

Creating an Electrical Administrative Board of the State of Delaware, Its Duties and Authority; Establishing Minimum Standards for Electrical Equipment and Installation; Providing for State-Wide Inspection of Installations of Electrical Equipment; Providing for the Appointment of Electrical Inspectors for Carrying Out the Provisions of This Act and Prescribing Their Qualifications, Duties, Rights and Authority; Making It Unlawful to Undertake or Perform the Installation of Electrical Equipment without Applying for Inspection Therefor Except as Otherwise Provided for the Licensing by the Electrical Administrative Board of Persons, Firms or Corporations Engaged in the Business of Electrical Contracting and Electrical Journeymen Employed by Them in the Work of Installing, Maintaining, Altering or Repairing Electrical Equipment; Making It Unlawful to Undertake or Perform the Installation of Electrical Equipment without a License Except as Otherwise Provided; Penalties for the Violation of This Act," which was given first and second reading, the second by title only, and referred to the Committee on Miscellaneous.

Mr. Cannon, on motion for leave, introduced **SB 374**—"An Act Authorizing the State of Delaware to Borrow Nine Million Dollars (\$9,000,000.00) and Issue Bonds Therefor, to Provide a Highway Improvement Program, for the Purpose of Acquiring Lands and Rights-of-Way and Constructing and Reconstructing Roads, Highways, Bridges and Improvements Incidental Thereto, and Providing the Form of the Bonds and Coupons as Well as the Procedure for the Sale Thereof, Providing for the Payment of Principal and Interest of Said Bonds, and Appropriating the Sum Received Therefrom to the State Highway Department," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Cannon, on motion for leave, introduced **SB 375**—"An Act Making an Appropriation to the State Park Commission of Delaware for the Establishment and Creation of State Parks in Sussex County, State of Delaware, Bordering on the Atlantic Ocean, and for the Construction and Building Thereon and Improvements Thereon and for Expenditures Incidental Thereto," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Cannon, on motion for leave, introduced **SB 376**—"An Act Authorizing the State of Delaware to Borrow the Sum of One Million Two Hundred Eighty Thousand Dollars (\$1,280,000) and to Issue Bonds Therefor to Redeem and Refund a Portion of Certain Bonds of the State of Delaware Known as 'State Highway Refunding Bonds,' and Appropriating Funds for the Payment of Costs and Expenses Incident to the Calling of Said Bonds and the Issuance of the New Bonds, to Pay the Interest on Said New Bonds and to Redeem the Outstanding Bonds," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Crossley, on motion for leave, introduced **SB 377**—"An

Act Making an Appropriation to the State Old Age Welfare Commission for Furnishing a Building Recently Erected at the State Welfare Home," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Cabbage, on motion for leave, introduced **SB 378**—"An Act Making an Appropriation to the State Building and Grounds Commission for Repairs. Alteration, Furnishing and Equipping of State Buildings in the State Capital Group and for Landscaping and Planting State Lands at Dover," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Klair, on motion for leave, introduced **SB 379**—"An Act Making an Appropriation to the Ferris School for Boys for the Erection of a Dormitory Cottage and a Building for Vocational Training," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

By request, Mr. Phillips, on motion for leave, introduced **SB 380**—"An Act Directing the State Highway Department of the State of Delaware to Repair and Improve a Section of U. S. Route No. 13 and Appropriation Therefor," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

By request, Mr. Phillips, on motion for leave, introduced **SB 381**—"An Act to Regulate and Control the Installation of Electrical Equipment and Wiring; Creating an Electrical Housing Board; Prescribing Its Powers and Duties; Establishing Standards for Equipment and Installation; Power to Make Rules and Regulations; Providing for Inspection of Working Equipment; Providing for Examination for and Issuance of Licenses to Applicants; Revocation of Licenses; Penalties for Violations; Appropriations," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

By request, Mr. Phillips, on motion for leave, introduced **SB 382**—"An Act to Regulate and Control the Installation of Electrical Equipment and Wiring in New Castle County; Creating an Electrical Housing Board; Prescribing Its Powers and Duties; Establishing Standards for Equipment and Installation; Power to Make Rules and Regulations; Providing for Inspection of Working Equipment; Providing for Examination for and Issuance of Licenses to Applicants; Revocation of Licenses; Penalties for Violations; Appropriation," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Hitchens, on motion for leave, introduced **SB 383**—"An Act Making An Appropriation to Rehoboth Special School District in Sussex County to Provide for Deficiency in Budget," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Hitchens, on motion for leave, introduced **SB 384**—"An Act Making an Appropriation to Lewes Special School District in

Sussex County to Provide for Deficiency in Budget," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Hitchens, on motion for leave, introduced **SB 385**—"An Act Making an Appropriation to Georgetown Special School District in Sussex County to Provide for Deficiency in Budget," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Bulow, on motion for leave, introduced **SB 386**—"An Act Creating a Court of Common Pleas of Kent and Sussex Counties; Providing for the Appointment, Salaries and Payment of Judge; Clerks and Other Officers; Providing for a Seal and Rules; Powers of a Court of Record; Duties of Clerks and Other Officers; Writs, Rules and Processes, by Whom Served; Payment of Fees and Witness Fees; Money Received by Court, How Payable; Jurisdiction in Civil Actions; Foreign Attachment Jurisdiction; Providing for Procedure in Civil Cases; Lien of Judgments; Trial by Jury in Civil Cases; Appeal and Certiorari; Jurisdiction in Criminal Cases; Right of Accused Person to Elect to Be Tried by the Court and Duty of Justice of the Peace and Arresting Officer to Advise the Accused of His Right to So Elect; the Judge May Hear and Determine Juvenile Delinquency Matters during the Illness or Absence from the Jurisdiction of the Judge of the Juvenile Court of Kent and Sussex Counties; Probation of Offenders," which was given first and second reading, the second by title only, and referred to the Committee on Judiciary.

Mr. Dickerson, on motion for leave, introduced **SB 387**—"An Act Appropriating Funds to the State Board of Education for the Biennium Beginning July 1, 1949 and Ending June 30, 1951. for the Purpose of Adjusting the Salaries of the Professional and Clerical Personnel Employed by the State Board of Education Not Otherwise Provided for," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Hitchens, on behalf of the Committee on Buildings and Highways to whom had been referred **HB 288, 290** with **HA 1**, and **HB 214**, reported the same back to the Senate favorably.

Mr. Hitchens, on behalf of the Committee on Buildings and Highways to whom had been referred **HB 184**, reported the same back to the Senate favorably.

Mr. Burkholder, on behalf of the Committee on Revised Statutes to whom had been referred **SB 162, 188, 189**, and **311**, reported the same back to the Senate favorably.

Mr. Bulow, on behalf of the Committee on Temperance to whom had been referred **SS** for **SB 176** reported the same back to the Senate favorably.

Mr. Dickerson, on motion for leave, introduced **SB 388**—"An Act to Authorize and Direct the State Treasurer to Transfer to the Current Maintenance Account of the Delmar School District, No. 163 a Certain Sum of Money Appearing in the State Treas-

ury as the Debt Service Account, to the Credit of Said Delmar School District, No. 163, which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Crossley, on motion for leave, introduced **SB 389**—"An Act to Amend Chapter 259, Volume 41, Laws of Delaware, Relating to State Park Commission of Delaware, Its Powers, Duties, and Authority to Improve and Construct Buildings on Public Lands," which was given first and second reading, the second by title only, and referred to the Committee on Public Lands.

Mr. Crossley, on motion for leave, introduced **SB 390**—"An Act to Amend Chapter 259, Volume 41, Laws of Delaware, Relating to State Park Commission of Delaware by Authorizing Improvements to and on Public Lands and Expenditure of Funds Thereof," which was given first and second reading, the second by title only, and referred to the Committee on Public Lands.

Mr. Crossley, on motion for leave, introduced **SB 391**—"An Act to Amend Article 3, Chapter 166 Revised Code of Delaware, 1935, as Amended, Relating to Public Lands of the State of Delaware and the Supervision and Control Thereof," which was given first and second reading, the second by title only, and referred to the Committee on Public Lands.

Mr. Burkholder, on motion for leave, introduced **SB 392**—"An Act to Amend Chapter 98 of Volume 45, Laws of Delaware, 1945. by Establishing Minimum Weights for Ice Cream Sold in Bulk and Providing a Penalty for Sales in Violation Hereof," which was given first and second reading, the second by title only, and referred to the Committee on Public Health.

Mr. Burkholder moved that the Senate recess one-half hour. Motion prevailed.

Senate met at expiration of recess, 5:15 P. M.

Mr. Burkholder moved that the Senate recess until 7:30 P. M. Motion prevailed.

Senate met at expiration of recess, 8:20 P. M.

Mr. Cubbage, on motion for leave, introduced **SB 393**—"An Act Establishing a State Department of Building Repairs and Maintenance, Defining Its Duties, and Making an Appropriation for the Expenses of Said Department" which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Cubbage, on motion for leave, introduced **SB 394**—"An Act to Amend Chapter 167 of Volume 35, Laws of Delaware, 1927, Relating to the Protection of Deer, by Permitting the Keeping of Deer for Certain Purposes," which was given first and second reading, the second by title only, and referred to the Committee on Fish, Oysters and Game.

Mr. Cubbage, on motion for leave, introduced **SB 395**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935 Relating to Fish, Oysters and Game, by Defining the Season for Taking, Catching or Killing Rabbits, Quail (Bob White) or Pheasants," which was given first and second reading, the

second by title only, and referred to the Committee on Fish, Oysters and Game.

On motion for leave, Mr. Bulow introduced **SR 32**—"Relating to the Position of Women in Present Day Civilization."

WHEREAS, certain women have distinguished themselves and their sex through their activities in public service; but

WHEREAS, our State and Nation have been developed chiefly by the efforts of men released from the cares of home and children by faithful and devoted women to whom little public recognition has been given; and

WHEREAS, the security of the American home depends upon the continued and undiverted work of women; NOW, THEREFORE,

BE IT RESOLVED that the Senate of the 115th General Assembly hereby expresses its deep appreciation and unshakable confidence to the women of this State who devote unstinting and arduous devotion to the home in order that the men may give their undivided attention to the successful piloting of the Ship of State.

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

On the question, "Shall the Resolution be adopted?" by acclamation, the question was decided in the affirmative, and the Resolution having received the required constitutional majority, was adopted.

Mr. Hitchens, on behalf of the Committee on Buildings and Highways to whom had been referred **HB 165**, reported the same back to the Senate unfavorably.

Mr. Powell, on behalf of the Committee on Miscellaneous to whom had been referred **SB 323**, reported the same back to the Senate unfavorably.

Mr. Bulow, on motion for leave, introduced **SB 396**—"An Act to Establish an Official Time for the State of Delaware," which was given first and second reading, the second by title only, and referred to the Committee on Miscellaneous.

Mr. Powell requested that **SB 117** be recommitted to the Calendar. Request granted.

Mr. Bulow, on motion for leave, introduced **SCR 23**—"Relative to St. Lawrence Seaway," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mr. Cannon, on motion for leave, introduced **SB 397**—"An Act Appropriating Money to the Delaware Harness Racing Commission for Expenses for Each of the Two Fiscal Years Ending June 30, 1950, and June 30, 1951," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Cannon, on motion for leave, introduced **SB 398**—"An Act to Amend an Act Entitled, 'An Act to Provide for the Regulation, Control and Licensing of Harness Racing in the State of Delaware,' Being Chapter 303, Volume 45, Laws of Delaware,

1944-45, Relating to Payment of Expenses of the Commission," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Dickerson, on motion for leave, introduced **SB 399**—"An Act Permitting the Department of Elections of New Castle County, Kent County and Sussex County to Provide Voting Machines in Election Districts in Their Respective Counties; Providing for the Method of Their Acquisition and Adoption, for Their Handling and Care and Method of Conducting Elections in Which They are Used," which was given first and second reading, the second by title only, and referred to the Committee on Elections.

Mr. Dickerson, on motion for leave, introduced **SB 400**—"An Act Authorizing and Directing the State Treasurer to Transfer All Monies and Investments in the Sinking Fund of This State to the General Fund of the State of Delaware," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Klair, on motion for leave, introduced **SB 401**—"An Act to Provide Compensation for the Lieutenant-Governor in Addition to the Compensation Provided by the Constitution of the State of Delaware," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Klair, on motion for leave, introduced **SB 402**—"An Act Proposing an Amendment to Section 19 of Article III of the Constitution of the State of Delaware, Relating to the Compensation of the Lieutenant-Governor," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mr. Bulow, on motion for leave, introduced **SB 403**—"An Act to Amend Chapter 43 of the Revised Code of Delaware, 1935, as Amended, Relative to Levy Courts, by Creating a Levy Court of Sussex County Composed of Five Members, One from Each Senatorial District; Providing that a Majority Thereof Shall Constitute a Quorum," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mrs. Davis, on motion for leave, introduced **SB 404**—"An Act to Amend Chapter 76, of the Revised Code of Delaware, 1935, as Amended, Relating to Insane, Relative to the Transfer of Persons by Other State Institutions to the Delaware State Health and Welfare Center," which was given first and second reading, the second by title only, and referred to the Committee on Public Health.

Mrs. Davis, on motion for leave, introduced **SJR 9**—"Authorizing the State of Delaware and the State Highway Department of This State to Sell, Transfer, or Purchase Certain Public Lands in the Vicinity of Dewey Beach," which was given first and second reading, the second by title only, and referred to the Committee on Miscellaneous.

Mr. Phillips, on motion for leave, introduced **SB 405**—"An Act Directing the State Highway Department of the State of Delaware to Repair and Improve a Section of U. S. Route No. 13," which was given first and second reading, the second by title only, and referred to the Committee on Buildings and Highways.

Mr. Powell, on motion for leave, introduced **SB 406**—"An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935 as Amended, Relative to Motor Vehicles, Providing that the Operator's License Only Shall Be Revoked upon a Conviction of Operating a Motor Vehicle under the Influence of Intoxicating Liquor or Narcotic Drugs," which was given first and second reading, the second by title only, and referred to the Committee on Buildings and Highways.

Mr. Webb, on motion for leave, introduced **SB 407**—"An Act Authorizing the Delaware Commission of Shell Fisheries to Sell at Public Sale the Boat Used by Said Commission as a Watch Boat and to Apply the Proceeds of Said Sale, after Expenses, to the General Fund," which was given first and second reading, the second by title only, and referred to the Committee on Fish, Oysters and Game.

Mr. Webb, on motion for leave, introduced **SB 408**—"An Act to Amend Chapter 151, Volume 44, Laws of Delaware, Providing for a Delaware Commission of Shell Fisheries, Relating to Payment of Expenses of the Commission," which was given first and second reading, the second by title only, and referred to the Committee on Fish, Oysters and Game.

Mr. Dickerson, on motion for leave, introduced **SCR 24**—"Providing for the Creation of a Delaware Highway Planning Committee for the Purpose of Preparing a Long-Range Plan for the Improvement of the Roads, Streets and Bridges of This State," which was given first and second reading, the second by title only, and referred to the Committee on Buildings and Highways.

Mr. Crossley, on motion for leave, introduced **SB 409**—"An Act Amending Chapter 165 of the Revised Code of Delaware, 1935, by Imposing an Additional Fine upon Conviction of Operating a Motor Vehicle While under the Influence of Intoxicating Liquor or of Any Drug and Providing for Deposit to the Credit of the State Treasurer," which was given first and second reading, the second by title only, and referred to the Committee on Buildings and Highways.

Mr. Crossley, on motion for leave, introduced **SB 410**—"An Act Authorizing the State Treasurer to Transfer Certain Balances in the Accounts of Former State Treasurer Jesse S. Cooper to the General Fund of the State of Delaware," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Hammond, on motion for leave, introduced **SB 411**—"An Act to Make Valid Improperly Acknowledged Legal Instruments and Documents and the Record and Filing Thereof,"

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

Mr. Hammond, on motion for leave, introduced **SB 412**—"An Act Appropriating Moneys to the State Board of Education for the Use of Local School Districts, to the Boards of Trustees of Special School Districts to Provide for Delayed Improvements, Equipment and Other Costs Not Otherwise Provided for," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Crossley, on motion for leave, introduced **SB 413**—"An Act to Amend Article 3, Chapter 166. Revised Code of Delaware, 1935 as Amended, Relating to Public Lands, by Transferring the Supervision and Control Thereof from the State Highway Department to State Park Commission of Delaware." which was given first and second reading, the second by title only, and referred to the Committee on Public Lands.

Mr. Reilly, on motion for leave, introduced **SB 414**—"An Act Appropriating Money to the Delaware Commission of Shell Fisheries for Expenses for Each of the Two Fiscal Years Ending June 30, 1950, and June 30, 1951," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Reilly on motion for leave, introduced **SB 415**—"An Act Authorizing the State of Delaware to Borrow a Certain Sum of Money for Sundry Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds Therefor," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Hitchens, on motion for leave, introduced **SB 416**—"An Act Agreeing to the Proposed Amendment to Section 21 of Article III of the Constitution of the State of Delaware, Relating to the Terms of Office of the State Treasurer and Auditor of Accounts," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mr. Dickerson moved that the Senate recess for 10 minutes. Motion prevailed.

Senate met at expiration of recess, 9:40 P. M.

Mr. Klair, on motion for leave, introduced **SB 417**—"An Act to Amend Chapter 166, Volume 42, Laws of Delaware, by Further Defining the word "Vehicle," which was given first and second reading, the second by title only, and referred to the Committee on Buildings and Highways.

Mr. Klair, on motion for leave, introduced **SB 418**—"An Act to Amend Chapter 165, Volume 42, Laws of Delaware, by Further Defining the Term "Motor Vehicle," which was given first and second reading, the second by title only, and referred to the Committee on Buildings and Highways.

Mr. Klair, on motion for leave, introduced **SB 419**—"An Act Authorizing the Kruse School to Sell Certain Lands and Premises Situate in Christiana Hundred New Castle County and State of Delaware, Authorizing the Execution and Delivery of a Deed

for the Lands So Sold, and Authorizing the Proceeds to Be Deposited in the General Fund," which was given first and second reading, the second by title only, and referred to the Committee on Public Lands.

Mr. Hammond, on motion for leave, introduced **SB 420**—"An Act Making an Appropriation to Milford Special School District to Provide for Deficiency in Budget," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Hammond, on motion for leave, introduced **SB 421**—"An Act Making an Appropriation to the State Board of Education for Felton #54 School District in Kent County to Provide for Deficiency in Budget," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mrs. Davis moved that the Senate adjourn until 11 A. M., Mon., April 4, 1949. Motion prevailed.

53RD LEGISLATIVE DAY

Senate met pursuant to adjournment, Mon., April 4, 1949, 11 A. M., President Pro Tem presiding.

Prayer by the Chaplain, Rev. Thomas:

Members present—Messrs. Bulow, Burkholder, Madam President Pro Tem—3.

Members absent—Messrs. Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb—14.

The Secretary proceeded to read the Journal of the previous session, when Mr. Burkholder moved so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Mr. Bulow moved that the Senate adjourn until 12 noon, April 5, 1949.

There being no quorum present the President Pro Tem declared the Senate adjourned until Tues., April 5, 1949 at 12 noon.

54TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Tues., April 5, 1949, 12 noon, Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Thomas: Almighty and eternal God, Thou Who hast made of one blood all the nations of the earth: move upon the hearts of all mankind. Remove all hatred, discord, distrust and selfishness and turn their thoughts into the ways of peace. Our hearts well up in gratitude to Thee for the signing yesterday of the North Atlantic Security Pact and the hope of peace, order and justice which it brings to the troubled nations of the earth. We pray Thy blessing upon the President

of these United States, his advisors and our nation's law makers, May Thy blessing rest upon the Governor of this commonwealth and every member of this general assembly. May they and we, down to the most humble among us, be constrained to do only those things which make for unity, justice and righteousness. May Thy fear pervade our every thought and deed to the end that our most cherished institutions may be preserved and that through us the nations of the earth may be blest. All this we humbly and earnestly pray in the name of the One who is the Prince of Peace, our Lord and Saviour, Jesus Christ. Amen.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond Hitchens, Klair, Phillips, Powell, Reilly. Rhodes, Webb, Madam President Pro Tem—17.

The Secretary proceeded to read the Journal of the previous session, when Mr. Dickerson moved so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Communications: 10—Opposing **SB 292**; 2—Urging passage of **SB 286**; A petition with approximately 400 names urging passage of **SB 275**—"An Act to Reincorporate the Town of Newark"; 2—Opposing **SB 130**; 2—Opposing **SB 101, 219, 220, 170**, and **182**, and favoring **SB 120**; 1—Favoring **SB 74**; 1—Favoring **SB 3**.

From Wilmington, Del.: Mrs. Mary J. Hetherington, Mrs. Alice E. Newell, Mrs. Irene Mitchell, Mrs. Sarah Fischer, Mrs. L. W. Mulliken, Mrs. Edna A. Sharpless, Geo. W. Sharpless, Maynard Rickenback, Warren D. Walker, Wilmer Pennervill, Kenneth H. Brown, John S. Bennett, Ruth Green, P. S. duPont School; Lindamere Community Assoc., Inc.; Council of Civic Assoc. of Brandywine Hundred, Albert W. James; Walter W. Hynson, Smyrna. Del.; Wilmington District Ministers' Association; Delaware Chapt. American Association of Social Workers; P.T.A. of George Washington School.

Mr. Webb requested that **SB 407** be stricken from the Calendar. Request granted.

Mr. Burkholder moved that the Senate recess until 2 P. M. Motion prevailed.

Senate met at expiration of recess, 3:05 P. M.

Mr. Cabbage, requested that **SB 175** be stricken from the Calendar. Request granted.

Mr. Burkholder moved that the Senate recess for 1 hour. Motion prevailed.

Senate met at expiration of recess, 4:40 P. M.

Mr. Burkholder, on behalf of the Committee on Revised Statutes to whom had been referred **SB 344**, reported the same back to the Senate unfavorably.

Mr. Burkholder, on behalf of the Committee on Revised Statutes to whom had been referred **SB 352, 351, 346**, and **SCR 23**, reported the same back to the Senate on its merits.

Mr. Burkholder, on behalf of the Committee on Revised

Statutes to whom had been referred **SB 347, 363, 367, and 402**, reported the same back to the Senate favorably.

Mr. Hammond, on behalf of the Committee on Finance to whom had been referred **SB 218, HB 323, 322, 109, SB 410 388, 357, 267, and SS for SB 33**, reported the same back to the Senate favorably.

Mr. Hammond, on behalf of the Committee on Finance to whom had been referred **SB 358**, reported the same back to the Senate on its merits.

Mr. Rhodes, on behalf of the Committee on Public Health, to whom had been referred **SB 404**, and **SS for SB 178**, reported the same back to the Senate favorably.

Mr. Rhodes, on behalf of the Committee on Judiciary, to whom had been referred **HB 370, 55** and **SS for SB 231**, reported the same back to the Senate favorably.

Mr. Rhodes, on behalf of the Committee on Private Corporations to whom had been referred **SB 139**, reported the same back to the Senate on its merits.

Mr. Burkholder moved that the Senate resolve itself into Executive Session. Motion prevailed.

On motion of Mrs. Davis, **HJR 2** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" by acclamation, the question was decided in the affirmative and the Resolution having received the required constitutional majority, passed the Senate and was ordered returned to the House.

Mr. Phillips, on motion for leave, introduced **SS for SB 313**—"An Act to Amend Chapter 258, Volume 41, Laws of Delaware, 1937, as Amended, (Known and Cited as the 'Unemployment Compensation Law'), by Increasing the Salaries of the Members of the Unemployment Compensation Commission," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Bulow, on motion for leave, introduced **SS for SB 283**—"An Act to Amend Chapter 20 of the Revised Code of Delaware, 1935, as Amended, Relating to the Insurance Department, and Providing Additional Requirements for Certificate of Authority," which was given first and second reading, the second by title only, and referred to the Committee on Banking and Insurance.

Mr. Burkholder moved that the Senate adjourn until 12 noon, Wed., April 6, 1949. Motion prevailed.

55TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Wed., April 6, 1949, 12 noon, Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Thomas: Almighty God, Father of all light, graciously illumine our hearts. Drive out all

ignorance, error and wrong judgment. Defend us from all irreverence. Deliver us from selfishness and everything that would impoverish our compassion. May Thy Spirit guide us in all our ways and Thy grace bring peace to our souls. Through Jesus Christ, our Lord. Amen.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

The Secretary proceeded to read the Journal of the previous session, when Mr. Burkholder moved so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Communications: 22—Opposing **SB 292**; 1—Opposing **HB 75**, and **SB 130, 292**, and **197**, and favoring **SB 146, 147, 162**; 1—Opposing **SB 153**.

From: Unemployment Compensation Commission of Delaware, Congregation of Marshallton Methodist Church, C. S. Chambers, Marshallton, Del.

From Wilmington, Del.: Vinal E. Hill, Paul E. Kenney, Louise S. Fox, Fred Schmidt, Elizabeth L. Schmidt, Esther M. Laughlin, Cora M. Tomlin, Rev. and Mrs. J. H. Hartley, Elizabeth M. Mirre, Clyde S. Wetzler, Mr. and H. M. Jester, Mrs. C. Gale, Mrs. Alice Traynor, Mrs. W. D. Rollison, Mrs. Geo. W. Beeson, Mrs. George H. Pignerim, Jr.; Mr. and Mrs. L. L. De Munzio, Mrs. Harry Evans, Mrs. J. W. Abbott, Mrs. Pauline Boyer.

Mr. Burkholder moved that the Senate recess until 2 P. M. Motion prevailed.

Senate met at expiration of recess, 3:10 P. M.

The Chair recognized the Jr. Class of the Caesar Rodney High School.

The Chair recognized a former President Pro Tem of the Senate, Mr. Mullhand, who made a few remarks.

Mr. Klair requested that **SB 299** be stricken from the Calendar. Request granted.

Mr. Burkholder, on behalf of the Committee on Revised Statutes to whom had been referred **SB 179**, reported the same back to the Senate favorably.

Mr. Burkholder moved that the Senate recess for one-half hour. Motion prevailed.

Senate met at expiration of recess, 7:10 P. M.

Mr. Bulow, on behalf of the Committee on Temperance to whom had been referred **SB 287**, and **307**, reported the same back to the Senate on their merits.

