

88TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Thursday, May 19, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Butler, Covey, Harrison, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Wilgus—10.

Members absent—Messrs. Behen, Camper, Hoey, Melson, Steen, Williams, Mr. President Pro Tem—7.

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

Messrs. Behen, Camper, Hoey, Melson, Steen, Williams and Mr. President Pro Tem asked to be marked present.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 76, SB 126, SB 250, SB 316**, and had passed over the Governor's veto by 3/5 majority: **SB 255** with **SA 1** and **SB 22** with **SA 1**, and that the House had passed and requested the concurrence of the Senate in the following bills, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

HB 113—"An Act Appropriating Certain Moneys to Kent and Sussex County Fair, Incorporated, for Prizes," to Municipal Corporations.

HB 336—"An Act Making an Appropriation to the Public Archives Commission for the Operation and Maintenance of the John Dickinson Mansion as an Historic Site," to Buildings and Highways.

HB 401—"An Act Creating the New Castle Historic Buildings Commission, Defining Its Duties and Powers; Appropriations," to Buildings and Highways.

HS 1 for **HB 576**—"An Act Providing for a Park Police Pension Fund for Members of the Park Police of the City of Wilmington," to Finance.

HB 599—"An Act to Amend An Act Entitled "An Act Changing the Name of The Town of Seaford and Establishing a Charter Therefor", Being Chapter 184, Volume 43, Laws of Delaware, as Amended by Increasing the Amount of Money Which May be Raised Each Year in Taxes," to Municipal Corporations.

HB 600—"An Act to Legalize and Validate the Acts Done and Proceedings Taken by the City of Seaford, a Municipal Corporation, and by Its Officers and Agents, in Relation to the Issuance of the "\$195,000 Seaford Bond Issue of 1955", and to Legalize and Validate Said Bonds and to Provide for the Payment of Said Bonds," to Municipal Corporations.

HB 56 with SA 1—"An Act Directing and Requiring the State Highway Department to Remove a Sluice Gate, Including Its Foundation, in the Canal at or Near Slaughter Beach Canal Bridge, Earth or Dirt Removed to be Used for Parking Accommodation." (This bill passed the House over the Governor's veto.)

On motion of Mr. Lammot, **HB 330**—"An Act to Amend Chapter 21 and Chapter 23, Title 21, Delaware Code, Relating to Motor Vehicles by Eliminating the Necessity for the Recording of the Engine Number on an Application for Registration and on an Application for a Certificate of Title," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Johnson, Lammot, Paradee, Pryor, Reilly, Wilgus—10.

NAYS—Mr. McCullough—1.

ABSENT—Messrs. Covey, Hoey, Melson, Steen, Williams, Mr. President Pro Tem—6.

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

On motion of Mr. Lammot, **SB 504**—"An Act to Amend Chapter 23, Title 29, Delaware Code, Entitled "Secretary of State" to Permit the Secretary of State to Purchase New Seals of Office and Requiring That the Old Seals be Destroyed," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Wilgus, Wililams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Covey, Melson, Steen—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.

On motion of Mr. Wilgus, **SB 146**—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" by Providing for a State Department of Purchases and Supply, Transferring Certain Functions Thereto, Repealing Contrary Provisions and Appropriating Funds," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Lammot, **SB 146** was deferred.

On motion of Mr. Johnson, **SB 369**—"An Act to Amend Title 31, Delaware Code, Entitled "Welfare" by Establishing a Public Assistance Code for the State Department of Public

Welfare and Repealing Inconsistent Provisions," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammat, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Covey—1.

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

On motion of Mr. Johnson, SB 368—"An Act to Amend Title 31, Delaware Code, Entitled "Welfare" in Respect to the Organization and Administration of the State Department of Public Welfare; Appropriating Funds," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammat, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Covey—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. McCullough, SB 499—"An Act Appointing a Legislative Advisory Committee to Study the Needs of the General Assembly and to Report to the Next Regular Session Thereof and Providing an Appropriation Therefore," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

YEAS—Messrs. Butler, Hoey, Johnson, Lammat, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—13.

