speaker Mayhew—18.

NAYS—Messrs. Appleford, Bartleson, Ehinger, Kauffman, Lambert, Lawson, Richards, Simpler, Snedeker and Snowden—10.

NOT VOTING—Messrs. Keller, Spicer, West and Wolf—4.

ABSENT—Mr. Carpenter, Mrs. Manning and Mr. Reed—4.

Messrs. Livingston, Quigley and Shockley changed their vote from yes to no for the purpose of reconsideration.

SB 389 not having received the constitutional majority, was lost in the House.

On motion by Mr. Shockley, **SB 389** was restored to the calendar.

Mr. Hussey moved that **HB 445**—"An Act to Amend Chapter 1, Title 17 of the Delaware Code Relating to the Authority of the Highway Department to Establish Controlled-Access Facilities," be taken up for further consideration in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Lambert, Lawson, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Walls, West, Mr. Speaker Mayhew—19.

NAYS—Messrs. Appleford, Bartleson, Ehinger, Richards, Shockley, Simpler and Snowden—7.

NOT VOTING — Messrs. Kauffman, Keller, Snedeker, Spicer, Tribbitt and Wolf—6.

ABSENT—Mr. Carpenter, Mrs. Manning and Mr. Reed—3.

HB 445 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Hussey moved that **HB 444**—"An Act to Amend Chapter 17, Title 1, Delaware Code and Relating to Controlled-Access Facilities and Other Public Ways," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Lambert, Lawson, Livingston, McAllister, Mills, Pryor, Quigley, Walls, West, Mr. Speaker Mayhew—18.

NAYS—Messrs. Appleford, Bartleson, Ehinger, Kauffman, Richards, Shockley, Simpler and Snowden—8.

NOT VOTING—Messrs. Keller, Massey, Snedeker, Spicer, Tribbitt and Wolf—6.

ABSENT—Mr. Carpenter, Mrs. Manning and Mr. Reed—3.

HB 444 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Mills moved that **HB 453**—"An Act to Amend Section 4126, Title 21, Delaware Code, in Respect to Speed Limit for Motor Trucks and Motor Truck Tractors," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Livingston, Massey, McAllister, Mills, Quigley, Shockley, Walls, West—16.

NAYS—Messrs. Appleford, Bartleson, Ehinger, Kauffman, Keller, Lambert, Lawson, Pryor Richards, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Wolf and Mr. Speaker Mayhew—16.

ABSENT—Mr. Carpenter, Mrs. Manning and Mr. Reed—3.

HB 453 not having received the constitutional majority, was lost in the House.

The Secretary of the Senate informed the House that the Senate had passed and requested the concurrence of the House in the following resolution: **SCR 43**.

Mr. Massey introduced the following resolution, which on further motion by him was adopted: **HR 125**—"In Reference to the Resignation of an Attorney's Clerk and the Election of a Successor."

BE IT RESOLVED, by the House of Representatives of the 119th General Assembly that the resignation of Harold Powell as an Attorney's Clerk of said House of Representatives, effective February 5, 1958, is accepted and the said Harold Powell is hereby relieved of duties from the said office as of the close of the legislative day on February 5, 1958; and

BE IT FURTHER RESOLVED, by the House of Representatives of the 119th General Assembly that W. W. Opdyke is hereby elected to serve as Attorney's Clerk of the House of Representatives beginning March 3, 1958, at the pleasure of the House.

Mr. Speaker Mayhew administered the following oath:

OATH OF EMPLOYEES

The State of Delaware, County of Kent, ss.

I, W. W. Opdyke, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Attorney's Clerk for the House of Representatives in the General Assembly of the State, according to the best of my ability.

W. W. OPDYKE

Sworn and subscribed to this 3rd day of March, A. D. 1958.

H. E. MAYHEW

Speaker of the House of Representatives

The following message from the Governor was received in the House:

GOVERNOR'S MESSAGE

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

Dover, 3 March, 1958

To the House of Representatives of the 119th General Assembly of the State of Delaware:

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

February 5, 1958—House Bill No. 512—An Act to Amend Chapter 19, Title 30, Delaware Code, Relating to Corporation Income Tax.

February 6, 1958—Senate Bill No. 149—An Act to Amend Chapter 3, Title 11, of the Delaware Code Relating to Specific Crimes by Regulating Certain Advertising of "Farmers Market" and "Farmers Auction Market."

February 6, 1958—Senate Bill No. 193—An Act to Amend Chapter 81, Title 9, Delaware Code Relating to the Exemption of the Brookland Terrace Civic Club from Taxation Upon Its Real Property.

February 6, 1958—Senate Bill No. 282—An Act to Authorize the Levy Court of New Castle County to Plan, Construct, Equip and Furnish an Additional County Building for New Castle County and to Issue Bonds to Finance the Cost Thereof.

February 6, 1958—Senate Bill No. 371—An Act to Amend Chapter 41, Title 11, Delaware Code, Relating to Non-Payment of Fines and Costs; Imprisonment and Discharge.

February 6, 1958—House Bill No. 135—An Act to Require the State Highway Department to Install a Traffic Light Control for the Talleyville Fire Company, Inc., at Talleyville, New Castle County, Delaware.

February 6, 1958—House Bill No. 204—An Act to Amend Chapter 39, Title 10, Delaware Code, Entitled "Pleading and Practice" by Permitting a Civil Action Against the Parents of Children Who Maliciously Destroy or Damage Property.

February 6, 1958—House Bill No. 449—An Act to Amend Chapter 489, Volume 50, Laws of Delaware, (1955-56) and to Provide for the Use of the Old Detention Home as a Temporary Place of Residence for Persons on Probation or Released from Correctional Institutions.

February 6, 1958—House Bill No. 450—An Act to Amend Chapter 81, Title 9, Delaware Code, by Exempting Municipally Owned Real Estate from Taxation by Counties or Other Political Subdivisions.

February 6, 1958—House Bill No. 465—An Act to Authorize the Townsend School District to Make Certain Tax Refunds.

February 6, 1958—House Bill No. 478—An Act Refunding Certain Monies to Insurance Companies by the State Insurance Commissioner, Said Monies Having Been Collected by Authority of Acts of the 118th General Assembly Subsequently Declared Unconstitutional.

February 14, 1958—Senate Bill No. 168—An Act to Amend Section 3521, Title 12, Delaware Code Relating to Accounting and Distribution of Trust Funds.

February 21, 1958—House Bill No. 485 with H. A. No. 1—An Act to Amend "An Act to Provide for the Organization and Control of the Public Schools of the City of Wilmington", Being Chapter 92, Volume 23, Laws of Delaware, as Amended, by Changing the Procedure Applicable to the Exercise of the Right of Eminent Domain by and in Behalf of the Board of Public Education in Wilmington.

February 24, 1958—Senate Bill No. 327 with H. A. No. 1—An Act to Amend Paragraph (8), Subsection (C), Section 132, Title 17, Delaware Code, Pertaining to the Power of the State Highway Department to Grant Franchises and Licenses to Use the State Highways.

Respectfully submitted,

J. CALEB BOGGS, Governor

Mr. Pryor announced that there would be a Public Hearing on SB 396 and SB 401 on Wednesday, March 13th, 1958, at 2:00 P. M.

On motion by Mr. Quigley, the rules were suspended for the purpose of giving SCR 13 the third and final reading in order to pass the House. On further motion by him, SCR 13 was adopted by voice vote, and ordered returned to the Senate.

On motion by Mr. McAllister, HB 517 was recommitted.

Mr. English introduced the following resolution, which on further motion by him was adopted by voice vote: **HR 126** "Authorizing the Payment of Certain Expenses of the House of Representatives for Telephone Service."

BE IT RESOLVED by the House of Representatives of the 119th General Assembly of the State of Delaware that the hereinafter named amount is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, on account of expenses connected with the present session and necessary to the work of the session, as follows:

The Diamond State Telephone Company, 124 South State Street, Dover, Delaware, for local service and equipment and calls on the telephone numbered Dover 5711, extensions 222, 223, 224, and 228, covering the period from December 10, 1957 to and including January 11, 1958 \$31.45

Mr. McAllister moved that **HB 502**—"An Act to Amend Chapter 69, Title 16, Delaware Code Relating to the Sale of Fireworks," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Betts, Cain, Clark, Ehinger, English, Eskridge, Kauffman, Keller, King, Lambert, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Richards, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Walls, Wolf, Mr. Speaker Mayhew—27.

NAYS—Messrs. Lawson and West—2.

NOT VOTING—Messrs. Bartleson and Snowden—2.

ABSENT—Messrs. Carpenter, Hussey, (Mrs.) Manning and Reed—4.

HB 502 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

HB 507 was reported from the Municipal Corporations Committee as being favorable.

Mr. Shockley introduced the following resolution, which on his further motion was adopted by voice vote: **HR 127**—"In Reference to the Election of an Officer."

BE IT RESOLVED by the House of Representatives of the 119th General Assembly of the State of Delaware that the following named person be and he is hereby elected to the respective office appearing opposite his name effective February 10, 1958, to serve during the pleasure of the House of Representatives:

Hubert Kenney—Accountant

Mr. Speaker Mayhew administered the following oath of office:

OATH OF EMPLOYEES

The State of Delaware, County of Kent, ss.

I, Hubert Kenney, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Accountant for the House of Representatives in the General Assembly of the State, according to the best of my ability.

HUBER KENNEY

Sworn and subscribed to this 3rd day of March, A. D. 1958

H. E. MAYHEW

Speaker of the House of Representatives

On motion by Mr. Quigley, the House adjourned until Tuesday, March 11th, 1958, at 1:00 P. M.

116TH LEGISLATIVE DAY

Dover, Delaware, March 11th, 1958

House met pursuant to adjournment at 2:22 P. M., on March 3, 1958.

Prayer by Mr. McAllister.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—32.

Members absent—Messrs. Carpenter, Kauffman and Wolf—3.

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

A communication was presented and read from the Hon. John C. Lubber, Speaker of the House of Delegates of Maryland.

Mr. Tribbitt, Chairman of the Judiciary Committee, called for the Public Hearing on **SB 299** to begin.

Speakers for the bill were given the privilege of the floor as follows: Mr. Copeland, Prisoners Aid Society of Delaware; Dr. Thorstan Saline, Wharton School of Business; Mr. James McCafferty, Criminalologist of Federal Bureau of Prisons; Mr. Francis Thorne, sat in hearing of sub-committee on Capital Punishment of State of California; Rev. Henry N. Hearn, Executive Director of Wilmington Council of Churches and Rev. Dukes of the Peoples Congregational Church of Dover.

The Hearing was ended at 5:10 P. M.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 466**, and that the Senate had passed and requested the concurrence of the House in the following resolution: **SJR 7**.

Mr. Walls moved that **HB 403** as amended—"An Act to Amend Chapter 41, Title 16, Delaware Code, Entitled "Ice Cream" Relating to Ice Milk," be taken up for further consideration in order to pass the House.

On motion by Mr. Walls, **SA 1** was adopted by voice vote.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—32.

NAYS—None.

ABSENT—Messrs. Carpenter, Kauffman and Wolf—3.

HB 403 as amended having received the constitutional majority, passed the House.

Mr. Eskridge moved that **HB 475** be taken up for further consideration in order to pass the House. At the end of the Roll Call, Mr. Speaker Mayhew moved that the Roll Call be deferred. Motion prevailed.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 297** with **HA 1**, and that the Senate had passed and requested the concurrence of the House in the following bill: **SB 409**.

Mr. Keller moved that **HB 507**—"An Act to Amend Chapter 162, Volume 37, Laws of Delaware, Entitled "An Act Changing the Name of 'The Town of Milford' to the 'City of Milford', and Establishing a Charter Therefore", by Making Provision for Salaries to Members of the City Council and the Mayor," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Keller, King, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Reed, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—26.

NAYS—Mr. Lawson—1.

NOT VOTING — Messrs. Bartleson, (Mrs.) Manning, Richards and Snowden—4.

ABSENT—Messrs. Carpenter, Kauffman, Lambert and Wolf—4.

HB 507 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Eskridge moved that SB 302—"An Act to Amend Chapter 11, Title 31, Delaware Code Entitled, "Welfare Agencies and Recipients of Assistance," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs Betts and West—2.

NAYS—Messrs. Alexander, Appleford, Bartleson, Clark, Ehinger, English, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Quigley, Reed, Shockley, Snedeker, Snowden, Spicer—19.

NOT VOTING—Messrs. Cain, Eskridge, Hussey, Keller, King, Massey, Richards, Simpler, Tribbitt, Walls, Mr. Speaker Mayhew—11.

ABSENT—Messrs. Carpenter, Kauffman and Wolf—3.

SB 302 not having received the constitutional majority, was lost in the House.

Mr. Quigley moved that the rules be suspended in order that SB 409—"An Act to Amend Chapter 1, Title 20, Delaware Code, Relating to the Delaware National Guard," be taken up for consideration and read for the third time in order to pass the House. Motion prevailed.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—31.

NAYS—None.

NOT VOTING—Mr. Bartleson—1.

ABSENT—Messrs. Carpenter, Kauffman and Wolf—3.

SB 409 having received the constitutional majority, passed the House and was ordered returned to the Senate.

HB 518 was reported from the Appropriations Committee with 3 favorable and 2 on merits.

On motion by Mr. Tribbitt, **HB 486** was given the third and final reading. On further motion by him, action was deferred.

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

HB 521—"An Act Proposing an Amendment to Section 25 of Article 11 of the Constitution of the State of Delaware, Relating to Zoning," by Ehinger and Richards; to Miscellaneous.

HB 522—"An Act to Authorize the Board of School Trustees of Bridgeville School District #90 to Transfer Eight Thousand Dollars (\$8000) Which Had Been Raised by School Taxation for the Purpose of Paying Certain General and Current Expenses," by English; to Education.

HB 523—"An Act to Amend Chapter 33, Title 19, Delaware Code, Relating to Unemployment Compensation," by Lambert and Shockley; to Labor.

HB 524—"An Act to Amend Title 14, Chapter 3, Delaware Code, Relating to School Board Elections," by Tribbitt; to Education.

On motion by Mr. Quigley, the House adjourned until Wednesday, March 12th, 1958, at 1:00 P. M.

117TH LEGISLATIVE DAY

Dover, Delaware, March 12th, 1958

House met pursuant to adjournment at 2:35 P. M., on March 11th, 1958.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—32.

Members absent—Messrs. Alexander, Carpenter and Wolf—3.

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

Communications were read that were presented by Mr. Speaker Mayhew.

Mr. Speaker announced that he was about to sign: **HB 466** and **HB 476**.

SCR 42 and **HB 522** were reported from the Committee on Education with 2 favorable and 1 on merits; **SB 405** was reported from Municipal Corporations Committee with 4 favorable.

Mr. McAllister introduced the following resolution, which on further motion by him was adopted by voice vote: **HR 128**—"Expressing the Sympathy of the House of Representatives on the Illness of William J. Gordy."

WHEREAS, it has come to the attention of the House of Representatives of the 119th General Assembly of the State of Delaware that William J. Gordy, the Chief Clerk of the House is confined due to illness, and

WHEREAS, all the members of the House of Representatives of the 119th General Assembly of the State of Delaware desire to express and extend their regret and sympathy unto William J. Gordy, NOW THEREFORE

BE IT RESOLVED that the members of the House of Representatives of the 119th General Assembly of the State of Delaware do hereby express their sincere wishes for the rapid and complete recovery of William J. Gordy from his illness, and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journal of the House of Representatives of the 119th General Assembly of the State of Delaware and a copy be forwarded to William J. Gordy.

On motion by Mr. Spicer, **HB 494** was recommitted.

On motion by Mr. Ehinger, **HCR 16** was stricken from the calendar.

HCR 19—"Creating a Committee to Study All Tax Laws of the State of Delaware, Sources of Revenue, the Mandatory Appropriations of the State of Delaware, Make Recommendations Thereon, and Appropriating Funds Therefor," by Ehinger; to Revenue and Taxation.

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

HB 525—"An Act to Amend Title 30, Delaware Code, Relative to the Prepayment of State Income Tax," by Bartleson and Shockley; to Revenue and Taxation.

HB 526—"An Act to Amend Chapter 51, Title 29, by Providing That Persons Holding Non-Elective County or State Offices or County or State Employment Shall be Ineligible to Receive State Pensions," by West; to Miscellaneous.

HB 527—"An Act to Amend Chapter 9, Title 10, Delaware Code, by Empowering the Judges of the Family Court to Appoint Masters," by Quigley and Snowden; to Judiciary.

HB 528—"An Act Making a Supplementary Appropriation to the State Tax Commissioner to Cover Additional Costs Incurred by Added Responsibilities Placed Upon This Office," by Snowden; to Appropriations.

HB 529—"An Act to Amend Chapter 69, Title 29, Delaware Code, Relating to Contracts for Public Improvements," by Hussey and Lambert; to Public Buildings and Highways.

HB 530—"An Act to Amend Chapter 23, Title 10, Delaware Code, Pertaining to the Office of the Prothonotary," by Lawson; to Miscellaneous.

The Secretary of the Senate informed the House that the Senate had concurred in **HJR 3** and was returning same to the House.

On motion by Mr. Tribbitt, **SB 344** and **SB 345** were re-committed.

HB 414 was reported from the Judiciary Committee with 4 favorable; **HB 523** was reported from the Labor Committee with 2 favorable and 2 unfavorable.

Mr. English moved that the rules be suspended in order that **HB 522**—"An Act to Authorize the Board of School Trustees of Bridgeville School District #90 to Transfer Eight Thousand Dollars (\$8000) Which Had Been Raised by School Taxation for the Purpose of Paying Certain General and Current Expenses," be taken up for consideration and read for the third time in order to pass the House. Motion prevailed.

Roll Call revealed:

YEAS—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Hussey, Keller, King, Lambert, Lawson, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—27.

NAYS—None.

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

ABSENT — Messrs. Alexander, Carpenter, Eskridge, Kauffman, Livingston and Wolf—6.

HB 522 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Tribbitt moved that **SB 198**—"An Act to Amend Chapter 15, Title 13, Delaware Code by Removing New Castle County from the Original Territorial Jurisdiction of the Superior Court With Respect to Distribution, Care and Maintenance of Children in an Action for Annulment of Marriage or Divorce," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Hussey, Keller, King, Lambert, Lawson, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—29.

NAYS—None.

ABSENT — Messrs. Alexander, Carpenter, Eskridge, Kauffman, Livingston and Wolf—6.

SB 198 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Massey introduced the following resolution, which on further motion by him was adopted by voice vote: **HR 129**—"Relative to the Payment on Account for Collecting Data, Compiling, Editing and Publishing the Weekly Calendar for the House of Representatives of the 119th General Assembly of the State of Delaware."

BE IT RESOLVED by the House of Representatives of the 119th General Assembly of the State of Delaware that the sum of Two Hundred Eighty-four Dollars and Seventy Cents (\$284.70) is hereby appropriated out of the moneys of the State Treasury, not otherwise appropriated, for payment to The Elder Printing Service, of Dover, Delaware, the lowest and responsible bidder, for collecting data, compiling, editing and publishing the weekly calendar for the House of Representatives of the State of Delaware, said calendar being necessary to the business of the House and the expense thereof being a necessary expense connected with this Session.

On motion of Mr. Quigley, the House adjourned until Thursday, March 13th, 1958, at 1:00 P. M.

118TH LEGISLATIVE DAY

Dover, Delaware, March 13th, 1958

House met pursuant to adjournment at 2:20 P. M., on March 12th, 1958.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—30.

Members absent — Messrs. Carpenter, Clark, Richards, Shockley and Wolf—5.

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

Mr. Pryor, Chairman of the Committee on Insurance and Banking, called for the Public Hearing on **SB 396** and **SB 401**. He was assisted by Senator McCullough, Chairman of the Banking and Insurance Committee of the Senate.

The following were granted permission of the floor on behalf of the bills: Mr. Harry Smith, State Insurance Commissioner; Mr. Frank O'Donnell, Attorney for Association of Policy Owners; Mr. Robert Jones, Insurance Business; Mr. Ronald Richie, American Mutual and Alliance of Chicago, Ill; and Mr. Kent Davis, Claims Management in Insurance Business.