On motion for leave, Mr. Burkholder introduced **SR 33**—“Appropriating Certain Money Out of the General Fund of the State Treasury to Pay the Per Diem Allowance as Compensation for the Services of the Lieutenant-Governor as President of the Senate, and the Per Diem Allowance as Compensation of the Members of the Senate from the Beginning of the 115th General Assembly to and Including February 22, 1949.”

BE IT RESOLVED by the Senate of the 115th General Assembly 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, for the payment of the per diem allowance as compensation for the services of the Lieutenant-Governor as President of the Senate and the per diem allowance as compensation of the members of the Senate through February 22, 1949, being expenses connected with the present session of the 115th General Assembly, and the State Treasurer is hereby authorized to pay to the respective persons hereinafter named the respective sums set opposite their respective names;

PROVIDED, however, that any sum or sums heretofore paid to the President of the Senate or to any member thereof on account of the per diem allowance as compensation for services during the 115th Session of the General Assembly shall be deducted from the amount set opposite his name so that the total paid to the persons named shall not be in excess of the amounts set forth below:

Alexis I. du Pont Bayard, President	\$372.00
Vera G. Davis, President Pro Tem	372.00
Leon C. Bulow	310.00
E. Paul Burkholder	310.00
R. Allen Cannon	310.00
Dudley Crossley	310.00
William O. Cubbage	310.00
Wilson A. David	310.00
Howard H. Dickerson	310.00
James S. Evans	310.00
Nelson M. Hammond	310.00
John R. Hitchens	310.00
Frederick Klair	310.00
Edwin R. Powell	310.00
Raymond B. Phillips	310.00
John E. Reilly	310.00
George W. Rhodes	310.00
E. Sherman Webb	310.00

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

On the question, "Shall the Resolution be adopted?" by acclamation, the question was decided in the affirmative, and the Resolution having received the required constitutional majority, was adopted.

Mr. Cannon moved that the Senate adjourn until Thurs., April 7, 1949, at 12 noon.

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

YEAS—Messrs. Cannon, Crossley, Cubbage, David, Dickerson, Klair, Reilly, Webb—8.

NAYS—Messrs. Bulow, Burkholder, Evans, Hammond,

Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—9.

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

Mr. Dickerson moved that the Senate recess for one-half hour.

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

YEAS—Messrs. Cannon, Crossley, Cubbage, David, Dickerson, Klair, Reilly, Webb—8.

NAYS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—9.

So the question was decided in the negative and the Motion having received the required constitutional majority was lost.

Mr. Burkholder moved that the Senate adjourn until Thurs., April 7, 1949 at 12 noon.

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

YEAS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—9.

NAYS—Messrs. Cannon, Crossley, Cubbage, David, Dickerson, Klair, Reilly, Webb—8.

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

Mr. Burkholder moved that the Senate adjourn until 12 noon, Thurs., April 7, 1949. Motion prevailed.

56TH LEGISLATIVE DAY

Senate met pursuant to adjournment Thurs., April 7, 1949, 12 noon, Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Thomas: O Thou, Who callest men to places of responsibility and trust, make us ever conscious of Thy presence and responsive to Thy will. Because it has fallen to our lot to render a unique service, make us worthy to receive Thy special blessing. Because we would serve well, grant us that inner core of integrity without which no blessing can be given, none received. Give us understanding and patience. May we think, not in the terms of legislation, but of people. All this we pray in the name of the One Who has given us the perfect example of service, our Lord and Saviour, Jesus Christ. Amen.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

The Secretary proceeded to read the Journal of the previous session, when Mr. Burkholder moved so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Communications: 1—Urging support of **SS** for **SB 67** to establish a State Department of Welfare; from: Mrs. Edward H. North, Sr.

Mr. Bulow, on behalf of the Committee on Fish, Oysters, and Game, to whom had been referred **SB 341, 45, 27, 43, 22, 21, HS** for **HB 87, SS** for **SB 118**, and **SB 314**, reported the same back to the Senate favorably.

Mr. Burkholder moved that the Senate recess until 2 P. M. Motion prevailed.

Senate met at expiration of recess, 2:40 P. M.

The Chair recognized the Members of the Senior Class of Caesar Rodney High School and members of the Clayton School.

Mrs. Davis, on motion for leave introduced **SS** for **SJR 9**—“Authorizing the State of Delaware and the State Highway Department of This State to Sell Transfer, or Purchase Certain Public Lands in the Vicinity of Dewey Beach,” which was given first and second reading, the second by title only, and referred to the Committee on Miscellaneous.

Mrs. Davis, on motion for leave, introduced **SS** for **SB 371**—“An Act to Amend Chapter 6 of the Revised Code of Delaware, 1935, as Amended by Chapter 11, of Volume 43, Laws of Delaware, 1941, Relating to ‘State Revenue,’ Relative to Refund of Gasoline Taxes by State Highway Department,” which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mr. Klair, on motion for leave, introduced **SS** for **SB 417**—“An Act to Amend Chapter 166, Volume 42, Laws of Delaware, by Further Defining the Word ‘Vehicle,’ which was given first and second reading, the second by title only, and referred to the Committee on Buildings and Highways.

The President announced he is about to sign: **HJR 2**.

Mr. Burkholder moved that the Senate recess until the call of the Chair. Motion prevailed.

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

Mr. Burkholder moved that the Senate adjourn until Mon., April 11, 1949, 12 noon.

On the question, “Shall the Motion pass the Senate?” the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—9.

NAYS—Messrs. Cannon, Crossley, Cubbage, David, Dickerson, Klair, Reilly, Webb—8.

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

57TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Mon., April 11, 1949, Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Thomas: O God, our help in

ages past, our hope for years to come; a shelter from the stormy blast and our eternal home. May our hearts be solemnized and our spirits humbled as we enter upon this Holy Week and contemplate once again that supreme event in the annals of time, divine sacrifice for human need, symbolized by a cross. We thank Thee that we can for a moment turn aside from the set tasks and petty cares of our busy lives and direct our thoughts toward the stern reality of those things which have eternal values. Purge our spirits of the blight and bitterness of cynicism, we pray Thee. Cleanse our hearts of all unworthiness and make us true servants of Thy holy will. Through Jesus Christ, our Lord. Amen.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

The Secretary proceeded to read the Journal of the previous session, when Mr. Dickerson moved so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Communications: 6—Opposing **SB 130, 292, and HB 75**. An invitation to the members of the Senate to attend the first scheduled Air Passenger. Mail and Express Service by All American Airways, Inc., at Dover, Delaware, April 11. 1—Opposing **HJR 4 and SJR 6**; 2—Opposing **SB 54, 161, 180, and 233**.

From Ruth B. & Carroll J. Park, Jr., Roselle, Del.; Flora B. Barnes, Roselle, Del.; John R. Furman, Wilmington, Del.; Mrs. Geo. H. Miller, Marshallton, Del.; Mrs. Nora B. Powell, Wilmington, Del.; Mary C. H. Trice, Milford, Del.; Caesar Rodney Chapt. N.S. D.A.R., Wilmington, Del.; Wilmington Chapt. Council for Delaware Education, Inc.

CITY OF DOVER
Mayor and Council

April 7, 1949

Lt. Governor Alexis I. du Pont Bayard
President of the Senate
Legislative Hall
Dover, Delaware.

Dear Lt. Governor Bayard:

Monday, April 11th, Dover, Delaware, will be afforded its first scheduled Air Passenger, Mail and Express Service by All American Airways, Inc.—Delaware's own air line—between Atlantic City, New Jersey and Washington, D. C., via intervening points at Millville, Vineland, Bridgeton, New Jersey, Dover, Delaware and Baltimore, Maryland.

To commemorate this important event, the Dover Chamber of Commerce is arranging First Flight ceremonies and we cordially invite you and the members of the Senate to be present.

State and City dignitaries will participate in the ceremonies at the Dover Army Air Field at 12:25 P. M., the scheduled time for arrival of the first plane.

Governor Elbert N. Carvel and I will cut the ribbon stretched across the door of the All American Airways plane initiating for the City of Dover its First Air Service. Other dignitaries in attendance will include Senator J. Allen Frear, Senator John J. Williams and Representative J. Caleb Boggs. Air line and air express executives will be present.

We sincerely hope it will be possible for you and the members of the Senate to join us in welcoming All American Airways to Dover and Delaware.

Sincerely,

WILLIAM J. STOREY,

Mayor

President Pro Tem presiding.

Mr. Klair, on motion for leave, introduced **SS** for **SB 418**—“An Act to Amend Chapter 165, Volume 42, Laws of Delaware by further Defining the Term ‘Motor Vehicle,’ which was given first and second reading, the second by title only, and referred to the Committee on Buildings and Highways.

On motion for leave, Mr. Hitchens. introduced **SR 34**—“Relative to Payment for Miscellaneous Printing for the Present Session of the Senate.”

BE IT RESOLVED by the Senate of the State of Delaware that the following amounts be and the same are hereby appropriated out of any money in the State Treasury not otherwise appropriated for miscellaneous printing for the Senate of the State of Delaware, the same being expenses connected with the present session thereof, viz.:

To the Hambleton Co., Inc.,

Rule Books	\$200.00
Senate Identification and Certification Cards	18.00
Stationery	31.80
Business Cards	124.10
	<hr/>
	\$373.90

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

On the question, “Shall the Resolution be adopted?” by acclamation, the question was decided in the affirmative, and the Resolution having received the required constitutional majority, was adopted.

Mr. Burkholder moved that the Senate recess until 2:30 P. M. Motion prevailed.

Senate met at expiration of recess, 3:15 P. M., Lt.-Gov. Bayard presiding.

Mr. Rhodes, on behalf of the Committee on Judiciary, to whom had been referred **HB 4**, and **SB 345**, reported the same back to the Senate on their merits.

Mr. Rhodes, on behalf of the Committee on Judiciary to whom had been referred **HB 345**, reported the same back to the Senate favorably.

On motion for leave, Mrs. Davis introduced **SR 35**—"Authorizing Payment on Account to Attaches and Employees of the Senate."

BE IT RESOLVED by the Senate of the 115th General Assembly that the State Treasurer be and he hereby is authorized and directed to pay to any attache or employee, who has been duly appointed by Resolution of the Senate, upon the order of the President Pro Tem of the Senate, sums on account from time to time, not to exceed the total of Six Hundred Dollars (\$600.00) to any one person, on account of services to the present Session of the Senate. Any such sums so paid shall be charged against the salary of the individual attache or employee to whom such sum or sums are paid, and shall be a part of the expenses of this Session of the Senate.

On the question, shall the Resolution be adopted?", by acclamation, the question was decided in the affirmative, and the Resolution was adopted.

Mr. Burkholder, on motion for leave, introduced **SS** for **SB 392**—"An Act to Amend Chapter 98 of Volume 45. Laws of Delaware, 1945, by Establishing Minimum Weights for Ice Cream Sold in Bulk and Providing a Penalty for Sales in Violation Hereof," which was given first and second reading, the second by title only, and referred to the Committee on Public Health.

On motion for leave, Mr. Hitchens. introduced **SR 36**—"Appropriation for Postage Stamps for the Senate of the 115th General Assembly."

BE IT RESOLVED by the Senate of the 115th General Assembly of the State of Delaware, that the sum of Five Hundred Dollars (\$500.00) be and the same is hereby appropriated out of the General Fund in the Treasury of the State of Delaware for the purchase of postage stamps to be used for the official business of the Senate of the 115th General Assembly.

BE IT FURTHER RESOLVED, that the State Treasurer of the State of Delaware is hereby authorized and directed to pay for such postage stamps out of said appropriation upon warrants approved by the State Librarian.

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

On the question, "Shall the Resolution be adopted?" by acclamation, the question was decided in the affirmative, and the Resolution was adopted.

Mr. Burkholder moved that the Senate recess until the call of the Chair. Motion prevailed.

Senate met at expiration of recess 5:05 P. M.

On motion for leave, Mrs. Davis, introduced **SR 37**—"Re-

questing the Attorney General of the State of Delaware to Render an Opinion Relative to the Effect of 5413. Sec. 15. of Chapter 159, Revised Code of Delaware, 1935, upon Pending Legislation."

WHEREAS, House Bill No. 15, commonly known as the Budget Appropriation Bill, has not been approved by both Houses of the 115th General Assembly; and

WHEREAS, 5413. Sec. 15. of the Revised Code of Delaware, 1935. provides as follows:

"If 'The Budget Appropriation Bill' has not been finally acted upon before the fiftieth legislative day of the legislative session, it shall then be considered to the exclusion of all other bills until it is finally disposed of"; and

WHEREAS, the authority of the 115th General Assembly of the State of Delaware to proceed with the consideration and passage of other legislation prior to the approval of the Budget Appropriation Bill has been questioned; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Delaware that Albert W. James, Attorney General of the State of Delaware, be and he is hereby requested to render to the Senate of the 115th General Assembly of the State of Delaware a written opinion as to the constitutional right of the General Assembly to proceed with the consideration and passage of other legislation prior to the ultimate passage and approval of the Budget Appropriation Bill, notwithstanding the provisions of 5413. Sec. 15. of the Revised Code of Delaware, 1935, herein quoted.

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

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

YEAS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—9.

NAYS—Messrs. Cannon, Crossley, Cubbage, David, Dickerson, Klair, Reilly, Webb—8.

By acclamation, the question was decided in the affirmative, and the Resolution was adopted.

Mr. Bulow requested that **SB 39, 40, and 41** be stricken from the Calendar. Request granted.

Mr. Burkholder moved that the Senate adjourn until 11 A. M., Thurs., April 14, 1949.

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

YEAS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—9.

NAYS—Messrs. Cannon, Crossley, Cubbage, David, Dickerson, Klair, Reilly, Webb—8.

So the question was decided in the affirmative, and the Motion having received the required constitutional majority, was sustained.

Mr. Burkholder moved that the Senate adjourn until 11 A. M., Thurs., April 14, 1949. Motion prevailed.

58TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Thurs., April 14, 1949, 11 A. M., Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Thomas: O Thou Lamb of God, Who takest away the sin of the world, with all Christendom we lift our eyes and behold a green hill far away without a city's wall and see dimly silhouetted against the darkened sky a cross. A cross crimson with the blood of redeeming love. A cross hallowed by our Father's forgiveness. A cross sanctified by our Father's solicitude. A cross glorified by our Father's brooding presence. Grant, O God, that all men may find in that cross the truth that will conquer error, a light that will dispel the darkness and bring eternal life to all who look upon it with the eyes of faith. We pray in the name of the One Who said, "And I, if I be lifted up, will draw all men unto Me." Our Lord and Saviour, Jesus Christ. Amen.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

The Secretary proceeded to read the Journal of the previous session, when Mr. Burkholder moved so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Communications: 1—Urging support of SB 3; 1—Opposing **HB 363**; 1—Urging passage of **HB 15** with **SA 1**; 1—Opposing **HB 75**; 16—Opposing **SB 130, 197 and 292**, and favoring **SB 146, 147, and 162**; 3—Opposing **SB 130, and 292**.

From: Miss W. D. Miller, Wilmington, Del.; William S. Golt, Wilmington, Del.; Robert C. Allen, Wilmington, Del.; Petition from Townsend Church, Official Board and members; Wilmington Motor Sales Co.; Wilmington New Century Club; Wilmington Chapt. Council for Delaware Education; New Castle W.C.T.U., Wilmington, Del.; Council of Civic Organizations, Brandywine Hundred.

STATE OF MAINE

In the Year of Our Lord One Thousand Nine Hundred and Forty-Nine

MEMORIAL

To the Honorable Senate and House of Representatives of the United State of America in Congress Assembled

JOINT RESOLUTION REGARDING A CONSTITUTIONAL CONVENTION OF THE UNITED STATES OR AMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES RELATING TO STRENGTHENING THE UNITED NATIONS AND LIMITED WORLD FEDERAL GOVERNMENT.

We, your Memorialists the Senate and House of Representatives of the State of Maine in the ninety-fourth Legislative Session assembled, most respectfully present and petition your Honorable Body as follows:

WHEREAS, War is now a threat to the very existence of our civilization, because modern science has produced weapons of war which are overwhelmingly destructive and against which there is no sure defense; and

WHEREAS, The Effective maintenance of world peace is the proper concern and responsibility of every American citizen; and

WHEREAS, The people of the State of Maine, while now enjoying domestic peace and security under the laws of their local state and federal government, deeply desire the guarantee of world peace; and

WHEREAS, All history shows that peace is the product of law and order, and that law and order are the product of government; and

WHEREAS, The United Nations, as presently constituted, although accomplishing great good in many fields, lacks authority to enact, interpret or enforce world law, and under its present Charter is incapable of restraining any major nations which may foster or foment war; and

WHEREAS, The Charter of the United Nations expressly provides, in Articles 108 and 109, a procedure for reviewing and altering the Charter; and

WHEREAS, Many states have memorialized Congress, through resolutions by their state legislatures or in referenda by their voters, to initiate steps toward the creation of a world federal government; and

WHEREAS, Several nations have recently adopted constitutional provisions to facilitate their entry into a world federal government by authorizing a delegation to such a world federal government of a portion of their sovereignty sufficient to endow it with powers adequate to prevent war; now, therefore, be it

RESOLVED, by the Senate and House of the State of Maine, that application is hereby made to the Congress of the United States, pursuant to Article V of the Constitution of the United States, to give serious consideration to the calling of a convention for the sole purpose of proposing amendments to the Constitution which are appropriate to authorize the United States to negotiate with other nations, subject to later ratification, a constitution of a world federal government, open to all nations, with limited powers adequate to assure peace, or amendments to the Constitution which are appropriate to ratify any world constitution which is presented to the United States by the United Nations, by a world constitutional convention or otherwise; and be it further

RESOLVED, That the Secretary of the State of Maine is hereby directed to transmit copies of this application to the Senate and the House of Representatives of the Congress, to

the members of the said Senate and House of Representatives from this staté, and to the presiding officers of each of the legislatures in the several states, requesting their cooperation.

House of Representatives
Read and Adopted
April 1, 1949
Sent up for Concurrence
HARVEY R. PEASE,
Clerk

In Senate Chamber
April 4, 1949
Read and Adopted
In Concurrence
CHESTER T. WINSLOW,
Secretary

UNITED STATES OF AMERICA
STATE OF MAINE

Office of Secretary of State

I, HAROLD I. GOSS, Secretary of State of the State of Maine, and custodian of the seal of said State, do hereby certify:

That I have carefully compared the annexed copy of the Memorial to the Honorable Senate and House of Representatives of the United States of America assembled, with the original thereof, and that it is a full, true and complete transcript therefrom and of the whole thereof.

(SEAL)

In testimony Whereof, I have caused the seal of the State to be hereunto affixed. GIVEN under my hand at Augusta, this Eleventh day of April in the year of our Lord one thousand nine hundred and forty-nine and in the one hundred and seventy-third year of the Independence of the United States of America.

HAROLD I. GOSS,
Secretary of State

Messrs. Powell and Reilly, on motion for leave, introduced **SS** for **SB 292**—"An Act Proposing an Amendment to Section 17 of Article II of the Constitution of the State of Delaware, Relating to the Sale of Lottery Tickets, Pool Selling and Other Forms of Gambling," which was given first and second reading, the second by title only, and referred to the Committee on Miscellaneous.

Mr. Burkholder moved that the Senate recess until 2 P. M. Motion prevailed.

Senate met at expiration of recess, 2:30 P. M.

The President presented an opinion from the Attorney General in regard to **SR 37**,

Mrs. Davis moved the opinion be incorporated in the Senate Journal. Motion prevailed.

Wilmington 33, Delaware

April 13, 1949

Mr. Alexis I. duPont Bayard, President
State Senate
Dover, Delaware

Dear Mr. President:

I am in receipt of Senate Resolution No. 37 adopted by the House of Representatives of the 115th session of the Delaware General Assembly on April 11, 1949. By virtue of that Resolution, you request my opinion as to the validity of Par. 5413 of the Revised Code of Delaware, 1935, and the effect of said Paragraph upon the action of the present General Assembly upon any bills that may be considered and enacted into law without regard to the provisions of said Paragraphs.

STATUTE IN QUESTION

Ch. 81 of 37 Laws of Delaware (1931) provides for the creation of a Board of Budget Directors, and Sec. 15 of said Act further provides:

"If 'The Budget Appropriation Bill' has not been finally acted upon before the fiftieth legislative day of the legislative session, it shall then be considered to the exclusion of all other bills until it is finally disposed of." (Reported in the Revised Code of Delaware, 1935, as Par. 5413.)

THE LAW

Constitutional Provisions

Sec. 1 of Art. II of our State Constitution provides:

"The legislative power of this State shall be vested in the General Assembly, which shall consist of a Senate and House of Representatives."

Elsewhere, at Sec. 9 of Art. II, it is stated:

"Each House may determine the rules of its proceedings, . . . and shall have all other powers necessary for a branch of the Legislature of a free and independent State."

Supremacy of Legislature

To the Legislative Department of Government is confided the authority under the Constitution to make, alter or repeal laws. The State Legislature possesses all legislative power, except such as has been delegated to Congress, and prohibited by the Constitution of the United States to be exercised by the

United States, and such as is expressly or impliedly withheld by the State Constitution from the State Legislature. The only limitations, therefore, upon the power of the Legislature, are those imposed by the State Constitution, and The Federal Constitution and the Treaties and Acts of Congress adopted and enacted under it. In the case of *Rice vs. Foster*, 4 Harr. 479, at p. 489, Chief Justice Booth stated:

“The making of laws is the highest act of sovereignty that can be performed in a free nation; and therefore the legislative power may be truly said to be the supreme power of a state.”

The power of the Legislature is quite broad, but it has always been universally held that one Legislature may not restrict, limit or bind the power of its successors.

Harsha v. Detroit, 261 Mich. 586, 246 N.W. 848, 90 A.L.R. 853

Gonzales v. Sullivan, 16 Fla. Rep. 791

French v. Senate, Book 69 LRA 556

State ex rel. Anderson v. Brand (Ind.), 5 N.E. (2d) 531, 913, 110 A.L.R. 778

Talbott v. Independent School District, 230 Iowa 949, 299 N.W. 556, 137 A.L.R. 234

(Par. 238) 2.—12 C.J. 806

This principle was very aptly stated by the Supreme Court of the United States in the case of *Woodruff v. Trapnall*, 10 How. 190, as follows:

“It is a principle controverted by no one, that, on general questions of policy, one Legislature cannot bind those which shall succeed it . . .”

In the case of *Stone vs. Mississippi*, 101 U.S. Rep. 814, at p. 820, the Court stated:

“But the power of governing is a trust committed by the people to the government, no part of which can be granted away. The people, in their sovereign capacity, have established their agencies for the preservation of the public health and the public morals, and the protection of public and private rights. These several agencies can govern according to their discretion, if within the scope of their general authority, while in power; but they cannot give away nor sell the discretion of those that are to come after them, in respect to matters the government of which, from the very nature of things, must ‘vary with varying circumstances.’”

Rules of Procedure

Proper subjects of the rules of procedure have been defined as rules made by any legislative body as to the mode and manner of conducting the business of the body. They are intended for the orderly and proper disposition of the matters before it.

Thus, what committees, and upon what subjects they shall be appointed; what shall be the daily order in which the business shall be taken up; in what order certain motions shall be received and acted upon, and many other kindred matters. *Heiskell v. City of Baltimore*, (Ct. of Appeals of Md.) 4 Atl. 116, at p. 118.

Also, in the opinion of the Chief Justice of the Supreme Court of Georgia in the case of *South Georgia Power Co. v. Baumann*, 151 S.E. 513, at p. 515, the Court stated:

“But it is strenuously insisted that the ordinance is void because it was passed at a special called meeting of council and not read twice as required by the provisions of an ordinance contained in the Code of the city of Nashville, passed in 1919, as well as an ordinance passed in 1915, prescribing a rule for the passage of ordinances. Rules of procedure passed by one legislative body are not binding upon subsequent legislative bodies operating within the same jurisdiction. No legislative body can divest its successor of its legislative powers by passing ordinances or resolutions which deprive their successor of the power to exercise fully their legislative discretion. Each legislative body, when it meets, and unless restrained by the authority which created it, is without rules of procedure, and has inherent power to make its own rules without reference to the action of preceding bodies. Where a city council resolves that the rules of the prior council be adopted until a committee reports rules, the prior rules cease to be in force on the report of the committee.”

See also 59 C.J., Par. 67B, p. 92.

Sec. 1, Art. II of the Constitution of the State of Delaware, *infra*, recognizes the right of each House to fix its own rules and mode of procedure in the performance of its duties. Each and every session of the General Assembly has the power vested in it to determine what legislation will be adopted, and the power to set the order in which it will consider such legislation, and without any interference or restraint attempted to be imposed by any antecedent General Assembly. This principle is inherent and deeply rooted in our constitutional form of government. In this connection, Chief Justice Booth, in the case of *Rice vs. Foster* above mentioned, stated:

“An act of the legislature directly repugnant to the nature and spirit of our form of government, or destructive of any of the great ends of the constitution, is contrary to its true intent and meaning; and can have no more obligatory force, than when it opposes some express prohibition contained in that instrument. It is irrational to maintain, that such an act is a law, when it defeats the very object and intention of granting legislative power.”

OPINION

Sec. 15, 37 Laws of Delaware (1931) (Par. 5413 of the Revised Code of Delaware, 1935), in my opinion, was binding upon that session of the General Assembly because the members thereof adopted it to govern their procedure. However, this provision is not binding upon any subsequent General Assembly.

Sec. 15 of the 1931 Act creating the Board of Budget Directors is but a rule of legislative procedure, incorporated in the Statute. It is an invitation to future Legislatures to readopt it and to adhere to it in dealing with the Budget Appropriation Bill, though future Legislatures are not bound to do so. It merely declares a rule of priority in considering budget appropriation bills. Since each house is empowered to determine the rules of procedure by which its operation shall be governed and controlled, it is within the regulatory power of each house to accept or reject such a rule of priority.

Sec. 15 of said Act can have no binding effect upon the rules to be adopted by subsequent Legislatures. Being a rule of procedure, it expired with the Legislature adopting it, unless readopted by future Legislatures.

It is my opinion that the 115th session of the General Assembly is not bound by the provisions of Sec. 15 of Ch. 81, 37 Laws of Delaware, adopted in 1931 (Par. 5413 of the Revised Code of Delaware, 1935). It is my further opinion that the 115th session of the General Assembly may proceed with the consideration and passage of other legislation prior to the ultimate passage and approval of the Budget Appropriation Bill.

Very truly yours,

ALBERT W. JAMES
Attorney General.