NAYS—None.

NOT VOTING—Messrs. Camper and Harrison—2.

ABSENT—Messrs. Behen and Covey.

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

On motion of Mr. Steen, **SB 352**—"An Act to Appropriate Certain Funds to the Board of Education of the Laurel Special School District to be Used for Certain Purposes," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Steen, **SS 1** was accepted in lieu of the original.

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

YEAS—Messrs. Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Beven and Covey—2.

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. Lammot, the Senate recessed until call of Chair.

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

The Chair presented **HB 56** with **SA 1**—"An Act Directing and Requiring the State Highway Department to Remove a Sluice Gate, Including Its Foundation, in the Canal at or Near Slaughter Beach Canal Bridge, Earth or Dirt Removed to be Used for Parking Accommodation," which had not been approved by the Governor and returned with his objections, which was read to be placed on the Calendar.

The Governor's veto message, which had been delivered to the Senate along with **HB 56** with **SA 1**, was presented by the Chair and read into the Record.

STATE OF DELAWARE EXECUTIVE DEPARTMENT

April 27, 1955

To The House of Representatives

118th General Assembly, State of Delaware

On April 22, 1955, I received House Bill No. 56 with Senate Amendment No. 1, entitled:

**AN ACT DIRECTING AND REQUIRING THE
STATE HIGHWAY DEPARTMENT TO REMOVE
A SLUICE GATE, INCLUDING ITS FOUNDATION,
IN THE CANAL AT OR NEAR SLAUGHTER
BEACH CANAL BRIDGE, EARTH OR DIRT
REMOVED TO BE USED FOR PARKING ACCOM-
MODATIONS.**

I respectfully return this Bill without my approval.

In 1947 the General Assembly authorized and directed the sluice gate to be installed in the Canal at or near Slaughter Beach Canal Bridge. This installation cost the State of Delaware \$14,600.

After the installation was made, it benefited some land owners and other land owners believed that it was not of any particular benefit. As a result, the gate was removed. After the gate was removed, the situation is today and has been for some time as if this installation had not been made. Therefore, it is not necessary to expend this \$5,000.

It seems better also to leave the installation as it is because there may be some time in the future in the interest of conservation when the property owners might desire the sluice gate in operation.

It has also been pointed out to me that with minor ditching arrangements some lands could be benefited by the operation of the sluice gate while other lands could be separated from any harmful affect.

Any way one looks at this particular installation it appears that the expenditure of this money for the removal of this installation is unnecessary. Furthermore, if the installation were removed there might be some time in the future when it would be desirable to have it reinstalled. Therefore, it appears better to leave the situation as it is. Otherwise, we could conceivably get in a position of spending state money to make an installation of this nature in one legislative session and in another legislative session spend state money to remove such an installation, and in all probability another legislature may desire to spend state money to reinstall the installation. Such actions would not be in the best interests of the taxpayers of the State of Delaware.

Respectfully submitted,

J. CALEB BOGGS, Governor

Requests that the following be stricken from the calendar were granted to members as follows: **SB 392**, by Butler; **SB 141**, by Steen; **SB 511**, by Melson.

The President announced he was about to sign: **HB 127**, **HB 417** with **SA 1**, **SB 160**.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 343**, 3 favorably, 1 on merits, by Buildings and Highways; **HB 514** with **HA 1**, 4 on merits, **HB 97**, 1 favorably, 3 on merits, by Judiciary; **HS 1** for **HB 535**, 4 on merits, by Municipal Corporations; **HB 229**, by Miscellaneous; **HB 103**, 4 favorably, 1 on merits, by Finance; **HB 386**, 3 on merits, **HB 385**, 4 on merits, **HB 387**, 3 on merits, **HB 398**, 4 on merits, by Public Health.

On motion of Mr. Steen, **SB 503**—"An Act to Appropriate Money to Certain Volunteer Fire Companies," was taken up

for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams—15.