After the speakers for the bills the members of the House had a rebuttal period.

The Hearing closed at 4:25 P. M.

Mr. Quigley moved that the House adjourn until Monday, March 17th, 1958, at 1:00 P. M.

119TH LEGISLATIVE DAY

Dover, Delaware, March 17th, 1958

House met pursuant to adjournment at 2:20 P. M., on March 13th, 1958.

Prayer by the Chaplain, Rev. Donohoe.

Members present — Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—32.

Members absent — Messrs. Alexander, Carpenter and Hussey—3.

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

A communication was presented by Mr. Spicer.

SB 189 was reported from the Public Health Committee with 4 on merits and 1 favorable; **SB 190** as amended was reported from the Public Health Committee with 5 on merits.

Mr. Speaker signed **HB 409**, **HB 297**, **HB 403** as amended and **HJR 3**.

Mr. Lawson moved that **HB 477**—"An Act Appropriating Money to the Appomattox Camp No. 2, Sons of Union Veterans of the Civil War," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Appleford, Betts, Clark, Ehinger, Eskridge, Kauffman, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Snedeker, Snowden, Spicer, Tribbitt, Walls, Wolf, Mr. Speaker Mayhew—25.

NAYS—None.

NOT VOTING—Messrs. English and West—2.

ABSENT — Messrs. Alexander, Bartleson, Carpenter, Hussey, Keller, Shockley and Simpler—7.

PRESENT—Mr. Cain—1.

Messrs. Lawson, Quigley and Snowden changed their vote from yes to no for the purpose of reconsideration.

HB 477 not having received the constitutional majority, was lost in the House.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 502** and **HB 504**, and that the Senate had passed and requested the concurrence of the House in the following bill: **SB 24**.

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 403** with **SA 1**, **HB 297** as amended, **HJR 3**.

On motion by Mr. Lawson, **HB 477** was restored to the calendar.

Mr. Massey introduced the following resolution, which on further motion by him was adopted: **HR 130**—"Authorizing the Payment of Certain Expenses of the House of Representatives for Services Rendered."

BE IT RESOLVED by the House of Representatives of the 119th General Assembly of the State of Delaware that the hereinafter named amount is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, on account of expenses connected with the present session and necessary to the work of the session, as follows:

Mr. J. H. Lewis, 18 North New Street, Dover, Delaware, for repair services rendered on office equipment \$4.00

On motion by Mr. Quigley, the House adjourned until Wednesday, March 19th, 1958, at 1:00 P. M.

120TH LEGISLATIVE DAY

Dover, Delaware, March 19th, 1958

House met pursuant to adjournment at 2:37 P. M., on March 17th, 1958.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—33.

Members absent—Messrs. Carpenter and Wolf—2.

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

A communication was presented by Mr. Shockley, pursuant to **HB 523**.

A communication was presented by Mr. Mayhew.

SB 198 was signed by Mr. Speaker.

SB 376 was reported out of the Municipal Corporations Committee as being favorable.

Mr. Alexander moved that **HB 489**—"An Act to Amend the Motor Vehicle Laws of the State of Delaware by Repealing Title 21, Delaware Code, and by Enacting in Lieu Thereof a New Title 21 Delaware Code," be taken up for consideration and read for the third time in order to pass the House.

HA 1 and **HA 2** to **HB 489** were introduced by Mr. Snedeker and on further motion by him the amendments were adopted by voice vote.

Major Poore of the Delaware State Police was given personal privilege of the floor, on motion by Mr. Alexander, to explain the bill.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Mills, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Walls—26.

NAYS—Mr. West—1.

NOT VOTING—Messrs. Betts, Massey, McAllister, Pryor and Mr. Speaker Mayhew—5.

ABSENT—Messrs. Carpenter and Wolf—2.

PRESENT—Mr. Tribbitt—1.

HB 489 as amended having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Lambert moved that **HB 523**—"An Act to Amend Chapter 33, Title 19, Delaware Code, Relating to Unemployment Compensation," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS — Messrs. Alexander, Appleford, Bartleson, Ehinger, Eskridge, Hussey, Kauffman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, Mills, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt—22.

NAYS — Messrs. Betts, Cain, English, King, Massey, McAllister, Pryor, Walls, West and Mr. Speaker Mayhew—10.

ABSENT—Messrs. Carpenter and Wolf—2.

PRESENT—Mr. Clark—1.

HB 523 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Tribbitt moved that **SB 299**—"An Act to Amend Title 11, of the Delaware Code Entitled "Crimes and Criminal Procedure" by Abolishing Capital Punishment," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS — Messrs. Appleford, Bartleson, Clark, Ehinger, Eskridge, Keller, King, Lawson, Livingston, (Mrs.) Manning, Pryor, Shockley, Simpler, Snowden, Spicer, Tribbitt—16.

NAYS—Messrs. Betts, Hussey, Kauffman, Massey, Mills, Reed, Richards, Walls, West and Mr. Speaker Mayhew—10.

NOT VOTING—Messrs. Alexander, Cain, English, McAllister and Quigley—5.

ABSENT — Messrs. Carpenter, Lambert, Snedeker and Wolf—4.

Messrs. Appleford and Shockley changed their vote from yes to no for the purpose of reconsideration.

SB 299 not having received the constitutional majority, was lost in the House.

The following petition was presented by Mr. West:

We, the undersigned, do hereby petition that **HB 448** be restored to the calendar pursuant to the rules of the House of Representatives of the State of Delaware.

H. B. Appleford, C. M. Simpler, Horace Mills, Edgar English, Joseph B. Walls, Elmer Betts, Charles P. West, Nelson Massey, H. C. Clark, A. R. Reed, John Keller, H. G. McAllister, L. M. Kauffman, George W. Cain, Charles R. Pryor, Charles C. King.

Mr. Speaker declared **HB 448** restored to the calendar.

Mr. Tribbitt moved that **SB 230**—"An Act to Amend Section 3112 of Title 10 of the Delaware Code Relating to Service of Process on Non-Resident Owners, Operators or Drivers of Motor Vehicles," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—31.

NAYS—None.

ABSENT—Messrs. Carpenter, Lambert, Mills and Wolf—4.

SB 230 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Ehinger moved that **HB 414**—"An Act to Amend Chapter 43, Title 29, Delaware Code, Relating to the Appointment of Notaries for Service Organizations; Limitations," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS — Messrs. Appleford, Bartleson, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—26.

NAYS—None.

NOT VOTING—Messrs. Betts and Cain—2.

ABSENT—Messrs. Alexander, Carpenter, King, Lambert, Mills, West and Wolf—7.

HB 414 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Alexander moved that **HB 515**—"An Act to Amend Section 522, Title 28, Delaware Code, Relating to the Award of Dates for Harness Racing Meets," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—30.

NAYS—None.

NOT VOTING—Mr. Ehinger—1.

ABSENT—Messrs. Carpenter, Mills, Snowden and Wolf—4.

HB 515 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. King moved that **SB 405**—"An Act to Amend the Charter of the "Town of Milton" as Established by Chapter 194, Volume 45, Laws of Delaware, by Increasing the Amount of Taxes That May be Raised for Municipal Purposes," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Ehinger, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—31.

NAYS—None.

ABSENT—Messrs. Carpenter, Clark, English and Wolf—4.

SB 405 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 476**.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 404**.

The following bills were reported out of the Miscellaneous Committee as follows: **HB 506** with 3 favorable; **HB 526** with 3 favorable, 1 on merits and 1 unfavorable; **HB 530** favorable, and **SB 379** as amended, 4 favorable and 1 on merits.

SB 24—"An Act to Repeal Chapter 5, Title 7, Section 537, Delaware Code of 1953, Relating to "Boat Inspector" to Abolish Such Office at the Expiration, Removal or Resignation of

the Present Inspector's Term and Thereupon Establish a New Office of Boat Inspector to be Appointed and Removed by the Board of Game and Fish Commissioners of the State of Delaware," was given the first and second reading by title only and referred to the Committee on Fish, Oysters and Game.

Mr. Walls introduced the following resolution on request of Mr. English, which on further motion by Mr. Walls, was adopted: **HR 131**—"Appropriating Certain Money Out of the General Fund of the State Treasury to Pay Allowances as Compensation of the Officers and Employees of the House, Being Expenses Connected With the Present Session of the 119th General Assembly."

BE IT RESOLVED by the House of Representatives of the State of Delaware, that the following amounts be and they are hereby appropriated out of any money in the General Fund of the State Treasury, as allowances for the compensation of the following officers and employees of the House, in full up to and including the 120th Legislative Day on March 19, 1958, being additional expenses connected with the present Session of the 119th General Assembly, and the State Treasurer is hereby authorized and directed to pay to the respective persons hereinafter named the respective sums set opposite their respective names:

Albert J. Stiftel	\$825.00
William G. Bush, III	825.00
William Gordy	330.00
Frank Shoemaker	250.00
Walter Pyle	275.00
Tom Gray	318.50
Elaine Gurley	429.00
Rev. John M. Donohue	200.00
Granville Lowe	200.00
Ruth Rusby	275.00
Charles Newell	240.00
Earl Deputy	200.00
Ruth Ross	200.00
Lillian Weston	258.50
Raymond Welch	200.00
Mildred Hall	200.00
Marie Dugan	302.50
John N. Holloway	200.00
Ella Harris	200.00
Frank Calhoun	200.00
Francis Downs	235.00
Townson Rust	200.00
Roland West	200.00
Norman Conway	200.00
Harold Powell	80.00
Marjorie Regener	275.00
Richard Norwood	200.00

W. W. Opdyke	120.00
Hubert Kenney	625.00

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

HB 531—"An Act to Amend Chapter 27, Title 25, Delaware Code Relating to Mechanics' Liens by Eliminating the Requirement That a Claim Against Two or More Structures Owned by the Same Person be Apportioned Among Each Structure and Liberalizing the Procedural Requirements for Such Liens," by Tribbitt; to Judiciary.

HB 532—"An Act Providing for the Issuance of Bonds to Finance the Continued Operation of the Hard Surfacing of Dirt Roads as Authorized by Chapter 503, Volume 50, Laws of Delaware," by West Et al; to Appropriations.

HB 533—"An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1959 and Providing Authority for the Issuance of Revenue Anticipation Notes or Certificates," by Tribbitt and King; to Appropriations.

HB 534—"An Act Making Appropriations for Certain Contingencies, for the Fiscal Year Ending June 30, 1959, and Prescribing Limitations Upon Use Thereof and the Powers and Duties of Budget Commission in Relation Thereto," by Tribbitt and King; to Appropriations.

HCR 20—"Request to the Governor of the State of Delaware to Return House Bill No. 403 as Amended for Reconsideration," by Walls; to Miscellaneous.

HB 535—"An Act to Amend Chapter 47, Title 7, Delaware Code, Relating to Brandywine Springs Park," by Tribbitt and King; to Appropriations.

HB 536—"An Act to Amend Chapter 199, Volume 51, Laws of Delaware (House Bill No. 267) by Changing the Amount of the Appropriation for the Fiscal Year Beginning July 1, 1958," by Tribbitt and King; to Appropriations.

HB 537—"An Act to Amend Chapter 15, Title 10, Delaware Code; Relating to the Court of Common Pleas for Kent County," by Tribbitt and King; to Appropriations.

HB 538—"An Act to Repeal Certain Appropriation Acts Passed by the 119th General Assembly," by Tribbitt and King; to Appropriations.

HB 539—"An Act to Amend Chapter 16, Title 10, Delaware Code as Amended by Chapter 193, Volume 51, Laws of Delaware, Relating to the Court of Common Pleas for Sussex County," by Tribbitt and King; to Appropriations.

HB 540—"An Act to Amend Chapter 47, Title 7, Delaware Code, Relating to the Trap Pond Project," by Tribbitt and King; to Appropriations.

HB 541—"An Act to Amend Chapter 71, Title 14, Delaware Code, Relating to the Library Commission of the State of Delaware," by Tribbitt and King; to Appropriations.

HB 542—"An Act to Amend Section 1703, Title 14, Delaware Code, Relating to Unit or Pupils in Schools," by King and McAllister; to Appropriations.

HB 543—"An Act to Amend Title 14, Delaware Code, Entitled "Education" by Providing for the Payment of Local School Expenses by Districts Not Maintaining High Schools: Taxes," by Tribbitt and McAllister; to Education.

HB 544—"An Act Proposing an Amendment to Section 3 of Article 8 of the Constitution of the State of Delaware Relating to a Limitation Upon the Amount of the State Indebtedness," by West; to Appropriations.

On motion by Mr. Quigley, the House adjourned until Monday, March 24th, 1958, at 1:00 P. M.

121ST LEGISLATIVE DAY

Dover, Delaware, March 24th, 1958

House met pursuant to adjournment at 2:16 P. M., on March 19th, 1958.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—35.

Members absent—None.

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

A communication was presented by Mr. Snedeker.

HCR 20 was reported from the Miscellaneous Committee with 2 favorable and 2 on merits; **SS 2** for **SB 69** was reported from Elections with 3 favorable and 1 on merits.

On motion by Mr. Shockley, **SB 299** was restored to the calendar.

On motion by Mr. Walls, the rules were suspended in order that **HCR 20** be given the third and final reading in order to pass the House. On motion by Mr. Eskridge, **HCR 20** was adopted by voice vote and ordered to the Senate for concurrence.

Mr. Speaker signed **HB 404**, **HB 502** and **HB 504**.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 507**, and that the Senate had passed and requested the concurrence of the House in the

following bills, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

SB 413—"An Act to Amend Chapter 122, Volume 29, Laws of Delaware, Entitled "An Act Providing for Assessment Against Abutting Properties in the City of Wilmington for a Portion of the Cost of Paving and Improving the Public Street Roadways", as amended by Chapter 58, Volume 51, Laws of Delaware, by Repealing All Provisions Requiring and Making Mandatory Notices and Public Hearings in Connection With the Paving, Repaving or General Resurfacing of Any Street, Block or Blocks Located Within the City of Wilmington," to Judiciary.

SB 414—"An Act to Authorize and Empower the Mayor and Council of Wilmington to Have and Exercise the Power to Acquire by Purchase or Through the Power of Condemnation Lands to be Used as Dumping Ground Upon Which to Place Garbage and Refuse," to Municipal Corporations.

Mr. Tribbitt moved that **HB 382**—"An Act to Amend Chapter 1, Title 10, of the Delaware Code Relating to the Time for Taking Appeals to the Supreme Court," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—35.

NAYS—None.

HB 382 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

HA 1 to HB 533 was introduced by Messrs. Quigley, Alexander and Walls.

Mr. Quigley moved that **HA 1 to HB 533** be adopted.

Roll Call revealed:

YEAS—Messrs. Alexander, Clark, Lambert, Livingston, McAllister, Mills, Quigley, Shockley, Snedeker, Tribbitt, Walls—11.

NAYS—Messrs. Appleford, Bartleson, Betts, Cain, Carpenter, Ehinger, English, Lawson, (Mrs.) Manning, Richards, Simpler, Snowden, Spicer, West and Wolf—15.

NOT VOTING — Messrs. Eskridge, Kauffman, Keller, Massey, Pryor, Reed and Mr. Speaker Mayhew—7.

PRESENT—Messrs. Hussey and King—2.

Mr. Quigley moved that the Roll Call on **HA 1 to HB 533** be tabled.

Roll Call revealed:

YEAS — Messrs. Alexander, Clark, Hussey, Lambert, Livingston, Mills, Pryor, Quigley, Shockley, Snedeker, Tribbitt, Walls—12.

NAYS — Messrs. Appleford, Bartleson, Betts, Cain, Carpenter, Ehinger, Lawson, (Mrs.) Manning, Richards, Simpler, Snowden and Wolf—12.

NOT VOTING — Messrs. English, Eskridge, Kauffman, Keller, King, Massey, McAllister, Reed, Spicer, West, and Mr. Speaker Mayhew—11.

Motion lost.

Mr. Walls moved that **SB 395**—"An Act to Amend Chapter 7, Title 7, Delaware Code, Relating to Hunting or Shooting from Motor Vehicles, Boats or Farm Machinery," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS — Messrs. Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—32.

NAYS—None.

NOT VOTING—Mr. English—1.

ABSENT—Messrs. Alexander and Snedeker—2.

SB 395 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Walls moved that **SB 377**—"An Act to Amend Chapter 5, Title 7, Delaware Code, Relating to Fishing License Requirements for Non-Residents," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS — Messrs. Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, Eskridge, Hussey, Kauffman, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—30.

NAYS—None.

NOT VOTING — Messrs. English, Keller, Massey and Quigley—4.

ABSENT—Mr. Alexander—1.

SB 377 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Lawson moved that **HB 477**—"An Act Appropriating Money to the Appomattox Camp No. 2, Sons of Union Veterans of the Civil War," be taken up for further consideration in order to pass the House.

Roll Call revealed:

YEAS — Messrs. Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, Wolf, Mr. Speaker Mayhew—33.

NAYS—None.

ABSENT—Mr. Alexander—1.

PRESENT—Mr. West—1.

HB 477 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Eskridge moved that the Roll Call on the veto reconsideration of **HB 475**—"An Act to Repeal Chapter 266, Volume 51, Laws of Delaware (Chapter 14, Title 24, Delaware Code) Pertaining to "Electrical Contractors," be announced.

Roll Call revealed:

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, Kauffman, Keller, King, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Reed, Tribbitt, Walls, West, Mr. Speaker Mayhew—21.

NAYS — Messrs. Appleford, Bartleson, Carpenter, Ehinger, Lambert, Lawson, (Mrs.) Manning, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer and Wolf—14.

HB 475 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Appleford moved that **HB 506**—"An Act to Amend Chapter 27, Title 29, Delaware Code, Relative to the Method of Payments of State Officials and Employees," be taken up for further consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS — Messrs. Appleford, Bartleson, Carpenter, Ehinger, Kauffman, Keller, Lambert, Lawson, (Mrs.) Manning, Richards, Simpler, Snedeker, Snowden—13.

NAYS—Messrs. Alexander, Betts, Cain, Clark, Eskridge, Hussey, King, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Walls, Wolf, and Mr. Speaker Mayhew—17.

NOT VOTING—Messrs. English, Reed, Spicer, Tribbitt and West—5.

Messrs. Appleford, Keller and Snowden changed their vote from yes to no for the purpose of reconsideration.

HB 506 not having received the constitutional majority, was lost in the House.

Mr. King moved that **SB 376**—"An Act to Amend Chapter 344, Volume 11, Laws of Delaware, Relating to the Composition and Certain Powers of the Board of Managers of the Wilmington Institute," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS — Messrs. Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, Wolf, Mr. Speaker Mayhew—29.

NAYS—Mr. Alexander—1.

NOT VOTING—Messrs. Massey, Mills and McAllister—3.

PRESENT—Messrs. Quigley and West—2.

SB 376 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Tribbitt moved that **SB 299**—"An Act to Amend Title 11, of the Delaware Code Entitled "Crimes and Criminal Procedure" by Abolishing Capital Punishment," be taken up for further consideration in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Appleford, Bartleson, Carpenter, Clark, Ehinger, Eskridge, Keller, King, Lawson, Livingston, (Mrs.) Manning, Pryor, Shockley, Simpler, Snowden, Spicer, Tribbitt, Wolf—18.

NAYS — Messrs. Betts, English, Hussey, Kauffman, Lambert, Massey, Mills, Richards, Walls, West and Mr. Speaker Mayhew—11.

NOT VOTING — Messrs. Alexander, Cain, McAllister, Quigley, Reed and Snedeker—6.

SB 299 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 515**, **HB 523** and **HCR 20**, and that the Senate had passed and requested the concurrence of the House in the following bill: **SB 415**.

Mr. West moved that **HB 448**—"An Act to Amend Title 14, Delaware Code, Relating to the Public Schools of Delaware; Providing for the Automatic Closing and Suspension of Operation of Any Public School in the State Upon the Employ of Federal Troops in the Vicinity of Said School for Certain Purposes; Providing Certain Powers and Duties of School Board of Education in Connection With Such Closing of Schools," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Appleford, Betts, Cain, English, Kauffman, Keller, King, Massey, McAllister, Mills, Spicer, Walls, West, Mr. Speaker Mayhew—14.