On motion for leave, Mr. Hitchens introduced **SR 38**—
“Relative to Payment on Account for Collecting Data, Compiling, Editing and Publishing the Daily Calendar for the State Senate.”

BE IT RESOLVED by the Senate of the State of Delaware that the following amount be and the same is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, for collecting data, compiling, editing and publishing the Daily Calendar for the Senate of the State of Delaware, same being expense connected with the present Session thereof, viz.:

To the Sussex Countian, Georgetown, Delaware, Seven Thousand Eight Hundred Thirty-Eight Dollars and Thirty Cents (\$7,838.30), being part payment on account for above.

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

On the question, “Shall the Resolution be adopted?” by

acclamation, the question was decided in the affirmative, and the Resolution was adopted.

Mr. Bulow, on behalf of the Committee on Fish, Oysters and Game to whom had been referred **SB 36**, reported the same back to the Senate favorably.

Mr. Cannon moved that the Senate recess until the call of the Chair. Motion prevailed.

Senate met at expiration of recess, 4:50 P. M.

The Secretary-at-Arms announced the Secretary of State.

The Secretary of State, being admitted, presented two communications from the Governor.

The Chair referred one to the Executive Committee and requested the reading Clerk to read the other communication to the members of the Senate.

Mrs. Davis requested the communication be incorporated into the Senate Journal.

STATE OF DELAWARE

Executive Department

Dover, April 14, 1949

To the President of the Senate
of the 115th General Assembly.

Dear Mr. President:

Will you please have the following message promptly read to the members of the Senate:

It has come to my attention that the Attorney General has ruled that 5413, Section 15 of Chapter 158 of the Revised Code of Delaware, 1935, is not binding upon this Legislature. I would like to point out that when this law was passed in 1931 by the majority of both Houses of the Legislature, it was signed by the Governor of the State. Without the Governor's approval it would take at least 60% of the elected members of each House of the Legislature to make such a law. Although a majority of each House of the Legislature may make its own rules without regard to any Executive authority, it takes 60% of the members of each House of the Legislature to enact legislation into law without Executive approval. The Legislature has the opportunity to repeal 5413, Section 15 of Chapter 158 of the Revised Code of Delaware by following one of the above methods. The responsibility for ignoring this law must rest solely upon the members of the General Assembly who see fit to take such a course.

The opinion of the Attorney General is silent as to the binding effect of the provisions of Chapter 158 of the Revised Code upon the Executive Department. In this connection, attention should be given to the provisions of 5410, Section 12 of said Chapter which provides:

"General Assembly May Make Changes; Items Not to be Decreased or Eliminated:—The General Assembly

may increase, decrease or eliminate items in The Budget Appropriation Bill in any way that is not contrary to the Constitution of the State of Delaware, except as hereinafter provided; but neither House shall consider further or special appropriations, except in case of emergency, which fact shall be clearly stated in the appropriation bill therefor, until The Budget Appropriation Bill shall have been finally acted upon by both Houses. Provided, however; no items providing for appropriations for payment of interest or principal due on State debt shall be decreased or eliminated; the total budget appropriation items may not be increased in the aggregate to a point where they would exceed the State revenue from all sources as estimated in the budget."

The General Appropriation Bill may be compared with the general operating budget of a business organization. Supplemental Appropriation Bills as passed by previous General Assemblies ordinarily provide for such items as capital expenditures, unforeseeable emergencies, assistance to State-paid, but not State-owned, institutions, etc.

Until the General Appropriation Bill, the State's operating budget, has been passed the Executive Department cannot have any foundation upon which to intelligently build a sound over-all fiscal program or policy for the State. The Executive Department cannot know what supplementary appropriation bills can be approved and be within the income and surplus of the State until the General Operating Budget has been fixed. Common sense and good business judgment is soundly and wisely expressed in the provisions of Chapter 158, and should be adhered to as a guide by both the Legislative and Executive Departments of the State, even though the Attorney General calls the provisions thereof merely "resolutions of procedure."

The reasons for the present deadlock in the Legislature are difficult for me to understand. However, I am ready, as I have always been, to immediately confer with members of both political parties in the Senate and the House to find a basis for breaking this stalemate to the normal Legislative procedure. I have defined my position and I urgently ask your cooperation.

Cordially,

ELBERT N. CARVEL,
Governor

The Chair invited Mr. William Richards, a Senior at the Lewes High School, to be seated on the Rostrum.

Mr. Hammond, on behalf of the Committee on Finance to whom had been referred **SB 286**, reported the same back to the Senate on its merits.

Mr. Hammond, on behalf of the Committee on Banking and

Insurance to whom had been referred **SB 229, 79, and 38**, reported the same back to the Senate favorably.

Mr. Phillips, on behalf of the Committee on Education to whom had been referred **HB 154**, reported the same back to the Senate favorably.

Mr. Dickerson moved that the Senate recess until the call of the Chair.

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

YEAS—Messrs. Cannon, Crossley, Cubbage, David, Dickerson, Klair, Reilly, Webb, Madam President Pro Tem—9.

NAYS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Phillips, Powell, Rhodes—8.

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

On motion of Mr. Rhodes, **SB 120** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—9.

NAYS—None.

NOT VOTING—Messrs. Cannon, Crossley, Cubbage, David, Dickerson, Klair, Reilly, Webb—8.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted, and ordered to the House for concurrence.

Mr. Phillips moved that Rule 14, Section 2 be suspended for today.

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

YEAS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—9.

NAYS—Messrs. Cannon, Crossley, Cubbage, David, Dickerson, Klair, Reilly, Webb—8.

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

On motion of Mr. Phillips, **SB 145** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—9.

NAYS—None.

NOT VOTING—Messrs. Cannon, Crossley, Cubbage, David, Dickerson, Klair, Reilly, Webb—8.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

Mr. Spruance, Chief Clerk of the House, being admitted, informed the Senate that the House had concurred in the following: **SCR 20**, and returned the same to the Senate.

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

HCR 13—"Making an Appropriation for Postage Stamps and Other Supplies for the 115th General Assembly";

HS 2 for HB 36—"An Act to Amend Chapter 31 of the Revised Code of Delaware, 1935, as Amended, Relating to the Delaware State Board of Examiners in Optometry";

HB 74—"An Act Making Appropriations for the Payment of Temporary Increases in the Salaries of Certain Employees of the State for the Fiscal Years Ending June 30, 1950 and June 30, 1951, Respectively";

HB 246—"An Act Making an Appropriation to the Delaware Commission of Shell Fisheries for the State's Share of the Initial Cost of the Improvement of a Channel across Rehoboth Bay to the Channel Leading from Millsboro through Indian River to the Inlet, and Authorizing and Empowering Said Commission to Act as the Agent of the State of Delaware";

HB 324—"An Act to Amend Chapter 165, Revised Code, 1935, as Amended, Entitled, 'Motor Vehicles,' Relating to Drawn and Semi-Trailer Type of Earth Moving Scrapers or Haulers";

HB 326—"An Act to Require the Railroad Company Owning and Controlling the Bridge over the Railroad Tracks of the Baltimore and Ohio Railroad Company on What Is Known as Harvey Road, Leading from the Philadelphia Pike to the Intersection of Said Road with Naaman's Road, at What Is Known as Point Breeze, in New Castle County, to Increase the Capacity of Said Bridge So That Weights of Vehicle and Loads up to Twenty Tons Can Safely Cross Said Bridge";

HB 328—"An Act to Require the Railroad Company Owning and Controlling the Bridge over the Baltimore and Ohio Railroad Tracks at Carpenter's Station, Where the Naaman's Road Crosses the Said Railroad Tracks, in New Castle County, to Widen and Increase the Capacity of Said Bridge and Provide a Walk-Way for Pedestrians";

HB 348—"An Act to Amend Chapter 175 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Delaware Workmen's Compensation Law,' Relating to Death, Duty of Employer";

HB 349—"An Act to Amend Chapter 175 of the Laws of Delaware, 1935, as Amended, Entitled 'Delaware Workmen's

Compensation Law,' by Extending the Provisions for Payments Thereunder of Occupational Diseases";

HB 350—"An Act to Amend Chapter 175 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Delaware Workmen's Compensation Law.' by Increasing the Provisions for Payments Thereunder";

HB 351—"An Act to Authorize the Industrial Accident Board to Transfer Certain Bonds Now Held by the Industrial Accident Board in Trust of Certain Insurance Carriers and Self-Insurers to the Insurance Commissioner of the State of Delaware";

HB 352—"An Act to Amend Chapter 6 of the Revised Code of the State of Delaware of 1935, as Amended, Relating to Inheritance Tax";

HB 353—"An Act to Amend Chapter 6 of the Revised Code of Delaware, 1935, in Reference to Non-Resident Peddlers and Auctioneers";

HB 358—"An Act to Amend Chapter 6 of the Revised Code of the State of Delaware, 1935, as Amended, Relating to Inheritance Tax";

HB 359—"An Act to Amend Chapter 6 of the Revised Code of the State of Delaware of 1935, as Amended, Relating to Delaware Estate Tax"; and presented the same to the Senate.

On motion of Mr. Burkholder, **SB 160** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—9.

NAYS—None.

NOT VOTING—Messrs. Cannon, Crossley. Cubbage, David, Dickerson, Klair, Reilly, Webb—8.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Phillips, **SB 188** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—9.

NAYS—None.

NOT VOTING—Messrs. Cannon, Crossley. Cubbage, David, Dickerson, Klair, Reilly, Webb—8.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

Mr. Klair moved that the Senate adjourn until Tues., April 19, 1949 at 11 A. M.

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

YEAS—Messrs. Cannon, Crossley, Cabbage, David, Dickerson, Klair, Reilly, Webb—8.

NAYS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—9.

So the question was decided in the negative and the Motion was lost.

On motion, of Mr. Phillips. **SB 189** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—9.

NAYS—None.

NOT VOTING—Messrs. Cannon, Crossley, Cabbage, David, Dickerson, Klair, Reilly—7.

ABSENT—Mr. Webb—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

Mr. Burkholder moved that the Senate adjourn until 12 noon, Tues., April 19, 1949. Motion prevailed.

59TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Tues., April 19, 1949, 12 noon, Lt.-Gov. Bayard presiding.

Prayer by the Chaplain—Rev. Wikins: Almighty God our Heavenly Father, we pause at the beginning of another legislative week to refresh ourselves by thy presence, that we may see that only high ideals have our support or benefit, and that our plans will succeed only as we follow thy will. Be with these and other members of this Assembly, the Governor, Representatives in the national legislature, and in the homes where strength and comfort are needed. We ask not that our plans be approved in thy sight, but that we be channels of thy redemptive will among the people. In Thy Son's name. Amen.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

The Secretary proceeded to read the Journal of the previous session, when Mr. Burkholder moved so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Communications: 4—Opposing **SB 130, 292, and HB 75**; 1—Favoring **SB 166, 167, 192, 194 and HB 288, 290, 291, and 292**; 1—Favoring **SB 74**; 1—Opposing **SB 54 and 233, 161 and 180** and favoring **SB 74**; 1—Favoring **SB 286**; 1—Favoring **SB 221**; 1—Opposing **HB 363**; 1—Opposing **HB 461**.

From: Margaret E. Smith, Wilmington, Del.; Elizabeth B. Johnson, Wilmington, Del.; Mrs. L. J. Keyser, Wilmington, Del.; Mrs. Nora B. Powell, Wilmington, Del.; Wilmington Chamber of Commerce; P.T.A. Bancroft School, Wilmington, Del.; City of Harrington, Council members; Medical Society of Delaware; Kent County Real Estate Board, Dover, Del.; Norman H. Taylor, Richardson, Park, Del.

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

HCR 14—"Amending House Concurrent Resolution No. 12 Fixing the Time after Which No New Bills or Joint Resolutions Shall Be Received by the Senate or by the House of Representatives of the 115th General Assembly, Except General Appropriation Bills, by Providing for the Introduction of a New House Bill to Be Numbered No. 611, Entitled, 'An Act to Amend Chapter 158, Revised Code of Delaware, 1935, as Amended, by Repealing the Provision of Law Requiring Exclusive Consideration of the Budget Bill, When,'" and presented the same to the Senate.

Mr. Burkholder moved that the Senate recess for 10 minutes. Motion prevailed.

Senate met at expiration of recess, 1:10 P. M.

Mr. Burkholder moved that the Senate recess until 2:30 P. M. Motion prevailed.

Senate met at expiration of recess, 4:20 P. M.

On motion of the Chair, **HCR 14** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" by acclamation, the question was decided in the affirmative, and the Resolution having received the required constitutional majority, Mrs. Davis moved the adoption of the Resolution and ordered returned to the House.

The President Announced he is about to sign: **HCR 14**.

On motion for leave, Mr. Cabbage introduced **SR 39**—"Commemorating the Distinguished and Courageous Service of the American Forces at the Battle of Lexington on April 19, 1775."

WHEREAS on April 18, 1775 the American Colonists were called to arms by the stirring ride of Paul Revere in defense of their beliefs and convictions of colonial freedom; and

WHEREAS on April 19, 1775, American Colonists engaged in what is now known as the Battle of Lexington; and

WHEREAS, the successful engagement of this first battle on American soil has been an inspiration to all generations of freedom-loving Americans; NOW THEREFORE

BE IT RESOLVED that the Senate of the 115th General Assembly hereby acknowledges and commemorates the distinguished and courageous service of the American forces at the Battle of Lexington on April 19, 1775.

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

On the question, "Shall the Resolution be adopted?" by acclamation, the question was decided in the affirmative, and the Resolution having received the required constitutional majority, Mr. Cabbage moved adoption of the Resolution. Ordered to the House for concurrence.

Mr. Phillips, on behalf of the Committee on Claims to whom had been referred **SS** for **SJR 3**, and **HB 263**, reported the same back to the Senate favorably.

Mr. Phillips, on behalf of the Committee on Claims to whom had been referred **SB 302**, and **196**, reported the same back to the Senate on their merits.

Mr. Klair requested that **SB 187** be stricken from the Calendar. Request granted.

Mr. Burkholder moved that all House Bills introduced today be given their first and second reading by title only. Motion prevailed.

Mr. Burkholder moved that Rule 22 be suspended today for the purpose of acting on **HB 611**. Motion prevailed.

The Chair presented **HB 74**, and **246**, which were given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had passed and requested the concurrence of the Senate in the following: **HCR 10**, and presented the same to the Senate.

The Chair presented **HB 324**, **326**, and **328**, which were given first and second reading, the second by title only, and referred to the Committee on Buildings and Highways.

The Chair presented **HB 348**, **349**, and **350**, which were given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

The Chair presented **HB 351**, which was given first and second reading, the second by title only, and referred to the Committee on Banking and Insurance.

The Chair presented **HB 353**, which was given first and second reading, the second by title only, and referred to the Committee on Miscellaneous.

The Chair presented **HB 352**, **358**, and **359**, which were given first and second reading, the second by title only, and referred to the Committee on Finance.

The Chair presented **HS 2** for **HB 36** with **HA 1** and **2**, which was given first and second reading, the second by title only, and referred to the Committee on Public Health.

Mr. Burkholder moved that the Senate recess for 30 minutes. Motion prevailed.

Senate met at expiration of recess, 5:10 P. M.

Mr. William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had passed and requested the concurrence of the Senate in the following: **HB 611**—"An Act to Amend Chapter 158, Revised Code of Delaware, as Amended, by Repealing the Provision of Law Requiring Exclusive Consideration of the Budget Bill, When"; and presented the same to the Senate.

The Chair presented **HB 611**, which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mr. Burkholder moved that the Senate recess for 5 minutes. Motion prevailed.

Senate met at expiration of recess, 5:30 P. M.

Mr. Burkholder, on behalf of the Committee on Revised Statutes to whom had been referred **HB 611**, reported the same back to the Senate favorably.

On motion of Mr. Burkholder, **HB 611** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion for leave, Mr. Phillips introduced **SR 40**—"Making an Appropriation for Telephone Service Charges and Toll Calls in Connection with the Work of the Senate of the 115th General Assembly of the State of Delaware."

BE IT RESOLVED by the Senate that the following amount be, and it is hereby appropriated, to pay for telephone service charges and toll calls in connection with the work of the Senate of the 115th Session of the General Assembly of the State of Delaware, which convened January 4, A. D. 1949, and that the State Treasurer be, and he is hereby authorized and directed to pay to The Diamond State Telephone Company the total of the items listed in this resolution, as follows:

Local Service and Equipment (1 month in advance)	\$ 9.00
Toll Service and Telegrams	257.65
Credit on Last Bill68
	<hr/>
	\$265.97

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

On the question, "Shall the Resolution be adopted?" by acclamation, the question was decided in the affirmative, and the Resolution having received the required constitutional majority, Mr. Phillips moved the adoption of the Resolution.

Mr. Burkholder moved that the Senate recess for 15 minutes. Motion prevailed.

Senate met at expiration of recess, 6:05 P. M.

Mr. Burkholder moved that the Senate adjourn until 11 A. M., Wed., April 20, 1949. Motion prevailed.

60TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Wed., April 20, 1949, 11 A. M., Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Thomas: Our Father, wilt Thou graciously reveal Thyself to us as we pause for a moment to seek Thy blessing. Thou hast taught us that we are made in Thy image and our lives are the temples of Thy holy presence. May we regard the faithful service of this state as a sacred trust. May we approach our labors with clean hands, clear minds and courageous hearts. May we prize the satisfaction of a good conscience above worldly preferment. Throughout this day and every day may we walk with Thee in the bright fellowship of those who fight to keep the faith. Through Jesus Christ, our Lord. Amen.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

The Secretary proceeded to read the Journal of the previous session, when Mr. Dickerson moved so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Communications: 1—Favoring **SB 193, 273, 309, 306.** and **291**; 3—Opposing Bill to permit trucks to increase loads in the movement of freight over the highways of the State of Delaware; 1—Opposing **SB 292.**

From: Chamber of Commerce, Wilmington, Del.; Officers and Members of Local No. 2, A. F. of L., Wilmington, Del.; Men's Fellowship of Newport Methodist Church.

Mr. Burkholder moved that the Senate recess until 2 P. M. Motion prevailed.

Senate met at expiration of recess, 2:45 P. M.

The President announced he is about to sign: **HB 611.**

Mr. Bulow requested that **SB 56** be stricken from the Calendar. Request granted.

Mr. Burkholder requested that **SB 47** be stricken from the Calendar. Request granted.

Mr. Klair, on motion for leave, introduced **SS** for **SB 69**—
"An Act to Establish the Office of State Fire Marshal for the

State of Delaware outside of the City of Wilmington, Providing for His Appointment, Salary and the Expenses of His Office; Defining His Powers and Duties; Providing for His Deputies, Their Instructions, Duties and Reports; Providing for the Investigation of the Cause and Origin of Fires; Providing for Reports of Fire Insurance Companies; Providing for Regulations with Regard to Inflammable and Explosive Materials, Powers in Connection Therewith, Orders, and Penalty for Failure to Comply Therewith; Providing for Investigation and the Summoning of Witnesses; Records and Reports; Providing for Fire Drills in Public Schools; Providing an Appropriation for the Salary and Expenses of the Fire Marshal and Providing for an Appeal to the Superior Court from the Orders of the Fire Marshall," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

On motion for leave, Mr. Reilly introduced **SR 41**—"Commemorating the Establishing of the Free Republic of Ireland."

WHEREAS, after 780 years of rule under the British there now has been established among the free nations of the world the Republic of Ireland; and

WHEREAS, the said Republic of Ireland has the admiration and good wishes of freedom loving people in the State of Delaware and throughout the world; NOW, THEREFORE,

BE IT RESOLVED that the Senate of the 115th General Assembly hereby expresses its best wishes to the Republic of Ireland for continued prosperity and life as a free and independent nation.

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

Mr. Reilly moved the adoption of the Resolution. Motion prevailed.

Mr. Bulow, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred **SB 99, 368, and 44**, reported the same back to the Senate favorably.

On motion of Mr. Dickerson, **SB 54** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On motion of Mr. Evans, **SA 1 to SB 54** was taken up for consideration and read in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Evans, Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—8.

NAYS—Messrs. Cannon, Crossley, Cubbage, David, Dickerson, Klair, Reilly, Webb, Mr. President—9.

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

Mr. Evans moved that action be deferred on **SB 54**.

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

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

YEAS—Messrs. Bulow, Burkholder, Evans, Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—8.

NAYS—Messrs. Cannon, Crossley, Cabbage, David, Dickerson, Klair, Reilly, Mr. President—8.

NAYS—None.

ABSENT—Mr. Hammond—1.

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

On motion of Mr. Phillips, **SA 2** to **SB 54** was taken up for consideration and read in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Evans, Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—8.

NAYS—Messrs. Cannon, Crossley, Cabbage, David, Dickerson, Klair, Reilly, Webb, Mr. President—9.

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

Mr. Cannon moved that the Senate vote on **SB 54**.

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

YEAS—Messrs. Cannon, Crossley, Cabbage, David, Dickerson, Klair, Reilly, Webb—8.

NAYS—Messrs. Bulow, Burkholder, Evans, Hitchens, Phillips, Powell, Rhodes—7.

NOT VOTING—Madam President Pro Tem—1.

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

On motion of Mr. Phillips, **SA 3** for **SB 54** was taken up for consideration and read in order to pass the Senate.

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

YEAS—Messrs. Burkholder, Evans, Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—7.

NAYS—Messrs. Cannon, Crossley, Cabbage, David, Dickerson, Klair, Reilly, Webb—8.

ABSENT—Messrs. Bulow, Hammond—2.

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

Mrs. Davis moved that action be deferred on **SB 54** until Thurs., April 21, 1949.

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

YEAS—Messrs. Burkholder, Evans, Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—7.

NAYS—Messrs. Cannon, Crossley, Cabbage, David, Dickerson, Klair, Reilly, Webb—8.

ABSENT—Messrs. Bulow, Hammond—2.

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

The President announced he is about to sign: **SCR 20**.

Mr. Reilly moved that the Senate recess for 10 minutes. Motion prevailed. Senate met at expiration of recess.

Mr. Cannon moved that action be deferred on **SB 54**. Motion prevailed.

On motion of Mr. Cannon, **SB 186** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Bulow, Hammond, Hitchens—3.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Phillips, **SB 227** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" Mr. Dickerson moved that action be deferred on **SB 227**. Motion prevailed.

On motion of Mr. Burkholder, **SB 277** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Madam President Pro Tem—14.

NAYS—Mr. Webb—1.

ABSENT—Messrs. Bulow, Hammond—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

Mr. Powell, on behalf of the Committee on Miscellaneous to whom had been referred **HB 266**, and **SB 160**, reported the same back on the Senate unfavorably.

Mr. Powell, on behalf of the Committee on Miscellaneous to whom had been referred **HS** for **HB 305**, **SB 202**, **SS** for **SJR**

9, SB 353, and 396, reported the same back to the Senate on their merits.

Mr. Powell, on behalf of the Committee on Miscellaneous to whom had been referred **SB 303, 331, HB 203, and 295,** reported the same back to the Senate favorably.

Mr. Powell, on behalf of the Committee on Agriculture to whom had been referred **SB 335,** reported the same back to the Senate on its merits.

The Chair presented **HCR 10,** which was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" Mr. Burkholder moved the adoption of the Resolution. Motion prevailed. Ordered returned to the House.

The Chair appointed Mr. Klair and Mr. Phillips to serve on the Committee.

The Chair presented **HCR 13,** which was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" Mr. Burkholder moved the adoption of the Resolution. Motion prevailed. Ordered returned to the House.

On motion of Mr. Hitchens, **SB 297** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Bulow, Hammond—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Hitchens, **SB 298** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hitchens, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Bulow, Hammond, Powell—3.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

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

HB 42—"An Act to Amend Chapter 71 of the Revised Code of Delaware, 1935, Relating to Free Public Schools, by Providing for Referenda to Authorize the Levy and Collection of Additional Taxes for School Purposes on the Basis of Either a Specified Amount of Taxation or a Specified Rate of Taxation and to Continue the Tax on the Same Basis";

HB 148—"An Act to Amend Article 1, Chapter 43 of the Revised Code of the State of Delaware, 1935, as Amended by Chapter 113, Volume 45, Laws of Delaware, 1945, Relating to the Levy Court of New Castle County and Providing for the Creation of Sanitary Districts for the Purpose of Providing for the Installation and Maintenance of Sewerage Systems and Treatment Plants in Whole or in Part, for the Issuing of Bonds to Finance the Cost of Such Improvements and Providing for the Assessment of Costs and Levying of Taxes for the Payment of Such Bonds and the Interest Thereon and for the Operation and Maintenance Costs of Such Sewerage Systems and Sewage Treatment Plants and Validating Acts and Proceedings Heretofore Done and Taken to Establish Sanitary Districts Pursuant to Such Act";

HB 171—"An Act to Amend Chapter 189, Volume 43, Laws of Delaware, Entitled 'An Act Changing the Corporate Name of "The Commissioners of Wyoming" to "The Town of Wyoming" and Establishing a Charter Therefor,' by Providing for an Increase in the Limit of the Amount to Be Raised by Taxation";

HB 180 with **HA 1**—"An Act to Amend Chapter 79 of the Revised Code of Delaware, 1935, Relating to Mortgages on Chattels and Crops; Providing for Mortgages on Chattels of Any Kind Including Livestock, Poultry, Farm Machinery, Farm Equipment and Crops Grown, Growing or to Be Grown; Providing for the Filing, Docketing and Indexing Thereof in Recorder's Office and the Effect Thereof; Prescribing Fees, Regulating Assignment, Release, Satisfaction and Extension of the Liens of Such Mortgages; Prescribing Methods of Foreclosure, Defining Defaults and Violations and Fixing Penalties and Repealing Articles 2, 10 and 11 of the Said Chapters";

HB 185—"An Act to Amend Chapter 150 of the Revised Code of Delaware, 1935, Relating to 'Peeping Toms'";

HB 187—"An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, Relating to the Registration of Motor Vehicles";

HB 262—"An Act to Amend Chapter 237, Volume 46, Laws of Delaware, Entitled 'An Act Providing for the Payment of Pension Benefits to Certain Employees of the Mayor and Council of Wilmington, Fixing Ages of Retirement, Establishing Benefits Payable and the Source of Payment Thereof, Providing for Application for Pensions and the Procedure to Be Followed with Respect Thereto, Providing that Pension Benefits Shall Be Free of Attachment and Liability for State and Local Income Taxes and Non-assignable, and Also Providing for the Reduction of Benefits under Certain Conditions,' by Reducing the Period of

Service for Voluntary Retirement from Thirty-Five Years to Thirty Years”;

HB 297—“An Act to Amend Chapter 65 of the Revised Code of the State of Delaware of 1935 Relating to Corporations”;

HB 301—“An Act to Amend Chapter 121, Volume 35, Laws of Delaware, Entitled ‘An Act Authorizing the “Mayor and Council of New Castle” under Certain Conditions to Construct a System of Sewers and Disposal Works in and for the City of New Castle, Delaware’ by Providing for the Payment of Salaries to the Members and Secretary of the Sewer Commission by Clarifying the Method of Selling Properties That Are Delinquent in Paying Sewer Assessments and Service Charges and by Making Unpaid Service Charge Liens against Real Estate”;

HB 366—“An Act Authorizing the Levy Court of Sussex County to Appropriate County Monies to Bridgeville Fire Company for the Maintenance of an Ambulance”;

HB 368—“An Act to Amend Chapter 175 of the Revised Code of Delaware, 1935, as Amended, Entitled ‘Delaware Workmen’s Compensation Law,’ by Increasing the Payments of Compensation Thereunder”;

HB 372—“An Act to Amend Chapter 170, Volume 43, Laws of Delaware, Being ‘An Act to Re-Incorporate the Town of Lewes,’ by Increasing the Amount of Money Which May Be Raised Annually by the Mayor and Council of the Town of Lewes by Means of Taxation”;

HB 375 with **HA 1**—“An Act Extending the Corporate Limits of the Town of Camden”;

HB 377—“An Act Authorizing and Directing the Levy Court of Sussex County to Appropriate Money to the Delmar Fire Department, Inc., for the Maintenance of an Ambulance”;

HS for **HB 495**—“An Act to Further Amend Chapter 150 of the Revised Code of Delaware, 1935, as Amended, Relating to Offenses against Private Property by Changing the Penalty with Respect to the Crime of Burglary”;

HB 496—“An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, as Amended by Chapter 187, Volume 46, Laws of Delaware, 1947, by Striking Out and Repealing Paragraph (8) of 5605 Section 67 Thereof, Relating to Negligent Homicide”;

HB 497—“An Act to Amend Chapter 149 of the Revised Code of Delaware, 1935, as Amended, by Repealing 5180a. Sec. 25. Thereof as Enacted by Chapter 186, Volume 46, Laws of Delaware, 1947, Relating to the Crime of Negligent Homicide by Motor Vehicle”;

HB 499—“An Act to Amend Chapter 116 of the Revised Code of Delaware, 1935, as Amended, Relating to Juvenile Delinquents and Probation by Providing that in Cases Where Corporal Punishment Is Mandatory the Court Shall Have the Authority under Certain Circumstances to Omit Corporal Punishment or Reduce the Amount to Be Inflicted”; and presented the same to the Senate.