NAYS—None.

ABSENT—Mr. Covey and Mr. President Pro Tem—2.

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. Johnson, **SB 343**—"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," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Covey, Harrison, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams—14.

NAYS—None.

NOT VOTING—Mr. Hoey—1.

ABSENT—Mr. Covey and Mr. President Pro Tem—2.

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. Pryor, **HB 366**—"An Act to Amend Chapter 65, Title 3, Delaware Code, Relating to the Purchase of Poultry, by Lowering the Time for Payment by Licensees," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams—15.

NAYS—None.

ABSENT—Mr. Covey and Mr. President Pro Tem—2.

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

On motion of Mr. Hoey, **HB 103**—"An Act to appropriate Moneys to Certain Hospitals in the State of Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams—15.

NAYS—None.

ABSENT—Mr. Covey and Mr. President Pro Tem—2.

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

On motion of Mr. Lammot, the Senate adjourned until Friday, May 20, 1955, at 2:00 P. M.

89TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Friday, May 20, 1955, President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Camper, Harrison, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Williams, Mr. President Pro Tem—13.

Members absent—Messrs. Covey, Hoey, Steen, Wilgus—4.

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

Messrs. Covey, Hoey and Steen asked to be marked present.

The Chief Clerk of the House informed the Senate that the House had concurred in **SR 74** with **SB 403**, **SB 46**, **SB 109**, **SB 171**, **SB 193**, **SB 220**, **SB 233**, **SB 414**, and that the House had passed and requested the concurrence of the Senate in the following bills and resolution: **HB 260**, **HB 503**, **HCR 29**.

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

HB 260—"An Act Authorizing and Directing the Secretary of State of the State of Delaware to Convey Any Interest in Certain Real Property in Baltimore Hundred, Sussex County, Delaware, Which May Have Escheated or be Subject to Escheat to the State of Delaware," to Judiciary.

HB 503—"An Act to Amend Chapter 166, Volume 37, Laws of Delaware, Entitled "An Act to Reincorporate the Town of Selbyville" as Amended, by Increasing the Amount of Taxes That May be Raised in Any One Year by Taxation," to Miscellaneous.

Communications: One about teachers' salaries, and good work of Senate in education.

On motion of Mr. Reilly, **SS 1** for **SB 470**—"An Act Creating a Department of Labor and Industrial Relations for the State of Delaware Under the Supervision and Direction of a

Commissioner, Transferring the Industrial Accident Board and the Unemployment Compensation Commission to Said Department, Abolishing the Labor Commission of Delaware and Transferring the Powers and Duties Thereof to Said Department, and Prescribing the Powers and Duties of Said Department, Its Commissioner and Divisions; Providing for Punishment for Violations and Enforcements," was taken up for Consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Williams, **SB 470** was not deferred.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Lammot, McCullough, Paradee, Reilly, Williams, Mr. President Pro Tem—10.

NAYS—Mr. Hoey—1.

NOT VOTING—Messrs. Covey, Johnson, Melson, Pryor, Steen—5.

ABSENT—Mr. Wilgus—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.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **HB 336**, 4 favorably, 1 on merits, **HB 401**, 4 favorably, 1 on merits, by Buildings and Highways; **HB 173**, 5 on merits, by Finance; **HB 569**, 5 on merits, **HB 384**, by Judiciary; **HB 599**, 2 favorably, 3 on merits, by Municipal Corporations; **SB 497**, 4 favorably, 1 on merits, **SB 498**, 4 favorably, 1 on merits, by Education; **SB 500**, 4 favorably, 1 on merits, **SB 501**, 4 favorably, 1 on merits, by Rules.

The Chair presented the following House Concurrent Resolution, **HCR 29**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a Bill Appropriating Money for the Observance of Memorial Day in Honor of the Grand Army of the Republic," which was read and on motion by Mr. Lammot adopted and returned to the House.