NAYS—Messrs. Alexander, Bartleson, Carpenter, Clark, Ehinger, Hussey, Lambert, Lawson, Livingston, (Mrs.) Manning, Pryor, Quigley, Reed, Richards, Shockley, Snedeker, Snowden and Wolf—18.

NOT VOTING—Messrs. Eskridge and Simpler—2.

ABSENT—Mr. Tribbitt—1.

Messrs. Walls and West changed their vote from yes to no for the purpose of reconsideration.

HB 448 not having received the constitutional majority, was lost in the House.

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 502**, **HB 504** and **HB 404**.

On motion by Mr. King, the rules were suspended for the purpose of a committee report. **SB 414** was reported from Municipal Corporations with 2 favorable and 2 on merits.

Mr. English introduced the following resolution, which on further motion by him was adopted by voice vote: **HR 132** —“Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 119th General Assembly.”

BE IT RESOLVED, by the House of Representatives of the 119th 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 119th General Assembly of the State of Delaware, up to and including the One Hundred and Twentieth 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:

Mr. Paul F. Livingston	\$150.00
Mr. James H. Snowden	150.00
Mr. Harry G. Lawson	150.00
Mr. Paul E. Shockley	525.00
Mr. Edward J. Hussey, Jr.	150.00
Mr. T. Lees Bartleson	156.00
Mr. Harry H. Lambert	144.00
Mrs. Margaret R. Manning	144.00
Mr. Henry H. Wolf	135.00
Mr. James R. Quigley	135.00
Mr. William H. Carpenter	135.00
Mr. Henry E. Snedeker	105.00
Mr. Sherman W. Tribbitt	262.50
Mr. Edgar Alexander	75.00
Mr. Charles R. Pryor	45.00

Mr. Charles C. King	136.50
Mr. H. Clifford Clark	39.00
Mr. Nelson Massey	15.00
Mr. Charles R. Richards	6.00
Mr. Elmer L. Betts	54.00
Mr. Henry B. Appleford	15.00
Mr. Clifford M. Simpler	126.00
Mr. George W. Cain	57.00
Mr. Harry E. Mayhew	60.00
Mr. John Keller	262.50
Mr. Edgar English	99.00
Mr. Norman Eskridge	105.00
Mr. Horace W. Mills	150.00
Mr. Harry G. McAllister	159.00
Mr. Charles P. West	189.00
Mr. Lester M. Kauffman	180.00
Mr. Joseph B. Walls	138.00
Mr. Harvey B. Spicer	120.00
Mr. Arthur R. Reed	126.00

On motion by Mr. Quigley, the House adjourned until Tuesday, March 25th, 1958, at 1:00 P. M.

122ND LEGISLATIVE DAY

Dover, Delaware, March 25th, 1958

House met pursuant to adjournment at 2:30 P. M., on March 24th, 1958.

Prayer by the Chaplain, Rev. Donohoe.

Member present — Messrs. Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—33.

Members absent—Messrs. Alexander and Wolf—2.

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

Communications were presented by Messrs. Mayhew and Keller.

The following bills were reported out of committee as being favorable, unless otherwise stated: **HB 524** and **HB 543** from Education; **HB 527** from Judiciary, 2 favorable and 2 on merits; **HB 531** and **SB 385** from Judiciary, 3 favorable and 2 on merits.

On motion by Mr. Appleford, **HB 506** was restored to the calendar.

Mr. Lawson moved that **HB 530**—"An Act to Amend Chapter 23, Title 10, Delaware Code, Pertaining to the Office of the Prothonotary," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—33.

NAYS—None.

ABSENT—Messrs. Alexander and Wolf—2.

HB 530 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Quigley moved that the rules be suspended in order that **HB 527**—"An Act to Amend Chapter 9, Title 10, Delaware Code, by Empowering the Judges of the Family Court to Appoint Master," be taken up for consideration and read for the third time in order to pass the House. Motion prevailed.

Roll Call revealed:

YEAS—Messrs. Appleford, Bartleson, Betts, Carpenter, Clark, Ehinger, Eskridge, Hussey, Kauffman, Keller, King, Lawson, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snowden, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—27.

NAYS—Mr. Lambert—1.

NOT VOTING—Messrs. Cain and Snedeker—2.

ABSENT—Messrs. Alexander, English, Livingston and Wolf—4.

PRESENT—Mr. West—1.

HB 527 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion by Mr. Eskridge, **HB 503** was given the third and final reading. **HA 1** to **HB 503** was introduced by Mr. Eskridge and on further motion by him was adopted by voice vote.

On motion by Mr. Lawson, action was deferred on **HB 503** as amended.

On motion by Mr. Quigley, the House adjourned until Wednesday, March 26th, 1958, at 1:00 P. M.

123RD LEGISLATIVE DAY

Dover, Delaware, March 26th, 1958

House met pursuant to adjournment at 2:37 P. M., on March 25th, 1958.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning,

Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—33.

Members absent—Messrs. Alexander and Carpenter—2.

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

The following message was received in the House from the Governor:

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, March 25, 1958

House of Representatives of the
119th General Assembly of the State of Delaware:

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

March 24, 1958—House Bill No. 466—An Act to Amend Chapter 283, Volume 51, Laws of Delaware, to Provide That Frederica School #32 be Permitted to Finance Capital Improvements Thereunder and Appropriating the Necessary Funds.

March 24, 1958—House Bill No. 476—An Act to Amend Chapter 283, Volume 51, Laws of Delaware, so as to Provide That Middletown #60 School District be Permitted to Finance Capital Improvements Thereunder and Appropriating the Necessary Funds.

March 24, 1958—Senate Bill No. 198—An Act to Amend Chapter 15, Title 13, Delaware Code by Removing New Castle County from the Original Territorial Jurisdiction of the Superior Court With Respect to Distribution, Care and Maintenance of Children in an Action for Annulment of Marriage or Divorce.

March 24, 1958—Senate Bill No. 409—An Act to Amend Chapter 1, Title 20, Delaware Code Relating to the Delaware National Guard.

Respectfully submitted,

J. CALEB BOGGS, Governor

A communication was presented by Mr. English.

On motion by Mr. Walls, **HB 403** as amended was taken up for further consideration. **HA 1** to **HB 403** as amended, was introduced by Mr. Walls and on further motion by him **HA 1** was recalled and action deferred on **HB 403** as amended.

On motion by Mr. Eskridge, **HB 503** was taken up for further consideration. On motion by Mr. Eskridge, **HA 1** to **HB 503** was recalled. On further motion by him, **HA 1** to **HB 503** was stricken from the calendar.

HA 2 to HB 503 was introduced by Mr. Eskridge and on further motion by him was adopted.

Mr. Eskridge moved that **HB 503** as amended—"An Act to Amend Chapter 75, Title 16, Delaware Code, Relating to Buildings Requiring Fire Escapes; Kinds," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—28.

NAYS—Messrs. Appleford, Keller, King, Quigley and Wolf—4.

ABSENT—Messrs. Alexander and Carpenter—2.

HB 503 as amended having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Hussey moved that **SS 1** for **SB 69** be given the third and final reading.

Mr. Eskridge moved that **SS 1** for **SB 69** be deferred.

Roll Call revealed:

YEAS—Messrs. Betts, Cain, Clark, English, Eskridge, Keller, King, Livingston, Massey, McAllister, Mills, Walls, West, Wolf, Mr. Speaker Mayhew—15.

NAYS—Messrs. Appleford, Bartleson, Ehinger, Hussey, Kauffman, Lambert, Lawson, (Mrs.) Manning, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden and Tribbitt—17.

NOT VOTING—Mr. Spicer—1.

ABSENT—Messrs. Alexander and Carpenter—2.

Mr. Eskridge moved that the Roll Call on the motion to table **SS 1** for **SB 69** be tabled.

Roll Call revealed:

YEAS—Messrs. Appleford, Betts, Cain, Clark, English, Eskridge, Keller, King, Livingston, Massey, McAllister, Mills, Reed, Walls, West, Mr. Speaker Mayhew—16.

NAYS—Messrs. Bartleson, Ehinger, Hussey, Kauffman, Lambert, Lawson, Pryor, Quigley, Richards, Shockley, Snedeker, Snowden and Tribbitt—13.

NOT VOTING—Mrs. Manning, Messrs. Simpler, Spicer and Wolf—4.

ABSENT—Messrs. Alexander and Carpenter—2.

Motion prevailed.

The Roll Call on the motion to defer **SS 1** for **SB 69** was announced as follows: 15—yeas, 17—nays, 1—not voting and 2—absent. Motion lost.

Mr. Eskridge moved that **SS 1** for **SB 69** be tabled.

Roll Call revealed:

YEAS—Messrs. Betts, Cain, Clark, English, Eskridge, Keller, King, Livingston, Massey, McAllister, Mills, Reed, Walls, West, Mr. Speaker Mayhew—15.

NAYS—Messrs. Appleford, Bartleson, Ehinger, Hussey, Kauffman, Lambert, Lawson, (Mrs.) Manning, Pryor, Quigley, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt and Wolf—18.

ABSENT—Messrs. Alexander and Carpenter—2.

Before the announcement of the Roll Call the Speaker ordered a recess at the call of the Chair.

At the expiration of the recess, the Roll Call on the motion to table **SS 1** for **SB 69** was announced as follows: 15 yeas, 18 nays and 2 absent. Motion lost.

Mr. Hussey moved that **SS 1** for **SB 69**—"An Act to Amend Chapter 31, Title 15, of the Delaware Code Relating to Primary Elections," be taken up for consideration in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Bartleson, Hussey, Lambert, Lawson, Livingston, Quigley, Shockley, Snedeker, Snowden, Wolf—10.

NAYS—Messrs. Appleford, Betts, Cain, Clark, English, Eskridge, Kauffman, Keller, King, Massey, McAllister, Mills, Reed, Richards, Simpler, Spicer, Walls, West and Mr. Speaker Mayhew—19.

NOT VOTING—Messrs. Ehinger, Pryor and Tribbitt—3.

ABSENT—Messrs. Alexander and Carpenter and Mrs. Manning—3.

SS 1 for **SB 69** not having received the constitutional majority, was lost in the House.

Mr. Appleford moved that **SS 1** for **SB 69** not be restored to the calendar. Motion prevailed.

Mr. Walls moved that **HB 403** as amended—"An Act to Amend Chapter 41, Title 16, Delaware Code, Entitled "Ice Cream" Relating to Ice Milk," be taken up for further consideration in order to pass the House.

HA 2 to **HB 403** was introduced by Mr. Walls, and on further motion by him was adopted.

Roll Call revealed:

YEAS—Messrs. Appleford, Betts, Cain, Clark, Ehinger, English, Eskridge, Kauffman, Keller, King, Lambert, Lawson, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Walls, West, Wolf, Mr. Speaker Mayhew—27.

NAYS—Mr. Snowden—1.

NOT VOTING—Mr. Bartleson—1.

ABSENT—Messrs. Alexander, Carpenter, (Mrs.) Manning and Spicer—4.

PRESENT—Messrs. Hussey and Tribbitt—2.

HB 403 as amended having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 382**, and that the Senate had passed and requested the concurrence of the House in the following bill: **SB 410**.

The following message was received in the House from the Governor:

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, March 26, 1958

To the House of Representatives of the
119th General Assembly:

On March 17, 1958, I received House Bill No. 297, as amended by House Amendment No. 1, entitled:

**AN ACT TO AMEND CHAPTER 63, TITLE 29,
DELAWARE CODE RELATING TO THE GEN-
ERAL POWERS AND DUTIES OF THE BUDGET
COMMISSION.**

I respectfully return herewith this bill without my approval.

This bill, while well-intended to provide better control of appropriations, is defective because it provides an effective date of July 1, 1957. Obviously, this effective date is impossible and impracticable because the time which has lapsed.

With this State moving through a transitory period of change from a biennial budget to an annual budget, this bill would undoubtedly result in administrative difficulties which would impede the proper functioning of the courts and the various state agencies.

Respectfully submitted,

J. CALEB BOGGS, Governor

Mr. Speaker signed **HB 515**, **HB 523**, **HB 507**, **SB 405**, **SB 230**, **SB 395**, **SB 377** and **SB 376**.

SB 415—"An Act to Amend Chapter 11, Title 28, Delaware Code, Also Known as Section 1, Chapter 65, Volume 51, Laws of Delaware, Relating to the Conduct of a Bingo Referendum," was given the first and second reading by title only and referred to the Committee on Elections.

SB 410—"An Act to Amend Chapter 283, Volume 51, Laws of Delaware, Relative to Rehoboth School District," was given the first and second reading by title only and referred to the Committee on Education.

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 507, HB 515 and HB 523.**

On motion by Mr. Quigley, the House adjourned until Monday, March 31st, 1958, at 1:00 P. M.

124TH LEGISLATIVE DAY

Dover, Delaware, March 31st, 1958

House met pursuant to adjournment at 2:29 P. M., on March 26th, 1958.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—33.

Members absent—Messrs. Carpenter and Kauffman—2.

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

The Secretary of the Senate informed the House that the Senate had concurred in **HB 403** as amended, **HB 530**, and that the Senate had passed and requested the concurrence of the House in the following bill: **SB 411** as amended by **SA 1**.

Communications were presented by Messrs. Walls and Mayhew.

The following bills were reported out of committee as follows: **SB 392** from Elections, 3 favorable and 1 on merits; **SB 415** from Elections, 4 favorable and 1 on merits; **SB 68** from Public Buildings and Highways, 4 favorable; **SB 413** from Judiciary, 3 favorable and 1 on merits, and **HB 532** from Appropriations, 2 favorable and 3 on merits.

Mr. Speaker signed **SB 299** and **HB 382**.

Mr. Massey introduced the following resolution, which on further motion by him was adopted by voice vote: **HR 133**—"Authorizing the Payment of Certain Expenses of the House of Representatives for Typewriter Equipment."

BE IT RESOLVED by the House of Representatives of the 119th General Assembly of the State of Delaware that the hereinafter named amount is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, on account of expenses connected with the present Session and necessary to the work of the Session, as follows:

The International Business Machines Corporation, 909 Delaware Avenue, Wilmington, Delaware, for typewriter equipment #1010645 \$7.50

Mr. Massey introduced the following resolution, which on further motion by him was adopted by voice vote: **HR 134**—"Relative to the Payment on Account for Collecting Data, Compiling, Editing and Publishing the Weekly Calendar for the House of Representatives of the 119th General Assembly of the State of Delaware."

BE IT RESOLVED by the House of Representatives of the 119th General Assembly of the State of Delaware that the sum of Two Hundred Eighty-four Dollars and Seventy Cents (\$284.70) is hereby appropriated out of the moneys of the State Treasury, not otherwise appropriated, for payment to the Elder Printing Service, of Dover, Delaware, the lowest and responsible bidder, for collecting data, compiling, editing and publishing the weekly calendar for the House of Representatives of the State of Delaware, said calendar being necessary to the business of the House and the expense thereof being a necessary expense connected with this Session.

The following communication was presented by Mr. Mahew:

March 28, 1958

The Honorable J. Caleb Boggs, Governor of Delaware

My dear Governor Boggs:

As you are well aware, I have been unable to be present at sessions of the 119th General Assembly with any regularity since the first of the year. This has been due to a reorganization of the company for which I work; a series of changes that have required me to do a great deal of out-of-state traveling.

My company has now assigned me to a new position which necessitates my leaving Delaware to reside in Dallas, Texas. That move, of course, will make me ineligible to hold the Pencader Hundred seat in the House of Representatives, and, accordingly, I submit herewith my resignation, effective as of this date.

May I take this opportunity to express my appreciation for the honor of having served in the General Assembly, and to wish you and my colleagues a successful administration.

Respectfully yours,

WILLIAM H. CARPENTER

Dear Harry:

In as much as the House had recessed till Monday, I sent my resignation to the Governor, of which this is a copy.

I want you to know how much I enjoyed being associated with the members of the 119th Assembly, and trust that you and all the members can accomplish and wind up with a progressive program for Delaware.

It was indeed a pleasure to have worked with you all, and hope I can come back to Delaware at which time I should like to visit you all.

With best personal regard, and good wishes,

REP. W. H. CARPENTER

Mr. Pryor moved that **SB 306**—"An Act to Amend Chapters 5 and 21, Title 18, Delaware Code Relating to Non-Resident Insurance Agents and Brokers," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Keller, King, Lambert, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—27.

NAYS—Messrs. Appleford, Lawson, (Mrs.) Manning, Simpler, Snedeker and Wolf—6.

ABSENT—Messrs. Carpenter and Kauffman—2.

SB 306 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Pryor moved that **SB 318**—"An Act to Amend Chapter 5, Title 18, Delaware Code, Relating to the Regulatory Provisions for Insurance Companies," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Keller, King, Lambert, Lawson, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—31.

NAYS—None.

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

ABSENT—Messrs. Carpenter and Kauffman—2.

SB 318 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Pryor moved that **SB 319**—"An Act to Amend Chapter 5, Title 18, Delaware Code, Relating to Regulatory Provisions, Insurance," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Clark, Ehinger, English, Eskridge, Keller, King, Lawson, Livingston, McAllister, Mills, Pryor, Reed, Richards, Shockley, Walls, West, Mr. Speaker Mayhew—17.

NAYS—Messrs. Alexander, Appleford, Bartleson, Cain, Lambert, (Mrs.) Manning, Quigley, Snedeker and Wolf—9.

NOT VOTING—Messrs. Betts, Hussey, Massey, Simpler, Snowden and Spicer—6.

ABSENT—Messrs. Carpenter, Kauffman and Tribbitt—3.

Messrs. Lawson and Pryor changed their vote from yes to no for the purpose of reconsideration.

SB 319 not having received the constitutional majority, was lost in the House.

Mr. Shockley moved that **HB 468**—"An Act to Amend Title 9, Chapter 86, Delaware Code Relating to Collection of Taxes in New Castle County by Providing for the Elimination of the Abatement of Taxes, and by Increasing the Penalty for Late Payment of Taxes in New Castle County," be taken up for consideration and read for the third time in order to pass the House.

HA 1 to **HB 468** was introduced by Mr. Lambert and on further motion by him was adopted by voice vote.

Roll Call revealed:

YEAS—Messrs. Appleford, Betts, Cain, Clark, Ehinger, English, Hussey, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Spicer, Walls, West, Wolf, Mr. Speaker Mayhew—27.

NAYS—None.

NOT VOTING—Mr. Bartleson—1.

ABSENT — Messrs. Alexander, Carpenter, Eskridge, Kauffman, Quigley, Snowden and Tribbitt—7.

HB 468 as amended having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 546—"An Act to Amend Chapter 19, Title 7, Delaware Code, Relating to the Annual Rental for Areas Leased," by Mills; to Miscellaneous.

HB 547—"An Act to Authorize the Issuance of Bonds to Finance the Cost of Work to Prevent and Repair Damage from Beach Erosion and to Finance the Cost of Construction and Maintenance of Necessary Facilities," by Mayhew Et al; to Appropriations.

HA 3 to **HB 55** was introduced by Mr. Wolf, and on further motion by him was laid on the table with **HB 55**.

Mr. Hussey moved that the rules be suspended in order that **SB 392** be given the third and final reading and placed before the House for passage. Motion prevailed.

Senator Riley was given personal privilege of the floor to explain **SB 392**, on motion of Mr. Hussey.

On motion by Mrs. Manning, action was deferred on **SB 392**.

Mr. Tribbitt moved that **HB 543** be given the third and final reading and placed before the House for passage.

Mr. West moved that action be deferred on **HB 543**. A Roll Call was ordered by Mr. Speaker Mayhew.

Roll Call revealed:

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Hussey, Lambert, Livingston, Massey, Mills, Pryor, Quigley, Walls, West, Mr. Speaker Mayhew—15.

NAYS — Messrs. Appleford, Bartleson, King, Lawson, (Mrs.) Manning, Richards, Shockley, Snedeker, Snowden, Tribbitt and Wolf—11.

NOT VOTING—Messrs. McAllister, Simpler and Spicer—3.

ABSENT—Messrs. Carpenter, Ehinger, Eskridge, Kauffman, Keller and Reed—6.