Mr. William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had concurred in the following: **SS** for **SB 31**, and returned the same to the Senate.

On motion of Mr. Cubbage, **SB 173** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" Mr. Burkholder moved that action be deferred on **SB 173**. Motion prevailed.

On motion of Mr. Burkholder, **SB 181** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Furnace.

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

YEAS—Messrs. Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hitchens, Phillips, Rhodes, Webb, —11.

NAYS—Messrs. Klair, Powell, Reilly, Madam President Pro Tem—4.

ABSENT—Messrs. Bulow, Hammond—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Cannon, **SB 271** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

On the question, "Shall the Bill pass the Senate?" Mr. Cannon moved that action be deferred on **SB 271**. Motion prevailed.

Mr. Burkholder moved that the Senate recess until 7:30 P. M. Motion prevailed.

Senate met at expiration of recess, 8:05 P. M.

On motion of Mr. Burkholder, **SB 278** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Tunnell.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem —16.

NAYS—None.

ABSENT—Mr. Powell—1.

So the question was decided in the affirmative, and the

Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Cannon, **SB 270** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Powell—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mrs. Davis, **SB 290** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Burkholder, Rhodes, Madam President Pro Tem—3.

NAYS—Messrs. Bulow, Cannon, Crossley, Cabbage David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Reilly, Webb, Mr. President—13.

ABSENT—Mr. Powell—1.

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

On motion of Mr. Rhodes, **SB 304** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Webb—15.

NAYS—Madam President Pro Tem—1.

ABSENT—Mr. Powell—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Bulow, **HB 125** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair,

Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Powell—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Bulow, **SB 316** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—11.

NAYS—Messrs. Cannon, Crossley, David, Dickerson—4.

NOT VOTING—Mr. Cabbage—1.

ABSENT—Mr. Powell—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mrs. Davis, **SB 291** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Powell—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Phillips, **SB 295** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Powell—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

The Chair presented **HB 42, 148.** and **366**, which were given

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

The Chair presented **HB 171, 301, and 372**, which were given first and second reading, the second by title only, and referred to the Committee on Municipal Corporations.

The Chair presented **HB 180** with **HA 1, HB 262, and 368**, which were given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

The Chair presented **HB 185**, which was given first and second reading, the second by title only, and referred to the Committee on Judiciary.

The Chair presented **HB 187**, which was given first and second reading, the second by title only, and referred to the Committee on Buildings and Highways.

The Chair presented **HB 297**, which was given first and second reading, the second by title only, and referred to the Committee on Private Corporations.

Mr. Dickerson moved that the Senate recess for 15 minutes. Motion prevailed.

Senate met at expiration of recess, 9:55 P. M.

Mrs. Davis moved that the Senate recess until 11 A. M. Motion prevailed.

61ST LEGISLATIVE DAY

Senate met pursuant to adjournment, Thurs., April 21, 1949, 11 A. M., Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Thomas: Our Father, we thank Thee for Thy grace which is sufficient for our every need. Every day, every hour as business and professional men, as farmers, as husbands and fathers, as citizens of this great state we need thy guiding hand upon our lives. For a time however, as legislators, we recognize the need of a special outpouring of Thy grace for we are confronted by new problems and peculiar situations because of the special trust which has been imposed upon us. Thus, conscious of our human limitations, we look to Thee for divine guidance. Help us, in every circumstance, to say as the Master said when facing the supreme crisis of His earthly life, "Not my will but Thine be done." Amen.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

The Secretary proceeded to read the Journal of the previous session, when Mr. Burkholder moved so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

The Chair presented **HB 375** with **HA 1**, which was given first and second reading, the second by title only, and referred to the Committee on Municipal Corporations.

The Chair presented **HB 377**, which was given first and second reading, the second by title only, and referred to the Committee on Finance.

The Chair presented **HS** for **HB 495**, **HB 496**, **497**, and **499**, which were given first and second reading, the second by title only, and referred to the Committee on Judiciary.

Mr. Bulow, on motion for leave, introduced **SS** for **SB 223**—"An Act to Amend Chapter 116 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Juvenile Delinquents and Probation—' Article 4; Creating a Separate Judgeship and Staff for the Juvenile Court of Kent and Sussex Counties, Providing Salaries Therefor, and Re-defining the Jurisdiction and General Purpose of Said Court," which was given first and second reading, the second by title only, and referred to the Committee on Judiciary.

Mr. Bulow, on motion for leave, introduced **SS** for **SB 403**—"An Act to Amend Chapter 43 of the Revised Code of Delaware, 1935, as Amended, Relative to Levy Courts, by Creating a Levy Court of Sussex County Composed of Five Members, One from Each Senatorial District; Providing that a Majority Thereof Shall Constitute a Quorum," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mr. Bulow, on motion for leave, introduced **SS** for **SS** for **SB 283**—"An Act to Amend Chapter 20 of the Revised Code of Delaware, 1935, as Amended, Relating to the Insurance Department, and Providing Additional Requirements for Certificate of Authority," which was given first and second reading, the second by title only, and referred to the Committee on Banking and Insurance.

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

HS for **HB 83**—"An Act to Amend Chapter 182, Volume 45, Laws of Delaware, as Amended, Entitled 'An Act to Re-Incorporate the Town of Delmar,' by Providing Limitations of Sewer Rentals";

HB 389—"An Act Authorizing, Empowering and Directing the Levy Court of New Castle County to Refund Certain Overpayments of Taxes in Connection with a Special Assessment against Certain Lands for the Construction of Certain Roads in Colonial Park and Lancaster Village in Christiana Hundred, New Castle County, Delaware";

HB 405—"An Act to Amend an Act Entitled 'An Act Changing the Name of "The Town of Harrington" to "The City of Harrington" and Establishing a Charter Therefor' Relating to the Method of Fixing the Fee of the Assessor; Relating to the Amount to Be Raised by Taxation; Relating to the Amount of the Floating Debt; and Relating to the Qualification of the Acting Alderman";

HB 410—"An Act Authorizing the Erection, Construction, Installation, Keeping in Good Order and Repair, a Traffic Control Light at the Intersection of duPont Highway No. 113 Where It Crosses the Public Road Leading from Milford to Harrington and Known as Route No. 14";

HB 416—"An Act to Transfer Certain Funds to the Maintenance and/or Operation Accounts of Rose Hill-Minquadale School District Number 47 in New Castle County";

HB 427—"An Act to Amend Chapter 159, Volume 43, Laws of Delaware, 1941, Relating to the Town of Camden and the Power of the Town Council to Enter into Certain Agreements";

HB 431—"An Act to Amend Chapter 151 of Volume 44, Laws of Delaware, 1943, as Amended, by Fixing a Minimum Size for Oysters Caught from the Waters of Broadkiln River, Sussex County, and State of Delaware, by Providing Taxes to Be Levied upon All Oysters Caught from the Waters of Said River, by Providing that a Portion of the Tax Monies Derived from Oysters Shall Be Held in Trust to Be Used for Re-Stocking Said River, by Providing that All Persons Catching Either Oysters or Clams Shall Require Licenses, and by Making It Unlawful to Lease Oyster Grounds Anywhere Except in Certain Named Waters";

HB 437—"An Act to Amend Chapter 98 of the Revised Code of Delaware, 1935, as Amended, in Relation to the Settlement of Personal Estates, Register of Wills, with Reference to the Granting of Letters of Administration";

HB 449—"An Act Authorizing the Erection, Construction, Installation, Keeping in Good Order and Repair, a Traffic Control Light at the Intersection of Darley Road and the Philadelphia Pike, Highway No. 13 in Brandywine Hundred, New Castle County, Delaware";

HB 450—"An Act to Amend Chapter 121 of the Revised Code of Delaware, 1935, as Amended, Entitled, 'Justice' Jurisdiction in Civil Cases for Debt,' with Reference to Fees of Justices of the Peace, Constables, Sheriffs, Witnesses and Parties";

HB 476—"An Act to Amend Chapter 109 of the Revised Code of Delaware, 1935, Relating to Judicial Reports";

HB 487—"An Act to Amend Chapter 195, Volume 24, Laws of Delaware, Entitled 'An Act to Reincorporate the Town of Newport,' by Reducing the Amount of the Tax Collector's Bond";

HB 488—"An Act to Amend Chapter 195, Volume 24, Laws of Delaware, Entitled 'An Act to Reincorporate the Town of Newport,' by Reducing the Amount of the Treasurer's Bond"; and presented the same to the Senate.

Mr. Hitchens, on motion for leave, introduced **SS** for **SB 49**—"An Act to Amend 'An Act Providing for the Payment of Pension Benefits to Certain State Employees, Fixing Ages of Retirement, Establishing Benefits Payable and the Source of Payment Thereof, Providing Applications for Pensions and the Procedure to Be Followed with Respect Thereto, Providing that Pension Benefits

Shall Be Free of Attachment and Non-assignable, and Also Providing for the Reduction of Benefits under Certain Conditions,' as Amended, with Reference to Allowable Interruptions from Covered Employment," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

The President announced he is about to sign: **SS** for **SB 31**.

The Chair presented **HCR 15**, which was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" Mr. Burkholder moved the adoption of the Resolution. Motion prevailed. Ordered returned to the House.

The Chair presented **HS** for **HB 83** with **HA 1**, **HB 405**, **427**, **487**, and **488**, which were given first and second reading, the second by title only, and referred to the Committee on Municipal Corporations.

The Chair presented **HB 450**, **437**, and **476**, which were given first and second reading, the second by title only, and referred to the Committee on Judiciary.

The Chair presented **HB 389**, which was given first and second reading, the second by title only, and referred to the Committee on Claims.

The Chair presented **HB 410**, and **449**, which were given first and second reading, the second by title only, and referred to the Committee on Buildings and Highways.

The Chair presented **HB 416**, which was given first and second reading, the second by title only, and referred to the Committee on Miscellaneous.

The Chair presented **HB 431**, which was given first and second reading, the second by title only, and referred to the Committee on Fish, Oysters and Game.

Mr. Burkholder moved that the Senate recess until 2 P. M. Motion prevailed.

Senate met at expiration of recess, 4:25 P. M.

Mr. Rhodes, on behalf of the Committee on Judiciary to whom had been referred **HB 185** and **SB 279**, reported the same back to the Senate on their merits.

On motion of Mr. Phillips, **SA 1** to **SB 3**, was taken up for consideration and read in order to pass the Senate.

On the question, "Shall the Amendment pass the Senate?" Mr. Phillips moved the adoption of **SA 1** to **SB 3**. Motion prevailed.

On motion of Mr. Phillips, **SB 3** as amended, was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Burkholder, Cabbage, Evans, Hammond, Hitchens, Rhodes, Madam President Pro Tem—7.

NAYS—Messrs. Bulow, Cannon, Crossley, David, Dickerson, Klair, Phillips, Powell, Reilly, Webb—10.

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

On motion of Mr. Rhodes, **SB 5** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—Mr. Cannon—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Rhodes, **SB 7** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, David, Dickerson, Evans, Hammond, Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—11.

NAYS—Messrs. Cannon, Crossley, Cubbage, Klair, Reilly, Webb—6.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Hitchens, **SB 50** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Madam President Pro Tem—11.

NAYS—Messrs. Cannon, Crossley, Cubbage, David, Dickerson, Webb—6.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Hitchens, **SB 51** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Cubbage, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—14.

NAYS—Messrs. Crossley, David, Dickerson—3.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

Mr. Klair, on motion for leave, introduced **SS** for **SB 342**—“An Act Governing Clearances on Railroads with Reference to Side and Overhead Structures; on Parallel and Yard Tracks,” which was given first and second reading, the second by title only, and referred to the Committee on Miscellaneous.

Mr. Phillips, on behalf of the Committee on Education to whom had been referred **SB 319**, reported the same back to the Senate on its merits.

On motion of Mrs. Davis, **SA 1** to **SB 196** was taken up for consideration and read in order to pass the Senate.

On the question, “Shall the Amendment pass the Senate?” Mrs. Davis moved the adoption of **SA 1** to **SB 196**. Motion prevailed.

On motion of Mrs. Davis, **SB 196** with **SA 1** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, “Shall the Bill pass the Senate?” Mrs. Davis moved that action be deferred on **SB 196**. Motion prevailed.

Mr. Phillips requested that **SB 3** be restored to the Calendar. Request granted.

On motion of Mr. Phillips, **SB 254** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Klair, Phillips. Powell, Reilly, Rhodes, Madam President Pro Tem—11.

NAYS—Messrs. Cannon, Crossley, David, Dickerson, Webb—5.

ABSENT—Mr. Cabbage—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Cabbage, **SS** for **SB 272** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the

Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mrs. Davis, **SB 301** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Taber.

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

YEAS—Messrs. Bulow, Burkholder, Evans, Hammond, Klair, Phillips, Powell, Rhodes, Madam President Pro Tem—9.

NAYS—Messrs. Cannon, Crossley, Cubbage, David, Dickerson, Hitchens, Reilly, Webb—8.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Klair, **SB 340** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Burkholder, Powell, Reilly, Webb, Madam President Pro Tem—5.

NAYS—Messrs. Bulow, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Rhodes, —12.

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

On motion of Mrs. Davis, **SB 323** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Cubbage, David, Evans, Hitchens, Klair, Powell, Reilly, Rhodes, Madam President Pro Tem—12.

NAYS—Messrs. Crossley, Dickerson, Hammond, Phillips, Webb—5.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

The President announced he is about to sign: **HCR 13**.

On motion of Mr. Klair, **SB 341** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion for leave, Mr. Hitchens introduced **SCR 25**—“Amending House Concurrent Resolution No. 12 Fixing the Time after Which No New Bills or Joint Resolutions Shall be Received by the Senate or by the House of Representatives of the 115th General Assembly, Except General Appropriation Bills, by Providing for the Introduction of a New Senate Bill to Be Numbered No. 422, Entitled, ‘An Act Empowering the State Highway Department to Designate Certain Highways as Express Highways; Defining an “Express Highway”; Authorizing the Acquisition of Property Rights in Connection Therewith; and Regulating the Same.’ ”

BE IT RESOLVED by the Senate of the 115th General Assembly, the House of Representatives concurring therein, That House Concurrent Resolution No. 12, Fixing the Time after which no new bills or Joint Resolutions shall be received by either House, except General Appropriation Bills, be and the same is hereby amended in such manner and to such extent as to authorize the introduction of a new Senate Bill, to be numbered 422, entitled:

“An Act Empowering the State Highway Department to Designate Certain Highways as Express Highways; Defining an ‘Express Highway’; Authorizing the Acquisition of Property Rights in Connection Therewith; and Regulating the Same.”

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

On the question, “Shall the Resolution be adopted?” Mr. Hitchens moved the adoption of the Resolution. Motion prevailed.

Ordered to the House for Concurrence.

Mr. Klair requested that **SB 340** be restored to the Calendar. Request granted.

Mr. Bulow requested that **SB 329** be stricken from the Calendar. Request granted.

On motion of Mr. Klair, **SB 363** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Burkholder, Klair, Phillips, Reilly, Rhodes, Madam President Pro Tem—6.

NAYS—Messrs. Bulow, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Powell, Webb—11.

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

On motion for leave, Mr. Bulow introduced **SS** for **SJR 3**—“ With Reference to the Return of Funds to the Treasurer of the United States on Account of Overpayment to an Employee of the Board of Game and Fish Commissioners of Delaware by the

Fish and Wildlife Service of the United States Department of the Interior."

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

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

YEAS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—9.

NAYS—Messrs. Cannon, Crossley, Cabbage, David, Dickerson, Reilly, Webb—7.

NOT VOTING—Mr. Klair—1.

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

On motion for leave, Mrs. Davis introduced **SS** for **SJR 9**—"Authorizing the State of Delaware and the State Highway Department of This State to Sell, Transfer or Purchase Certain Public Lands in the Vicinity of Dewey Beach."

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

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Phillips, **SB 256** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Burkholder, **HJR 5** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Evans, Hammond,

Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—9.

NAYS—Messrs. Cannon, Cabbage, David, Klair, Webb—5.

NOT VOTING—Messrs. Crossley, Dickerson, Reilly—3.

So the question was decided in the affirmative, and the Resolution having received the required constitutional majority, was adopted and ordered returned to the House.

Mr. Burkholder moved that the Senate recess for 15 minutes. Motion prevailed.

Senate met at expiration of recess, 7:25 P. M.

Mr. Burkholder moved that the Senate adjourn until 11 A. M., Fri., April 22, 1949. Motion prevailed.

62ND LEGISLATIVE DAY

Senate met pursuant to adjournment, Fri., April 22, 1949, 11 A. M., Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Thomas: Our Father, we know that man does not live by bread alone; that there are those deep and inner needs of the soul which Thou only canst supply. We pray Thy blessing upon our special guests, our future leaders, upon whom will one day rest the burdens of leadership. We live in a day when so many are striving only for those things which satisfy not and have no lasting values. May we have grace to apply our hearts unto wisdom in the pursuit of those things which have lasting values. These are days which try men's souls. We look to Thee for guidance. Help us to put service above self; to consent only to those things which are in the best interests of those we serve. May we know that true peace and contentment which are found only in a life of faith. Through Jesus Christ, our Lord. Amen.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond Hitchens, Klair, Phillips, Powell, Reilly. Rhodes, Webb, Madam President Pro Tem—17.

The Secretary proceeded to read the Journal of the previous session, when Mr. Burkholder moved so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Communications: 102—Opposing **SB 166**; 1—Opposing **SB 130** and **292**; 1—Favoring **SB 286**. Members of Brotherhood of Railway and Steamship Clerks; Freight Handlers, Express & Station Employees, A. F. L. George E. P. Hollingsworth, chairman; Mr. Franklin D. White, Marshallton, Del.; Miss K. I. Geiser, Delmar, Del.; City Council of Newark, Del.

On motion of Mr. Burkholder, **HB 50** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Klair, Phillips, Reilly, Rhodes. Webb, Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Hitchens, Powell—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 149** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion for leave, Mr. Burkholder introduced **SCR 26**—"Providing for a Joint Session to Hear the Message of the Governor, Relative to 'Boys' State.'"

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

On the question, "Shall the Resolution be adopted?" Mr. Burkholder moved the adoption of the Resolution. Motion prevailed. Ordered to the House for concurrence.

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

HB 37—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Entitled Fish, Oysters and Game, with Respect to Short Term Hunting and Fishing Licenses Issued to Non-Residents";

HB 84—"An Act to Amend Chapter 241, Volume 45, Laws of Delaware, as Amended, Entitled 'An Act Creating a Family Court for New Castle County,' by Changing the Composition of the Court: by Providing for an Associate Judge Instead of a Deputy Judge: by Granting to Said Court Exclusive Original Jurisdiction, Instead of Concurrent Jurisdiction, over Paragraph 5168. Sec. 12 of Chapter 149 of the Revised Code of Delaware, 1935. Relating to the Offense of Toying with a Female Child: by Granting Exclusive Original Jurisdiction over Paragraph 5258. Sec. 9 of Chapter 153 of the Revised Code of Delaware, 1935. Relating to Adultery: by Increasing the Salary of the Judge: by Providing for the Appointment, Duties and Salary of the Associate Judge: by Increasing the Limits of the Total Budget of the Court: by Providing for Appeals of Both the

Complaining Witness and the Defendant in Non-Support and Bastardy Cases”;

HB 135 with **HA 1**—“An Act to Amend Chapter 170, Volume 43, Laws of Delaware, 1941, Entitled ‘An Act to Re-Incorporate the Town of Lewes’ with Reference to the Annual Election and to the Qualifications of Electors”;

HB 144—“An Act Providing for the Election of Board of School Trustees of Rose Hill-Minquadale School District”;

HB 177—“An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, by Providing for the Identification of School Busses and for a Device to Indicate When a School Bus Is Stopped for the Purpose of Receiving or Discharging School Children, Providing for the Duty of the Driver of a Vehicle Meeting or Overtaking a School Bus, and Providing for the Erection of Signs by the State Highway Department”;

HB 280—“An Act to Amend Chapter 74, Revised Code of Delaware, 1935, as Amended, Entitled ‘Fish, Oysters and Game’ by Prohibiting the Possession of a Loaded Shot Gun or Loaded Rifle in Certain Vehicles and Conveyances”;

HB 355—“An Act to Amend an Act Entitled ‘An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, Relating to Fish, Oysters and Game, by Changing the License Fees for Boats Carrying Fishing Parties for Hire, and Establishing a Boat Inspector to Inspect Said Boats,’ Being Chapter 197, Volume 43, Laws of Delaware, 1941, Relating to License Fees for Boats Carrying Fishing Parties for Hire and Establishing Office of Boat Inspector”;

HB 362—“An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Relating to Fish, Oysters and Game, by Providing for the Season within Which Squirrels May Be Caught or Killed in New Castle County”;

HS for HB 365—“An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, Entitled ‘Motor Vehicles,’ with Respect to the Distance between Motor Trucks While Being Operated upon a Highway”;

HB 395—“An Act to Amend Chapter 76 of the Revised Code of Delaware, 1935, as Amended, Relating to Insane, Providing for the Transfer of All Epileptic and Bedridden Cases from the Home for Feeble-minded Persons in Stockley, under the Jurisdiction of the Delaware Commission for the Feeble-minded, to the Delaware State Health and Welfare Center”;

HB 452—“An Act to Amend Chapter 65, Revised Code of Delaware, 1935, as Amended, Entitled ‘Corporations to Exclude from the Prohibitions’ and Limitations of Section 36 Thereof, the Operation of Employee Stock Purchase Plans”;

HB 466—“An Act to Amend Chapter 21 of the Revised Code of Delaware, 1935, as Amended, Entitled ‘State Board of Agriculture,’ in Reference to Bang’s Disease and the Movement of Cattle Not Vaccinated”;

HB 475—“An Act to Amend Chapter 21 of the Revised Code of Delaware, 1935, Relating to the ‘State Board of Agri-

culture' by Prohibiting Poultry Vaccinators and Poultry Vaccination Personnel from Entering Poultry Premises without Complying with Certain Sanitary Precautions, and Empowering the 'State Board of Agriculture' to Establish Rules and Regulations Governing the Same";

HS for **HB 480**—"An Act to Amend Chapter 71 of the Revised Code of Delaware, 1935, as Amended, Relating to 'Free Public Schools,' by Providing the Procedure for the Termination of Contracts of Professional School Employees";

HB 488—"An Act to Amend Chapter 195, Volume 24, Laws of Delaware, Entitled 'An Act to Reincorporate the Town of Newport,' by Reducing the Amount of the Treasurer's Bond";

HB 498—"An Act to Amend Chapter 78 of the Revised Code of Delaware, 1935, as Amended, by Making the Day of the Week Known as Saturday a Holiday for All Elected and Appointed Officials of the Levy Court of New Castle County, Its Agencies and the Employees of Said Officials and Agencies and for the Elected and Appointed Officials of the Mayor and Council of Wilmington and Its Clerks and Employees (Except the Members of the Department of Public Safety and Firemen)";

HB 523—"An Act to Amend Chapter 153, Volume 36, Laws of Delaware, as Amended, Entitled 'An Act to Reincorporate the Town of Cheswold,' by Changing the Day for Holding the Annual Election and Defining Qualified Voters Thereat"; and presented the same to the Senate.

Mr. Burkholder moved that the Senate recess until 2:30 P. M. Motion prevailed.

Senate met at expiration of recess, 3:10 P. M.

Friday, April 22, 1949

The Sergeant-at-Arms announced the Speaker and members of the House of Representatives.

The Chair directed the Sergeant-at-Arms to admit the Speaker and members of the House of Representatives.

JOINT SESSION

Mr. Burkholder moved that the Senate and House resolve itself into Joint Session in accordance with **SCR 26**. Motion prevailed.

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

The President invited the Speaker of the House to come to the Rostrum. The President invited the President Pro Tem to come to the Rostrum.

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

Mr. Burkholder moved the President of the Senate appoint

a Joint Committee to escort the Governor and the Governor of Boys' State to the Senate Chamber. Motion prevailed.