On motion of Mr. Lammot, Senate Rule 36 was suspended.

On motion of Mr. McCullough, **SB 403** was restored to the calendar.

The President announced he was about to sign: **SJR 5**, **SB 76**, **SB 126**, **SB 250**, **SB 276** with **HA 1**, **SB 316**, **SB 328**, **SB 329** with **SA 1** and **HA 1**, **SB 330** with **SA 1** and **HA 1**, **SB 331**, **SB 332**, **SB 333** with **SA 1** and **HA 1** and **HA 2**, **SB 334** with **SA 1**, **SB 335** with **SA 1** and **SA 2**, **SB 336**, **SB 338** with **SA 1**, **SB 339**, **SB 377** with **HA 1**.

On motion of Mr. McCullough, **SB 496**—"An Act to Require the State Highway Department to Install a Push Button Traffic Light in the Wilmington Manor Fire Hall," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Wilgus—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. Lammot, the Senate recessed until call of Chair.

Senate met at expiration of recess at 3:22 P. M.

On motion of Mr. Hoey, **HB 387**—"An Act to Amend Subchapter III, Title 24, Delaware Code, Entitled "Oral Hygiene", by Providing for the Issuance of a Certificate for the Practice of Oral Hygiene to Those Applicants Who Have Graduated from a Two Year Approved Academic Course in a Training School for Oral Hygienists Without the Requirement of one Year of Clinical Work," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Reilly, Steen, Williams, Mr. President Pro Tem—14.

NAYS—None.

NOT VOTING—Messrs. Melson and Pryor—2.

ABSENT—Mr. Wilgus—1.

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

On motion of Mr. Lammot, **HB 383**—"An Act to Amend Section 2316, Title 12, Delaware Code, Relating to Distribution of Funds Where Person Entitled to Legacy, Distributive Share or Trust Fund, Refuses Same or is Out of State, Unknown, Incompetent or Shares Uncertain," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Wilgus—1.

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

On motion of Mr. Paradee, **HB 229**—"An Act Making an Appropriation to the State Board of Agriculture to Provide for the Payment of State Indemnities for Cattle Condemed and Slaughtered as Brucellosis or Tuberculosis Reactors," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Wilgus—1.

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

On motion of Mr. Paradee, **HB 244**—"An Act Authorizing the State Treasurer to Transfer Certain Balances in the Accounts of Former State Treasurer Ralph W. Emerson to the General Fund of the State of Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Wilgus—1.

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

On motion of Mr. Steen, **SB 353** with **SA 1**—"An Act to Amend Chapter 23, Title 7 of the Delaware Code by Prohibiting the Taking of Clams or Oysters Without the Consent of the State of the Lessee and by Providing a Penalty for Violations," was reconsidered in order to pass the Senate.

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

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Wilgus—1.

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

On motion of Mr. Hoey, **HB 365**—"An Act to Amend Chapter 35, Title 11, Delaware Code, by Providing for the Admission in Evidence of the Weight of Alcohol in the Blood of a Person Being Tried for Operating a Motor Vehicle While Under the Influence of Intoxicating Liquor," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Wilgus—1.

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

On motion of Mr. Hoey, **HB 386**—"An Act to Amend Subchapter II, Title 24, Delaware Code, Entitled "Dentistry" by Including Under Qualifications of Applicants for Licenses, Service as a Dental Officer for One Year With the Armed Forces of the United States," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Steen and Wilgus—2.

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

The following communication from the Governor was delivered to the Senate:

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, May 20, 1955

To The Senate, 118th General Assembly
State of Delaware

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

May 17, 1955, Senate Bill No. 243—An Act to Amend Title 19, Delaware Code, Relating to Unemployment Compensation: to Modify Definition of "Employer", to Change Definition of "Employing Unit", to Define "Work", to Provide Benefits in Case of Illness or Disability Under Certain Conditions, to Change Certain Disqualifications for Bene-

fits, to Change Provisions Relating to Variations from the Standard Tax Rate, to Provide for Order of Crediting Employer Contribution Payments and to Provide for Jeopardy Assessments.