Motion prevailed.

Mr. West moved that **HB 448** be restored to the calendar.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Betts, Cain, Clark, English, Eskridge, King, Massey, McAllister, Mills, Quigley, Spicer, Walls, West, Mr. Speaker Mayhew—16.

NAYS — Messrs. Bartleson, Hussey, Lambert, Lawson, Livingston, (Mrs.) Manning, Pryor, Richards, Shockley, Simpler, Snedeker, Snowden and Wolf—13.

NOT VOTING—Mr. Tribbitt—1.

ABSENT—Messrs. Carpenter, Ehinger, Kauffman, Keller and Reed—5.

Motion prevailed.

On motion by Mr. Quigley, the House adjourned until Tuesday, April 1st, 1958, at 1:00 P. M.

125TH LEGISLATIVE DAY

Dover, Delaware, April 1st, 1958

House met pursuant to adjournment at 2:47 P. M., on March 31st, 1958.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—33.

Member absent—Mr. Wolf—1.

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

The Secretary of the Senate informed the House that the Senate had concurred in **HB 483** and that passed **HB 475** over the Governor's veto, and that the Senate had passed and requested the concurrence of the House in the following bill: **SB 423**.

Communications were presented by Messrs. Spicer and Mayhew.

The following bills were reported out of committee as follows: **HB 528** from Appropriations, 3 favorable and 1 on merits; **HB 299** from Revised Statutes, 1 favorable and 4 on merits; **SB 410** from Education, 2 favorable and 2 on merits; **HB 437** from Miscellaneous, 4 favorable and 1 unfavorable; **HB 482** from Public Buildings and Highways, favorable; **HB 510** from Appropriations, favorable, and **HB 547** from Appropriations, with 4 favorable.

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

HB 548—"An Act to Amend Chapter 115, Volume 28, Laws of Delaware, Being An Act Entitled "An Act to Authorize 'The Mayor and Council of Wilmington' to Borrow Money for Public Work and Improvement" so as to Permit the Borrowing of Money Pursuant to Said Act for Any Public Work or Public Improvement or Furnishings, Equipment, Machinery or Apparatus or for Any Other Purpose," by Hussey; to Appropriations.

HB 549—"An Act to Provide That Any Unused Funds Appropriated for Capital Outlay and All Other Costs to the State Board of Education for the Operation of the One, Two, Three Teacher Schools in the Budget Appropriation Act for the Biennium Ending June 30, 1959, Shall be Credited by the State Treasurer for the Use of the State Board of Education for the Purpose for Which They Were Originally Appropriated and Shall Not Revert to the General Fund," by McAllister and Snowden; to Education.

HB 550—"An Act Appropriating Money to the Memorial Volunteer Fire Company, at Slaughter Beach," by Mayhew and Keller; to Appropriations.

HB 551—"An Act to Amend Chapter 5, Title 28, Delaware Code Relating to Harness Racing; by Alexander; to Miscellaneous.

SB 411 as amended—"An Act to Amend Title 21, Delaware Code, by Providing for Suspension for Persons Failing to Possess Financial Responsibility and the Collection and Disposition of Certain Fees for the Filing of Proof of Financial Responsibility," to Banking and Insurance.

SB 423—"An Act to Amend Chapter 23, Title 11, Delaware Code Relating to Search and Seizure," to Judiciary.

Mr. Speaker signed **SB 318**, **SB 306**, **HB 403** as amended and **HB 530**.

Mr. English introduced the following resolution, which on further motion by him was adopted by voice vote: **HR 135**—"Authorizing the Payment of Certain Expenses of the House of Representatives for Services Rendered."

BE IT RESOLVED by the House of Representatives of the 119th General Assembly of the State of Delaware that the hereinafter named amounts are hereby appropriated out of any money in the State Treasury, not otherwise appropriated, on account of expenses connected with the present session and necessary to the work of the session, as follows:

Capitol Office Equipment Co.	\$127.36
Addressograph Multigraph Corp.	195.62
Hugh A. George	130.71
S. H. Quint's Sons Co., Inc.	23.32
Atlee Products Company	90.00
Stewart's Express	3.30
Whelan's	14.35

Mr. Tribbitt moved that **HB 543**—"An Act to Amend Title 14, Delaware Code, Entitled "Education" by Providing for the Payment of Local School Expenses by Districts Not Maintaining High Schools; Taxes," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Appleford, Bartleson, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Pryor, Reed, Richards, Shockley, Snedeker, Snowden, Tribbitt—21.

NAYS—Messrs. Alexander, Betts, Clark, Mills, Quigley, Walls and West—7.

NOT VOTING—Messrs. Massey, Simpler, Spicer and Mr. Speaker Mayhew—4.

ABSENT—Messrs. Cain and Wolf—2.

HB 543 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Shockley moved that the rules be suspended for the purpose of a committee report. Motion prevailed.

HB 548 from Appropriations with 5 favorable.

Mr. Tribbitt moved that **HB 531**—"An Act to Amend Chapter 27, Title 25, Delaware Code Relating to Mechanics' Liens by Eliminating the Requirement That a Claim Against Two or More Structures Owned by the Same Person be Apportioned Among Each Structure and Liberalizing the Procedural Requirements for Such Liens," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—31.

NAYS—None.

ABSENT—Messrs. Keller, West and Wolf—3.

HB 531 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Hussey moved that **SB 392**—"An Act to Amend Chapter 83, Title 9, Delaware Code, Pertaining to the Valuation and Assessment of Real Property in New Castle County by Eliminating the Requirement That Assessment Rolls be Prepared by Election Districts, be taken up for further consideration in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, Eskridge, Hussey, Kauffman, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—28.

NAYS—None.

ABSENT — Messrs. Alexander, English, Keller, King, West and Wolf—6.

SB 392 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Tribbitt moved that **SB 385**—"An Act to Amend Section 5715, Title 11, Delaware Code, Concerning the Municipal Court for the City of Wilmington and Relating to Fees, Costs, and Charges in Said Court," be taken up for consideration and read for the third time in order to pass the House.

HA 1 to SB 385 was introduced by Mr. Tribbitt and on further motion by him was adopted.

Roll Call revealed:

YEAS—Messrs. Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—30.

NAYS—Mr. Alexander—1.

NOT VOTING—Messrs. Appleford and West—2.

ABSENT—Mr. Wolf—1.

SB 385 as amended having received the constitutional majority, passed the House and was ordered returned to the Senate for concurrence.

Mr. Hussey moved that **SB 415**—"An Act to Amend Chapter 11, Title 28, Delaware Code, Also Known as Section 1, Chapter 65, Volume 51, Laws of Delaware, Relating to the Conduct of a Bingo Referendum," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—30.

NAYS—Messrs. Snowden and West—2.

NOT VOTING—Mr. Appleford—1.

ABSENT—Mr. Wolf—1.

SB 415 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Mills moved that **HB 518**—"An Act Appropriating Money to Blades School District #172," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—31.

NAYS—None.

ABSENT—Messrs. Appleford, Snowden and Wolf—3.

HB 518 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion by Mr. Pryor, the rules were suspended for the purpose of a committee report.

SB 411 as amended from banking and Insurance with 4 favorable.

The following communication was presented by Mr. King and on motion by him was to be made a part of the Journal: Mr. Speaker:

Apparently there has been some confusion as evidenced by articles in the newspapers, concerning the so-called "budget reduction" bills introduced by Representative Tribbitt and myself on March 19, 1958, and which are listed on the House Calendar as House Bills Nos. 533, 534, 535, 536, 537, 538, 539, 540, 541. Representative McAllister was co-sponsor of one of these budget reduction bills, being House Bill No. 542.

These bills were the product of weeks of study of the Joint Finance Committee, composed of members of both the Senate and House of Representatives, and composed of members of both political parties. These "budget reduction" bills were drafted and introduced at the request of the Joint Finance Committee.

Mrs. Lillian Martin of the Budget Commission informed the Joint Finance Committee that it was necessary to have a budget reduction of approximately four and one-half million dollars. The Joint Finance Committee has attempted to comply with Mrs. Martin's recommendation to the best of its ability.

Representative Tribbitt and myself introduced the "budget reduction" bills disregarding our personal feelings as to the entire group of bills and our feelings to certain portions of these bills. We felt that it was our duty as the appointed

Representatives from the House of Representatives to the Joint Finance Committee to have these bills introduced in the House of Representatives in order that the members of the House could consider the recommendations of the Joint Finance Committee.

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 382, HB 403, HB 530.**

The following messages from the Governor were delivered to the House:

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, April 1, 1958

House of Representatives of the
119th General Assembly of the State of Delaware:

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

March 26, 1958—House Bill No. 404—An Act Authorizing the State Treasurer to Transfer Certain Balances in the Accounts of Former State Treasurer Clarence S. Collins, Jr., to the General Fund of the State of Delaware.

March 31, 1958—Senate Bill No. 377—An Act to Amend Chapter 5, Title 7, Delaware Code Relating to Fishing License Requirements for Non-Residents.

March 31, 1958—Senate Bill No. 395—An Act to Amend Chapter 7, Title 7, Delaware Code Relating to Hunting or Shooting from Motor Vehicles, Boats or Farm Machinery.

March 31, 1958—Senate Bill No. 405—An Act to Amend the Charter of the "Town of Milton" as Established by Chapter 194, Volume 45, Laws of Delaware, by Increasing the Amount of Taxes That May be Raised for Municipal Purposes.

March 31, 1958—House Bill No. 502—An Act to Amend Chapter 69, Title 16, Delaware Code Relating to the Sale of Fireworks.

March 31, 1958—House Bill No. 504—An Act to Amend Chapter 191, 45 Laws of Delaware "An Act to Reincorporate the Town of Delaware City."

March 31, 1958—House Bill No. 507—An Act to Amend Chapter 162, Volume 37, Laws of Delaware, Entitled "An Act Changing the Name of 'The Town of Milford' to 'The City of Milford', and Establishing a Charter Therefor", by Making Provision for Salaries to Members of the City Council and the Mayor.

March 31, 1958—House Bill No. 515—An Act to Amend Section 522, Title 28, Delaware Code Relating to the Award of Dates for Harness Racing Meets.

April 1, 1958—Senate Bill No. 230—An Act to Amend Section 3112 of Title 10 of the Delaware Code Relating to Service of Process on Non-Resident Owners, Operators or Drivers of Motor Vehicles.

April 1, 1958—Senate Bill No. 376—An Act to Amend Chapter 344, Volume 11, Laws of Delaware Relating to the Composition and Certain Powers of the Board of Managers of the Wilmington Institute.

April 1, 1958—House Bill No. 523—An Act to Amend Chapter 33, Title 19, Delaware Code Relating to Unemployment Compensation.

Respectfully submitted,

J. CALEB BOGGS, Governor

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, April 1, 1958

To the Members of the
119th General Assembly of the State of Delaware:

On March 31, 1958, the Senate passed legislation amending the personal income tax bill enacted in December 1957. This bill, previously passed by the House of Representatives, would reduce Delaware's revenues by an estimated six million dollars.

The law to raise this extra six million dollars was enacted by this same legislature only slightly more than three months ago as part of a program to rectify what a bipartisan, non-legislative group of leading citizens described as an anticipated deficit of 27 million dollars by June 30, 1959. Even the legislative enactments of last December left an estimated deficit of nearly five million dollars for this biennium.

In view of the foregoing, and the fact that Delaware's budget is still out of balance, the legislature's action in passing a bill to reduce revenues is an astounding evidence of financial irresponsibility. It is even ironic that on the very day the Senate passed this bill the Governor, State Treasurer and Secretary of State borrowed an additional \$2,300,000 so that the salaries of Delaware employees and other authorized expenditures, including those of an unnecessarily prolonged legislative session, might be paid.

Incidentally, this borrowing on March 31st increased Delaware's total of outstanding deficiency notes to \$13,300,000, the largest amount of deficiency borrowing ever known to have been outstanding at any given time in the history of this State. It is obvious any repeal of the revenue in question will necessitate additional borrowing to make refunds of substantial

amounts already collected. Under such circumstances, I seriously question the State's ability to continue borrowing in good faith on a temporary basis.

It is also pertinent to this situation that only as recently as March 18th settlement was made on \$21,000,000 of State of Delaware bonds which had been sold on February 20th by the bond issuing officers at a favorable rate of interest in current markets. These bonds were sold at a favorable interest rate on behalf of the people of this State by the Governor, Treasurer and the Secretary of State based on the good faith statements of those officers that Delaware had substantially remedied its fiscal problems and would proceed to preserve the credit of Delaware by taking appropriate additional steps to balance the State's budget.

About two weeks ago I stated publicly, and such statement appeared in the newspapers of this State, that I would find it necessary to veto any bill reaching my desk which would reduce current revenues unless such bill was accompanied by other legislation providing for new revenues of at least an amount equal to the revenue being lost by any repealer. Now the legislature has acted to reduce revenue substantially while it has taken no action to produce equal or greater amounts of State income.

Consequently, this is to inform you respectfully that the bill passed by the legislature reducing revenue will be vetoed by me if other legislation providing for the required new revenue has not reached my desk by the time I must act on the revenue repealing measure.

This letter is also to inform you respectfully that should the legislature's failure to assume its financial responsibility necessitate my veto, and should that veto be overridden by the general assembly, the bond issuing officers of this State will not offer any additional State of Delaware bonds for sale until this or a succeeding general assembly enacts legislation to bring this State's budget into balance and to preserve the reputation and credit of this State and its people. Should the legislature's failure to fulfill its responsibility cause the bond issuing officers to take such a position, you recognize, of course, that no additional construction funds from bonds for schools, highways, institutional and other public works in Delaware will be available until the budget is balanced.

The choice of whether this State will continue to make progress and to go forward to meet the needs of its people, therefore, rests solely with the members of the 119th General Assembly.

Respectfully submitted,

J. CALEB BOGGS, Governor

Mr. Appleford moved that **HB 506**—"An Act to Amend Chapter 27, Title 29, Delaware Code, Relative to the Method of Payments of State Officials and Employees," be taken up for further consideration in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Appleford, Bartleson, Ehinger, Kauffman, Keller, Lambert, Lawson, (Mrs.) Manning, Pryor, Reed, Richards, Simpler, Snedeker, Snowden, Spicer—15.

NAYS—Messrs. Alexander, Betts, Cain, Hussey, King, Livingston, McAllister, Mills, Quigley, Shockley and Walls—11.

NOT VOTING — Messrs. English, Eskridge, Massey, Tribbitt and Mr. Speaker Mayhew—5.

ABSENT—Mr. Wolf—1.

PRESENT—Messrs. Clark and West—2.

Messrs. Appleford and Snowden changed their vote from yes to no for the purpose of reconsideration.

HB 506 not having received the constitutional majority, was lost in the House.

Mr. King moved that **SB 414**—"An Act to Authorize and Empower the Mayor and Council of Wilmington to Have and Exercise the Power to Acquire by Purchase or Through the Power of Condemnation Lands to be Used as Dumping Ground Upon Which to Place Garbage and Refuse," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Lawson, Livingston, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—19.

NAYS—Messrs. Appleford, Bartleson, Ehinger, Kauffman, Lambert, (Mrs.) Manning, Richards and Snedeker—8.

NOT VOTING—Messrs. Massey, Simpler, Snowden and Spicer—4.

ABSENT—Messrs. Keller, Reed and Wolf—3.

Messrs. Hussey, Livingston and Shockley changed their vote from yes to no for the purpose of reconsideration.

SB 414 not having received the constitutional majority, was lost in the House.

The Secretary of the Senate informed the House that the Senate had concurred in **SB 385** as amended by **HA 1**, and that the Senate had passed and requested the concurrence of the House in the following bill: **SB 424**.

On motion by Mr. Eskridge, the rules were suspended for the purpose of a committee report. **HB 551** from Miscellaneous with 5 favorable.

HR 136 was introduced by Mr. Massey and on further motion by him was adopted.

Mr. Massey introduced the following resolution, which on further motion by him was adopted: **HR 137**—"Authorizing Payment for Bill Backers for the House of Representatives of the 119th General Assembly."

BE IT RESOLVED by the House of Representatives of the 119th General Assembly of the State of Delaware that the sum of Forty-Nine Dollars and Seventy-five Cents (\$49.75) is hereby appropriated to the Delaware State News, Dover, Delaware, for supplying one thousand (1,000) duplicate resolution backers, one thousand (1,000) duplicate bill backer, and five hundred (500) original bill backers.

On motion by Mr. Tribbitt, **HB 524** was given the third and final reading. **HA 1** to **HB 524** was introduced by Mr. Tribbitt and on further motion by him was adopted. On motion by Mr. Alexander, **HB 524** as amended was deferred.

On motion by Mr. Quigley, the House adjourned until Wednesday, April 2nd, 1958, at 1:00 P. M.

126TH LEGISLATIVE DAY

Dover, Delaware, April 2nd, 1958

House met pursuant to adjournment at 2:54 P. M., on April 1st, 1958.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—34.

Members absent—None.

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

Mr. Speaker signed **HB 483**.

The following bills were reported out of Committee as favorable: **HB 546** from Miscellaneous, **HB 477** and **SB 423** from Judiciary.

HR 138 was introduced by Mr. Eskridge and on further motion by him was adopted.

Mr. Speaker Mayhew announced that he had signed the Writ of Election for the 11th Representative District of New Castle County.

HOUSE OF REPRESENTATIVES
119TH GENERAL ASSEMBLY
OF THE STATE OF DELAWARE

Harry E. Mayhew, Speaker
of the House of Representative
of the 119th General Assembly

TO

WRIT OF ELECTION

The Department of Elections for
New Castle County

Greetings:

WHEREAS, a vacancy exists in the House of Representatives of the 119th General Assembly of the State of Delaware by reason of the resignation of William H. Carpenter, the members from Representative District Number Eleven of New Castle County, State of Delaware; and

WHEREAS, such vacancy exists while the General Assembly is in session:

NOW, THEREFORE, I, Harry E. Mayhew, Speaker of the House of Representatives of the 119th General Assembly of the State of Delaware, and as such Presiding Officer of the House of Representatives, in pursuance of the Constitution and the laws of the State of Delaware in such cases made and provided, do hereby command that you cause a special election to be held in said Representative District Number Eleven in New Castle County, State of Delaware, by the qualified electors, on some day by you to be appointed; such day not to be more than eleven nor less than ten days next after the day of receiving this Writ, exclusive of that day, for the purpose of electing a representative to the House of Representatives in the 119th General Assembly for said Representative District to fill said vacancy, the person thereupon chosen to hold office for the residue of the term of the said William H. Carpenter.

IN WITNESS WHEREOF, I, Harry E. Mayhew, Speaker of the House of Representatives of the State of Delaware of the 119th General Assembly, and presiding officer thereof, have hereunto set my hand this 2nd day of April in the year of our Lord one thousand nine hundred and fifty-eight, and of the Independence of the United States, the one hundred and eighty-second.

(Signed) H. E. MAYHEW
Speaker of the House of Representatives of the 119th General Assembly of the State of Delaware

Mr. Tribbitt moved that SB 413—"An Act to Amend Chapter 122, Volume 29, Laws of Delaware, Entitled "An Act Providing for Assessment Against Abutting Properties in the City of Wilmington for a Portion of the Cost of Paving and

Improving the Public Street Roadways", as Amended by Chapter 58, Volume 51, Laws of Delaware, by Repealing All Provisions Requiring and Making Mandatory Notices and Public Hearings in Connection With the Paving, Repaving or General Resurfacing of Any Street, Block or Blocks Located Within the City of Wilmington," be taken up for further consideration in order to pass the House.

Roll Call revealed:

YEAS — Messrs. Alexander, Bartleson, Betts, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Quigley, Reed, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—30.

NAYS—Mr. Appleford—1.

ABSENT—Messrs. Cain, Massey and Richards—3.

SB 413 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Snowden moved that **HB 510**—"An Act Making a Deficiency Appropriation for State Pension Plans and State's Share of Social Security Contributions," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Quigley, Reed, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, Wolf, Mr. Speaker Mayhew—29.

NAYS—None.

ABSENT—Messrs. Cain, Massey, Pryor and Richards—4.

PRESENT—Mr. West—1.