The Chair appointed Mr. Burkholder, Mr. Dickerson, Mr. Frazier, Mr. Holden, Mr. Warren, Mr. Walsh, Mr. Glackin and Mr. Maybee.

The Sergeant-at-Arms announced His Excellency the Governor and Boys' State Governor Lester H. Thompson.

The Governor and the Governor of Boys' State was escorted to the Rostrum.

Remarks by Lt. Governor Bayard.

The Governor addressed the Joint Session.

The Governor of Boys' State addressed the Joint Session.

Mr. Burkholder requested the privilege of the floor for Commander Burris. Commander Burris made a few remarks.

Mr. Burkholder moved that the Secretaries of the Joint Session compare their Journals. Motion prevailed.

The Secretary of the Senate announced that the Secretaries had compared their Journals and found them to agree.

Mr. Burkholder moved that the Joint Session dissolve and reassemble in their respective chambers. Motion prevailed.

Mr. Burkholder moved that the same committee escort the Governor and the Governor of Boys' State from the Senate Chamber. Motion prevailed.

Recess was declared by the Chair.

Senate met at expiration of recess, 5:25 P. M.

The President announced he is about to sign: **HB 125**, **HCR 10**, and **15**.

On motion of Mr. Burkholder, **HB 34** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Roy Heim.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

Mrs. Davis requested that **HB 94** be recommitted. Request granted.

On motion for leave, Mr. Hitchens. introduced **SR 42**—"Relative to Payment on Account for Collecting Data, Compiling, Editing and Publishing the Daily Calendar for the State Senate."

BE IT RESOLVED By the Senate of the State of Delaware that the following amount be and the same is hereby appropriated, out of any money in the State Treasury, not otherwise

appropriated, for collecting data, compiling, editing and publishing the Daily Calendar for the Senate of the State of Delaware, same being expense connected with the present Session thereof, viz.:

To The Sussex Countian, Georgetown, Delaware, One Thousand Six Hundred and Fifty-Eight Dollars and Thirty Cents (\$1,658.30), being part payment on account for above.

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

On the question, "Shall the Resolution be adopted?" Mr. Hitchens moved the adoption of the Resolution. Motion prevailed.

Mr. Cannon, on motion for leave, introduced **SS** for **SB 269**—"An Act to Amend Chapter 176 of the Revised Code of Delaware, 1935, Relating to Alcoholic Liquor, Wines and Beer, as Amended by Chapter 191, Volume 42, Laws of Delaware, Providing for the Purchase of Alcoholic Liquor for Stock for Personal Use," which was given first and second reading, the second by title only, and referred to the Committee on Temperance.

Mrs. Davis, on motion for leave, introduced **SS** for **SB 46**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Fish, Oysters and Game' with Reference to the Possession of Game Birds, Game Animals and Game Fish," which was given first and second reading, the second by title only, and referred to the Committee on Fish, Oysters and Game.

On motion of Mr. Bulow, **HB 121** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" Mr. Bulow moved that action be deferred on **HB 121**. Motion prevailed.

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

HB 167—"An Act to Amend Chapter 45 of the Revised Code of Delaware, 1935, as Amended, Entitled 'County Treasurers and Collection of Taxes,' by the Repeal of 1391. Sec. 51. Thereof and by Substituting in Lieu Thereof a New Section to Be Known as 1391. Sec. 51. In Relation to Pawnbrokers and Junk Dealers";

HB 168—"An Act to Amend Chapter 45 of the Revised Code of Delaware, 1935, as Amended, Entitled 'County Treasurers and Collection of Taxes,' by the Repeal of 1386. Sec. 46. Thereof and by Substituting in Lieu Thereof a New Section to Be Known as 1386. Sec. 46. in Relation to Pawnbrokers and Junk Dealers";

HB 169—"An Act to Amend Chapter 45 of the Revised Code of Delaware, 1935, as Amended, Entitled 'County Treasurers and Collection of Taxes,' by the Repeal of 1392. Sec. 52. Thereof and by Substituting in Lieu Thereof a New Section to

Be Known as 1392. Sec. 52. in Relation to Pawnbrokers and Junk Dealers”;

HB 325—“An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, as Amended, Relating to Motor Vehicles by Providing Speed Regulations”;

HB 524 with **HA 1**—“An Act Authorizing the Erection, Construction, Installation, Keeping in Good Order and Repair a Traffic Control Light at the Route 300 and Route 42 in the Town of Kenton, Delaware”;

SCR 25—“Amending House Concurrent Resolution No. 12 Fixing the Time after Which No New Bills or Joint Resolutions Shall Be Received by the Senate or by the House of Representatives of the 115th General Assembly, Except General Appropriation Bills, by Providing for the Introduction of a New Senate Bill to Be Numbered No. 422. Entitled, ‘An Act Empowering the State Highway Department to Designate Certain Highways as Express Highways; Defining an ‘Express Highway’; Authorizing the Acquisition of Property Rights in Connection Therewith and Regulating the Same”’; and presented the same to the Senate.

Mr. Spruance, Clerk of the House, being admitted. informed the Senate that the House had concurred in the following: **SB 18, 95**, and **SCR 26** and returned the same to the Senate.

On motion of Mr. Klair, **SB 345** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Cannon, Crossley, Cubbage, David, Dickerson, Hitchens, Klair, Phillips, Reilly, Webb—10.

NAYS—Messrs. Bulow, Burkholder, Evans, Hammond, Powell, Rhodes, Madam President Pro Tem—7.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Bulow, **HB 121** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb—16.

NAYS—None.

NOT VOTING—Madam President Pro Tem—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Bulow, **HS** for **HB 87** was taken up for

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

Upon request, the privilege of the floor was given to Mr. Lawson.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Phillips, **SB 146** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Crossley, Hammond, Klair, Phillips, Rhodes—7.

NAYS—Messrs. Cannon, Cabbage, David, Dickerson, Evans, Hitchens, Powell, Reilly, Webb, Madam President Pro Tem—10.

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

On motion of Mr. Bulow, **HB 154** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Bulow, **HB 166** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HS** for **HB 51** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

Mr. Dickerson moved that the Senate adjourn until 11 A. M., Mon., April 25, 1949. Motion prevailed.

63RD LEGISLATIVE DAY

Senate met pursuant to adjournment, Mon., April 25, 1949, 11 A. M., Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Thomas: Almighty and eternal God, help us to draw near to Thee in true faith and humility. Grant Thy blessing upon our labors from day to day. We turn for a moment from the daily grind of things which drain our strength of body, mind and spirit and look to Thee for strength to face honestly every problem and grace to solve them in a manner acceptable unto Thee. Bless all honest efforts to better our condition and that of our brother. Guide us in all our ways that we may be worthy of Thy approval. Through Jesus Christ, our Lord. Amen.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

ABSENT—None.

The Secretary proceeded to read the Journal of the previous session, when Mr. Dickerson moved so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Communications: 1—Favoring **SB 166**; 1—Petitioning His Excellency, Elbert N. Carvel, the Governor of Delaware, and the Senators and Representatives in Legislature assembled, to take adequate measures to assure the safe keeping now and for

future generations of the Capitol Building known as the State House.

The Chair presented **HB 167**, which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mr. Bulow moved that the Senate recess to the call of the Chair. Motion prevailed.

Senate met at expiration of recess, 12:30 P. M.

Mr. Burkholder moved that the Senate recess until 2 P. M. Motion prevailed.

Senate met at expiration of recess, 2:50 P. M.

Mr. Rhodes, on behalf of the Committee on Private Corporations to whom had been referred **HB 297**, reported the same back to the Senate on its merits.

Mr. Rhodes, on behalf of the Committee on Judiciary to whom had been referred **HB 499**, reported the same back to the Senate favorably.

The President announced he is about to sign: **SB 18, 95, SCR 25, 26, HB 149, 50, and HJR 5.**

Mr. Burkholder moved that all House Bills read into the Senate today and all Senate Substitutes introduced in the Senate today be given their first and second readings by title only. Motion prevailed.

Mr. Rhodes, on motion for leave, introduced **SS** for **SB 253**—"An Act to Amend Article 7 of Chapter 20, of the Revised Code of Delaware, 1935, Relating to Licensing of Insurance Agents, Insurance Brokers, and Insurance Solicitors," which was given first and second reading, the second by title only, and referred to the Committee on Banking and Insurance.

Mr. Rhodes, on behalf of the Committee on Judiciary, to whom had been referred **HB 476**, reported the same back to the Senate favorably.

The Chair presented **HB 355**, which was given first and second reading, the second by title only, and referred to the Committee on Fish, Oysters and Game.

The Chair presented **HB 168**, and **169**, which were given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

On motion of Mr. Reilly, **SA 1** to **SS** for **SB 67** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Amendment pass the Senate?" Mr. Reilly moved the adoption of **SA 1** to **SS** for **SB 67**. Motion prevailed.

On motion of Mrs. Davis, **SS** for **SB 67** with **SA 1** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Burkholder, Cannon, Crossley, Cubbage,

David, Dickerson, Evans, Hitchens, Klair, Phillips, Powell, Reilly, Webb, Madam President Pro Tem—14.

NAYS—Messrs. Bulow, Hammond, Rhodes—3.

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

The Chair presented **HB 325, 177, HS** for **HB 365**, and **HB 524** as amended, which were given first and second readings, the second by title only, and referred to the Committee on Buildings and Highways.

The Chair presented **HB 280, 37**, and **362**, which were given first and second reading, the second by title only, and referred to the Committee on Fish, Oysters and Game.

The Chair presented **HB 84**, which was given first and second reading, the second by title only, and referred to the Committee on Judiciary.

The Chair presented **HB 135** as amended, and **HB 523**, which were given first and second reading, the second by title only, and referred to the Committee on Municipal Corporations.

The Chair presented **HB 144**, and **HS** for **HB 480**, which were given first and second reading, the second by title only, and referred to the Committee on Education.

The Chair presented **HB 395**, which was given first and second reading, the second by title only, and referred to the Committee on Public Health.

The Chair presented **HB 452**, which was given first and second reading, the second by title only, and referred to the Committee on Private Corporations.

The Chair presented **HB 466, 475**, and **489**, which were given first and second reading, the second by title only, and referred to the Committee on Agriculture.

The Chair presented **HB 498**, which was given first and second reading, the second by title only, and referred to the Committee on Miscellaneous.

On motion of Mr. Powell, **SCR 27**, Mr. Powell moved the adoption of the Resolution. Motion approved and sent to the House for concurrence.

Mr. Hammond, on behalf of the Committee on Finance to whom had been referred **SB 374**, and **356**, reported the same back to the Senate on their merits.

Mr. Hammond, on behalf of the Committee on Finance to whom had been referred **SB 266, 163, HB 294, 183, HB 97** and **HA 1, HB 74**, and **43**, reported the same back to the Senate favorably.

Mr. Hammond, on behalf of the Committee on Finance to whom had been referred **SB 308**, reported the same back to the Senate favorably with amendment.

On motion of Mr. Burkholder, **HB 85** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder **HS** for **HB 152** as amended, was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 155** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Madam President Pro Tem—15.

NAYS—Messrs. Cannon, Webb—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Hitchens, **SB 166** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Cubbage, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—14.

NAYS—Messrs. Crossley, David—2.

ABSENT—Mr. Powell—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Hitchens, **SB 167** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Cannon, Powell—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Crossley, **SB 410** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Tunnell.

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

YEAS—Messrs. Bulow, Burkholder, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Cannon—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Burkholder, **HB 224** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Cannon—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

The President announced he is about to sign: **HB 34**, **HS** for **HB 87**, **HB 166**, **121**, **154**, and **HS** for **HB 51**.

On motion of Mr. Burkholder, **HB 225** was taken up for

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

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

Mr. Burkholder, on behalf of the Committee on Municipal Corporations to whom had been referred **HB 375** with **HA 1**, **HB 405**, **427**, **487**, **301**, **488**, **171**, and **372**, reported the same back to the Senate favorably.

Mr. Evans, on behalf of the Committee on Passed Bills reported as delivered to the Governor, the following: **SS** for **SB 31**, and **SCR 20**.

Mr. Burkholder moved that the Senate recess until the call of the Chair. Motion prevailed.

Senate met at expiration of recess, 6:10 P. M.

On motion of Mrs. Davis, **SB 68**, was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Cannon.—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mrs. Davis, **SB 404** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Burkholder, **HB 211** as amended, was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

Mr. Phillips, on behalf of the Committee on Education to whom had been referred **HB 160, 27, 101, and SB 88**, reported the same back to the Senate favorably.

On motion of Mr. Reilly, **SA** to **SB 322** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Amendment pass the Senate?" Mr. Reilly moved the adoption of **SA 1** to **SB 322**. Motion prevailed. Ordered to the House for concurrence.

On motion of Mr. Reilly, **SB 322** as amended, was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Tunnell.

On the question, "Shall the Motion pass the Senate?" Mr. Rhodes moved that action be deferred.

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

YEAS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Rhodes, Madam President Pro Tem—10.

NAYS—Messrs. Cannon, Crossley, Cabbage, David, Dickerson, Reilly, Webb—7.

So the question was decided in the affirmative, and the Motion having received the required constitutional majority, was adopted and ordered to the House for concurrence.

Mr. Burkholder moved that the Senate adjourn until 10 A. M., Eastern Standard Time. Tues., April 26, 1949. Motion prevailed.

64TH LEGISLATIVE DAY

Senate met pursuant to adjournment. Tues., April 26, 1949, 10 A. M., Eastern Standard Time, Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Thomas: O Thou, to Whom all secrets are known, our hearts are an open book to Thee.

May we write Thy commandments on the tablets of our hearts that Thy ways may be our ways day by day. May we yield our wills to Thy will so that our hearts can be led, instructed and blest by Thee. Thou hast placed in our hands the keys which, if rightly used, will open doors which lead to blessings for ourselves and others or will close doors to that which should not be. Guide us by Thy grace in all we do that we may make Thy will our will. Through Jesus Christ, our Lord. Amen.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

The Secretary proceeded to read the Journal of the previous session, when Mr. Burkholder moved so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Communications: 1—Opposing **SB 130, 146, 147, 162, 197, 292** and **HB 75, 284, 474**; 1—Opposing **SB 75** and **284**; 1—Opposing **SB 162**; 1—Opposing **SB 130**; 1—Opposing **SB 369**.

From Wilmington: J. B. Blackson, Leonard E. Barnes, Mrs. Elva S. Nelson, Richard H. McMullen, Chamber of Commerce of City of Wilmington.

Mr. Burkholder moved that the Senate recess until 2 P. M. Motion prevailed.

Senate met at expiration of recess, 2:45 P. M.

Mr. Cannon requested that **SB 271** be stricken from the Calendar. Request granted.

Mr. Burkholder moved that the Senate recess for 1 hour. Motion prevailed.

Senate met at expiration of recess, 4:10 P. M.

The President announced he is about to sign: **HB 85, HS for HB 152** with **HA 1, HB 155, 224, and 225**.

Mr. Hitchens, on behalf of the Committee on Buildings and Highways to whom had been referred **HB 449, 410, 325, and 524** with **HA 1**, reported the same back to the Senate on their merits.

Mr. Hitchens, on behalf of the Committee on Buildings and Highways to whom had been referred **HB 324, SS for SB 418, SS for SB 417, HB 177, and HS for HB 365**, reported the same back to the Senate favorably.

Mr. Evans, on behalf of the Committee on Passed Bills, reported as delivered to the Governor, the following: **SB 18, 95, SCR 25, and 26**.

Mr. Burkholder, on behalf of the Committee on Revised Statutes to whom had been referred **HB 180** with **HA 1**, and **SB 49**, reported the same back to the Senate on their merits.

Mr. Burkholder, on behalf of the Committee on Revised Statutes to whom had been referred **HB 262, and 368**, reported the same back to the Senate favorably.

Mr. Hammond, on behalf of the Committee on Finance to whom had been referred **HB 377, 366, 93, and SB 152**, reported the same back to the Senate favorably.

Mr. Hammond, on behalf of the Committee on Finance to whom had been referred **SB 317**, and **SS** for **SB 313**, reported the same back to the Senate on their merits.

Mr. Powell, on behalf of the Committee on Miscellaneous to whom had been referred **SB 359**, and **362**, reported the same back to the Senate on their merits.

On motion of Mr. Bulow, **SS** for **SB 21** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Crossley, Dickerson, Evans, Hammond, Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—11.

NAYS—Messrs. Cabbage, David, Klair, Reilly, Webb—5.
ABSENT—Mr. Cannon—1.

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

Mr. Burkholder moved that all Senate Substitutes and House Bills read into the Senate today be given their first and second reading by title only.

Mr. Klair, on motion for leave, introduced **SS** for **SB 419**—"An Act Authorizing the Kruse School to Sell Certain Lands and Premises Situate in Christiana Hundred, New Castle County and State of Delaware, Authorizing the Execution and Delivery of a Deed for the Lands So Sold, and Authorizing the Proceeds to Be Deposited in the General Fund," which was given first and second reading, the second by title only, and referred to the Committee on Public Lands.

On motion of Mr. Bulow, **SB 22** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Messrs. Bramhall and Tunnell.

On the question, "Shall the Bill pass the Senate?" Mr. Bulow moved that action be deferred. Motion prevailed.

Mr. Spruance, Clerk of the House, being admitted, informed the Senate that the House had concurred in the following: **SB 30, 104, 135, 225** with **SA 1**, **SCR 27** with **HA 1**, and returned the same to the Senate.

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

HB 244—"An Act to Authorize the Mayor and Council of Wilmington to Sell or Devote to Other Public Uses Park Lands

Which the Board of Park Commissioners Determines Are No Longer Needed for Park Purposes”;

HB 309—“An Act to Amend Chapter 43 of the Revised Code of Delaware, 1935, as Amended, Relating to Relief of the Indigent Sick Resident in Sussex County”;

HB 394—“An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, Entitled ‘Fish, Oysters and Game,’ with Respect to the Taking of Raccoon in Sussex County”;

HS for HB 433—“An Act to Amend Chapter 79, Revised Code of Delaware, 1935, as Amended, with Respect to Liens of Owners of Threshing Machines, Corn Pickers or Hay Balers, upon Grain or Hay Picked Threshed or Baled”;

HS for HB 436—“An Act for the Relief of Michael Pricik and Eva Pricik, His Wife, in Connection with the Title to Certain Lands in New Castle County”; and presented the same to the Senate.

On motion of Mr. Bulow, **SB 36** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Cannon—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

Mr. Powell, on behalf of the Committee on Agriculture to whom had been referred **SB 327**, reported the same back to the Senate on its merits.

Mr. Powell, on behalf of the Committee on Miscellaneous to whom had been referred **SB 184**, reported the same back to the Senate on its merits.

Mr. Powell, on behalf of the Committee on Miscellaneous to whom had been referred **HB 416**, reported the same back to the Senate favorably.

On motion of Mr. Bulow, **SB 268** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

On the question, “Shall the Bill pass the Senate?” Mr. Bulow moved that action be deferred. Motion carried.

On motion of Mr. Rhodes, **SB 326** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, “Shall the Bill pass the Senate?” the yeas

and nays were ordered. which being taken, were as follows:

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Reilly—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Rhodes, **SB 324** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Rhodes, Webb, Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Powell, Reilly—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

Mr. Cannon, on motion for leave, introduced **SS** for **SB 398**—"An Act to Amend an Act Entitled 'An Act to Provide for the Regulation, Control and Licensing of Harness Racing in the State of Delaware, Being Chapter 303, Volume 45, Laws of Delaware, 1944-45, Relating to Payment of Expenses of the Commission," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Cannon, on motion for leave, introduced **SS** for **SB 397**—"An Act Appropriating Money to the Delaware Harness Racing Commission for Expenses for Each of the Two Fiscal Years Ending June 30, 1950 and June 30, 1951," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

On motion of Mr. Webb **SS** for **SB 118** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Reilly—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Phillips, **SB 311** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Reilly—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

Mr. Burkholder moved that the Senate recess until 7 P. M. Motion prevailed.

Senate met at expiration of recess, 7:45 P. M.

The Chair presented **HB 244**, which was given first and second reading, the second by title only, and referred to the Committee on Municipal Corporations.

The Chair presented **HB 309**, and **HS** for **HB 436**, which were given first and second reading, the second by title only, and referred to the Committee on Miscellaneous.

The Chair presented **HB 394**, which was given first and second reading, the second by title only, and referred to the Committee on Fish, Oysters and Game.

The Chair presented **HS** for **HB 433**, which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

On motion of Mr. Dickerson, **SB 148** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Tunnell.

On the question, "Shall the Bill pass the Senate?" Mrs. Davis moved that action be deferred. Motion prevailed.

On motion of Mr. Burkholder **HB 109** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Klair, Phillips, Rhodes, Webb, Madam President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Hitchens, Powell, Reilly—3.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 141** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" Mr. Dickerson moved that action be deferred. Motion prevailed.

On motion of Mr. Bulow, **HB 200** was taken up for consid-

eration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Speaker Lawson.

Mr. Dickerson moved that action be deferred.

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

YEAS—Messrs. Cannon, Crossley, Cabbage, David, Dickerson, Klair, Webb—7.

NAYS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Phillips, Rhodes, Madam President Pro Tem—8.

ABSENT—Messrs. Powell, Reilly—2.

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

On motion of Mr. Bulow, **SB 200** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Burkholder, Evans, Hammond, Hitchens, Phillips, Rhodes, Madam President Pro Tem—7.

NAYS—Messrs. Bulow, Cannon, Crossley, Cabbage, David, Dickerson, Klair, Webb—8.

ABSENT—Messrs. Powell, Reilly—2.

So the question was decided in the negative and the Bill not having received the required constitutional majority was lost. Ordered to the House for concurrence.

Mr. Bulow requested that **HB 200** be restored to the Calendar. Request granted.

Mr. Burkholder moved that the Senate recess for 15 minutes. Motion prevailed.

Senate met at expiration of recess, 9 P. M.

Mr. Burkholder moved that the Senate adjourn until 10 A. M., Standard Time, Wed., April 27, 1949. Motion prevailed.

65TH LEGISLATIVE DAY

Senate met pursuant to adjournment. Wed., April 27, 1949, 10 A. M., Eastern Standard Time, Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Thomas: Almighty and eternal God, deliver us from being satisfied with ourselves. Too long have we been content to accept the second best. Too often have we prayed from force of habit without expecting an answer. May we have faith this day that Thou wilt hear our prayer and may we open our hearts to the leading of Thy Spirit. From all self-will deliver us. Give us strength of body, vigor of soul, a charitable heart, an open mind. Help us to bow down to Thine authority and make us obedient to Thy commands. Through Jesus Christ, our Lord. Amen.

Members present — Messrs. Bulow, Burkholder, Cannon,

Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

The Secretary proceeded to read the Journal of the Previous Session, when Mr. Dickerson moved so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Communications: 1—Favoring **SB 349**; 1—Opposing **SB 130, 292** and **HB 75**; 1—Opposing **HB 204** and **363**. From Wilmington, Del.: Westley B. Davis, Sr., Mrs. Jay G. Hughes, Delaware Motor Trades Association.

Mr. Dickerson moved that the Senate recess until 2 P. M. Motion prevailed.

Senate met at expiration of recess, 3:25 P. M.

The President announced he is about to sign: **SB 30, 104, 135, and 225**.

Mr. Dickerson moved that the Senate recess for 10 minutes. Motion prevailed.

Senate met at expiration of recess, 4 P. M.

Mr. Burkholder moved that all House Bills and Senate Substitute Bills read into the Senate today be given their first and second reading by title only.

Mr. Cannon, on motion for leave, introduced **SB 422**—"An Act Empowering the State Highway Department to Designate Certain Highways as Express Highways; Defining an 'Express Highway'; Authorizing the Acquisition of Property Rights in Connection Therewith; and Regulating the Same," which was given first and second reading, the second by title only, and referred to the Committee on Buildings and Highways.

On motion of Mr. Bulow, **SB 79** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Messrs. Bramhall and Swain.

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

YEAS—Messrs. Bulow, Burkholder, Cubbage, Dickerson, Evans, Hammond, Hitchens, Phillips, Powell, Reilly, Rhodes, Madam President Pro Tem—12.

NAYS—Messrs. Cannon, Crossley, David, Klair, Webb—5.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

Mr. Rhodes, on behalf of the Committee on Public Health to whom had been referred **HS** for **HS** for **HB 36** with **Amendments 1 and 2**, reported the same back to the Senate on its merits.

Mr. Hammond, on behalf of the Committee on Finance to whom had been referred **SB 72**, reported the same back to the Senate on its merits.

Mr. Hammond, on behalf of the Committee on Finance to whom had been referred **SB 376**, **SS** for **SB 397**, and **SS** for **SB 398**, reported the same back to the Senate favorably.

On motion of Mr. Klair, **SB 359** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—12.

NAYS—Messrs. Bulow, Evans, Hammond, Hitchens, Powell—5.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

The Chair presented **SCR 27** with **HA 1**. Upon motion, the Resolution was taken up for consideration in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" Mr. Burkholder moved the Resolution be referred to the Committee on Claims.

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

YEAS—Messrs. Burkholder, Cannon, Crossley, David, Dickerson, Klair, Phillips, Reilly, Rhodes, Madam President Pro Tem—10.

NAYS—Messrs. Bulow, Cubbage, Evans, Hammond, Hitchens, Powell, Webb—7.

So the question was decided in the affirmative, and the Resolution having received the required constitutional majority, was referred to the Committee on Claims.

Mr. Burkholder moved that the Senate adjourn until 10 A. M., Standard Time. Thurs., April 28, 1949. Motion prevailed.

66TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Thurs., April 28, 1949, 10 A. M., Eastern Standard Time, Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. J. E. Thomas: Almighty and eternal God, Thou art the creator of all things and the Father of our immortal spirits yet there are some who see Thee but dimly. Reveal Thyself to our hearts today that we may see Thee, not as a distant dream or a dim idea, but as a living Reality, a disturbing Presence, and abiding Friend, to guide us and to chide us, to uphold us and to redeem us. May we so accommodate our minds to Thy wisdom and our understanding to Thy standards that everything we do will be acceptable in Thy sight, O Lord, our Strength and our Redeemer. Amen.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

Members absent—Mr. Powell—1.

The Secretary proceeded to read the Journal of the previous session, when Mr. Burkholder moved so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Mr. Burkholder moved that all Senate Substitutes and House Bills read into the Senate today be given their first and second reading by title only. Motion prevailed.