May 17, 1955, House Bill No. 104—An Act to Amend Title 19, Delaware Code, Relating to Unemployment Compensation by Increasing the Maximum Weekly Benefit Amount and Maximum Benefit Eligibility, by Increasing the Tax Base and Reducing the Minimum Tax Rate.

May 17, 1955, House Bill No. 381—An Act to Amend Chapter 26, Title 9, Delaware Code, and Entitled "Zoning", by Changing the Provisions Thereof Affecting Changes in Zoning District, Plan or Regulations; Procedure.

May 18, 1955, Senate Bill No. 405—An Act to Amend Title 29, Delaware Code, by Adding a New Chapter Providing for Pensions for Members of the State Judiciary.

May 18, 1955, House Bill No. 62—An Act Appropriating Money to Layton Home for Aged Colored Persons.

May 18, 1955, House Bill No. 85—An Act Appropriating Money to Certain Fire Companies in the State of Delaware Which Maintain and Operate an Ambulance.

May 18, 1955, House Bill No. 93—An Act Appropriating Money to the United Spanish War Veterans, Department of Delaware.

May 18, 1955, House Bill No. 98—An Act to Amend An Act Entitled, "An Act Amending, Revising and Consolidating the Charter of the Town of Georgetown", Being Chapter 166, Volume 43, Laws of Delaware, as Amended, by Authorizing the Town Council of Georgetown to Appoint a Vice-Mayor and Prescribing His Duties.

May 18, 1955, House Bill No. 111—An Act Appropriating Certain Money to the State Soil Conservation Commisison for the Drainage of Tax Ditches in Kent County.

May 18, 1955, House Bill No. 112—An Act Authorizing and Directing the Levy Court of Kent County to Make Available to the Board of Soil District Supervisors of the Soil Conservation District of Kent County Certain Funds for the Employment of an Equipment Manager.

May 18, 1955, House Bill No. 141—An Act Making an Appropriation to the State Board of Education to Provide for the Payment of Costs and Expenses for the Transportation of School Children for the Year Ending June 30, 1954, Over and Above the Appropriations Which Were Available to the State Board of Education for That Purpose.

May 18, 1955, House Bill No. 208—An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Permitting the Sale of Water Outside of the City Limits.

May 18, 1955, House Bill No. 212—An Act to Amend An Act Entitled “An Act Changing the Name of the ‘Town of Newark’ to the ‘City of Newark’ and Establishing a Charter Therefor” by Removing the Prohibition Against the Manufacturing or Generation of Electric Light and Power.

May 18, 1955, House Bill No. 285—An Act to Amend the Charter of the Town of Bridgeville, Chapter 158, Volume 43, Laws of Delaware, by Increasing the Amount Permitted to be Raised by Taxation.

May 18, 1955, House Bill No. 211—An Act to Amend An Act Entitled “An Act Changing the Name of the ‘Town of Newark’ to the ‘City of Newark’ and Establishing a Charter Therefor” by Changing the Qualifications for Mayor and Councilmen and by Changing the Qualifications for Mayor and Councilmen and by Changing the Provisions for Nominating Petitions.

May 18, 1955, House Bill No. 303—An Act Amending Chapter 152, Volume 48, Laws of Delaware, Being An Act Entitled “An Act Changing the Name of the ‘Town of Newark’ to the ‘City of Newark’ and Establishing a Charter Therefor” by Amending the Borrowing Power of the City for Current Expenses.

May 18, 1955, House Bill No. 325—An Act to Amend An Act Entitled “An Act to Incorporate the Town of Ocean View in Sussex County, Delaware”, Being Chapter 645, Volume 18, Laws of Delaware and All Acts Amendatory Thereof and Supplementary Thereto.