HB 510 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Snowden moved that **HB 528**—"An Act Making a Supplementary Appropriation to the State Tax Commissioner to Cover Additional Costs Incurred by Added Responsibilities Placed Upon This Office," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Quigley, Reed, Shockley, Simpler, Snedeker, Snowden, Spicer, Walls, West, Wolf, Mr. Speaker Mayhew—29.

NAYS—None.

ABSENT—Messrs. Cain, Massey, Pryor, Richards and Tribbitt—5.

HB 528 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Quigley was asked by Mr. Speaker Mayhew to act as Speaker during his absence.

Mr. King moved that **SB 414** be restored to the calendar. Motion prevailed.

Mr. King moved that **SB 414**—"An Act to Authorize and Empower the Mayor and Council of Wilmington to Have and Exercise the Power to Acquire by Purchase or Through the Power of Condemnation Lands to be Used as Dumping Ground Upon Which to Place Garbage and Refuse," be taken up for further consideration in order to pass the House.

Roll Call revealed:

YEAS — Messrs. Alexander, Bartleson, Betts, Clark, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Quigley, Shockley, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf—26.

NAYS—Messrs. Appleford and Ehinger—2.

NOT VOTING—Messrs. Reed and Simpler—2.

ABSENT—Messrs. Cain, Massey, Reed and Mr. Speaker Mayhew—4.

SB 414 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Appleford moved that **HB 506** be restored to the calendar. Motion prevailed.

Mr. Appleford moved that **HB 506**—"An Act to Amend Chapter 27, Title 29, Delaware Code, Relative to the Method of Payments of State Officials and Employees," be taken up for further consideration in order to pass the House.

HA 1 to **HB 506** was introduced by Mr. Appleford and on further motion by him was adopted by voice vote.

Roll Call revealed:

YEAS—Messrs. Appleford, Bartleson, Ehinger, Hussey, Kauffman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, Pryor, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Wolf—19.

NAYS—Messrs. Alexander, Betts, King, McAllister, Mills, Shockley, Walls and West—8.

NOT VOTING — Messrs. Cain, English, Eskridge, Massey, Quigley and Mr. Speaker Mayhew—6.

PRESENT—Mr. Clark—1.

HB 506 as amended having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Quigley moved that **HB 437**—"An Act to Amend Title 28, Delaware Code, Relating to Horse and Dog Racing in the State of Delaware," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Betts, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Livingston, (Mrs.) Manning, Massey, Mills, Quigley, Reed, Richards, Snedeker, Spicer, Walls—20.

NAYS—Messrs. Bartleson, Cain, Clark, Ehinger, Lawson, Pryor, Snowden, West, Wolf and Mr. Speaker Mayhew—10.

NOT VOTING—Messrs. McAllister and Simpler—2.

ABSENT—Messrs. Shockley and Tribbitt—2.

HB 437 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Messrs. Lawson, Ehinger and Reed introduced the following resolution, which on further motion by Mr. Lawson, was adopted: **HR 139**—"Extending the Congratulations of the House of Representatives to Mr. and Mrs. James H. Snowden Upon Their Twentieth Wedding Anniversary."

WHEREAS, James H. Snowden, Minority Leader at this Session of the House of Representatives, and Mrs. Snowden are celebrating their 20th wedding anniversary today; and

WHEREAS, the members of the House feel that suitable recognition should be accorded Mr. and Mrs. Snowden for their record of devotion and loyalty; **NOW, THEREFORE**

BE IT RESOLVED by the House of Representatives of the 119th General Assembly of the State of Delaware that the congratulations of the members of the House are hereby extended to Mr. and Mrs. Snowden upon this anniversary of their marriage; and

BE IT FURTHER RESOLVED that the Clerk of the House shall deliver a copy of this Resolution to Mrs. Snowden.

Mr. Pryor moved that **SB 411** be given the third and final reading in order to pass the House. On further motion by him, action was deferred.

HB 545 was reported out of the Committee on Municipal Corporations with 3 favorable and 1 on merits.

On motion by Mr. Pryor, **SB 319** was restored to the calendar.

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

HB 552—"An Act to Amend Chapter 3, Title 28, Delaware Code, Relating to Horse Racing," by Manning and Richards; to Miscellaneous.

HB 553—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" by Providing for a State Department of Finance, Transferring Certain Functions Thereto, Defining Its Powers and Duties, Transferring Certain Other Functions Among Existing State Agencies, Repealing Contrary Provisions and Appropriating Funds," by Shockley; to Miscellaneous.

SB 424—"An Act to Amend Title 15, Delaware Code, Relating to Absentee Registration and Voting of Members of the Armed Forces and of Others in Keeping With the Federal Voting Assistance Act of 1955," to Elections.

Mr. McAllister moved that **SCR 42**—"Relating to the Reporting Date of the Special Committee Created by Senate Concurrent Resolution No. 28 to Study the School Construction Program," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—None.

NAYS—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Walls, West, Wolf, Mr. Speaker Mayhew—29.

NAYS—None.

NOT VOTING—Mr. English—1.

ABSENT—Messrs. Alexander, Mills, Quigley and Tribbitt—4.

SCR 42 not having received the constitutional majority, was lost in the House.

Mr. McAllister moved that **SB 410**—"An Act to Amend Chapter 283, Volume 51, Laws of Delaware, Relative to Rehoboth School District," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Wolf, Mr. Speaker Mayhew—30.

NAYS—Messrs. Walls and West—2.

ABSENT—Messrs. Alexander and Mills.

SB 410 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion by Mr. Cain, the rules were suspended in order that **HB 545** be given the third and final reading. On further motion by Mr. Cain, action was deferred on **HB 545**.

Mr. Speaker announced that he was about to sign: **SB 385**, **SB 415** and **SB 392**.

On motion by Mr. Quigley, the House recessed at the call of the Chair, at 5:40 P. M.

The House was called to order at 9:55 P. M.

Mr. Cain, Chairman of Committee on Passed Bills, announced that he had sent **HB 475** and **HB 483** to the Governor for his approval.

On motion by Mr. Quigley, all rules were suspended.

Mr. West moved that **HB 526**—"An Act to Amend Chapter 51, Title 29, by Providing That Persons Holding Non-Elective County or State Offices or County or State Employment Shall be Ineligible to Receive State Pensions," be taken up for consideration and read for the third time in order to pass the House.

HA 1 to **HB 526** was introduced by Mr. Appleford and on further motion by him was adopted by voice vote.

Roll Call revealed:

YEAS—Messrs. Appleford, Bartleson, Cain, Clark, Kauffman, Keller, Lambert, Lawson, (Mrs.) Manning, Simpler, Snedeker, Snowden, Spicer, West, Wolf, Mr. Speaker Mayhew—16.

NAYS — Messrs. Alexander, Ehinger, English, Hussey, King, Livingston, McAllister and Quigley—8.

NOT VOTING—Messrs. Betts, Eskridge, Massey, Pryor, Richards, Shockley and Tribbitt—7.

ABSENT—Messrs. Mills, Reed and Walls—3.

Messrs. Appleford and West changed their vote from yes to no for the purpose of reconsideration.

HB 526 as amended not having received the constitutional majority, was lost in the House.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 392**, **HB 527**, and that the Senate had passed and requested the concurrence of the House in the following bills and resolution: **SB 325** with **SA 1**, **SB 412**, **SB 425**, **SB 427**, **SCR 44**.

On motion by Mr. Quigley, the rules were restored. On further motion by Mr. Quigley, section 2 of Rule 1 was suspended.

Mr. Massey introduced the following resolution, which on further motion by him was adopted: **HR 140**—"Rescinding House Resolution No. 135."

BE IT RESOLVED by the House of Representatives of the 119th General Assembly of the State of Delaware that House Resolution No. 135 is hereby rescinded.

HCR 21 was introduced by Mr. Massey and assigned to committee.

On motion by Mr. Appleford, **HB 526** as amended was restored to the calendar.

Mr. Hussey introduced the following resolution, which on further motion by him was adopted: **HR 141**—"Creating a Special Temporary and Interim Committee of the Members of the House of Representatives of the 119th General Assembly to Study the School Construction Program in the State of Delaware and Appropriating Funds Therefor."

BE IT RESOLVED by the House of Representatives of the 119th General Assembly of the State of Delaware, that a special temporary and interim committee be appointed to study the school construction program in the State of Dela-

ware, its problems and financing and report in writing by October 15, 1958 to the House of Representatives its recommendations, if any, on the advisability of changing the existing policies of the biennium school construction program.

Said committee shall consist of the following six members of the House of Representatives:

John Keller
Harry W. McAllister
Charles W. King
Clifford M. Simpler
Sherman W. Tribbitt
Harry H. Lambert

BE IT FURTHER RESOLVED that the State Treasurer of the State of Delaware is hereby authorized and directed to pay such expenses and operational activities of the Committee on vouchers properly approved and signed by the Chairman of the Committee, payment to be made out of the General Fund of the State of Delaware, not to exceed the total sum of \$3,000.00.

SCR 44—"Fixing the Time for Temporary Adjournment by the Senate and the House of Representatives of the 119th General Assembly, was given the first and second reading by title only and referred to the Committee on Miscellaneous.

Mr. McAllister introduced the following resolution, which on further motion by him was adopted: **HR 142**—"Authorizing the Payment of Certain Expenses of the Pension Study Committee of the House of Representatives."

WHEREAS, House Resolution No. 98 authorized the establishment of a special committee of the House of Representatives, to be known as the Pension Study Committee of the House of Representatives, and

WHEREAS, the Pension Study Committee of the House of Representatives has completed its study as authorized by House Resolution No. 98 and has submitted its written report to the members of the House of Representatives, and

WHEREAS, House Resolution No. 98 authorized the Pension Study Committee to incur certain expenses in its study, NOW THEREFORE

BE IT RESOLVED, by the House of Representatives of the 119th General Assembly that the hereinafter named amounts are hereby appropriated out of any money in the State Treasury, not otherwise appropriated on account of expenses connected with the present session and necessary to the work of the session as follows:

Harry G. McAllister, Committee Member—Mileage.	\$ 63.50
James H. Snowden, Committee Member—Mileage..	30.00
Charles C. King, Committee Member—Mileage.....	15.60
Sherman W. Tribbitt, Committee Member—Mileage	15.00
John Keller, Committee Member—Mileage.....	15.00
William S. Bush, III, Committee Attorney.....	1,320.00
Raymond Book, Jr., Committee Accountant.....	600.00

The following message from the Governor was delivered to the House:

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, April 2, 1958

House of Representatives of the
119th General Assembly of the State of Delaware:

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

April 2, 1958—Senate Bill No. 299—An Act to Amend Title 11 of the Delaware Code Entitled "Crimes and Criminal Procedure" by Abolishing Capital Punishment.

April 2, 1958—House Bill No. 403 as amended—An Act to Amend Chapter 41, Title 16, Delaware Code, Entitled "Ice Cream" Relating to Ice Milk.

April 2, 1958—House Bill No. 530—An Act to Amend Chapter 23, Title 10, Delaware Code, Pertaining to the Office of the Prothonotary.

April 2, 1958—House Bill No. 382—An Act to Amend Chapter 1, Title 10, of the Delaware Code Relating to the Time for Taking Appeals to the Supreme Court.

Respectfully submitted,

J. CALEB BOGGS, Governor

Mr. Alexander moved that SB 260—"An Act to Provide That Any Unused Funds Appropriated for Maintenance and Construction to the State Highway Department in the Budget Appropriation Act for the Biennium Ending June 30, 1959 Shall be Credited by the State Treasurer for the Use of the State Highway Department for the Purpose for Which They Were Originally Appropriated," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Clark, Hussey, King, Massey, Pryor, Quigley, Shockley, Tribbitt, West, Mr. Speaker Mayhew—11.

NAYS—Messrs. Appleford, Bartleson, Ehinger, Kauffman, Keller, Lawson, Richards, Snowden, Spicer and Wolf—10.

NOT VOTING—Messrs. Betts, Cain, Livingston, (Mrs.) Manning, McAllister, Reed and Simpler—7.

ABSENT—Messrs. English, Eskridge, Lambert, Mills and Walls—5.

PRESENT—Mr. Snedeker—1.

Messrs. Quigley and Shockley changed their vote from yes to no for the purpose of reconsideration.

SB 260 not having received the constitutional majority, was lost in the House.

HB 554—"An Act to Amend Chapter 13, Title 30, Delaware Code, Relating to the Inheritance Tax," was introduced by Mr. Bartleson and referred to the Committee on Revenue and Taxation.

Mr. Hussey moved that **HB 548** be taken up for further consideration. On further motion by him the Roll Call on **HB 548** was tabled.

Mr. Speaker announced that he was about to sign: **SB 410**, **SB 413**, **SB 414**, **HB 392** and **HB 527**.

On motion by Mr. Eskridge, the rules were suspended for a committee report on **SCR 44** and the resolution be given the third and final reading in order to pass the House. **SCR 44** from Miscellaneous with 4 favorable.

On motion by Mr. Quigley, the Roll Call was tabled on **SCR 44**.

Mr. Cain, Chairman of Committee on Passed Bills, announced that he had sent **HB 392** and **HB 527** to the Governor for his approval.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 510** and **HB 531**.

On motion by Mr. Quigley, the House recessed at the call of the Chair at 10:30 P. M.

The House was called to order at 9:50 P. M. on June 16th, 1958. On motion by Mr. Quigley, the House adjourned until 10:00 P. M., June 16th, 1958.

127TH LEGISLATIVE DAY

Dover, Delaware, June 16th, 1958

House met pursuant to adjournment at 10:10 P. M., on June 16th, 1958.

Prayer by Mr. McAllister.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—33.

Member absent—Mr. Kauffman—1.

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

Robert E. Pawson was sworn in as Representative to fill the unexpired term of William H. Carpenter from the Eleventh Representative District of New Castle County.

THE STATE OF DELAWARE
NEW CASTLE COUNTY, ss.

BE IT REMEMBER, That at the Special Election held on Saturday, the nineteenth day of April in the year of our Lord nineteen hundred and fifty-eight, for Pencader Hundred, New Castle County, according to the Constitution and Laws of the State of Delaware, Robert E. Pawson was duly elected Representative for Representative District Number Eleven in said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the election districts of the Hundred of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, the undersigned Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said Hundred, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this 22nd day of April, A. D. 1958.

CHARLES L. TERRY, JR.
President Judge

(Seal)

ANDREW D. CHRISTIE
Resident Associate Judge

OATH OF REPRESENTATIVE

Kent County, The State of Delaware, ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District No. 11 in New Castle County (to which office I was elected at the Special Election held in said State in the year A. D. 1958), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

ROBERT E. PAWSON

Sworn to this 16th day of June, A. D. 1958 before me.

H. E. MAYHEW

Mr. Quigley moved that the Expenses of the House and the bill relating to the Unemployment Compensation Commission be the only business before the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—19.

NAYS—Messrs. Appleford, Bartleson, Ehinger, Keller, Lambert, Lawson, (Mrs.) Manning, Pawson, Reed, Richards, Simpler, Snedeker, Snowden, Spicer and Wolf—15.

ABSENT—Mr. Kauffman—1.

Motion prevailed.

HB 555—"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 "Temporary Unemployment Compensation Act of 1958" Enacted by the 85th Congress of the United States of America and Granting the Unemployment Compensation Commission Necessary Power to Act as Such Agent," was introduced by Messrs. Shockley and Lambert and given the first and second reading by title only. On motion by Mr. Quigley, the rules were suspended for the purpose of giving **HB 555** the third and final reading in order to pass the House.

Mr. Shockley asked for the privilege of the floor for Mr. James Rosbrow for the purpose of explaining **HB 555**.

Mr. Shockley moved that **HB 555**—"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 "Temporary Unemployment Compensation Act of 1958" Enacted by the 85th Congress of the United States of America and Granting the Unemployment Compensation Commission Necessary Power to Act as Such Agent," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS — Messrs. Alexander, Bartleson, Cain, Clark, Ehinger, Eskridge, Hussey, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, McAlliser, Mills, Pawson, Pryor, Quigley, Reed, Shockley, Snedeker, Snowden, Tribbitt, Wolf—23.

NAYS—Messrs. Appleford, Spicer and Walls—3.

NOT VOTING — Messrs. Betts, English, King, Massey, Richards, Simpler and Mr. Speaker Mayhew—7.

ABSENT—Mr. Kauffman—1.

PRESENT—Mr. West—1.

HB 555 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 414**, and that the Senate had passed and requested the concurrence of the House in the following bill and resolution: **SB 426** as amended by **SA 1** and **SCR 45**.

Mr. English introduced the following resolution, which on his further motion was adopted by voice vote: **HR 143**—“Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 119th General Assembly.”

BE IT RESOLVED, by the House of Representatives of the 119th 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 119th General Assembly of the State of Delaware, up to and including the One Hundred and Twenty-Seventh 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, and the respective amounts set opposite their respective names, viz:

Mr. Paul F. Livingston	\$105.00
Mr. James H. Snowden	105.00
Mr. Harry G. Lawson	105.00
Mr. Paul E. Shockley	105.00
Mr. Edward J. Hussey, Jr.	105.00
Mr. T. Lees Bartleson	109.20
Mr. Harry H. Lambert	100.80
Mrs. Margaret R. Manning	100.80
Mr. Henry H. Wolf	94.50
Mr. James R. Quigley	94.50
Mr. William H. Carpenter	94.50
Mr. Henry E. Snedeker	73.50
Mr. Sherman W. Tribbitt	52.50
Mr. Edgar Alexander	52.50
Mr. Charles R. Pryor	31.50
Mr. Charles C. King	27.30
Mr. H. Clifford Clark	27.30
Mr. Nelson Massey	10.50
Mr. Charles R. Richards	4.20

Mr. Elmer L. Betts	37.80
Mr. Henry B. Appleford	10.50
Mr. Clifford M. Simpler	25.20
Mr. George W. Cain	39.90
Mr. Harry E. Mayhew	42.00
Mr. John Keller	52.50
Mr. Edgar English	69.30
Mr. Norman Eskridge	73.50
Mr. Horace W. Mills	105.00
Mr. Harry G. McAllister	111.30
Mr. Charles P. West	132.30
Mr. Lester M. Kauffman	126.00
Mr. Joseph B. Walls	96.60
Mr. Harvey B. Spicer	84.00
Mr. Arthur R. Reed	88.20
Mr. Robert E. Pawson	13.50

Mr. English introduced the following resolution, which on his further motion was adopted by voice vote: **HR 144**—
 “Appropriating Certain Money Out of the General Fund of the State Treasury to Pay Allowances as Compensation of the Officers and Employees of the House, Being Expenses Connected With the Present Session of the 119th General Assembly.”

BE IT RESOLVED by the House of Representatives of the State of Delaware, that the following amounts be and they are hereby appropriated out of any money in the General Fund of the State Treasury, as allowances for the compensation of the following officers and employees of the House, in full up to and including the 127th legislative day on June 16, 1958, being additional expenses connected with the present Session of the 119th General Assembly, and the State Treasurer is hereby authorized and directed to pay to the respective persons hereinafter named the respective sums set opposite their respective names.

Albert J. Stiftel	\$450.00
William B. Bush, III	525.00
William Gordy	231.00
Frank Shoemaker	175.00
Walter Pyle	192.50
Tom Gray	171.50
Elaine Gurley	231.00
Rev. John M. Donohoe	140.00
Granville Lowe	140.00
Ruth Rusby	175.00
Charles Newell	140.00
Earl Deputy	140.00
Ruth Ross	140.00
Lillian Weston	164.50
Raymond Welch	140.00
Mildred Hall	140.00

Marie Dugan	192.50
John N. Holloway	140.00
Ella Harris	140.00
Frank Calhoun	140.00
Francis Downs	164.50
Townson Rust	140.00
Roland West	140.00
Norman Conway	140.00
Marjorie Regener	175.00
Richard Norwood	140.00
W. W. Opdyke	140.00
Marian Corder	87.50

Mr. Massey introduced the following resolution, which on his further motion was adopted by voice vote: **HR 145**—“Authorizing the Payment of Certain Expenses of the House of Representatives for Repair Service to Multigraph Equipment.”