Messrs. Bulow and Reilly, on motion for leave, introduced **SS** for **SB 372**—"An Act to Amend Chapter 33, Revised Code of Delaware, 1935, as Amended, Relative to the Board of Examiners of Barbers; Providing for the Appointment of a Commission and Establishing Its Jurisdiction Throughout the State; Regulation of Licenses; Expiration of Appointment; Power to Make Regulations; Regulations of Apprentices; Establishing Rules for the Operation of Barber Shops," which was given first and second reading, the second by title only, and referred to the Committee on Miscellaneous.

Mr. Evans, on behalf of the Committee on Passed Bills, reported to the Senate that he had delivered to the Governor the following: **SB 30, 104, 135, and 225**.

Mr. Evans, on behalf of the Committee on Passed Bills reported as approved by the Governor the following: **SS** for **SB 31**—approved April 25, 1949.

OATH OF EMPLOYEES

The State of Delaware
County of Kent, ss.

I, ISABEL S. SYPHERD, 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 Supply Room Clerk for the Senate in the General Assembly of the State, according to the best of my ability.

ISABEL S. SYPHERD

Sworn and subscribed to this 28th day of April, A. D. 1949.

ALEXIS du P. BAYARD,
President of the Senate

Mr. Burkholder moved that the Senate recess until 2 P. M. Motion prevailed.

Senate met at expiration of recess, 3:05 P. M.

The President announced he is about to sign: **HB 109, 211** as amended.

Mr. Rhodes, on behalf of the Committee on Private Corporations to whom had been referred **HB 452**, reported the same back to the Senate favorably.

Mr. Rhodes, on behalf of the Committee on Judiciary to whom had been referred **HB 450**, and **HS** for **HB 495**, reported the same back to the Senate favorably.

Mr. Phillips, on behalf of the Committee on Claims to whom had been referred **SCR 27** with **HA 1** reported the same back to the Senate favorably.

On motion of Mr. Burkholder, **SCR 27** with **HA 1** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" Mr. Burkholder moved the adoption of the Resolution. Motion prevailed.

The Chair declared recess for 5 minutes.

On motion of Mr. Burkholder, **HB 266** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Madam President Pro Tem—14

NAYS—None.

ABSENT—Messrs. Cannon, Powell, Webb—3.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Klair, **SB 343** was taken up for consideration and read a third time by paragraphs, in order to pass the Senate.

Mr. Klair moved that so much be considered the third and final reading of the Bill. Motion prevailed.

Upon request, the privilege of the floor was given to Mr. Tunnell.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Madam President Pro Tem—14.

NAYS—None.

NOT VOTING—Mr. Cubbage—1.

ABSENT—Messrs. Powell, Webb—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Bulow, **SA** to **SB 22** was taken up for consideration and read in order to pass the Senate.

On the question, "Shall the Amendment pass the Senate?" Mr. Bulow moved the adoption of **SA 1** to **SB 22**. Motion prevailed.

On motion of Mr. Bulow, **SB 22** as amended, was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. McDowell.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Reilly. Rhodes, Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Powell, Webb—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

Mr. Hammond, on behalf of the Committee on Banking and Insurance to whom had been referred **SB 42**, and **SS** for **SS** for **SB 283**, reported the same back to the Senate on their merits.

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred **SB 422**, reported the same back to the Senate favorably.

Mr. Bulow, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred **HB 110**, **35**, **32**, and **431**, reported the same back to the Senate favorably.

Mr. Bulow, on behalf of the Committee on Temperance to whom had been referred **SS** for **SB 269**, reported the same back to the Senate on its merits.

Mr. Hammond, on behalf of the Committee on Banking and Insurance to whom had been referred **HB 351**, reported the same back to the Senate favorably.

STATE OF DELAWARE

Executive Department

Dover, April 27, 1949

To the Honorable
The Senate of the 115th General Assembly
Dover, Delaware

Members:

I am returning to you **SCR 20**, entitled "Memorializing the Congress of the United States with Respect to a National Compulsory Sickness Insurance Program," from which I have withheld my approval. My reasons for so doing are as follows: It was clearly brought out by the Selective Service during the last war that a substantial percentage of our youth had been receiving inadequate medical care. This resulted in certain physical in-

firmities of our young men and women who otherwise would have been available for the defense of their country.

It was strongly indicated at that time of emergency that a constructive health program was greatly needed to assure a full supply of manpower for the adequate defense of our nation.

It is likewise important that in times of peace this country should endeavor to make a constructive effort to conserve and improve the health of its people.

Good health, just as aid to the needy, aid to education and development of our nation's highways are matters of nationwide concern.

Cordially,
ELBERT N. CARVEL,
Governor

On motion of Mr. Burkholder, **HB 270** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Messrs. Bramhall and Kelton.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Reilly. Rhodes, Madam President Pro Tem—15.

ABSENT—Messrs. Powell, Webb—2.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 288** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Hammond, Klair, Phillips, Reilly, Rhodes, Madam President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Evans, Hitchens, Powell, Webb—4.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Klair, **SS** for **SB 417** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Hammond, Klair, Phillips, Reilly, Rhodes, Madam President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Evans, Hitchens, Powell, Webb—4.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Reilly, **SB 350** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Burkholder, Cannon, Crossley, Cubbage, Dickerson, Klair, Reilly, Rhodes, Madam President Pro Tem—9.

NAYS—Messrs. Bulow, David, Hammond, Phillips—4.

ABSENT—Messrs. Evans, Hitchens, Powell, Webb—4.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Klair, **SS** for **SB 418** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Hammond, Klair, Phillips, Reilly, Rhodes, Madam President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Evans, Hitchens, Powell, Webb—4.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Burkholder, **HB 290** with **HA 1** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

On the question, "Shall the Bill pass the Senate?" Mr. Burkholder moved that action be deferred. Motion prevailed.

On motion of Mr. Burkholder, **HB 290** with **HA 1** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Rep. Jones and Mr. Tunnell.

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

YEAS—Messrs. Burkholder, Hitchens, Phillips, Rhodes, Madam President Pro Tem—5.

NAYS—Messrs. Bulow, Cannon, Crossley, Cubbage, David, Dickerson, Hammond, Klair, Reilly—9.

ABSENT—Messrs. Evans, Powell, Webb—3.

So the question was decided in the negative, and the Bill not having received the required constitutional majority was lost. Mr. Bulow changing his vote from Yea to Nay for purpose of reconsideration.

On motion of Mr. Burkholder **HB 323** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Madam President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Bulow, Evans, Powell, Webb—4.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Dickerson, **SB 388** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Madam President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Evans, Powell, Webb—3.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. David, **SB 285** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes—13.

ABSENT—Messrs. Evans, Powell, Webb, Madam President Pro Tem—4.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

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

HB 193—"An Act to Transfer Certain Funds to the Main-

tenance Account of Eden School District No. 101 in New Castle County”;

HB 415—“An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, with Reference to the Taking, Possession and Sale of Rock Fish”;

HB 429—“An Act Making It Unlawful for Any Board, Commission or Department of This State to Make a Contract for the Sale or Purchase of Any Goods, Wares and Merchandise and/or Lease for Any Buildings or Lands with Any Member or Employee of Such Board, Commission or Department”;

HB 474—“An Act to Amend Chapter 153, Sec. 4 of the Revised Code of Delaware, 1935, as Amended, by Chapter 238 of Volume 43, Laws of Delaware, by Changing the Hours When Attendance at Moving Pictures and Other Worldly Activities in Incorporated Cities and Town Is Permitted on Sunday”;

HB 254 with **HA 1**—“An Act to Amend Chapter 207 of Volume 17, Laws of Delaware, Entitled ‘An Act to Revise and Consolidate the Statutes Relating to the City of Wilmington,’ as Amended by Chapter 557 of Volume 20, Laws of Delaware, by Providing for a Department of Health for the City of Wilmington in Lieu of the Board of Health, and Defining Its Authority, Jurisdiction, Power and Duties, Term of Office and Salary”;

HS for **HB 403**—“An Act to Amend Chapter 87 of the 1935 Revised Code of the State of Delaware, as Amended Concerning the Desertion of, or Failure to Support a Wife or Child; the Neglect of a Child; the Duties of Probation Officers and the Proceedings upon Violation of a Support Probation Order; Assignment of Salary or Wage; Duties of Employers”;

HB 508 with **HA 1** and **2**—“An Act to Amend Chapter 105 of the Revised Code of Delaware, 1935, as Amended, with Respect to Drainage; Policy of State Regarding; Functions of Soil Conservation District Supervisors Concerning; Formation of Legal Tax Ditches; Notices and Officials; Selections, Authority and Duties; Damages and Assessments; Granting of Charter to Tax Ditch; Drainage Plans and Reports; Tax Ditch Meetings; Voting Rights of Taxables; Tax Assessment Lists; Rights of Way; Entry upon Land; Taxes for Drainage; Amendment of Charter; Appeals; Powers of Tax Ditch Officials; Cooperation with, and Assistance from, Public Officers; Dissolution Procedure; Miscellaneous Provisions”;

HCR 16—“Relating to Advertisements Inviting Correspondence by ‘Lonely Hearts’”;

HB 527—“An Act to Protect the Public Health and Welfare by Authorizing the State Board of Health to Establish Regulations for the Construction of Water and Sewage Systems and to Adopt Rules and Regulations in Kent County, Delaware, of Basic Plumbing Principles; Definition of Principles; Plumbing System; Fixtures; Cross Connections; Pollution of Water and Sewage; Adequate Water Supply and Hot Water Tanks; Sewer Connections; Family Water Closets; Public or Private Sewage Disposal Plants; Hot Water Tank Boilers; Fixtures; Traps—

Refrigerator Traps; Private and Public Sewers; Providing for a Plumbing Inspector and the Registration of All Plumbers Carrying on Business in Kent County; and Providing for Penalties of This Act"; and presented the same to the Senate.

Mr. Spruance, Clerk of the House, being admitted, informed the Senate that the House had concurred in the following: **SB 61, 62, 64, 91** with **HA 1, 110, 119** with **SA 1, 121, 125, 131, 143, 144, 145** with **HA 1**, and returned the same to the Senate.

Mr. William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had not concurred in the following: **SS** for **SB 93, 123**, and returned the same to the Senate.

On motion of Mr. Burkholder, **HB 410** with **SA 1** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

Mr. Hammond moved that action be deferred on **HB 410** with **SA 1**. Motion prevailed.

On motion of Mr. Hammond, **SA 1** to **HB 410** was taken up for consideration and read in order to pass the Senate.

On the question, "Shall the Amendment pass the Senate?" Mr. Hammond moved that action be deferred. Motion prevailed.

On motion of Mrs. Davis, **SB 9** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Durkee.

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

YEAS—Messrs. Burkholder, Dickerson, Klair, Phillips, Rhodes—5.

NAYS—Messrs. Bulow, Cannon, Crossley, Cubbage, David, Hammond, Hitchens, Reilly, Madam President Pro Tem—9.

ABSENT—Messrs. Evans, Powell, Webb—3.

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

Mrs. Davis requested that **SCR 20** be restored to the Calendar. Request granted.

Mr. Bulow requested that **HB 290** with **HA 1** be restored to the Calendar. Request granted.

Mr. Dickerson moved that the Senate adjourn until 10 A. M., Eastern Standard Time, Fri., April 29, 1949. Motion prevailed.

67TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Fri., April 29, 1949, 10 A. M., Eastern Standard Time, Lt-Gov. Bayard presiding.

Prayer by the Chaplain Rev. Thomas: Almighty God, to

whom all hearts are open, all desires known and from whom no secrets are hid, cleanse the thoughts of our hearts by the inspiration of Thy Holy Spirit, that we may perfectly love Thee and worthily magnify Thy holy name. Grant to these, Thy servants, strength sufficient for the needs of this day. Give us clear minds, clean hands and honest motives. Help us ever to maintain such fellowship with Thee as shall bring to us a sense of rich and abundant blessing. Through Jesus Christ, our Lord. Amen.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

The Secretary proceeded to read the Journal of the previous session, when Mr. Burkholder moved so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Mr. Bulow, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred **HB 394, 362, 355, 280, and 37**, reported the same back to the Senate favorably.

Mrs. Davis requested that **SB 9** be restored to the Calendar. Request granted.

On motion of Mrs. Davis **SR 43**—"Authorizing Payment on Account to Attaches and Employees of the Senate."

BE IT RESOLVED by the Senate of the 115th General Assembly that the State Treasurer be and he hereby is authorized and directed to pay to any attache or employee, who has been duly appointed by Resolution of the Senate, upon the order of the President Pro Tem of the Senate, sums on account from time to time, not to exceed the total of Seven Hundred Dollars (\$700.00) to any one person, on account of services to the present Session of the Senate. Any such sums so paid shall be charged against the salary of the individual attache or employee to whom such sum or sums are paid, and shall be a part of the expenses of this Session of the Senate.

SR 43 was taken up for consideration and read in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" Mrs. Davis moved the adoption of the Resolution. Motion prevailed.

The Chair presented **HCR 16**, which was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" Mr. Burkholder moved the adoption of the Resolution. Motion prevailed, and was ordered returned to the House.

The Chair presented **HS** for **HB 403**, and **SB 91** with **HA 1**, which were given first and second reading, the second by title only, and referred to the Committee on Judiciary.

The Chair presented **HB 474**, and **429**, which were given first and second reading, the second by title only, and referred to the Committee on Miscellaneous.

The Chair presented **HB 193**, which was given first and

second reading, the second by title only, and referred to the Committee on Claims.

The Chair presented **HB 254** with **HA 1** which was given first and second reading, the second by title only, and referred to the Committee on Public Health.

The Chair presented **HB 508** with **HA 1** and **2**, which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

The Chair presented **HB 415**, which was given first and second reading, the second by title only, and referred to the Committee on Fish, Oysters and Game.

The Chair presented **SB 119** with **HA 1**, which was given first and second reading, the second by title only, and referred to the Committee on Municipal Corporations.

The Chair presented **SB 145** with **HA 1**, which was given first and second reading, the second by title only, and referred to the Committee on Education.

Mr. Bulow, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred **SB 164**, reported the same back to the Senate on its merits.

Mr. Powell, on behalf of the Committee on Miscellaneous to whom had been referred **SS** for **SB 292**, reported the same back to the Senate on its merits.

The Chair presented **HB 527**, which was given first and second reading, the second by title only, and referred to the Committee on Public Health.

Mr. Cabbage requested that **SB 394** be stricken from the Calendar. Request granted.

Mr. Burkholder moved that the Senate recess until 2:30 P. M., Daylight Saving Time. Motion prevailed.

Senate met at expiration of recess, 4:20 P. M.

The President announced he is about to sign: **SB 61, 62, 64, 110, 121, 125, 131, 143, 144**, and **SCR 27** as amended,

Mr. Burkholder, on behalf of the Committee on Municipal Corporations to whom had been referred **HB 523**, and **135**, with **HA 1**, reported the same back to the Senate favorably.

Mr. Burkholder, on behalf of the Committee on Municipal Corporations to whom had been referred **HB 244**, reported the same back to the Senate unfavorably.

Mr. Burkholder moved that all Senate Substitutes for Senate Bills and all House Bills read into the Senate today be given their first and second readings by title only. Motion prevailed.

Mrs. Davis, on motion for leave, introduced **SS** for **SB 34**—
 “An Act to Provide for Payments to Persons Who Served in the Armed Forces of the United States between September 16, 1940. and June 30, 1946, and to Beneficiaries of Such Persons; to Create a State Administrative Board; to Prescribe the Powers and Duties of the State Administrative Board and State Officers with Respect Thereto; to Provide for Acceptance of Financial and Other Assistance from the Federal Government; to Provide for Certain Administrative Expenses; to Make Certain Appro-

priations; and to Prescribe Penalties for Violations of the Provisions of This Act," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

On motion of Mr. Cannon, **SS** for **SB 398** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

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

Mr. Burkholder, on behalf of the Committee on Revised Statutes to whom had been referred **HB 167**, reported the same back to the Senate favorably.

On motion of Mr. Evans, **SB 179** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" Mr. Evans moved that action be deferred. Motion prevailed.

Mr. Powell, on behalf of the Committee on Miscellaneous to whom had been referred **HB 498**, and **309**, reported the same back to the Senate favorably.

Mr. Powell, on behalf of the Committee on Agriculture to whom had been referred **HB 475**, reported the same back to the Senate favorably.

On motion of Mr. Klair, **SB 340** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Messrs. Bramhall and Hughes.

On the question, "Shall the Bill pass the Senate?" Mr. Klair moved that action be deferred. Motion prevailed.

Mr. Cannon moved that the Senate recess until the call of the Chair. Motion prevailed.

Senate met at expiration of recess, 5:50 P. M.

The President announced he is about to sign: **HB 266**, **270**, **288**, **323**, and **HCR 16**.

Upon motion for leave, Mr. Hitchens introduced **SR 44**—"Relative to Payment on Account for Collecting Data, Compiling, Editing and Publishing the Daily Calendar for the State Senate."

BE IT RESOLVED By the Senate of the State of Delaware that the following amount be and the same is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, for collecting data, compiling, editing and publish-

ing the Daily Calendar for the Senate of the State of Delaware, for the 63rd, 64th, 65th, and 67th Legislative Days, same being expense connected with the present Session thereof, viz.:

To the Sussex Countian, Georgetown, Delaware, One Thousand Seven Hundred and Four Dollars and Twenty-five Cents (\$1,704.25), being part payment on account for above.

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

On the question, "Shall the Resolution be adopted?" Mr. Hitchens moved the adoption of the Resolution. Motion prevailed.

Mr. Klair requested that **SB 401** be stricken from the Calendar. Request granted.

Mr. Dickerson moved that the Senate adjourn until 10 A. M., Eastern Standard Time, Mon., May 2, 1949. Motion prevailed.

68TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Mon., May 2, 1949, 10 A. M., Eastern Standard Time, Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Thomas: Almighty and eternal God, our kind heavenly Father, we read in Thy word that "They that wait upon the Lord shall renew their strength; they shall mount up on wings as eagles; they shall run and not be weary; they shall walk and not faint." Thus we wait upon Thee again at this time for there is something deep and haunting in our hearts which draws us to Thee, seeking in fellowship with Thee that which we cannot find alone. Lift us out of any dull, dark or rebellious temper of mind lest we become too gloomy to hope, too willful to learn. Open within our hearts a fountain of compassion and make us sensitive to human need. Direct us in all our activities this day that tomorrow we may live unashamed with our memories. Through Jesus Christ, our Lord. Amen.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond Hitchens, Klair, Phillips, Powell, Rhodes, Webb, Madam President Pro Tem—16.

Members absent—Mr. Reilly—1.

The Secretary proceeded to read the Journal of the previous session, when Mr. Dickerson moved so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Mr. Phillips, on behalf of the Committee on Education to whom had been referred **SB 145** with **HA 1** reported the same back to the Senate favorably.

Mr. Evans, on behalf of the Committee on Passed Bills, reported to the Senate that he had delivered to the Governor the following: **SB 131, 143, 144, SCR 27, SB 61, 62, 64, 110, 121, and 125.**

The Chief Clerk of the House, having been admitted informed the Senate that the House requested the return of **SB 123**.

and **SS** for **SB 93**, which by motion adopted in the House has been restored to the House Calendar.

William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had passed and requested the concurrence of the Senate in the following: **HS** for **SB 137**—"An Act to Amend Chapter 60 of the Revised Code of Delaware, 1935, as Amended, Relating to General Elections, Providing for a Single Ballot for Presidential, Vice Presidential and State, County and District Candidates at a General Election," and presented the same to the Senate.

Mr. William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had concurred in the following: **SB 160**, and **210**, and returned the same to the Senate.

Mrs. Davis moved that **SS** for **SB 93**, and **SB 123** be returned to the House as requested. Motion prevailed.

Mr. Burkholder moved that all Senate Substitutes and House Bills read into the Senate today be given their first and second readings by title only. Motion prevailed.

Mr. Burkholder moved that the Senate recess until 2 P. M. Motion prevailed.

Senate met at expiration of recess, 3:25 P. M.

The President announced he is about to sign: **SB 160** and **210**.

The Chair presented **HS** for **SB 137**. Mr. Burkholder moved so much be considered the first reading of the Bill. Motion prevailed.

SB 137 was given first and second reading, the second by title only, and referred to the Committee on Elections.

Mr. Hammond, on motion for leave, introduced **SS** for **SB 411**—"An Act to Make Valid Improperly Acknowledged Legal Instruments and Documents and the Record and Filing Thereof," which was given first and second reading, the second by title only, and referred to the Committee on Judiciary.

On motion of Mr. Burkholder, **HB 4** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Evans, Hammond, Hitchens, Phillips, Powell, Rhodes—7.

NAYS—Messrs. Burkholder, Crossley, Cabbage, Klair, Webb—5.

NOT VOTING—Madam President Pro Tem—1.

ABSENT—Messrs. Cannon, David, Dickerson, Reilly—4.

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

On motion of Mr. Burkholder, **HB 11** was taken up for

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

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Reilly—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Cannon, **SS** for **SB 269** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Klair, Rhodes, Webb, Madam President Pro Tem—12.

NAYS—Messrs. Hammond, Hitchens, Phillips, Powell—4.

ABSENT—Mr. Reilly—1.

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

On motion of Mr. Burkholder, **HB 18** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Crossley, Cabbage, David, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Rhodes, Webb, Madam President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Cannon, Dickerson, Reilly—3.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HS** for **HS** for **HB 36** with **HA 1** and **2**, was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Sinclair.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Rhodes, Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Reilly, Webb—2.

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

On motion of Mr. Klair, **HB 96** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Rhodes, Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Reilly, Webb—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

Mr. Dickerson, on motion for leave, introduced **SS** for **SB 314**—"An Act for the Protection and Conservation of Shad in the Delaware River and Bay and Their Tributaries by Regulating the Take or Catch Thereof," which was given first and second reading, the second by title only, and referred to the Committee on Fish, Oysters and Game.

Mr. Bulow, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred **HB 415**, reported the same back to the Senate favorably.

Mr. Powell, on behalf of the Committee on Miscellaneous to whom had been referred **SS** for **SB 372**, reported the same back to the Senate on its merits.

On motion of Mr. Burkholder, **HB 354** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Sinclair.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Evans, Hammond, Klair, Phillips, Powell, Rhodes, Madam President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Dickerson, Hitchens, Reilly, Webb—4.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 476** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Rhodes, Webb, Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Powell, Reilly—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Bulow, **HB 366** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Rhodes, Webb, Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Powell, Reilly—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Cabbage, **SB 320** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Tunnell.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Reilly—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Burkholder, **HB 32** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, David, Dickerson, Evans, Klair, Phillips, Rhodes, Webb, Madam President Pro Tem—12.

NAYS—Messrs. Cabbage, Hammond, Hitchens—3.

ABSENT—Messrs. Powell, Reilly—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 35** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Reilly—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder **HB 43** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cabbage, Hammond, Hitchens, Phillips, Powell Rhodes, Webb, Madam President Pro Tem—10.

NAYS—Messrs. Cannon, Crossley, David, Dickerson, Evans, Klair—6.

ABSENT—Mr. Reilly—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Klair, **HB 102** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Tunnell.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Reilly—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Cabbage, **SS** for **SB 176** was taken up for

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

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

YEAS—Messrs. Bulow, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Phillips, Webb, Madam President Pro Tem—11.

NAYS—Messrs. Burkholder, Hitchens Klair, Powell, Rhodes—5.

ABSENT—Mr. Reilly—1.

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

On motion of Mr. Burkholder **HB 27** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Dr. Herbst.

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

YEAS—Messrs. Burkholder, Cannon, Crossley, Dickerson, Evans, Klair, Phillips, Rhodes Webb, Madam President Pro Tem—10.

NAYS—Messrs. Bulow, Cubbage, David, Hammond, Hitchens, Powell—6.

ABSENT—Mr. Reilly—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 160** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Dr. Herbst.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Dickerson, Evans, Hammond, Klair, Phillips, Powell, Rhodes, Webb—Madam President Pro Tem—13.

NAYS—Messrs. Cubbage, David, Hitchens—3.

ABSENT—Mr. Reilly—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 48** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Klair, Phillips, Powell, Rhodes, Webb, Madam President Pro Tem—15.

NAYS—Mr. Hitchens—1.

ABSENT—Mr. Reilly—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 55** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Powell, Rhodes, Webb, Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Klair, Reilly—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 66** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Reilly—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 71** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Evans, Hammond, Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—8.

NAYS—Messrs. Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Klair—7.

ABSENT—Messrs. Reilly, Webb—2.

So the question was decided in the negative, and the Bill not having received the required constitutional majority, was lost. Ordered returned to the House.

Mr. Burkholder changing vote from Yea to Nay for purpose of reconsideration.

Mr. Rhodes, on behalf of the Committee on Judiciary to whom had been referred **SB 91** with **HA 1**, reported the same back to the Senate favorably.

On motion of Mr. Burkholder, **HB 93** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Burkholder, Cannon, Crossley, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Rhodes, Madam President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Bulow, Cubbage, Reilly, Webb—4.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

Mr. Burkholder moved that the Senate recess for 15 minutes. Motion prevailed. Senate met at expiration of recess.

On motion for leave, Mrs. Davis, introduced **SR 45**—"Memorializing the Congress of the United States with Respect to a National Compulsory Sickness Insurance Program."

WHEREAS, The American people now enjoy the highest level of health, the best standards of scientific medical care and the finest medical institutions ever attained by any major country in the world; and

WHEREAS, these accomplishments of American medicine are the results of a free people working under a system of free enterprise; and

WHEREAS, in all countries where government has assumed control of medical care the experience has been a progressive deterioration of medical standards and medical care, to the detriment of the health of the people; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the 115th General Assembly of the State of Delaware:

That the Senate of the State of Delaware respectfully petitions the Congress of the United States to refrain from imposing upon the citizens of this nation any form of compulsory insurance, or any system of medical care designed for national bureaucratic control; and

That the Honorable John J. Williams, the Honorable J. Allen Frear, Jr., and the Honorable J. Caleb Boggs, Members of the Congress of the United States from Delaware, be and they are hereby respectfully requested to oppose the enactment of such Legislation; and

That the Secretary of the Senate transmit copies of this Resolution to the President of the United States, the Presiding Officers of the United States Senate and the United States House of Representatives and to each Senator and Congressman from Delaware.

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

On the question, "Shall the Resolution be adopted?" Mrs. Davis moved the adoption of the Resolution. Motion prevailed.

Mr. Burkholder moved that the Senate adjourn until 11 A. M., Daylight Saving Time, Fri., May 6, 1949. Motion prevailed.

69TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Fri., May 6, 1949, 11 A. M., Daylight Saving Time, Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Thomas.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

The Secretary proceeded to read the Journal of the previous session, when Mr. Burkholder moved so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Communications: 2—Favoring **SB 130**; 1—Urging support of **SB 230**; 1—Opposing **SB 322**. From: Lemuel H. Hickman, Frankford, Del.; Roland F. Scott, Selbyville, Del.; Union Park Motors, Inc., Wilmington, Del.; Council of Civic Organizations, Brandywine Hundred.

Mr. Burkholder moved that the Senate recess until 2 P. M., Daylight Saving Time. Motion prevailed.

Senate met at expiration of recess, 6:10 P. M.

On motion of Mr. Burkholder, **HB 171** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Hammond, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Evans, Hitchens, Powell—3.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 173** with **HA 1** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Hammond, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Evans, Hitchens, Powell—3.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 272** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Hammond, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Evans, Hitchens, Powell—3.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Cubbage, **HB 405** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Hammond, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Evans, Hitchens, Powell—3.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

Mr. Phillips, on behalf of the Committee on Claims to whom had been referred **HB 193**, and **389**, reported the same back to the Senate favorably.

Mr. Phillips, on behalf of the Committee on Public Lands to whom had been referred **SS** for **SB 419**, reported the same back to the Senate favorably.

Mr. Phillips, on behalf of the Committee on Education to whom had been referred **HS** for **HB 480**, and **HB 144**, reported the same back to the Senate favorably.

Mr. Burkholder requested that **HB 4** and **71** be restored to the Calendar. Request granted.

On motion of Mr. Hammond, **HB 141** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Hammond, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Evans, Hitchens, Powell—3.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 523** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Hammond, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Evans, Hitchens, Powell—3.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Klair, **HS** for **HB 76** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Hammond, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Evans, Hitchens, Powell—3.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mrs. Davis, **SA 1** to **SB 73** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Amendment pass the Senate?" Mrs. Davis moved the adoption of the Amendment. Motion prevailed.

On motion of Mrs. Davis, **SB 73** as amended, was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Klair, Reilly, Rhodes—3.

NAYS—Messrs. Bulow, Burkholder, Cannon, Crossley, David, Hammond, Phillips, Webb, Madam President Pro Tem—9.

NOT VOTING—Messrs. Cabbage, Dickerson—2.

ABSENT—Messrs. Evans, Hitchens, Powell—3.

So the question was decided in the negative, and the Bill not having received the required constitutional majority, was lost. Mrs. Davis changing her vote from Yea to Nay for purpose of reconsideration.

The Sergeant-at-Arms announced the Secretary of State

with a message from the Governor. The message was referred to the Executive Committee.

On motion for leave, Mr. Cabbage introduced **SR 46**—"Permitting the Introduction of a Substitute Bill for Senate Bill No. 322 with a Change in Title Thereto."

BE IT RESOLVED by the Senate of the State of Delaware that any and all rules and regulations heretofore adopted be and the same are hereby amended to permit the introduction of Senate Substitute for Senate Bill No. 322 with a new title, to read as follows:

An Act to Amend Chapter 44, Revised Code of Delaware, 1935 Relating to "Valuation and Assessment of Property" by Providing for a New Valuation and Assessment of All Property in New Castle County on or before July 1, 1951 and Every Four Years Thereafter.

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

On the question, "Shall the Resolution be adopted?" Mr. Cabbage moved the adoption of the Resolution. Motion prevailed.

Mr. Cabbage, on motion for leave, introduced **SS** for **SB 354**—"An Act to Amend Chapter 259, Volume 41, Laws of Delaware, Relating to the State Park Commission," which was given first and second reading, the second by title only, and referred to the Committee on Public Lands.

On motion of Mr. Cannon, **SB 422** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Hammond, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Evans, Hitchens, Powell—3.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

Mrs. Davis requested that **SB 73** be restored to the Calendar. Request granted.

On motion of Mr. Burkholder, **HB 320** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Hammond, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Evans, Hitchens, Powell—3.

So the question was decided in the affirmative, and the

Bill having received the required constitutional majority, was adopted and ordered returned to the House.

Mr. Burkholder moved that the Senate adjourn until 11 A. M., Eastern Standard Time, Mon., May 9, 1949. Motion prevailed.

70TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Mon., May 9, 1949, 11 A. M., Eastern Standard Time, Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Thomas: Almighty God, our Father, we thank Thee for this day and the opportunities for service it brings to us. We thank Thee for Thy many kind providences and pray Thy continued favor towards us. Once again we approach Thy throne of grace. We come to Thee with open minds and expectant hearts. Lead us in the way we should go that the work of this day may have thine approval and bring enrichment to our lives and those we serve. Reveal to us the truth and grant us courage to follow it. May we maintain such fellowship with Thee as shall bring to us the satisfaction of work well done. Through Jesus Christ, our Lord. Amen.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

The Secretary proceeded to read the Journal of the previous session, when Mr. Dickerson moved so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Communications: 1—Opposing **SB 197** and **292**; 1—Favoring **SB 147**, **146**, and **162**; 1—Favoring **SB 130**; 1—Urging support of **SB 286** and **367**. From: Claymont Special District Public School, Joines Motor Co., Selbyville, Del.; Mrs. B. O. Harris, Marshallton, Del.

Mr. Evans, on behalf of the Committee on Passed Bills reported as approved by the Governor the following: **SB 18**, **95**, **125**, May 4, 1949.

The President announced he is about to sign: **HB 11**, **18**, **27**, **32**, **35**, **HS** for **HS** for **HB 36** with Amendment **1** and **2**, **HB 43**, **48**, **55**, **66**, **93**, **96**, **102**, **160**, **354**, **366**, **476**.

Mr. Bulow, on behalf of the Committee on Elections to whom had been referred **SS** for **SB 195**, reported the same back to the Senate on its merits.

Mr. Bulow, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred **SS** for **SB 314**, reported the same back to the Senate on its merits.

Mr. Bulow, on behalf of the Committee on Elections to whom had been referred **HS** for **SB 137**, reported the same back to the Senate favorably.

Mr. Burkholder moved that the Senate recess until 2 P. M., Daylight Saving Time. Motion prevailed.

Senate met at expiration of recess, 3:40 P. M., Daylight Saving Time.

Mr. Bulow, on behalf of the Committee on Elections to whom had been referred **SB 364**, and **360**, reported the same back to the Senate favorably.

Mr. Hitchens, on behalf of the Committee on Buildings and Highways to whom had been referred **SCR 24**, reported the same back to the Senate on its merits.

Mr. Rhodes, on behalf of the Committee on Public Health to whom had been referred **HB 395**, **254** with **HA 1**, and **SB 330**, reported the same back to the Senate favorably.

On motion of Mr. Burkholder, **HB 135** with **HA 1** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—15.

NAYS—Mr. Klair—1.

ABSENT—Mr. Powell—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 194** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

On the question, "Shall the Bill pass the Senate?" Mrs. Davis moved that action be deferred. Motion prevailed.

On motion of Mr. Burkholder, **HB 195** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" Mrs. Davis moved that action be deferred to correct typographical error. Motion prevailed.

On motion of Mrs. Davis, **HB 196** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Evans, Hammond, Hitchens, Klair, Phillips, Rhodes—7.

NAYS—Messrs. Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Reilly, Webb, Madam President Pro Tem—9.

ABSENT—Mr. Powell—1.

So the question was decided in the negative, and the Bill not having received the required constitutional majority was lost. Mr. Burkholder changing his vote from Yea to Nay for purpose of reconsideration.

On motion of Mr. Burkholder, **HB 197** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

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

YEAS—Messrs. Bulow, Evans, Hammond, Hitchens, Phillips, Rhodes, Madam President Pro Tem—7.

NAYS—Messrs. Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Reilly, Webb—8.

ABSENT—Messrs. Klair, Powell—2.

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

Mr. Burkholder changing his vote from Yea to Nay for purpose of reconsideration.

The President announced he is about to sign: **HS** for **HB 76, 141, 171, 173** as amended, **272, 320, 405, and 523.**

On motion of Mr. Burkholder, **HB 236** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Phillips, Reilly, Rhodes, Webb Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Klair, Powell—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 237** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Klair, Powell—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 301** was taken up for

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

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Klair—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 286** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Magee.

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

YEAS—Messrs. Bulow, Evans, Hammond, Hitchens, Phillips, Powell, Rhodes—7.

NAYS—Messrs. Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Reilly, Webb, Madam President Pro Tem—9.

ABSENT—Mr. Klair—1.

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

Mr. Burkholder changing his vote from Yea to Nay for purpose of reconsideration.

On motion of Mr. Burkholder, **HB 314** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Klair—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 315** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Phillips, Powell, Reilly, Rhodes, Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Klair, Webb—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 318** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Phillips, Powell, Reilly, Rhodes, Madam President Pro Tem—15.

ABSENT—Messrs. Klair, Webb—2.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority was adopted and ordered returned to the House.

Mr. Dickerson moved that the Senate recess for 15 minutes. Motion prevailed. Senate met at expiration of recess.

Mr. Burkholder requested that **HB 196, 197, and 286**, be restored to the Calendar. Request granted.

Mr. Phillips, on behalf of the Committee on Public Lands to whom had been referred **SB 334**, and **SJR 8**, reported the same back to the Senate on their merits.

On motion of Mr. Burkholder, **HB 372** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Hitchens—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

President Pro Tem presiding.

On motion of Mr. Burkholder, **HB 375** as amended, was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Madam President Pro Tem—14.

NAYS—Messrs. Cabbage, David, Webb—3.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had passed and requested the concurrence of the Senate in the following:

HS for HB 580—"An Act Authorizing the Disinterring and Reinterring of Bodies in a Cemetery Located on the North Side of West Pine Street in Georgetown, Delaware, Belonging to Wesley Methodist Church in Georgetown, and Providing for the Sale of the Land from Which Bodies Are Removed";

HB 278—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, Entitled Fish, Oysters and Game, in Reference to Live Bait Fish";

HS for HB 610—"An Act to Require that on All License Tags Issued for Motor Vehicles in the State of Delaware the Words 'Broiler State' Be Placed below the Number Appearing on the Tag";

HB 472—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Fish, Oysters and Game,' with Respect to the Sale and Purchase of Hides and Furs"; and presented the same to the Senate.

Mr. William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had concurred in the following: **SB 102, 103, 107, 111, 127, 201** with **HA 1, 276, and 404**, and returned the same to the Senate.

On motion of Mr. Reilly, **SB 322** as amended, was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Cannon, Crossley, Cabbage, David, Dickerson, Hitchens, Klair, Powell, Reilly, Webb, Madam President Pro Tem—12.

NAYS—Messrs. Burkholder, Evans, Hammond, Phillips, Rhodes—5.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Burkholder, **HB 377** was taken up for

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

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Powell, Webb—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 416** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Powell, Webb—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

Mr. Hitchens, on behalf of the Committee on Executive Messages from the Governor dated April 14 and May 6, reported the same back to the Senate favorably.

On motion of Mr. Burkholder, **HB 431** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

On the question, "Shall the Bill pass the Senate?" Mr. Burkholder moved that action be deferred. Motion prevailed.

On motion of Mr. Burkholder, **HB 450** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Burkholder, Crossley, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Madam President Pro Tem—11.

NAYS—Messrs. Cannon, Cabbage, David, Webb—4.

ABSENT—Messrs. Bulow, Powell—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

Mr. Burkholder moved that all House Bills read into the Senate today be given their first and second reading by title only. Motion prevailed.

The Chair presented **HS** for **HB 580**, which was given first and second reading, the second by title only, and referred to the Committee on Public Health.

The Chair presented **HB 278**, **472**, and **HA** for **SB 201**, which were given first and second reading, the second by title only, and referred to the Committee on Fish, Oysters and Game.

The Chair presented **HS** for **HB 610** which was given first and second reading, the second by title only, and referred to the Committee on Buildings and Highways.

Mr. Burkholder moved that the Senate adjourn until 10 A. M., Eastern Standard Time, Tues., May 10, 1949. Motion prevailed.

71ST LEGISLATIVE DAY

Senate met pursuant to adjournment, May 10, 1949, 11 A. M., Daylight Saving Time, Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Thomas: Almighty and eternal God, Thou art the same yesterday, today, and forever, but we know that only today is ours, tomorrow may never come. May we remember and never forget that Thou hast placed us here for a purpose; that each life adds to or subtracts from the sum total of this world's good. Impress upon us that we bring nothing to completion. We are the inheritors of the past. We make our little contribution to the future. Paul planteth and Apollos watereth, but Thou giveth the increase. Guide us, we beseech Thee, in the labors of this day, that here may be set in motion influences for good which will shine down from the towers of an endless future in blessing on coming generations. Through Jesus Christ. our Lord. Amen.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly. Rhodes, Webb, Madam President Pro Tem—17.

The Secretary proceeded to read the Journal of the previous session, when Mr. Burkholder moved so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Communications: 1—Favoring **SB 230**; 1—Urging the Legislators to get down to business and perform duties for which they were sent to Dover—signed by twenty-two teachers from the Rose Hill and Minquadales School District, No. 47; Chamber of Commerce, Wilmington, Del.

Mr. Rhodes, on behalf of the Committee on Judiciary to

whom had been referred **HB 437**, reported the same back to the Senate favorably, with Senate Substitute.

Mr. Rhodes, on behalf of the Committee on Judiciary to whom had been referred **SS** for **SB 223**, **HB 497**, **496**, and **84**, reported the same back to the Senate on their merits.

Mr. Rhodes, on behalf of the Committee on Judiciary to whom had been referred **SS** for **SB 411**, and **HS** for **HB 403**, reported the same back to the Senate favorably.

Mr. Evans on behalf of the Committee on Passed Bills reported as approved by the Governor the following: **SCR 25**, **26** (May 2, 1949); **SB 225** with **SA 1** (May 5, 1949); **SB 30**, **104** (May 6, 1949); **SCR 27** (May 6, 1949; **SB 61**, **62**, **64**, **110**, **121**, **143**, **144** (May 9, 1949).

Mr. Dickerson moved that the Senate recess until 3 P. M., Daylight Saving Time. Motion prevailed.

Senate met at expiration of recess, 5:20 P. M.

The President announced he is about to sign: **SB 127**, **103**, **111**, **404**, **276**, **107**, **102**, **HB 375** as amended, **135** as amended, **372**, **318**, **315**, **301**, **237**, **236**.

Mr. Burkholder moved that the Senate resolve itself into Executive Session. Motion prevailed.

Mr. Klair requested that **SB 239** be stricken from the Calendar. Request granted.

On motion of Mr. Burkholder **HB 71** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 99** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the

Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 4** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bryan.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, David, Dickerson, Evans, Hammond, Hitchens, Phillips, Powell, Reilly, Rhodes. Webb, Madam President Pro Tem—15.

NAYS—Messrs. Cabbage. Klair—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had passed and requested the concurrence of the Senate in the following:

HB 537 with **HA 1**—"An Act to Amend Chapter 6 of the Revised Code of Delaware, 1935. (Article 12 of Said Chapter) by Providing for a Tax on Incomes Commencing January 1, 1949: Providing for the Ascertainment, Assessment and Collection Thereof; Providing Penalties for the Violation of the Terms of This Act; Making an Appropriation to the State Tax Department for Administration Expenses in Connection Therewith; and Providing that the Tax on Net Incomes Imposed by Said Chapter 6 of the Revised Code of Delaware, 1935, Shall Not Be Levied and Collected on Incomes Accruing after December 31, 1948";

HB 60—"An Act Making Appropriations to the American Legion, Department of Delaware and the Veterans of Foreign Wars, Department of Delaware for the Furnishing of Services to Veterans and Their Dependents by the Duly Constituted Department Service Officers of Said Organizations"; and presented the same to the Senate.

On motion of Mr. Burkholder, **HB 180** as amended, was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Phillips, Powell, Reilly, Rhodes, Webb—15.

NAYS—Mr. Klair—1.

NOT VOTING—Madam President Pro Tem—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 208** was taken up for

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

Upon request, the privilege of the floor was given to Mr. Bramhall.

On the question, "Shall the Bill pass the Senate?" Mr. Klair moved that action be deferred. Motion prevailed.

Mr. Burkholder moved that all House Bills read into the Senate today be given their first and second reading by title only. Motion prevailed.

The Chair presented **HB 537** with **HA 1**, which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Burkholder moved that the Senate recess for 15 minutes. Motion prevailed.

Senate met at expiration of recess, 7:15 P. M.

Mr. Hammond, on behalf of the Committee on Finance to whom had been referred **HB 537** with **HA 1**, reported the same back to the Senate on its merits.

Mr. Burkholder moved that the Senate adjourn until 10 A. M., Eastern Standard Time, Wed., May 11, 1949. Motion prevailed.

72ND LEGISLATIVE DAY

Senate met pursuant to adjournment, Wed., May 11, 1949, 10 A. M., Eastern Standard Time, Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Thomas: Almighty and eternal Father, Thou art our God and our fathers' God. Once more we approach Thy throne of grace. Help us to draw near unto Thee in true faith and humility. Grant Thy blessing upon our labors from day to day. Grant unto us strength and wisdom for every task. May we not fit into any mold prepared for us. May we not let our prejudices blind our judgment. May our thinking be pitched on the high level of unselfish service. Our Father, we are conscious of our limitations and we would place ourselves in Thy hands; do Thou undertake for us and guide us in the way we should go to Thy glory. Through Jesus Christ, Amen.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly. Rhodes, Webb, Madam President Pro Tem—17.

The Secretary proceeded to read the Journal of the previous session, when Mr. Dickerson moved so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Mr. Evans, on behalf of the Committee on Passed Bills, reported to the Senate that he had delivered to the Governor the following: **SB 102, 103. 107. 111. 127. 276, 404.**

Mr. Burkholder moved that all House Bills and Senate Substitutes read into the Senate today be given their first and second reading by title only. Motion prevailed.

The Chair presented **HB 60**, which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Evans, on motion for leave, introduced **SS** for **SB 309**—“An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, Entitled, ‘Motor Vehicles,’ as Amended. Relating to the Giving of Proof of Financial Responsibility and Security by Owners and Operators of Motor Vehicles and to Make Uniform the Law with Reference Thereto, and Prescribing Penalties for Any Violations,” which was given first and second reading, the second by title only, and referred to the Committee on Buildings and Highways.

William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had passed and requested the concurrence of the Senate in the following:

HB 383—“An Act Making an Appropriation of Money to the State Board of Education to Complete the Building of the Public School Known as Arden School in Arden School District No. 3 in New Castle County”;

HB 384—“An Act Authorizing the State Treasurer to Purchase Certain Highway Improvement Bonds and State Aid Bonds Issued by the Levy Courts of New Castle, Kent and Sussex Counties, Maturing during the Fiscal Biennium Ending June 30, 1951, and Making Appropriations Therefor”;

HB 300—“An Act Appropriating Money to the Disabled American Veterans of Delaware”;

HB 385—“An Act Appropriating Moneys from the State Treasury for the Purpose of Purchasing Past Due Interest Coupons on Certain Highway Improvement Bonds and State Aid Bonds Issued by the Levy Courts of New Castle, Kent and Sussex Counties, during the Fiscal Biennium of the State of Delaware, Ending June 30, 1951”;

HB 388—“An Act to Provide for the Instruction of the Inmates of the Children’s Beach House, and Appropriating Money Therefor”;

HB 484—“An Act Appropriating Money to the State Board of Health for Cancer Control and Providing for Creation of an Advisory Committee”;

HS for **HB 72**—“An Act Appropriating Money to the Woods Haven School for Girls”;

HB 528—“An Act Making Appropriations to the Public Archives Commission of the State of Delaware for Each of the Fiscal Years Ending on the Thirtieth Day of June, A. D. 1950, and the Thirtieth Day of June, A. D. 1951 for Salaries”;

HB 238—“An Act Authorizing and Directing the State Highway Department to Construct a Bridge over Silver Run Creek in St. Georges Hundred, New Castle County, and Appropriating Money Therefor”;

HB 287—“An Act Appropriating Money to the Adjutant General for the Payment of Operations of His Department for the Balance of the Fiscal Year 1949”;

HB 599—"An Act Making an Appropriation to the State Treasurer for the Purpose of Paying Maturities and Interest on Certain Bonds of the State of Delaware Issued Pursuant to Various Statutes of the State Authorizing the Issuance of Said Bonds"; and presented the same to the Senate.

The Chair presented **HB 599, 287, 528, 384, 388, 385, HS for HB 72, HB 238, 300, and 383**, which were given first and second reading, the second by title only, and referred to the Committee on Finance.

The Chair presented **HB 484**, which was given first and second reading, the second by title only, and referred to the Committee on Public Health.

Mr. Burkholder moved that the Senate recess until 2 P. M., Daylight Saving Time. Motion prevailed.

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

On motion of Mr. Burkholder, **HB 537** as amended was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Mr. Bulow moved that so much be considered as the third and final reading. Motion prevailed.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

Mr. Powell, on behalf of the Committee on Miscellaneous to whom had been referred **HS** for **HB 436**, reported the same back to the Senate favorably.

On motion for leave, Mr. Bulow introduced **SR 47**—"Requesting Return of House Bill No. 314 from the House of Representatives of the 115th General Assembly of the State of Delaware."

BE IT RESOLVED by the Senate of the State of Delaware that the House of Representatives of the 115th General Assembly of the State of Delaware be requested to return to the Senate for reconsideration, House Bill 314.

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

On the question, "Shall the Resolution be adopted?" Mr. Bulow moved the adoption of the Resolution. Motion prevailed.

On motion of Mrs. Davis, **HA 1** to **SB 91** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Amendment pass the Senate?" Mrs. Davis moved the adoption of the Amendment. Motion prevailed.

On motion of Mr. Bulow, **HB 200** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—9.

NAYS—Messrs. Cannon, Crossley, Cubbage, David, Dickerson, Klair, Reilly, Webb—8.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mrs. Davis, **SB 241** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hitchens, Klair, Rhodes, Webb, Madam President Pro Tem—12.

NAYS—Messrs. Hammond, Phillips, Powell, Reilly—4.

ABSENT—Mr. Bulow—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Klair, **SB 340** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Crossley, Cubbage, David, Klair, Reilly, Webb, Madam President Pro Tem—7.

NAYS—Messrs. Burkholder, Evans, Hammond, Hitchens, Phillips, Rhodes—6.

ABSENT—Messrs. Bulow, Cannon, Dickerson, Powell—4.

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

Mr. Burkholder moved that the Senate recess for 10 minutes. Motion prevailed.

Senate met at expiration of recess, 6:15 P. M.

On motion of Mr. Phillips, **SB 227** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Dickerson, Webb—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Burkholder, **HB 295** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Webb—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Cannon, **SS** for **SB 397** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Webb—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mrs. Davis, **SB 196** as amended, was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Webb—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Burkholder, **HB 345** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley,

Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Webb—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

Mr. Burkholder moved that the Senate adjourn until 10 A. M., Eastern Standard Time, Thurs., May 12, 1949. Motion prevailed.

73RD LEGISLATIVE DAY

Senate met pursuant to adjournment, Thurs., May 12, 1949, 10 A. M., Eastern Standard Time.

Prayer by the Chaplain,

O most gracious Father, who has commanded us to serve and pray for one another. Keep us in brotherly kindness and give us grace to serve all men impartially. Give us grace to follow the Master in humility, charity and sacrificial service. Heal all divisions and keep us from a mean and bitter spirit in all our daily contacts. May Thy blessing rest upon this body as we enter upon our work today. May our every action be rooted in truth. O Thou, whose mercy is greater than our unworthiness, awaken in our hearts the spirit of obedience to Thy will and grant us Thy peace. Through Jesus Christ, our Lord. Amen.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

The Secretary proceeded to read the Journal of the previous session, when Mr. Burkholder moved so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Mr. Burkholder moved that all Senate Substitutes and House Bills read into the Senate today be given their first and second readings by title only. Motion prevailed.

Mr. Rhodes, on motion for leave, introduced **SS** for **SB 275**—"An Act to Reincorporate the City of Newark," which was given first and second reading, the second by title only, and referred to the Committee on Municipal Corporations.

The President announced he is about to sign: **SB 91** as amended.

On motion for leave, Mr. Hitchens introduced **SCR 28**—"Appropriating Money to Pay for Certain Supplies Needed and Used by the Senate and House of Representatives for the 115th General Assembly."

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

Mr. Hitchens moved the adoption of the Resolution. Motion prevailed.

On motion of Mr. Burkholder, **HB 280** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" Mr. Cubbage moved that action be deferred. Motion prevailed.

On motion of Mr. Burkholder, **HB 214** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Crossley, Cubbage, David, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Cannon, Dickerson—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

Mr. Burkholder moved that the Senate recess until 2:30 P. M., Daylight Saving Time. Motion prevailed.

Senate met at expiration of recess, 4:20 P. M.

Mr. Bulow moved that **HB 314** be recommitted. Motion prevailed.

Mr. Burkholder moved that **HB 450** be recalled for the purpose of adding a Senate amendment. Motion prevailed.

On motion of Mr. Burkholder, **SA 1** to **HB 450** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Amendment pass the Senate?" Mr. Burkholder moved the adoption of the Amendment. Motion prevailed.

On motion of Mr. Burkholder, **HB 450** with **SA 1** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—14.

NAYS—Messrs. Bulow, Hitchens—2.

ABSENT—Mr. Hammond.—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

Mr. Burkholder, on behalf of the Committee on Municipal Corporations to whom had been referred **SB 119** with **HA 1**, reported the same back to the Senate favorably.

On motion of Mr. Burkholder, **HB 37** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

On the question, "Shall the Bill pass the Senate?" Mr. Cubbage moved that action be deferred. Motion prevailed.

On motion of Mr. Hammond, **SA 1** to **SB 308** was taken up for consideration and read in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—9.

NAYS—Messrs. Cannon, Crossley, Cubbage, David, Dickerson, Klair, Reilly, Webb—8.

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

On motion of Mr. Cannon, **SB 308** as amended, was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

Mr. Burkholder moved that the Senate recess for 15 minutes. Motion prevailed.

Senate met at expiration of recess, 5:05 P. M.

On motion of Mr. Cubbage, **SS** for **SB 273** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Mr. Cubbage moved that so much be considered as the third and final reading of the Bill. Motion prevailed.

On motion of Mr. Reilly, **SA 1** to **SS** for **SB 273** was taken up for consideration and read in order to pass the Senate.