May 18, 1955, House Bill No. 326—An Act to Amend Chapter 212 Volume 25, Laws of Delaware, 1909, Entitled “An Act to Incorporate the Town of Bethany Beach and Give It Authority to Issue Bonds”, as Amended, Providing for an Increase in the Amount to be Raised by Taxation.

May 18, 1955, House Concurrent Resolution No. 21—Expressing the Appreciation of the General Assembly to Merton B. Tice, Commander-in-Chief of the Veterans of Foreign Wars of the United States.

May 19, 1955, Senate Bill No. 1—An Act to Amend Title 31, Delaware Code, Entitled “Welfare” in Respect to Visitation to Institutions Wherein Blind Children of This State are Maintained or Instructed.

May 19, 1955, Senate Bill No. 2—An Act to Amend Chapter 55, Title 29, Delaware Code, Entitled “State Employees Pension Plan” by Providing That Employees of the Delaware Commisison for the Blind be Included in Covered Employment.

May 19, 1955, Senate Bill No. 84 with H. A. No. 1—An Act to Provide for the Construction, Equipping, and Furnishing of Several New Buildings for Patients, a New Kitchen and Dining Room for Employees, Two Doctors’ Residences and Six Employees’ Apartments, and a Receiving and Warehouse Building, and for the Additional Repairing, Remodel-

ing, and Equipping of Two Existing Buildings, and the Enlarging of One Existing Building at the State Hospital at Farnhurst and Making an Appropriation Therefor.

May 19, 1955, Senate Bill No. 127—An Act to Amend Chapter 19, Title 14 of the Delaware Code by Changing the Time During Which the Polls are to Remain Open for Purposes of Holding an Election Before the Levy of a Tax for School Purposes.

May 19, 1955, Senate Bill No. 168—An Act to Amend Chapter 31, Title 20, Delaware Code Relating to Civil Defenses: Definitions.

May 19, 1955, Senate Bill No. 228—An Act to Amend Chapter 6, Title 9 of the Delaware Code Relating to the Time of Submission to the Levy Courts of the Recommendation of County Park and Recreation Commissions With Respect to Proposed Suburban Park Community Plans.

May 19, 1955, Senate Bill No. 229—An Act to Amend Chapter 6, Title 9 of the Delaware Code Relating to the Preparation of Surveys, Plans, Specifications and Estimates for Suburban Park Communities.

May 19, 1955, Senate Bill No. 148 with S. A. No. 1 and H. A. No. 1—An Act to Amend Chapter 7 of Title 7 of the Delaware Code Relating to the Sale and Possession of Rabbits Received from Other States.

May 19, 1955, Senate Bill No. 234—An Act to Amend An Act Entitled "An Act Changing the Name of 'The Town of Milford', to 'The City of Milford' and Establishing a Charter Therefor", Being Chapter 162, Volume 37, Laws of Delaware, as Amended.

May 19, 1955, Senate Bill No. 235—An Act to Amend An Act Entitled "An Act Changing the Name of 'The Town of Milford', to 'The City of Milford' and Establishing a Charter Therefor", Being Chapter 162 of Volume 37, Laws of Delaware, as Amended, Relating to Floating Debt.

May 19, 1955, Senate Bill No. 422—An Act to Amend Chapter 23, Title 31 of the Delaware Code Relating to the Definition of a Blind Person.

May 19, 1955, Senate Bill No. 304 with S. A. No. 1—An Act to Amend Chapter 17, Title 7 of the Delaware Code by Establishing a Division of Dog Law Management Under the Board of Game and Fish Commissioners.

May 19, 1955, Senate Bill No. 288—An Act to Amend Chapter 17, Title 9 of the Delaware Code Relating to Employees Pensions Affecting the City of Wilmington and New Castle County.

May 19, 1955, House Concurrent Resolution No. 10—Requesting School Authorities to Properly Supervise Burning of Refuse on School Property.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Hoey, **HB 385**—"An Act to Amend Subchapter II, Title 24, Delaware Code, Entitled "Dentistry", by Increasing the Fees to be Charged for the Renewal of the Certificate of Registration Required for the Practice of Dentistry in the State of Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Pryor, Steen, Wilgus, Williams—4.