BE IT RESOLVED by the House of Representatives of the 119th General Assembly of the State of Delaware that the hereinafter named amounts are hereby appropriated out of any money in the State Treasury, not otherwise appropriated, on account of expenses connected with the present session and necessary to the work of the session, as follows:

The Addressograph-Multigraph Corporation, 96 Vandever Avenue, Wilmington 2, Delaware, for repair service on multigraph machine \$32.00

Mr. Massey introduced the following resolution, which on his further motion was adopted by voice vote: **HR 146**—“Authorizing the Payment of Certain Expenses of the House of Representatives for Telephone Service and Repair Service to Typewriter and Equipment.”

BE IT RESOLVED by the House of Representatives of the 119th General Assembly of the State of Delaware that the hereinafter named amounts are hereby appropriated out of any money in the State Treasury, not otherwise appropriated, on account of expenses connected with the present session and necessary to the work of the session, as follows:

The Diamond State Telephone Company, 124 South State Street, Dover, Delaware, for local service and equipment and calls on telephone numbered Dover 5711, Extensions 222, 223, 224, 228, covering the period from March 11, 1958 to and including June 4, 1958 \$94.50

The Diamond State Telephone Company, 124 South State Street, Dover, Delaware, for local service and equipment and calls on telephones numbered Dover 6-1611 and Dover 6-1712 covering the period from March 11, 1958 to and including June 4, 1958 \$58.12

The International Business Machines Corporation, 909 Delaware Avenue, Wilmington, Delaware, for repair service on machine #476-20241 \$9.10

Mr. Massey introduced the following resolution, which on his further motion was adopted by voice vote: **HR 147**—“Relative to the Payment on Account for Collecting Data, Compiling, Editing and Publishing the Weekly Calendar for the House of Representatives of the 119th General Assembly of the State of Delaware.”

BE IT RESOLVED by the House of Representatives of the 119th General Assembly of the State of Delaware that the sum of Three Hundred and Three Dollars and Eighty Cents (\$303.80) is hereby appropriated out of the moneys of the State Treasury, not otherwise appropriated, for payment to the Elder Printing Service, of Dover, Delaware, the lowest and responsible bidder, for collecting data, compiling, editing and publishing the weekly calendar for the House of Representatives of the State of Delaware, said calendar being necessary to the business of the House and the expense thereof being a necessary expense connected with this Session.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 555**.

HB 556—“An Act to Amend Title 14 of the Delaware Code by Creating a “Public School Construction Commission” and Defining the Powers and Duties Thereof, and Revoking Certain Powers and Duties of the State Board of Education and Making an Appropriation to the “Public School Construction Commission”, was introduced by Messrs. McAllister, Tribbitt, King, Simpler, Lambert and Keller and assigned to the Committee on Education.

Mr. Speaker signed **HB 555** and **HB 414**.

Mr. Cain, Chairman of Committee on Passed Bills, announced that he was sending **HB 555** and **HB 414** to the Governor for his approval.

On motion by Mr. Quigley, the House recessed at the call of the Chair at 11:10 P. M.

INDEX

INDEX

-A-

Actions—

Regarding limitations of, see **SB 169**

Attorney General's Department—

Appropriating money to, for construction of an armory,
see **HB 95**

Appropriating money to, for uniforms for national guard
officers, see **HB 285**

Airports—

Regarding, of political subdivisions, see **SB 250**

Alcoholic Liquors—

Regarding sale of, hours and holidays, see **HB 65**

Providing additional grounds for refusal of licenses for
sale of, see **HB 88**

Relating to sale of, by importers, see **HB 221**

Relating to regulation provisions regarding sale of, see
HB 232

Regarding prohibition of sale of, at certain times, see **HB**
327

Alexander, Albert H. and Helen P.—

Appropriating money to, see **HB 343**

Alexander, Eber H. and Helen P.—

Appropriating money to, see **HB 348**

Air Pollution Authority—

Creating, see **HB 54**

Ambulance Service—

Regarding appropriations to organizations which furnish,
see **HB 261**

American Legion—

Appropriating money to Sussex Post #8, see **HB 3**

Appropriating money to, for furnishing services to veter-
ans and their dependents, see **HB 8**

Appropriating money to, see **HB 10**

Appropriating money to, for expenses of Boys' State and
Girls' State, see **HB 14, HB 237**

Animals—

Changing penalties for cruelty to, see **HB 192**

Appropriations—

Suspending all general fund appropriations for fiscal year 1959, see **HB 429**

Making certain contingency appropriations for 1959, see **HB 454, HB 455**

Making general appropriations for fiscal 1959, see **HB 533**

Making contingency appropriations for fiscal 1959, see **HB 534**

Regarding certain, see **HB 538**

Architects—

Changing fees payable to Board of Examiners of, see **HB 80**

Relating to fees for school, see **HB 129**

Assawoman Canal—

Appropriating money for improvement of, see **SB 145**

Augustine Beach Fire Company, Inc.—

Appropriating money to, see **HB 134**

-B-**Banks and Trust Companies—**

Reducing minimum par value of capital stock of, see **SB 10**

Changing lower limit to which par value of stock may be reduced, see **SB 11**

Amending regulations governing, see **SB 156**

Bank Commissioner—

Relating to, see **SB 14**

Belvedere Fire Company—

Appropriating money to, see **HB 251**

Bethany Beach—

Providing for increase in fines, see **SB 162, SB 163**

Providing for increase in amount to be raised by taxation, see **SB 164**

Bills (House)—

HB 1—"An Act Making Appropriations for the Expenses of the State Government for Each of the Two Fiscal Years Ending June 30, 1959 and Authorizing the Allocation of Funds." Introduced, read and referred, p. 22

HB 2—"An Act Making Appropriations for Certain Contingencies for the Respective Years of the Biennium July 1, 1957 to June 30, 1959, and Prescribing Limitations Upon Use Thereof and the Powers and Duties of Budget Commission in Relation Thereto." Introduced, read and referred, p. 22

- HB 3**—"An Act Appropriating Money to American Legion, Sussex Post Number 8, in Sussex County, With Which to Operate and Maintain an Ambulance." Introduced, read and referred, p. 26; reported favorably, p. 40; lost, p. 73
- HB 4**—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware." Introduced, read and referred, p. 26; reported favorably, p. 40; lost, p. 73
- HB 5**—"An Act Appropriating Money to the Woods Haven School for Girls." Introduced, read and referred, p. 26; stricken from calendar, p. 211
- HB 6**—"An Act Appropriating Money to the United Spanish War Veterans, Department of Delaware." Introduced, read and referred, p. 27; reported favorably, p. 40; lost, p. 152
- HB 7**—"An Act Appropriating Money to the Veterans of Foreign Wars, Department of Delaware." Introduced, read and referred, p. 27; reported favorably, p. 40; motion to read and pass was deferred, p. 169; passed, p. 177; concurred in by Senate, p. 226; signed, p. 229; delivered to Governor, p. 234; approved by Governor, p. 241
- HB 8**—"An Act Making Appropriations to the American Legion, Department of Delaware, for the Furnishing of Services to Veterans and Their Dependents." Introduced, read and referred, p. 27; reported favorably, p. 40; lost, p. 76.
- HB 9**—"An Act Appropriating Moneys for Education and Training of Children of Veterans of World War I, World War II and Korean Conflict Who Died While in the Service of the Army, Navy, Marine Corps, Air Force or Coast Guards of the United States or Who Died from Disease, Wounds or Disabilities Resulting from Such Service." Introduced, read and referred, p. 27; reported favorably, p. 71; passed, p. 177; concurred in by Senate, p. 226; signed, p. 229; delivered to Governor, p. 234; approved by Governor, p. 241
- HB 10**—"An Act Appropriating Money to the American Legion, Department of Delaware." Introduced, read and referred, p. 27; reported favorably, p. 71; passed, p. 177; concurred in by Senate, p. 226; signed, p. 229; delivered to Governor, p. 234; approved by Governor, p. 242
- HB 11**—"An Act Appropriating Money to the Disabled American Veterans of Delaware." Introduced, read and referred, p. 27; reported favorably, p. 71; passed, p. 177; concurred in by Senate, p. 226; signed, p. 229; delivered to Governor, p. 234; approved by Governor, p. 242

- HB 12**—"An Act Appropriating Money to Sussex Memorial Post No. 7422, V. F. W. at Millsboro, With Which to Operate and Maintain an Ambulance." Introduced, read and referred, p. 27; reported favorably, p. 40; lost, p. 87
- HB 13**—"An Act Appropriating Certain Money to Palmer Home, Incorporated." Introduced, read and referred, p. 28; reported favorably, p. 40; passed, p. 167; concurred in by Senate, p. 187; delivered to Governor, p. 189; approved by Governor, p. 207
- HB 14**—"An Act Appropriating Funds to the American Legion and American Legion Auxiliary for Expenses to be Incurred in Connection with the Holding of Boys' State and Girls' State." Introduced, read and referred, p. 28; reported favorably, p. 40; given final reading and results of roll call tabled, p. 152; lifted from table, p. 168; lost, p. 173; signed, p. 445
- HB 15**—"An Act to Appropriate Moneys to Certain Hospitals in the State of Delaware." Introduced, read and referred, p. 28; **HS 1** introduced, read and referred, p. 60; reported favorably, p. 71; **HS 1** adopted, p. 182; passed, p. 183; concurred in by Senate, p. 291; signed, p. 295; delivered to Governor, p. 299; approved by Governor, p. 299
- HB 16**—"An Act Appropriating Money to the Delaware Society for the Prevention of Cruelty to Animals." Introduced, read and referred, p. 28; reported favorably, p. 40; stricken, p. 156
- HB 17**—"An Act Appropriating Money to Layton Home for Aged Colored Persons." Introduced, read and referred, p. 28; reported favorably, p. 40; passed, p. 167; concurred in by Senate, p. 187; delivered to Governor, p. 189; approved by Governor, p. 207
- HB 18**—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware Which Maintain and Operate a Rescue Truck." Introduced, read and referred, p. 28; reported favorably, p. 40; passed, p. 178; concurred in by Senate, p. 226; signed, p. 229; delivered to Governor, p. 234; approved by Governor, p. 242
- HB 19**—"An Act Appropriating Certain Moneys to Kent and Sussex County Fair, Incorporated, for Prizes." Introduced, read and referred, p. 28; reported favorably, p. 40; passed, p. 178; concurred in by Senate, p. 318; delivered to Governor, p. 335; approved by Governor, p. 341
- HB 20**—"An Act Appropriating Certain Moneys to Historical Society of Delaware for Operation Expenses." Introduced, read and referred, p. 28; reported favorably, p. 40; passed, p. 178.

- HB 21**—"An Act Making Appropriations to the Veterans of Foreign Wars, Department of Delaware, for the Furnishing of Services to Veterans and Their Dependents." Introduced, read and referred, p. 28; reported favorably, p. 40; passed, p. 179; concurred in by Senate, p. 226; signed, p. 229; delivered to Governor, p. 234; approved by Governor, p. 242
- HB 22**—"An Act Making an Appropriation to the State Board of Vocational Education for the Training of Volunteer Firemen." Introduced, read and referred, p. 28; reported favorably, p. 40; **HA 1** introduced, p. 76; passed, p. 76; concurred in, p. 93; signed, p. 96; delivered to Governor, p. 97; approved, p. 106.
- HB 23**—"An Act Appropriating Money for the Observance of Memorial Day in Honor of the Grand Army of the Republic." Introduced, read and referred, p. 28; reported favorably, p. 40; passed, p. 168; not concurred in by Senate, p. 272
- HB 24**—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware Which Maintain and Operate an Ambulance." Introduced, read and referred, p. 28; reported favorably, p. 40; lost, p. 74
- HB 25**—"An Act Proposing an Amendment in the Constitution of the State of Delaware by Inserting at the End Thereof an Article Providing for Municipal Home Rule." Introduced, read and referred, p. 32
- HB 26**—"An Act Appropriating Funds for the Construction of a Building for the Use of the State Board of Health to Include Offices, a Bacteriological Laboratory, and Clinical Facilities on Grounds Now Owned by the State in Dover, and for the Furnishing and Equipping of Such Building and Incidental Expenses." Introduced, read and referred, p. 32; reported favorably, p. 245; passed, p. 308; concurred in by Senate, p. 440; signed, p. 445; approved by Governor, p. 448
- HB 27**—"An Act Appropriating One Hundred Thousand Dollars to the State Board of Trustees of the Delaware State Hospital at Farnhurst, Delaware, for the Purpose of Paying the Salaries of Personnel of the Hospital for the Mentally Retarded at Stockley, Delaware, for the Fiscal Year Ending June 30, 1957." Introduced, read and referred, p. 33; reported favorably, p. 40; passed, p. 42; concurred in, p. 61; signed, p. 62; approved, p. 127
- HB 28**—"An Act to Amend Chapter 51, Title 30 Delaware Code by Permitting Volunteer Fire Companies and Veteran Organizations Certain Rights to Refunds on the Tax Paid on Motor Fuels." Introduced, read and refer-

red, p. 41; reported favorably, p. 80; passed, p. 88; Senate concurred, p. 149; passed, p. 152; delivered to Governor, p. 156; approved by Governor, p. 159

HB 29—"An Act Agreeing to the Proposed Amendment to Section 17 of Article Two of the Constitution of the State of Delaware." Introduced, read and referred, p. 41; petitioned out of committee, p. 112; **HA 1** introduced and adopted, p. 121; lost, p. 121; restored to calendar, p. 122; passed, p. 140; concurred in by Senate, p. 209; signed, p. 222; delivered to Governor, p. 222

HB 30—"An Act to Amend Chapter 529, Volume 50, Laws of Delaware, to Provide That Lewes School District be Permitted to Finance Additional Capital Improvements Thereunder and Appropriating the Necessary Funds." Introduced, read and referred, p. 42; passed, p. 42; concurred in, p. 51; signed, p. 52; approved, p. 56; delivered to Governor, p. 61

HB 31—"An Act Appropriating Funds to the State Board of Trustees of the Delaware State Hospital at Farnhurst, Delaware, to Build, Equip, and Furnish a Wing for the Central Kitchen at the Hospital for the Mentally Retarded at Stockley, Delaware." Introduced, read and referred, p. 43; reported favorably, p. 71; passed, p. 323

HB 32—"An Act to Amend Title 10, Delaware Code, Entitled Courts and Judicial Procedure in Regard to Clerks for the Prothonotary's Office, New Castle County." Introduced, read and referred, p. 43

HB 33—"An Act to Amend Title 9, Delaware Code, Entitled "Counties" to Increase the Bond Required of the Prothonotary in New Castle County." Introduced, read and referred, p. 43; reported favorably, p. 196; motion to read and pass was deferred, p. 201; passed, p. 224; concurred in by Senate, p. 297; signed, p. 300; delivered to Governor, p. 307; approved by Governor, p. 326

HB 34—"An Act to Amend Title 9, Delaware Code, Entitled "Counties" as to Ambulance Service." Introduced, read and referred, p. 44

HB 35—"An Act Appropriating Funds to the State Highway Department for the Protection of Beaches and Shorelines and Granting That Department Certain Powers in Connection Therewith." Introduced, read and referred, p. 44; stricken, p. 65

HB 36—"An Act to Repeal "An Act Providing for Assessment Against Abutting Properties in the City of Wilmington in Proportion to the Special Benefit the Present Improved Street Roadway Will Have to Said Properties," as Amended, Being Chapter 121, Volume 29, Laws

of Delaware, as Amended by Chapter 123, Volume 30, Laws of Delaware." Introduced, read and referred, p. 44; stricken from calendar, p. 205

HB 37—"An Act to Amend Title 19 Delaware Code, Entitled "Labor" to Raise the Salaries of the State Child Labor Inspector and the Labor Inspector and Appropriating Funds." Introduced, read and referred, p. 52; reported favorably, p. 71; action deferred, p. 356

HB 38—"An Act to Amend Chapter 23, Title 24, Delaware Code, Relating to Pawnbrokers and Junk Dealers." Introduced, read and referred, p. 52

HB 39—"An Act to Propose an Amendment to Article II, Section II of the Constitution of the State of Delaware." Introduced, read and referred, p. 53; stricken, p. 65

HB 40—"An Act Appropriating Funds to the New Castle Historic Building Commission to Employ a Watchman for the Old Court House." Introduced, read and referred, p. 53; reported favorably, p. 130; passed, p. 191

HB 41—"An Act to Amend Title 19, Delaware Code, Entitled "Labor" in Regard to Penalties for Violations of the Child Labor Law." Introduced, read and referred, p. 53; reported favorably, p. 71

HB 42—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" by Providing for a State Department of Purchases and Supplies, Transferring Certain Functions Thereto, Repealing Contrary Provisions and Appropriating Funds." Introduced, read and referred, p. 53; reported favorably, p. 71; **HA 1** introduced, p. 79; lost, p. 85

HB 43—"An Act to Amend Title 9, Delaware Code, Entitled "Counties" to Repeal Requirements That Receiver of Taxes Sit in Each Hundred of New Castle County." Introduced, read and referred, p. 53; reported favorably, p. 116; lost, p. 125; restored to calendar, p. 126; passed, p. 136; concurred in, p. 153; passed, p. 155; delivered to Governor, p. 160; approved by Governor, p. 184

HB 44—"An Act to Amend Title 19 Delaware Code, Entitled "Labor" to Exempt Minors from Certain Labor Certificates Requirements After Their 18th Birthday." Introduced, read and referred, p. 53; reported favorably, p. 71; passed, p. 152; concurred in by Senate, p. 185; delivered to Governor, p. 189; approved by Governor, p. 208

HB 45—"An Act to Amend Title 10, Delaware Code, to Permit Attachment of Wages for Rent in New Castle County." Introduced, read and referred, p. 54

- HB 46**—"An Act to Authorize the Levy Court of New Castle County to Plan, Construct, Equip and Furnish an Addition to the Present County Building for New Castle County to Issue Bonds to Finance the Cost Thereto." Introduced and read, p. 55; referred, p. 58; reported favorably, p. 71; passed, p. 96; concurred in, p. 112; signed, p. 113; delivered to Governor, p. 116; approved, p. 127
- HB 47**—"An Act to Permit the State Board of Health to Use Funds Appropriated in Chapter 223, Volume 50, Laws of Delaware for Purchase of Polio Vaccine and for Administering the Vaccine to Any Person in the State." Introduced, read and referred, p. 55; reported favorably, p. 63; passed, p. 63; concurred in, p. 74; signed, p. 75; delivered to Governor, p. 78; approved, p. 93.
- HB 48**—"An Act to Amend Title 14, Delaware Code, Entitled "Education" to Provide That the Library Commission for the State of Delaware May Act and Receive Federal Funds Under the "Library Services Act." Introduced, read and referred, p. 55; reported favorably, p. 133; passed, p. 136; concurred in by Senate, p. 310; signed, p. 315; delivered to Governor, p. 325; approved by Governor, p. 334
- HB 49**—"An Act to Amend Chapter 27, Title 10, Delaware Code, Entitled "Constable" by Allowing the Constable Residing in Smyrna to Appoint a Deputy." Introduced, read and referred, p. 58; stricken, p. 79
- HB 50**—"An Act Amending Title 20 of the Delaware Code by Providing for Workmen's Compensation Protection for Civil Defense Workers While in Training." Introduced, read and referred, p. 58; stricken, p. 87
- HB 51**—"An Act to Create a State Human Relations Commission, Define Its Powers and Duties and Appropriate Funds thereto. Introduced, read and referred, p. 60
- HB 52**—"An Act Agreeing to the Proposed Amendment to Civil Defense for Equipment and Services." Introduced, read and referred, p. 60; reported favorably, p. 138; passed, p. 339
- HB 53**—"An Act Agreeing to the Proposed Amendment to Article IV of the Constitution of the State of Delaware." Introduced, read and referred, p. 60; reported favorably, p. 130; passed, p. 140; concurred in by Senate, p. 261; signed, p. 271; delivered to Governor, p. 275
- HB 54**—"An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety" by Creating an Air Pollution Authority, Prescribing Its Powers and Duties Providing Penalties and Appropriating Funds." Introduced, read and referred, p. 62; reported favorably, p. 245; **HS 1** in-

roduced, read and referred, p. 249; reported favorably, p. 251; recommitted, p. 251; stricken from calendar, p. 251; passed, p. 256; concurred in by Senate, p. 335; signed, p. 344; delivered to Governor, p. 348; approved by Governor, p. 380