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

YEAS—Messrs. Bulow, Evans, Powell, Reilly, Madam President Pro Tem—5.

NAYS—Messrs. Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Hammond, Hitchens, Klair, Phillips, Rhodes, Webb—12.

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

On motion of Mr. Cabbage, **SS** for **SB 273** was presented.

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

YEAS—Messrs. Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Hammond, Hitchens, Klair, Phillips, Rhodes, Webb, Madam President Pro Tem—13.

NAYS—Messrs. Bulow, Evans, Powell, Reilly—4.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion for leave, Mr. Phillips introduced **SCR 29**—"Making an Appropriation for Telephone Service Charges and Toll Calls in Connection with the Work of the Legislature of the 115th General Assembly of the State of Delaware."

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

Mr. Phillips moved the adoption of the Resolution. Motion carried, and the Resolution was ordered to the House for concurrence.

On motion for leave, Mr. Phillips introduced **SCR 30**—"Making Application to the Congress of the United States for the Calling of a Convention to Propose an Amendment to the Constitution of the United States."

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

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

YEAS—Messrs. Cannon, Crossley, David, Dickerson, Klair—5.

NAYS—Messrs. Bulow, Burkholder, Cabbage, Evans, Hammond, Hitchens, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—12.

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

Mr. Cannon moved that action be deferred on **SCR 30**.

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

YEAS—Messrs. Bulow, Cannon, Crossley, Cabbage, David, Dickerson, Klair, Phillips, Webb—9.

NAYS—Messrs. Burkholder, Evans, Hammond, Hitchens, Powell, Reilly, Rhodes, Madam President Pro Tem—8.

So the question was decided in the affirmative, and action was deferred.

On motion, of Mr. Bulow, **SB 218** was taken up for consideration and read.

Mr. Bulow moved that so much be considered the third and final reading. Motion prevailed.

Upon request, the privilege of the floor was given to Mr. Tunnell.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

The President announced he is about to sign: **HB 345, 416, 200, 377, 295, 214, 99, 71, 4**

Mr. William Spruance, Clerk of the House, being admitted, informed the Senate that the House had concurred in the following: **SB 227**; and returned the same to the Senate.

Mr. Phillips, on motion for leave, introduced **SA 1** to **SB 282**.

Mr. Phillips moved the adoption of **SA 1**. Motion prevailed.

On motion of Mr. Phillips, **SB 282** as amended, was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

The President announced he is about to sign: **SB 227**.

Mr. Hammond, on behalf of the Committee on Finance to whom had been referred **HB 287, 282** and **148**, reported the same back to the Senate on their merits.

Mr. Hammond, on behalf of the Committee on Finance to whom had been referred **HS** for **HB 72, HB 170, and 191**, reported the same back to the Senate favorably.

Mr. Burkholder moved that the Senate adjourn until 10 A. M., Eastern Standard Time, Fri., Mar. 13, 1949. Motion prevailed.

74TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Fri., May 13, 1949, 10 A. M., Eastern Standard Time, Lt.-Gov. Bayard presiding.

Prayer by Rep. Warren in the absence of the Chaplain.

Members present — Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

The Secretary proceeded to read the Journal of the previous

session, when Mr. Burkholder moved so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Communications:1—Requesting a hearing on **HB 314**, if a Senate amendment is added to the bill; 1—Urging passage of **SB 3**. From: Council of City of Milford, Del.; Lindamere Civic Association.

Mr. Evans, on behalf of the Committee on Passed Bills, reported to the Senate that he had delivered to the Governor the following: **SB 91**.

Mrs. Davis requested that **SB 334** be restored to the Calendar. Request granted.

On motion of Mr. Dickerson, **SB 367** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Cannon, Crossley, Cubbage, David, Dickerson, Hitchens, Reilly, Rhodes, Madam President Pro Tem—9.

NAYS—Messrs. Bulow, Burkholder, Hammond, Klair, Phillips, Webb—6.

ABSENT—Messrs. Evans, Powell—2.

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

Mr. Burkholder moved that the Senate adjourn until 10 A. M., Eastern Standard Time. Motion prevailed.

Mr. Bulow requested that **SB 396** be stricken from the Calendar. Request granted.

Mr. William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had concurred in the following: **SCR 28**, **SB 63** with **SA 1**, **SB 79**, **112**, **141** and **142**, and returned the same to the Senate.

William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had passed and requested the concurrence of the Senate in the following:

HS for **HB 337** with **HA 1**—"An Act Appropriating Money to Sigmund Schorr, LeRoy F. Hawke, John F. Newell, Thomas Cooch, Leland Wilds, Leon H. Ryan, William K. Pennington, James E. Brown, James L. Brown, and John W. Foreman, in Payment of Services Rendered by Them for Acting as Members of the Department of Elections for New Castle County";

HB 339—"An Act to Amend Chapter 6 of the Revised Code of Delaware, 1935, as Amended, Relating to State Revenue, by Providing for Payments of Services to Distributors of Motor Fuel for Collecting Motor Fuel Tax";

HB 346 with **HA 1**—"An Act Regulating the Processing of Poultry";

HB 356—"An Act to Amend Chapter 6 of the Revised Code of the State Delaware, 1935, as Amended, Relating to Occupational Licenses";

HB 398—"An Act Appropriating Certain Moneys to Provide a Pension Fund for Retired and Disabled Public School Teachers of Delaware";

HB 412—"An Act Appropriating Certain Moneys to Elsie V. White in Event of the Claim of Said Elsie V. White against the State of Delaware";

HS for **HB 539**—"An Act to Amend Chapter 10 of the Revised Code of Delaware, 1935, as Amended, with Reference to the Printing, Distribution and Disposal of Legislative Journals";

HS for **HB 570**—"An Act Authorizing the State Highway Department to Vacate Public Roads Which Have Been Superseded by Improved Roads or Highways"; and presented the same to the Senate.

Mr. Burkholder moved that all Senate Substitutes and House Bills read into the Senate today be given their first and second reading by title only. Motion prevailed.

The Chair presented **HS** for **HB 570**, which was given first and second reading, the second by title only, and referred to the Committee on Buildings and Highways.

The Chair presented **HS** for **HB 539**, which was given first and second reading, the second by title only, and referred to the Committee on Printing and Supplies.

The Chair presented **HB 356**, which was given first and second reading, the second by title only, and referred to the Committee on Miscellaneous.

The Chair presented **HB 398**, and **339**, which were given first and second reading, the second by title only, and referred to the Committee on Finance.

The Chair presented **HB 412**, and **HS** for **HB 337** as amended, which were given first and second reading, the second by title only, and referred to the Committee on Claims.

The Chair presented **HB 346** with **HA 1** which was given first and second reading, the second by title only, and referred to the Committee on Agriculture.

On motion of Mr. Burkholder, **HB 165** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—None.

NAYS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Rhodes—14.

ABSENT—Messrs. Reilly, Webb, Madam President Pro Tem—3.

So the question was decided in the negative, and the Bill having received the required constitutional majority, was lost, and ordered returned to the House.

On motion of Mr. Burkholder, **HB 184** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—None.

NAYS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Rhodes, Webb—15.

ABSENT—Mr. Reilly and Madam President Pro Tem.—2.

So the question was decided in the negative, and the Bill not having received the required constitutional majority, was lost and ordered returned to the House.

On motion of Mr. Burkholder **HB 185** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Tunnell.

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

YEAS—None.

NAYS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Rhodes, Webb—15.

ABSENT—Mr. Reilly and Madam President Pro Tem.—2.

So the question was decided in the negative, and the Bill having received the required constitutional majority, was lost and ordered returned to the House.

On motion of Mr. Burkholder, **HB 239** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Tunnell.

On the question, "Shall the Bill pass the Senate?" Mr. Burkholder moved that action be deferred. Motion prevailed.

On motion of Mr. Burkholder, **HB 79** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb—16.

ABSENT—Madam President Pro Tem.—1.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority was adopted and ordered returned to the House.

On motion of Mr. Hammond, **HB 226** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" Mr. Dickerson moved that action be deferred. Motion prevailed.

The President announced he is about to sign: **SB 141, 142, 112, 79, SCR 28.**

On motion of Mr. Burkholder, **HB 498** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Phillips, Powell, Reilly, Rhodes, Webb—15.

NAYS—Mr. Klair—1.

ABSENT—Madam President Pro Tem—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 499** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Tunnell.

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

YEAS—Messrs. Burkholder, Crossley, Evans, Hitchens, Phillips, Powell, Reilly, Rhodes—8.

NAYS—Messrs. Bulow, Cannon, Cabbage, David, Dickerson, Klair, Webb—7.

ABSENT—Mr. Hammond and Madam President Pro Tem—2.

So the question was decided in the negative, and the Bill not having received the required constitutional majority, was lost and ordered returned to the House.

On motion of Mr. Bulow, **HB 81** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Phillips, Powell, Reilly, Rhodes, Webb—15.

NAYS—None.

ABSENT—Mr. Klair, Madam President Pro Tem—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Evans, **HB 252** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Phillips, Powell, Reilly, Rhodes, Webb—15.

NAYS—None.

ABSENT—Mr. Klair and Madam President Pro Tem—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 281** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Phillips, Powell, Reilly, Rhodes, Webb—14.

NAYS—None.

ABSENT—Messrs. Cannon, Klair, Madam President Pro Tem—3.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 290** as amended was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Phillips, Powell, Reilly, Rhodes, Webb—15.

NAYS—None.

ABSENT—Mr. Klair, Madam President Pro Tem—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 291** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, David, Dickerson, Evans, Hammond, Hitchens, Phillips, Powell, Reilly, Rhodes, Webb—13.

NAYS—Messrs. Cabbage, David—2.

ABSENT—Mr. Klair, Madam President Pro Tem—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 292** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Bramhall.

On the question, "Shall the Bill pass the Senate?" Mr. Hitchens moved that action be deferred. Motion prevailed.

Mr. Burkholder moved that the Senate recess until 2:30 P. M., Daylight Saving Time. Motion prevailed.

Senate met at expiration of recess, 2:40 P. M.

Mr. Bulow requested that **HB 499** be restored to the Calendar. Request granted.

Mr. Powell, on behalf of the Committee on Miscellaneous to whom had been referred **HB 474**, reported the same back to the Senate unfavorably.

On motion of Mr. Burkholder, **HB 297** was taken up for consideration and read in order to pass the Senate.

Mr. Burkholder moved that so much be considered the third reading of the Bill. Motion prevailed.

Upon request, the privilege of the floor was given to Mr. Sinclair.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb—16.

NAYS—None.

ABSENT—Madam President Pro Tem—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Bulow, **SS** for **SS** for **SB 283** was taken up for consideration and read in order to pass the Senate.

Mr. Bulow moved that so much be considered the third reading of the Bill. Motion prevailed.

Upon request, the privilege of the floor was given to Mr. Hackett.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Powell—1.

So the question was decided in the affirmative, and the Bill

having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Cannon, **SB 376** was taken up for consideration and read in order to pass the Senate.

Mr. Cannon moved that so much be considered the third and final reading. Motion prevailed.

Upon request, the privilege of the floor was given to Mr. Tunnell.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Klair, **SB 330** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb—Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Cannon—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion for leave, Mr. Dickerson introduced **SA 1** to **SCR 24**.

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

On the question, "Shall the Amendment be adopted?" Mr. Dickerson moved the adoption of the Amendment. Motion prevailed. Ordered to the House for concurrence.

On motion for leave, Mrs. Davis and Mr. Dickerson introduced **SCR 24** with **SA 1**.

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

Mr. Dickerson moved that so much be considered the reading of the Bill. Motion prevailed.

Upon request, the privilege of the floor was given to Mr. McWilliams.

On the question, "Shall the Resolution be adopted?" Mr. Dickerson moved the adoption of the Resolution. Motion prevailed. Ordered to the House for concurrence.

On motion of Mr. Bulow, **HB 499** was taken up for consideration.

Upon request, the privilege of the floor was given to Mr. Duffy.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Klair—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Bulow, **HS** for **HB 495** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Duffy.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Klair—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Bulow, **HB 497** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Duffy.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Klair.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Bulow, **HB 496** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Duffy.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Hammond, **SA 1** to **SB 286** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Evans, Hammond, Hitchens, Phillips, Rhodes, Madam President Pro Tem—7.

NAYS—Messrs. Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Klair, Phillips, Powell, Reilly, Webb—10.

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

On motion of Messrs. Burkholder and Dickerson, **SB 286** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Mr. Dickerson moved that so much be considered the third and final reading of the Bill.

Upon request, the privilege of the floor was given to Mr. Durkee and Mrs. Cleaves.

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

YEAS—Messrs. Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Klair, Phillips, Powell, Reilly, Rhodes, Webb—12.

NAYS—Messrs. Evans, Hammond, Hitchens, Madam President Pro Tem—4.

NOT VOTING—Mr. Bulow—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Burkholder, **HS** for **HB 305** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate,

Upon request, the privilege of the floor was given to Mr. Bramhall.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley,

Cubbage, David, Dickerson, Evans, Hammond, Klair, Phillips, Powell, Reilly, Rhodes, Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Hitchens, Webb—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Dickerson, **SB 357** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Klair, Phillips, Reilly, Rhodes, Webb—Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Hitchens, Powell—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Klair, **SS** for **SB 419** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Klair, Phillips, Reilly, Rhodes, Webb—Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Hitchens, Powell—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

Mr. Cannon moved that the Senate recess until the call of the Chair. Motion prevailed.

Senate met at expiration of recess, 6:05 P. M.

On motion of Mr. Rhodes, **SS** for **SB 33** was taken up for consideration and read a third time by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

Mr. William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had concurred in the following: **SCR 29, SB 166**, and returned the same to the Senate.

William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had passed and requested the concurrence of the Senate in the following:

HB 218—"An Act to Amend Chapter 14 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Secretary of State' by Authorizing the Secretary of State to Appoint an Assistant to the Secretary of State, Designating the Duties of the Assistant to the Secretary of State, and Providing for the Certification of Records";

HB 440—"An Act to Amend Chapter 67 of the Revised Code of Delaware, 1935, as Amended, Relative to 'The City of Wilmington,' by Providing for the Suspension of Sentences and the Use of Probation in Criminal Cases 'In the Municipal Court for the City of Wilmington,' and Making the Violation of the Terms of Probation a Misdemeanor and Providing a Penalty for Such Violations";

HB 468—"An Act Appropriating Money to the Delaware Commission for the Feeble Minded for Operation Expenses for the Balance of the Fiscal Year Ending June 30, 1949";

HB 503—"An Act Appropriating the Sum of Four Hundred and Ten Dollars (\$410.00) to the Delaware Commission for the Feeble Minded to Re-Imburse Charles Davis and Elizabeth Davis, His Wife for the Funeral Expenses of Their Son William Davis";

HB 509 with **HA 1**—"An Act Providing for the Regulation and Sale of Live Poultry in the State of Delaware by the State Board of Agriculture; Providing for the Licensing of Buyers in Two Classes; Form of Application; Proof of Financial Responsibility Required; Revocation of Licenses; Penalties for Violation; Right of Appeal";

HB 525—"An Act Appropriating Money to the 'Board of Managers of the Detention Home' for Salaries and Wages"; and presented the same to the Senate.

On motion of Mr. Phillips, **SA** to **SS** for **SB 178** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Amendment pass the Senate?" Mr. Phillips moved the adoption of the Amendment. Motion prevailed.

On motion of Mr. Phillips, **SS** for **SB 178** was taken up for consideration in order to pass the Senate.

Mr. Bulow moved that so much be considered the third and final reading of the bill. Motion prevailed.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Cannon, **SB 374** was taken up for consideration in order to pass the Senate.

Mr. Cannon moved that so much be considered the third and final reading of the Bill. Motion prevailed.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

Mr. Burkholder moved that the Senate recess until 8 P. M., Daylight Saving Time. Motion prevailed.

Senate met at expiration of recess.

Mr. Phillips, on behalf of the Committee on Education to whom had been referred **SB 288** reported the same back to the Senate on its merits.

On motion of Mr. Klair, **SB 402** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" Mrs. Davis moved that action be deferred. Motion prevailed.

The President announced he is about to sign: **HB 79, 81, 252, 281, 291, 498, 497, HS for HB 495, HB 297, 499, 496.**

On motion of Mr. Reilly, **SA to HB 322** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Hughes.

On the question, "Shall the Amendment pass the Senate?" Mr. Reilly moved the adoption of the Amendment. Motion prevailed.

On motion of Mr. Burkholder, **HB 322** with **SA 1** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley,

Cubbage, David, Dickerson, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Evans, Powell—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 324** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Hammond, Hitchens, Phillips, Reilly, Rhodes, Madam President Pro Tem—13.

NAYS—Messrs. Klair, Webb—2.

ABSENT—Messrs. Evans, Powell—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Burkholder, **HB 325** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Hughes.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Evans, Powell—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion of Mr. Klair, **SB 360** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Evans, Powell—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion for leave, Mrs. Davis introduced **SJR 8**—"Authorizing the Conveyance unto James M. Satterfield of a Right-of-Way across Lands of the State of Delaware in the City of Dover Running from Lands of James M. Satterfield to Court Street in Said City, in Exchange for the Right-of-Way Presently Held by the Said James M. Satterfield across Other Lands of the State of Delaware in the City of Dover."

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

Upon request, the privilege of the floor was given to Mr. Hughes.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Evans, Powell—2.

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

On motion of Mrs. Davis, **SB 334** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Hughes.

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

YEAS—Messrs. Burkholder, Dickerson, Hammond, Hitchens, Phillips, Rhodes—6.

NAYS—Messrs. Bulow, Cannon, Crossley, Cabbage, David, Klair, Reilly, Webb, Madam President Pro Tem—9.

ABSENT—Messrs. Evans, Powell—2.

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

Mrs. Davis changing her vote from Yea to Nay for purpose of reconsideration.

On motion of Mr. Burkholder, **HB 340** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Hughes.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Evans, Powell—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

On motion for leave, Mr. Dickerson introduced **SA 2** to **SCR 24**.

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

On the question, "Shall the Resolution be adopted?" Mr. Dickerson moved the adoption. Motion prevailed.

On motion of Mr. Burkholder, **HS** for **HB 365** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Hughes.

On the question, "Shall the Bill pass the Senate?" Mr. Cannon moved that action be deferred. Motion prevailed.

On motion of Mr. Burkholder, **HB 368** was taken up for consideration in order to pass the Senate. Mr. Burkholder moved that so much be considered the third and final reading of the Bill. Motion prevailed.

Upon request, the privilege of the floor was given to Mr. Hughes.

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

YEAS—Messrs. Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—12.

NAYS—Messrs. Bulow, Hammond, Hitchens—3.

ABSENT—Messrs. Evans, Powell—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

Mrs. Davis requested that **SB 334** be restored to the Calendar. Request granted.

On motion of Mr. Dickerson, **SB 367** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Cannon, Crossley, Cubbage, David, Dickerson, Hitchens, Reilly, Rhodes, Madam President Pro Tem—9.

NAYS—Messrs. Bulow, Burkholder, Hammond, Klair, Phillips, Webb—6.

ABSENT—Messrs. Evans, Powell—2.

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

Mr. Burkholder moved that the Senate adjourn until 10 A. M., Eastern Standard Time. Motion prevailed.

75TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Mon., May. 16, 1949, 10 A. M., Eastern Standard Time, Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Thomas: Almighty and eternal God, we thank Thee that we live in a land where Thy name is revered, for we believe that nation is blessed whose God is the Lord. Throughout the ages men have turned to Thee in their hours of need. We thank Thee for the faith of our fathers living still. We live in fateful days when eternal issues rest in a balance. We turn to Thee for guidance for we are conscious of the limitations of human wisdom. Grant unto us, we beseech Thee, a double portion of Thy grace that we may approach our problems free of passion, pride or prejudice. We mingle our prayers with those of all believers. May the fires of faith leap from heart to heart 'till the spiritual life of the nation is revived and we move forward to a better day for all men. Through Jesus Christ, our Lord. Amen.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

The Secretary proceeded to read the Journal of the previous session, when Mr. Dickerson moved so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Mr. William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had concurred in the following: **SB 167**; and returned the same to the Senate.

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

HS for **HB 534**—"An Act Providing a Method for the Appropriation and Allocation of Funds for the Maintenance, Support and Operation of the Free Public Schools of the State; and Granting to the Permanent Budget Commission and the State Board of Education Certain Powers and Authority to Regulate the Distribution of the Funds Appropriated";

HB 59—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Fish, Oysters and Game' with Respect to the Shooting of Game Birds or Animals under Certain Conditions";

HB 190 with **HA 1**—"An Act to Amend Chapter 43 of the Revised Code of Delaware, 1935, Relating to the Levy Court of New Castle County and Providing for an Increase in the Limit of the Total Tax Rate in the Said County"; and presented the same to the Senate.

Mr. Burkholder moved that all Senate Substitutes and House Bills read into the Senate today be given their first and second readings by title only. Motion prevailed.

The Chair presented **HB 525, 503, 468, and 190** as amended,

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

The Chair presented **HB 509** with **HA 1**, which was given first and second reading, the second by title only, and referred to the Committee on Agriculture.

The Chair presented **HB 440**, which was given first and second reading, the second by title only, and referred to the Committee on Municipal Corporations.

Mr. Hammond requested that **SB 367** be restored to the Calendar. Request granted.

The Chair presented **HB 218**, which was given first and second reading, the second by title only, and referred to the Committee on Miscellaneous.

The Chair presented **HS** for **HB 534**, which was given first and second reading, the second by title only, and referred to the Committee on Education.

The Chair presented **HB 59**, which was given first and second reading, the second by title only, and referred to the Committee on Fish, Oysters and Game.

The President announced he is about to sign: **HB 180** as amended, **290** as amended.

On motion of Mr. Burkholder, **HB 6** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Klair, Rhodes, Webb, Madam President Pro Tem—12.

NAYS—None.

ABSENT—Messrs. Cannon, Hitchens, Phillips, Powell, Reilly—5.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

Mr. Burkholder moved that the Senate recess until 2 P. M., Daylight Saving Time. Motion prevailed.

Senate met at expiration of recess, 2:25 P. M.

On motion for leave, Mr. Hitchens introduced **SR 48**—"Relative to Payment on Account for Collecting Data, Compiling, Editing, and Publishing the Daily Calendar for the State Senate."

BE IT RESOLVED by the Senate of the State of Delaware that the following amount be and the same is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, for collecting data, compiling, editing and publishing the Daily Calendar for the Senate of the State of Delaware, for the 68th, 69th, 70th, 71st, 72nd, 73rd and 74th Legislative Days, same being expense connected with the present Session thereof, viz.:

To the Sussex Countian, Georgetown, Delaware, Two Thou-

sand Six Hundred Twenty-One Dollars and Thirty-Five Cents (\$2,621.35), being part payment on account for above.

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

On the question, "Shall the Resolution be adopted?" Mr. Hitchens moved the adoption of the Resolution. Motion prevailed.

The President Pro Tem announced he is about to sign: **SB 63** as amended, **SCR 29**.

Mr. Hammond, on behalf of the Committee on Finance to whom had been referred **HB 599**, reported the same back to the Senate favorably.

Mr. Hammond, on behalf of the Committee on Finance to whom had been referred **HB 384**, and **238**, reported the same back to the Senate on their merits.

On motion of Mr. Burkholder, **HB 9** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Phillips, Powell, Reilly, Rhodes, Webb—15.

NAYS—None.

ABSENT—Mr. Klair, Madam President Pro Tem—2.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered returned to the House.

Mr. Cannon moved that the Senate recess until the call of the Chair. Motion prevailed.

Senate met at expiration of recess, 5:50 P. M.

The President announced he is about to sign: **SB 167**, **HS** for **HB 305**, **HB 324**, **325**, **340**, **368**.

Mr. Hitchens, on behalf of the Committee on Printing and Supplies to whom had been referred **HS** for **HB 539**, reported the same back to the Senate favorably.

Mr. Hitchens, on behalf of the Committee on Buildings and Highways to whom had been referred **HS** for **HB 570**, and **SB 406**, reported the same back to the Senate favorably.

Mr. Hitchens, on behalf of the Committee on Buildings and Highways to whom had been referred **HB 187**, **328**, **326**, **162**, and **HS** for **HB 610**, reported the same back to the Senate on their merits.

Mr. Evans, on behalf of the Committee on Passed Bills, reported to the Senate that he had delivered to the Governor the following: **SB 63** with **SA 1**, **SCR 28**, **29**, **SB 79**, **112**, **141**, **142**, **227**.

On motion of Mr. Hammond, **SB 16** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Allison.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Klair—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, was adopted and ordered to the House for concurrence.

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

HS for HB 26—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Entitled, 'Fish, Oysters and Game,' Regarding the Protection of Deer";

HB 182—"An Act Appropriating Certain Monies for the Support and Maintenance of the District Library Commissions of the State of Delaware";

HB 201—"An Act Appropriating Certain Moneys to the State Soil Conservation Commission for the Drainage of Tax Ditches in Sussex County";

HB 202—"An Act Authorizing the Levy Court of Sussex County to Make Available to the Board of Soil District Supervisors of the Soil Conservation District of Sussex County Certain Funds for the Employment of a Manager of Operations";

HS for HB 310—"An Act to Amend Chapter 176 of the Revised Code of Delaware, 1935, as Amended by Chapter 203, Volume 44, Laws of Delaware, Relating to the Purchase of Alcoholic Liquor for Personal Use";

HS for HB 311—"An Act to Amend Chapter 176 of the Revised Code of Delaware, 1935, as Amended by Chapter 203, Volume 44, Laws of Delaware, Relating to Alcoholic Liquor, Wines and Beer in Reference to the Sale and Delivery of Alcoholic Liquor";

HS for HB 312—"An Act to Amend Chapter 176 of the Revised Code of Delaware, 1935, as Amended by Chapter 203, Volume 44, Laws of Delaware, Relating to the Purchase of Alcoholic Liquor for Personal Use";

HS for HB 313—"An Act to Amend Chapter 176 of the Revised Code of Delaware, 1935, Relating to Alcoholic Liquor, Wines and Beer, as Amended by Chapter 203, Volume 44, Laws of Delaware, Providing that Certain Quantities of Spirits and Wine or Spirits and Beer May Be Sold and/or Purchased";

HB 391—"An Act Making an Appropriation to the State Buildings and Grounds Commission for the Purpose of Installing a Fire Alarm System for the State House at Dover";

HB 404 with HA 2—"An Act to Amend Chapter 44, Revised Code of Delaware, 1935, with Respect to the Assessment of Certain Personal Property";