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

On motion of Mr. Hoey, **HB 398**—"An Act to Amend Subchapter III, Title 24, Delaware Code, Entitled "Oral Hygiene", by Increasing the Fees to be Charged for the Renewal of the Certificates of Registration Required for the Practice of Oral Hygiene in the State of Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Steen, Williams, Mr. President Pro Tem—15.

NAYS—None.

NOT VOTING—Mr. Pryor—1.

ABSENT—Mr. Wilgus—1.

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

On motion of Mr. Lammot, the Senate adjourned until Monday, May 23, 1955, at 2:00 P. M.

90TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Monday, May 23, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Wilgus, Mr. President Pro Tem—14.

Members absent—Messrs. Melson, Steen, Williams—3.

The Secretary proceeded to read the Journal of the previous Session when Mr. Johnson moved that so much be

considered the reading of the Journal, and the Journal be approved. Motion prevailed.

Messrs. Steen and Williams asked to be marked present.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 249**, **SB 253**, **SB 248**, and that the House had passed and requested the concurrence of the Senate in the following bill, which was presented by the Chair, given first and second readings by title only, and referred to committee as follows:

HB 459—"An Act to Regulate the Expansion of Facilities and Services of Water Companies Doing Business in New Castle County," to Municipal Corporations.

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 79**—"Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 118th General Assembly."

BE IT RESOLVED, by the Senate of the 118th General Assembly of the State of Delaware, that the following amounts be and the same are hereby appropriated out of any money in the General Fund of the State Treasury for the payment of certain expenses connected with the present Session of the 118th General Assembly of the State of Delaware for the period beginning on the 61st Legislative Day and extending up to and including the 90th Legislative Day which said expenses are hereby declared to be proper and reasonable expenses actually incurred by the President and by the respective members of the Senate for traveling expenses, commonly called mileage expenses, in traveling from their respective homes to Dover, and in returning from Dover to their respective homes, in the performance of their duties as President and Members of the Senate, during the present Legislative Session thereof, and the Auditor of Accounts is hereby authorized and fully empowered and directed to approve and properly execute warrants for, and the State Treasurer is hereby authorized and fully empowered and directed to pay to the President and the respective members of the Senate hereinafter named, the respective amounts set opposite their respective names, viz.:

John W. Rollins	\$255.00
John E. Reilly	340.00
Eugene Lammot	390.00
Elwood Frank Melson, Jr.	430.00
Wilmer F. Williams	270.00
Calvin R. McCullough	352.00
John R. Butler	210.00
Walter J. Hoey	190.00
William B. Behen	159.70
Charles G. Moore	155.00
S. W. Harrison	88.50
Jehu F. Camper	190.00

Clifford Pryor	108.00
William C. Paradee	95.00
William O. Covey	300.00
Curtis W. Steen	300.00
Robert E. Wilgus	327.00
Thomas L. Johnson	264.00

Requests that the following be stricken from the calendar were granted to members as follows: **SB 275**, by Steen; **SB 67**, **SB 280**, by Lammot; **SB 59**, **SB 65**, **SB 66**, **SB 70**, **SB 71**, **SB 74**, by Moore; **SB 123**, by Reilly.

On motion of Mr. Moore, **SB 319**—"An Act to Amend Chapter 1, Title 5 of the Delaware Code Relating to the State Bank Commission Affecting His Appointment, Removal, Term and Bond," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Mr. President Pro Tem—12.

NAYS—None.

NOT VOTING—Messrs. Covey, Johnson, Wilgus—3.

ABSENT—Messrs. Melson and Williams—2.

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. McCullough, **SB 497**—"An Act to Amend Chapter 13, Title 14, Delaware Code, by Adding Teachers and Clerical Workers Employed by the State Board of Education to the Personnel Covered by That Chapter," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Wilgus, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Melson and Williams—2.