HB 55—"An Act to Amend Title 19, Delaware Code Entitled "Labor" by Providing a Right to Work Law." Introduced, read and referred, p. 62; **HA 1** introduced, nays won, p. 172; **HA 2** introduced, nays won, p. 172; McAllister's name withdrawn as a co-sponsor, p. 183; public hearing requested by Mr. West, p. 193; communication in Journal, p. 201, 202, 203 and 204; hearing presented, p. 207; reported 2 favorably and 2 on merits, p. 514; tabled, p. 514; **HA 3** introduced and tabled, p. 571

HB 56—"An Act to Amend Title 14, Delaware Code, Entitled "Education" by Providing for Remedial Instruction and Clinical Services in Reading and Appropriating Funds." Introduced, read and referred, p. 62

HB 57—"An Act to Amend Chapter 119, Volume 28, Laws of Delaware, as Amended, Providing for the Collection of Taxes for the City of Wilmington by Increasing the Penalty for Late Payment of Such Taxes, and Accelerating the Date of Delinquency Thereof." Introduced, read and referred, p. 62; reported favorably, p. 266; lost, p. 315; restored to calendar, p. 316; lost, p. 386; restored to calendar, p. 386; passed, p. 391

HB 58—"An Act Amending the Charter of the City of New Castle by Placing the Appointment and Operation of Police Constables Under the Jurisdiction of the City Council, by Requiring the Mayor to be a Bona-Fide Owner of Property Within the City Limits and to Give the Mayor Authority to Prescribe the Same Punishment for Criminal Violations as May be prescribed by Justices of the peace." Introduced, read and referred, p. 62; reported favorably, p. 111; passed, p. 283; concurred in by Senate, p. 429; signed, p. 430; delivered to Governor, p. 433; approved by Governor, p. 448

HB 59—"An Act Authorizing the State Highway Department to Study and Construct a System of Flood Control in the City of New Castle and Appropriating Funds Therefore." Introduced, read and referred, p. 62

HB 60—"An Act to Amend Title 17, Delaware Code, Entitled "Highways," to Authorize the State Highway Department to Perform Work to Prevent and Repair Damage from Beach Erosion, to Confer Upon It Jurisdiction Over Improvements and Structures, to Provide Penalties for the Unauthorized Alteration Thereof and Appropriating Funds." Introduced, read and referred, p. 64; adopted, p. 165; stricken from calendar, p. 321

- HB 61**—"An Act to Propose an Amendment to Article II, Section II of the Constitution of the State of Delaware." Introduced, read and referred, p. 64
- HB 62**—"An Act to Appropriate Funds for Summer School Sessions in the Public Schools of Delaware." Introduced, read and referred, p. 64; reported favorably, p. 156; action deferred, p. 332
- HB 63**—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" by Providing for a State Department of Finance Transferring Certain Functions Thereto, Defining Its Powers and Duties, Transferring Certain Other Functions Among Existing State Agencies, Repealing Contrary Provisions and Appropriating Funds." Introduced, read and referred, p. 64; **HA 1** introduced, p. 89; recommitted, p. 89
- HB 64**—"An Act Creating a Department of Labor and Industrial Relations for the State Under the Supervision and Direction of a Commissioner, Transferring the Industrial Accident Board to Said Department, Abolishing the Labor Commission of Delaware and Transferring the Powers and Duties Thereof to Said Department, and Prescribing the Powers and Duties of Said Department, Its Commissioner and Divisions; Providing for Punishment for Violations and Enforcement; Appropriation." Introduced, read and referred, p. 65
- HB 65**—"An Act to Amend Title 4, Delaware Code, Entitled "Alcoholic Liquors," in Respect to Sales Hours and Holidays." Introduced, read and referred, p. 65; reported favorably, p. 130; lost, p. 158
- HB 66**—"An Act Agreeing to a Proposed Amendment to Article IV of the Constitution of the State of Delaware, Relating to the Judiciary." Introduced, read and referred, p. 65; action deferred, p. 87; **HA 1** introduced and adopted, p. 95; passed, p. 95; concurred in, p. 107; delivered to Governor, p. 111; signed, p. 111
- HB 67**—"An Act to Amend An Act Entitled "An Act Changing the Corporate Name of 'The Commissioners of Wyoming' to 'The Town of Wyoming' and Establishing a Charter Therefor, Being Chapter 189, Volume 43, Laws of Delaware, 1941", as Amended by Chapter 87, Volume 47, Laws of Delaware, 1949, by Increasing the Amount of Money Which May be Raised Each Year in Taxes." Introduced, read and referred, p. 69; stricken, p. 81
- HB 68**—"An Act to Amend Chapter 9, Title 10, Delaware Code, Known as the Family Court Act, by Providing an Additional Judge; Making All Judicial Terms Twelve Years; Providing a New Method of Determining Judge's

Salaries and the Court's Budget; and Fixing an Effective Date for Tris Act." Introduced, read and referred, p. 70; reported favorably, p. 122; stricken from calendar, p. 152

HB 69—"An Act to Amend Chapter 13, Title 14, Delaware Code Entitled "State Supported Salary Schedules for School Employees", by Providing That School Teachers, Principals and Superintendents Shall Receive Such Salary as Provided by the State and No Other." Introduced, read and referred, p. 70; stricken, p. 88; introduced and adopted, p. 212

HB 70—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Edgemoor Terrace Civic Association, Incorporated, from Assessment and Taxation." Introduced, read and referred, p. 71; reported favorably, p. 149; passed, p. 200; concurred in by Senate, p. 291; signed, p. 295; delivered to Governor, p. 295; approved by Governor, p. 299

HB 71—"An Act Making an Appropriation to the State Board of Agriculture for the Vaccination of Calves and Testing of Cattle for Bang's Disease." Introduced, read and referred, p. 71; reported favorably, p. 174; passed, p. 303

HB 72—"An Act to Amend Chapter 39, Title 10, Delaware Code, Entitled "Pleading and Practice" by Providing That Radio and Television Stations or Networks Shall Not be Liable for Certain Defamatory Statements." Introduced, read and referred, p. 73; reported favorably, p. 130

HB 73—"An Act to Amend Title 13, Delaware Code, Entitled "Domestic Relations" in Regard to Divorce." Introduced, read and referred, p. 73; reported favorably, p. 83; passed, p. 102; concurred in by Senate, p. 149; passed, p. 152; delivered to Governor, p. 156; approved by Governor, p. 159

HB 74—"An Act to Amend Chapter 1, Title 8, Delaware Code, Relating to Corporations." Introduced, read and referred, p. 73; reported favorably, p. 113; passed, p. 130; concurred in by Senate, p. 298; signed, p. 300; delivered to Governor, p. 307; approved by Governor, p. 326

HB 75—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware." Introduced, read and referred, p. 75; reported favorably, p. 130; passed, p. 174; concurred in by Senate, p. 291; signed, p. 295; delivered to Governor, p. 295; approved by Governor, p. 300

- HB 76**—"An Act Appropriating Money to American Legion, Sussex Post Number 8, in Sussex County, With Which to Operate and Maintain an Ambulance." Introduced, read and referred, p. 75; reported favorably, p. 130; passed, p. 175; concurred in by Senate, p. 297; signed, p. 300; delivered to Governor, p. 307; approved by Governor, p. 326
- HB 77**—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware Which Maintain and Operate an Ambulance." Introduced, read and referred, p. 75; reported favorably, p. 130; lost, p. 168; restored to calendar, p. 168; passed, p. 175; concurred in by Senate, p. 377; signed, p. 389; delivered to Governor, p. 390; approved by Governor, p. 420
- HB 78**—"An Act to Amend Title 26, Section 1301, Delaware Code, Relating to the Powers of Gas, Water and Oil Corporations." Introduced, read and referred, p. 75; reported favorably, p. 149; stricken from calendar, p. 190
- HB 79**—"An Act to Amend Chapter 21, Title 5, Delaware Code, Relating to Small Loans by Increasing the Cost of the Certificate Renewal Fee." Introduced, read and referred, p. 75; reported favorably, p. 96; passed, p. 102; Senate concurred in, p. 149; passed, p. 152; delivered to Governor, p. 156; approved by Governor, p. 159
- HB 80**—"An Act to Amend Chapter 3, Title 24, Delaware Code, Relating to Architects by Changing the Fees Payable to the Board of Examiners and Registration of Architects." Introduced, read and referred, p. 76; reported favorably, p. 107
- HB 81**—"An Act to Amend Chapter 80, Title 9, Delaware Code, Relating to the County Tax Rates." Introduced, read and referred, p. 79; reported favorably, p. 164; lost, p. 271; motion to restore lost, p. 271
- HB 82**—"An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pension Plan, by Changing the Conditions Under Which the Surviving Spouse of a Deceased Employee May be Eligible for Payments." Introduced, read and referred, p. 80; reported favorably, p. 107; passed, p. 163; concurred in by Senate, p. 226; signed, p. 229; delivered to Governor, p. 234; approved by Governor, p. 242
- HB 83**—"An Act to Amend Chapter 41, Title 16 of the Delaware Code, Regulating the Milk Fat Content of Ice Cream and Ice Cream Mixtures and Compounds." Introduced, read and referred, p. 83; reported favorably, p. 272; action deferred, p. 344

- HB 84**—"An Act to Further Amend the Charter of the City of New Castle, as Amended, by Increasing the Compensation of the City Clerk." Introduced, read and referred, p. 84; reported favorably, p. 111; lost, p. 344; restored to calendar, p. 344; passed, p. 391; concurred in by Senate, p. 495; Speaker signed, p. 497; delivered to Governor, p. 502; approved by Governor, p. 525
- HB 85**—"An Act to Amend An Act Entitled "An Act Changing the Corporate Name of 'The Commissioners of Wyoming' to 'The Town of Wyoming' and Establishing a Charter Therefor", Being Chapter 189, Volume 43, Laws of Delaware, 1941, as Amended by Chapter 87, Volume 47, Laws of Delaware, 1949, by Increasing the Amount of Money Which May be Raised Each Year in Taxes." Introduced, read and referred, p. 84; reported favorably, p. 105; passed, p. 110; concurred in by Senate, p. 185; delivered to Governor, p. 189; approved by Governor, p. 208
- HB 86**—"An Act Proposing an Amendment to Article VIII of the Constitution of the State of Delaware, Relating to the Expenditure of Highway Funds." Introduced, read and referred, p. 84
- HB 87**—"An Act to Amend Chapter 29, Title 30, Delaware Code, Entitled "Merchants' License Tax" in Respect to the Tax Paid by Persons Buying, Selling or Shipping Fuel Oil." Introduced, read and referred, p. 84; reported favorably, p. 162; **HA 1** introduced and adopted, p. 276; lost, p. 276
- HB 88**—"An Act to Amend Chapter 5, Title 4, Relating to Delaware Code, Licenses and Taxes, by Providing Additional Grounds for Refusal of Licenses for the Sale of Alcoholic Liquors." Introduced, read and referred, p. 84; reported favorably, p. 327; passed, p. 353
- HB 89**—"An Act to Amend Chapter 96, Title 9, Delaware Code, Entitled "Recorders" in Regard to the Fees of the Recorder in New Castle County." Introduced, read and referred, p. 84; reported favorably, p. 278; passed, p. 297; concurred in by Senate, p. 400; signed, p. 407; delivered to Governor, p. 418; approved by Governor, p. 421
- HB 90**—"An Act to Appropriate Funds to the Board of Post Mortem Examiners to Provide for Expenses of the Office Exclusive of the Salary of the State Medical Examiner." Introduced, read and referred, p. 84; reported favorably, p. 96; passed, p. 104; concurred in by Senate, p. 205; signed, p. 206; delivered to Governor, p. 206; approved by Governor, p. 213

- HB 91**—"An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety" in Regard to the Composition of the State Board of Health." Introduced, read and referred, p. 84; reported favorably, p. 204; lost, p. 260; restored to calendar, p. 262; passed, p. 271
- HB 92**—"An Act Proposing an Amendment to Section 4, Article 2 of the Constitution of the State of Delaware Relating to the Time of Meetings of the General Assembly." Introduced, read and referred, p. 87
- HB 93**—"An Act Amending Title 29, Delaware Code, Entitled "State Government" by Creating a State Personnel Department, the Office of State Personnel Director and a State Personnel Advisory Board; Defining Their Respective Powers and Duties and Appropriating Funds." Introduced, read and referred, p. 87
- HB 94**—"An Act to Amend Title 19, Delaware Code, Relating to Unemployment Compensation by Increasing the Maximum Weekly Benefit Amount." Introduced, read and referred, p. 87
- HB 95**—"An Act Appropriating Certain Monies to the Adjutant General's Department, Delaware National Guard, for the Purpose of Constructing an Armory." Introduced, read and referred, p. 88; reported favorably, p. 156; passed, p. 214; concurred in by Senate, p. 377; signed, p. 389; delivered to Governor, p. 390; approved by Governor, p. 421
- HB 96**—"An Act to Amend Chapter 21, Title 30, Delaware Code, in Relation to Occupational Licenses." Introduced, read and referred, p. 88; reported favorably, p. 172; lost, p. 176
- HB 97**—"An Act to Amend Chapter 55, Title 29, Delaware Code, Entitled, "State Employees Pension Plan" by Increasing the Number of Working Days for Retired School Employees." Introduced, read and referred, p. 88; reported favorably, p. 96; passed, p. 104; Senate concurred, p. 149; passed, p. 152; delivered to Governor, p. 156; approved by Governor, p. 160
- HB 98**—"An Act Amending Title 20 of the Delaware Code by Providing for Workmen's Compensation Protection for Civil Defense Workers While in Training." Introduced, read and referred, p. 88
- HB 99**—"An Act Appropriating Money to Ross Point School District 215." Introduced, read and referred, p. 88; reported favorably, p. 156; passed, p. 168; concurred in by Senate, p. 187; delivered to Governor, p. 189; approved by Governor, p. 208

- HB 100**—"An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety" to Authorize State Board of Health to Regulate Food Handlers in Schools." Introduced, read and referred, p. 88; reported favorably, p. 145; passed, p. 164; concurred in by Senate, p. 234; signed, p. 236; delivered to Governor, p. 241; approved by Governor, p. 253
- HB 101**—"An Act to Amend Title 9, Delaware Code of 1953 by Authorizing the Levy Court of Kent County to Appropriate Certain Money to the Kent County Volunteer Firemen's Association." Introduced, read and referred, p. 90; reported favorably, p. 130; passed, p. 154; concurred in by Senate, p. 189; signed, p. 190; delivered to Governor, p. 198; approved by Governor, p. 208
- HB 102**—"An Act Appropriating Money to Sussex Memorial Post No. 7422, V. F. W. at Millsboro, With Which to Operate and Maintain an Ambulance." Introduced, read and referred, p. 90; reported favorably, p. 156; motion to read and pass was deferred, p. 169; lost, p. 175; restored to calendar, p. 190; passed, p. 195; concurred in by Senate, p. 400; signed, p. 407; delivered to Governor, p. 418; approved by Governor, p. 421
- HB 103**—"An Act Authorizing the Levy Court of Kent County to Appropriate Certain Sums to the Kent County Volunteer Firemen's Association for the Maintenance of Radio Equipment Used in Connection With Volunteer Fire Fighting Apparatus." Introduced, read and referred, p. 90; reported favorably, p. 156; passed, p. 191; concurred in by Senate, p. 363; signed, p. 366; delivered to Governor, p. 380; approved by Governor, p. 389
- HB 104**—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" by Providing for a State Department of Purchases and Supplies, Transferring Certain Functions Thereto, Repealing Contrary Provisions and Appropriating Funds." Introduced, read and referred, p. 90
- HB 105**—"An Act to Authorize the State of Delaware to Borrow a Certain Sum of Money to Provide for Highway Improvements and for Buildings Under the Jurisdiction of the State Highway Department by Acquiring Lands and Rights-of-Way, Constructing and Reconstructing Highways, Bridges, by Providing Buildings and Improvements Incidental Thereto and to Issue Bonds and Notices Therefor and Appropriating Said Funds." Introduced, read and referred, p. 90; stricken from calendar, p. 268
- HB 106**—"An Act to Amend Chapter 65, Title 29, Delaware Code, by Requiring Certain Persons, Firms or Corporations Receiving Appropriations from the State to File a

Financial Report." Introduced, read and referred, p. 90; reported favorably, p. 174; **HA 1** introduced and adopted, p. 257; passed, p. 258

HB 107—"An Act Appropriating Funds for Delaware Participation Under the Southern Regional Education Compact." Introduced, read and referred, p. 93; reported favorably, p. 288; passed, p. 318; concurred in by Senate, p. 377; signed, p. 389; delivered to Governor, p. 390; approved by Governor, p. 421

HB 108—"An Act to Increase the Compensation of the Register of Wills, Prothonotary, Register in Chancery and Clerk of the Orphans' Court, Recorder and Receiver of Taxes and County Treasurer in New Castle County." Introduced, read and referred, p. 93

HB 109—"An Act to Amend Title 10, Delaware Code, Entitled "Courts and Judicial Procedure" to Provide for a Chief Magistrate, Assign Duties and Appropriate Funds." Introduced, read and referred, p. 93

HB 110—"An Act to Amend Title 30, Delaware Code, Entitled "State Taxes" by Reducing the State Income Tax." Introduced, read and referred, p. 93

HB 111—"An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees, Pay for Substitute Teachers, and Appropriating Funds." Introduced, read and referred, p. 93

HB 112—"An Act Making an Appropriation to the Lewes Chamber of Commerce for the Celebration of the Anniversary of Lewes." Introduced, read and referred, p. 93; reported favorably, p. 138; passed, p. 141; concurred in by Senate, p. 291; signed, p. 295; delivered to Governor, p. 295; approved by Governor, p. 300

HB 113—"An Act to Amend Chapter 17, Title 9, Delaware Code, Relating to Employees Pensions in New Castle County." Introduced, read and referred, p. 93; reported favorably, p. 294; **HA 1** introduced and adopted, p. 331; passed, p. 332; concurred in by Senate, p. 363; signed, p. 366; delivered to Governor, p. 380; approved by Governor, p. 389

HB 114—"An Act to Amend Chapter 237, Volume 46, Laws of Delaware, as Amended, Entitled "City of Wilmington Employees' Retirement Act." Introduced, read and referred, p. 93; reported favorably, p. 164; passed, p. 267; concurred in by Senate, p. 310; signed, p. 315; delivered to Governor, p. 325; approved by Governor, p. 388

HB 115—"An Act to Amend Chapter 65, Title 11, Delaware Code, Entitled "Prisons and Prisoners" in Respect

to Payments Received for Keeping Federal Prisoners." Introduced, read and referred, p. 94; reported favorably, p. 184; passed, p. 192; concurred in by Senate, p. 400; signed, p. 407; delivered to Governor, p. 418; approved by Governor, p. 421

HB 116—"An Act to Amend Chapter 65, Title 11, Delaware Code, Entitled "Prisons and Prisoners" in Respect to Forfeiture of Granted Time." Introduced, read and referred, p. 94; reported favorably, p. 184; passed, p. 193; concurred in by Senate, p. 400; signed, p. 407; delivered to Governor, p. 418; approved by Governor, p. 421

HB 117—"An Act to Amend Chapter 65, Title 11, Delaware Code, Entitled "Prisons and Prisoners" in Respect to Surplus Products." Introduced, read and referred, p. 94; reported favorably, p. 189; passed, p. 197; concurred in by Senate, p. 246; signed, p. 251; delivered to Governor, p. 253; approved by Governor, p. 266

HB 118—"An Act to Provide a Survivors Pension for Edith E. French, a Widow Whose Husband Died Seventeen Days Before Becoming Eligible for a State Pension." Introduced, read and referred, p. 94; reported favorably, p. 136; passed, p. 140; concurred in by Senate, p. 183; Mr. Speaker about to sign, p. 186; delivered to Governor, p. 187; approved by Governor, p. 207

HB 119—"An Act Appropriating Certain Moneys to the State Soil Conservation Commission for the Drainage of Tax Ditches in New Castle County." Introduced, read and referred, p. 94; stricken, p. 111

HB 120—"An Act to Increase the Compensation of the Coroner in New Castle County." Introduced, read and referred, p. 94

HB 121—"An Act to Amend Title 9, Delaware Code, Entitled "Counties" in Regard to the County Tax Rates." Introduced, read and referred, p. 94

HB 122—"An Act to Authorize the Levy Court of Kent County to Make Certain Tax Refunds." Introduced, read and referred, p. 94; reported favorably, p. 164; passed, p. 200

HB 123—"An Act Authorizing the Levy Court of Kent County to appropriate a Certain Sum to the Kent and Sussex Association for Retarded Children for Operational Expenses." Introduced, read and referred, p. 94; reported favorably, p. 130; passed, p. 137; concurred in by Senate, p. 218; signed, p. 222; delivered to Governor, p. 222; approved by Governor, p. 233

- HB 124**—"An Act Agreeing to the Proposed Amendment to Section 25, Article II of the Constitution of the State of Delaware, Relating to Zoning." Introduced, read and referred, p. 94
- HB 125**—"An Act to Increase the Compensation of the Sheriff, Comptroller and Clerk of the Peace in New Castle County." Introduced, read and referred, p. 96
- HB 126**—"An Act Appropriating Funds to the State Board of Trustees of the Delaware State Hospital at Farnhurst, Delaware, to Replace Two Obsolete Cottages at the Hospital for the Mentally Retarded at Stockley, Delaware, and to Equip and Furnish Such Cottages." Introduced, read and referred, p. 96; reported favorably, p. 156; lost, p. 373; restored to calendar, p. 386
- HB 127**—"An Act to Amend Chapter 464, Volume 50, Laws of Delaware, in Regard to Mental Health Training and Research." Introduced, read and referred, p. 96; reported favorably, p. 138; passed, p. 153; concurred in by Senate, p. 272; signed, p. 275; delivered to Governor, p. 275; approved by Governor, p. 282
- HB 128**—"An Act to Amend Chapter 17, Title 14, Delaware Code, Relating to State Appropriations to Provide for a Revolving Fund for School Sites and Appropriating Funds." Introduced, read and referred, p. 96
- HB 129**—"An Act to Amend Chapter 17, Title 14, Delaware Code, Relating to State Appropriations to Provide for a Revolving Fund for School Architects' Fees and Appropriating Funds." Introduced, read and referred, p. 97
- HB 130**—"An Act Appropriating Funds to the Board of Mental Health Training and Research." Introduced, read and referred, p. 97; reported favorably, p. 122; **HS 1** introduced, read and referred, p. 501
- HB 131**—"An Act Making an Appropriation to the Board of Trustees of the State Welfare Home and Hospital for the Chronically Ill at Smyrna to Enlarge and Equip the Present Laundry and Main Kitchen at the State Welfare Home." Introduced, read and referred, p. 97; **HA 1** introduced and adopted, p. 155; passed, p. 155; concurred in by Senate, p. 205; signed, p. 208; delivered to Governor, p. 212; approved by Governor, p. 213
- HB 132**—"An Act Appropriating Funds for the Purchase of Land and for Landscaping East of Legislative Hall, Dover." Introduced, read and referred, p. 97; reported favorably, p. 240; passed, p. 314
- HB 133**—"An Act Appropriating Funds to the State Board of Trustees of the Delaware State Hospital at Farnhurst, Delaware, to Build, Equip and Furnish a Wing for

the Medical Center at the Hospital for the Mentally Retarded at Stockley, Delaware." Introduced, read and referred, p. 97; reported favorably, p. 156; passed, p. 264; concurred in by Senate, p. 280; signed, p. 284; delivered to Governor, p. 286; approved by Governor, p. 291

HB 134—"An Act to Appropriate Money to the Augustine Beach Fire Co., Inc." Introduced, read and referred, p. 97; reported favorably, p. 130; passed, p. 215; concurred in by Senate, p. 351; signed, p. 363; delivered to Governor, p. 365; approved by Governor, p. 388

HB 135—"An Act to Require the State Highway Department to Install a Traffic Light Control for the Talleyville Fire Company, Inc., at Talleyville, New Castle County, Delaware." Introduced, read and referred, p. 97; reported favorably, p. 261; passed, p. 289; concurred in by Senate, p. 505; Speaker signed, p. 507; delivered to Governor, p. 507; approved by Governor, p. 540

HB 136—"An Act to Amend Chapter 9, Title 10, Delaware Code, by Conferring Upon the Family Court of the State of Delaware for New Castle County an Additional Power." Introduced, read and referred, p. 97

HB 137—"An Act to Amend Chapter 535 of Volume 50, Laws of Delaware, Entitled "An Act to Appropriate Funds to the Delaware Veterans' Military Pay Commission to Pay Certain Valid Claims of World War II Which are Barred by the Lapse of Time" by Extending Certain Time Limits Therein." Introduced, read and referred, p. 97; reported favorably, p. 107; passed, p. 117; concurred in, p. 135; signed, p. 136; delivered to Governor, p. 138; approved, p. 143

HB 138—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" by Increasing the Compensation of the Custodian, and Appropriating Funds." Introduced, read and referred, p. 103; withdrawn, p. 105; reported favorably, p. 251; lost, p. 268; restored to calendar, p. 268; lost, p. 348; restored to calendar, p. 348; lost, p. 383; restored to calendar, p. 383; lost, p. 408; restored to calendar, p. 408; concurred in by Senate, p. 440; passed, p. 440; signed, p. 445; approved by Governor, p. 448

HB 139—"An Act to Amend Chapter 5, Title 31, Delaware Code, to Provide for Recovery of Assistance from the Real Property of Recipients of Old Age Assistance." Introduced, read and referred, p. 103; reported favorably, p. 130

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

Introduced, read and referred, p. 103; reported favorably, p. 107; passed, p. 117; concurred in, p. 140; signed, p. 136; delivered to Governor, p. 138; approved, p. 143

HB 141—"An Act Appropriating Funds to Delaware Day School for Handicapped Children, Inc." Introduced, read and referred, p. 103; reported favorably, p. 130

HB 142—"An Act to Amend Chapter 53, Title 16, Delaware Code, by Conferring Additional Powers Upon the State Board of Trustees of the Delaware State Hospital." Introduced, read and referred, p. 103; reported favorably, p. 130

HB 143—"An Act to Amend Chapter 53, Title 16, Delaware Code, by Providing for a New Department Within the Governor Bacon Health Center and Appropriating Funds Therefor." Introduced, read and referred, p. 103; reported favorably, p. 130; action deferred, p. 136

HB 144—"An Act to Amend Chapter 21, Title 14, Delaware Code, Relative to Local School Bond Elections." Introduced, read and referred, p. 104; reported favorably, p. 122; passed, p. 128; concurred in by Senate, p. 400; signed, p. 407; delivered to Governor, p. 418; approved by Governor, p. 423

HB 145—"An Act to Amend Chapter 11, Title 10, Delaware Code, by Conferring Upon the Juvenile Court of Kent and Sussex Counties an Additional Power." Introduced, read and referred, p. 104; withdrawn, p. 104; passed, p. 186

HB 146—"An Act Making an Appropriation to the State Building and Grounds Commission for Repairs, Repainting and Redecorating Legislative Hall and for Other Purposes." Introduced, read and referred, p. 104; reported favorably, p. 156; passed, p. 340

HB 147—"An Act Appropriating Funds to the State Board of Corrections to Buy Land Adjacent to the Kent County Correctional Institution." Introduced, read and referred, p. 104; reported favorably, p. 133; passed, p. 186; concurred in by Senate, p. 272; signed, p. 275; delivered to Governor, p. 275; approved by Governor, p. 282

HB 148—"An Act to Amend Chapter 25, Title 14, Delaware Code, Entitled "Education" Relating to High School Boards." Introduced, read and referred, p. 104

HB 149—"An Act Making an Appropriation for the Purchase and Improvement of Real Property on or Near the Green in Dover and Authorizing Use of Funds previously Appropriated." Introduced, read and referred, p. 108; reported favorably, p. 174; passed, p. 196; SA 1

introduced and adopted, p. 427; passed as amended, p. 428; signed, p. 430; delivered to Governor, p. 433; approved by Governor, p. 448

HB 150—"An Act to Amend Chapter 9, Title 10, Delaware Code, by Conferring Upon the Family Court of the State of Delaware for New Castle County an Additional Power." Introduced, read and referred, p. 108; reported favorably, p. 130; action deferred, p. 136

HB 151—"An Act to Amend Chapter 11, Title 10, Delaware Code, by Conferring Upon the Juvenile Court of Kent and Sussex Counties an Additional Power." Introduced, read and referred, p. 108; reported favorably, p. 130

HB 152—"An Act Proposing an Amendment to Article 8 of the Constitution of the State of Delaware in Regard to Use of Surplus Funds." Introduced, read and referred, p. 108

HB 153—"An Act Proposing an Amendment to Article 8 of the Constitution of the State of Delaware in Regard to Revenue and Taxation." Introduced, read and referred, p. 108; reported favorably, p. 266

HB 154—"An Act to Amend Chapter 1, 3 and 5 of Title 10 of the Delaware Code Relating to the Supreme Court, Court of Chancery and Superior Court." Introduced, read and referred, p. 108; reported favorably, p. 301; recommitted, p. 332; stricken from calendar, p. 332; with **HS 1** reported favorably, p. 335; action deferred, p. 346; lost, p. 387; restored to calendar, p. 387; lost, p. 409; restored to calendar, p. 409; lost, p. 432; restored to calendar, p. 451

HB 155—"An Act to Amend Chapter 50, Title 15, Delaware Code, Relating to Municipal Elections Outside the City of Wilmington." Introduced, read and referred, p. 110; reported favorably, p. 126; passed, p. 128; concurred in with **SA 1** and **SA 2**, p. 149; **SA 1** deferred, p. 150; **SA 2** adopted, p. 150; **SA 1** lost, p. 151; **SA 2** passed, p. 151

HB 156—"An Act to Amend Chapter 50, Title 15, Delaware Code, Relating to the Use of Voting Machines in Elections." Introduced, read and referred, p. 110; reported favorably, p. 116; passed, p. 128; concurred in with **SA 1**, p. 149; lost, p. 151

HB 157—"An Act to Amend Title 30, Delaware Code, by Providing for a State Municipal Street Aid Fund from the Proceeds of the State Motor Fuel Tax; Distribution of Such Fund to Incorporated Cities and Towns for Street Purposes." Introduced, read and referred, p. 110; reported favorably, p. 111; **HA 1** and **HA 2** intro-

duced and adopted, p. 132; passed, p. 132; SA 1 adopted, p. 189; passed, p. 190; signed, p. 190; delivered to Governor, p. 198; approved by Governor, p. 213

HB 158—"An Act to Amend Chapter 16, Title 9, Delaware Code, Entitled "Public Building" by Changing the Salary of the Superintendent." Introduced, read and referred, p. 111

HB 159—"An Act to Amend Chapter 1, Title 31, Delaware Code, Relating to the Burial Expenses of Indigent Persons." Introduced, read and referred, p. 111; reported favorably, p. 161; HA 1 adopted, p. 199

HB 160—"An Act Appropriating Money to the State Soil Conservation Commission for the Drainage of Tax Ditches in Sussex County." Introduced, read and referred, p. 111; reported favorably, p. 156; reading requested and deferred, p. 198; action deferred, p. 217; HA 1 introduced and adopted, p. 220; passed, p. 220

HB 161—"An Act Appropriating Money to the State Soil Conservation Commission for the Drainage of Tax Ditches in New Castle County." Introduced, read and referred, p. 111; reported favorably, p. 205; passed, p. 215; concurred in by Senate, p. 351; signed, p. 363; delivered to Governor, p. 365; approved by Governor, p. 381

HB 162—"An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety," in Respect to Tuberculosis." Introduced, read and referred, p. 111; reported favorably, p. 162; passed, p. 247; concurred in by Senate, p. 310; signed, p. 315; delivered to Governor, p. 325; approved by Governor, p. 334

HB 163—"An Act to Appropriate Money to the New Castle Historic Buildings Commission for the Purpose of Repairing and Restoring the Central Portion of the New Castle Courthouse." Introduced, read and referred, p. 111; reported favorably, p. 156; passed, p. 170; concurred in by Senate, p. 187; delivered to Governor, p. 189; approved by Governor, p. 207

HB 164—"An Act to Amend Title 15, Delaware Code, Entitled "Elections" in Regard to the Election Commissioner." Introduced, read and referred, p. 112

HB 165—"An Act to Appropriate Money to the New Castle Historic Buildings Commission for the Purpose of Repairing and Restoring the East Wing of the New Castle Courthouse." Introduced, read and referred, p. 112; reported favorably, p. 156; passed, p. 170; concurred in by Senate, p. 187; delivered to Governor, p. 189; approved by Governor, p. 207

HB 166—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" to Permit the Waiver of Pension Benefits." Introduced, read and referred, p. 112; reported favorably, p. 172; passed, p. 180; concurred in by Senate, p. 226; signed, p. 229; delivered to Governor, p. 234; approved by Governor, p. 242

HB 167—"An Act to Amend Chapter 5, Title 1, Delaware Code, Relating to Legal Holidays." Introduced, read and referred, p. 112

HB 168—"An Act to Amend Chapter 13, Title 14, Delaware Code, Entitled "State Supported Salary Schedules for School Employees," by Providing That School Teachers, Principals and Superintendents Shall Receive Such Salary as Provided by the State and No Other." Introduced, read and referred, p. 113; reported favorably, p. 160; lost, p. 166

HB 169—"An Act Calling for the Submission to the Qualified Electors of the State at the Next General Election of the Question of a Convention to Revise and Amend the Constitution." Introduced, read and referred, p. 113

HB 170—"An Act Agreeing to the Proposed Amendments to Article IV of the Constitution of the State of Delaware, Relating to the Judiciary." Introduced, read and referred, p. 113; reported favorably, p. 162; granted privilege to explain, p. 209; passed, p. 209; concurred in by Senate, p. 229; signed, p. 229; delivered to Governor, p. 234

HB 171—"An Act Proposing an Amendment to Article IV of the Constitution of the State of Delaware, Relating to the Judiciary." Introduced, read and referred, p. 113; reported favorably, p. 162; granted privilege to explain, p. 209; action deferred, p. 209

HB 172—"An Act Proposing Amendments to Article IV of the Constitution of the State of Delaware, Relating to the Judiciary." Introduced, read and referred, p. 113; reported favorably, p. 162; granted privilege to explain, p. 209; passed, p. 209; concurred in by Senate, p. 229; signed, p. 229; delivered to Governor, p. 234

HB 173—"An Act to Amend Chapter 11, Title 10, Delaware Code, Relative to the Jurisdiction of the Juvenile Court of Kent and Sussex Counties." Introduced, read and referred, p. 113; reported favorably, p. 162; passed, p. 231; concurred in by Senate, p. 351; signed, p. 363; delivered to Governor, p. 365; approved by Governor, p. 381

HB 174—"An Act to Amend Chapter 29, Title 14, Delaware Code, Entitled "Transportation of Pupils" by Providing That School Bus Owners Shall receive Compensation in

Addition to the Amount of Compensation Received by Contract." Introduced, read and referred, p. 116; reported favorably, p. 122; action deferred, p. 161; lost, p. 356; restored to calendar, p. 360

HB 175—"An Act to Amend Title 14, Delaware Code, Entitled "Education" by Providing for the Payment of Local School Expenses by Districts Not Maintaining High School; Taxes." Introduced, read and referred, p. 116

HB 176—"An Act to Amend Chapter 216, Volume 27, Laws of Delaware, as Amended, Entitled "An Act Amending, Revising and Consolidating the Charter of the City of New Castle," by Changing the Salary of Certain Officials." Introduced, read and referred, p. 116; reported favorably, p. 149; passed, p. 341; concurred in by Senate, p. 390; signed, p. 398; delivered to Governor, p. 403; approved by Governor, p. 423

HB 177—"An Act to Provide for the Completion of the Construction, Equipping and Furnishing of Buildings Under Construction at the State Hospital at Farnhurst and Making an Appropriation Therefor." Introduced, read and referred, p. 116; reported favorably, p. 156; deferred action, p. 184; passed, p. 222; concurred in by Senate, p. 229; signed, p. 229; delivered to Governor, p. 234; approved by Governor, p. 242

HB 178—"An Act Appropriating Certain Money to the State Soil Conservation Commission for the Drainage of Tax Ditches in Kent County." Introduced, read and referred, p. 116; reported favorably, p. 156; passed, p. 200; concurred in by Senate, p. 400; signed, p. 407; delivered to Governor, p. 418; approved by Governor, p. 421

HB 179—"An Act to Amend Title 20, Delaware Code, Entitled "Military and Civil Defense," to Provide Pensions for Paraplegic Veterans and Appropriating Funds." Introduced, read and referred, p. 120; reported favorably, p. 149; passed, p. 210; concurred in by Senate, p. 229; signed, p. 229; delivered to Governor, p. 234; approved by Governor, p. 242

HB 180—"An Act to Amend Chapter 79, Title 3, Delaware Code, by Providing for the Appointment of Special Constables." Introduced, read and referred, p. 120; reported favorably, p. 229; lost, p. 273

HB 181—"An Act to Appropriate Funds to the Department of Public Welfare for the Fiscal Year Ending June 30, 1957." Introduced, read and referred, p. 122; reported favorably, p. 130; passed, p. 146; concurred in by Senate, p. 298; signed, p. 300; delivered to Governor, p. 307; approved by Governor, p. 326.

- HB 182**—"An Act Appropriating Money to Blades School District No. 172." Introduced, read and referred, p. 122; reported favorably, p. 130; passed, p. 133; concurred in by Senate, p. 165; delivered to Governor, p. 183; approved by Governor, p. 184
- HB 183**—"An Act to Amend the Charter of the City of Dover, Chapter 158, Volume 36, Laws of Delaware, by Providing for the Borrowing of Money and Issuance of Notes in Anticipation of an Authorized Bond Issue." Introduced, read and referred, p. 122; reported favorably, p. 145; passed, p. 169; concurred in by Senate, p. 259; signed, p. 260; delivered to Governor, p. 261; approved by Governor, p. 281
- HB 184**—"An Act to Amend the Charter of the City of Dover, Chapter 158, Volume 36, Laws of Delaware, by Revising the Method of Hearing Appeals from the General Session." Introduced, read and referred, p. 122; reported favorably, p. 145; passed, p. 170; concurred in by Senate, p. 259; signed, p. 260; delivered to Governor, p. 261; approved by Governor, p. 282
- HB 185**—"An Act to Amend Chapter 11, Title 10, Delaware Code, Known as the Juvenile Court of Kent and Sussex Counties Act by Providing a New Method of Determining the Judge's Salary." Introduced, read and referred, p. 122.
- HB 186**—"An Act to Amend Section 2151, Chapter 21, Title 21, Delaware Code, Relating to Registration Fees for Motor Vehicles." Introduced, read and referred, p. 129; reported favorably, p. 266
- HB 187**—"An Act Proposing an Amendment to Section 2, Article 5, of the Constitution of the State of Delaware, Relating to Qualifications for Voting." Introduced, read and referred, p. 129; reported favorably, p. 149; lost, p. 155; restored to calendar, p. 156; lost, p. 280
- HB 188**—"An Act to Amend Chapter 29, Title 14, Delaware Code, Entitled "Transportation of Pupils," by Providing That School Bus Owners Shall Receive Compensation in Addition to the Amount of Compensation Received by Contract." Introduced, read and referred, p. 129; reported favorably, p. 229
- HB 189**—"An Act to Amend Section 5143, Title 30, Delaware Code, Relating to Refunds of Motor Fuel Taxes." Introduced, read and referred, p. 129; **HA 1** read and referred, p. 138; reported favorably, p. 189
- HB 190**—"An Act Authorizing the Payment of Money to Lillie Marvel." Introduced, read and referred, p. 131; reported favorably, p. 133; passed, p. 133; concurred in by Senate, p. 172; delivered to Governor, p. 183; approved by Governor, p. 184