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. McCullough, **SB 498**—"An Act to Provide for State Supported Salary Schedules for the Biennium Beginning July 1, 1955 and Ending June 30, 1957, for Employees of the State Board of Education, the State Board for Vocational Education, and the Board of Public Education in Wilmington Who are Not Covered by the Salary Schedules in Title 14, Chapter 13, Delaware Code, and to Provide Appropriation Therefor," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Wilgus, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Melson and Williams—2.

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. Behen, **SB 506**—"An Act to Amend Chapter 1, Title 26 of the Delaware Code Relating to the Jurisdiction of the Public Service Commission Over Municipally Owned Public Utilities," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Johnson, **SB 506** was deferred.

On motion of Mr. McCullough, **SB 500**—"An Act to Amend Chapter 83, Title 16, Delaware Code by Providing for the Levy Court of New Castle County to Promulgate Rules and Regulations Known as the Building Code for All of New Castle County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—15.

NAYS—None.

NOT VOTING—Mr. Pryor.

ABSENT—Mr. Melson—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. Behen, **HB 427**—"An Act to Amend Chapter 19, Title 10, Delaware Code, Relating to Judicial Reports by Increasing Payment to Reporters for Reports," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Melson—1.

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

On motion of Mr. Behen, **SB 494**—"An Act to Amend Chapter 55, Title 16, Delaware Code by Providing for the Commitment of Certain Feeble Minded or Mentally Retarded

Persons in a Penal Institution or Detention Home Upon Petition by the Superintendent of the Delaware Colony to the Superior Court," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Melson—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. McCullough, **SB 501**—"An Act to Amend Chapter 81, Title 16, Delaware Code Relating to Plumbing Code for Rural New Castle County by Providing Authority to the Levy Court of New Castle County to Promulgate a Plumbing Code for All of New Castle County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. McCullough, **SB 501** was deferred.

On motion of Mr. Butler, **HB 336**—"An Act Making an Appropriation to the Public Archives Commission for the Operation and Maintenance of the John Dickinson Mansion as an Historic Site," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Johnson, Lammot, McCullough, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—13.

NAYS—None.

NOT VOTING—Messrs. Hoey and Pryor—2.

ABSENT—Messrs. Melson and Paradee—2.

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

Requests that the following be stricken from the calendar were granted to members as follows: **SB 510**, by McCullough; **SB 455**, by Behen; **SB 28**, by Reilly.

The President announced he was about to sign: **HB 366**, **HB 330**, **HB 103**, **HB 283**, **HB 192**, **HB 102** with **HA 1**, **HB 209** with **HA 1**.

On motion of Mr. Butler, **HB 401**—"An Act Creating the New Castle Historic Buildings Commission, Defining Its Duties and Powers; Appropriations," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Melson—1.

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

On motion of Mr. Behen, **HB 328**—"An Act to Amend Chapter 39, Title 12, Delaware Code, Relating to Guardian and Ward by Providing for Waiver of Bond and Court Costs in Cases of Indigent Wards," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Melson—1.

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

On motion of Mr. Behen, **HB 107**—"An Act to Amend Title 31, Delaware Code, Entitled "Welfare" in Regard to the Bringing or Sending of Non-Resident Children Into the State," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Melson—1.

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

On motion of Mr. Behen, **HB 569**—"An Act Proposing an Amendment to Section 21 of Article 3 of the Constitution of the State of Delaware, Relating to the Election and Term of Office of the Attorney-General," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Lammot, McCullough, Pryor, Reilly, Steen, Mr. President Pro Tem—10.

NAYS—Messrs. Covey, Hoey, Johnson, Paradee, Wilgus, Williams—6.

ABSENT—Mr. Melson—1.

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

Mr. Behen changed his vote from yea to nay in order that he might move for reconsideration.

On motion of Mr. Williams, SB 469—"An Act to Amend Chapter 65, Volume 19, Laws of Delaware, Concerning St. Andrews Church, Wilmington, Delaware, by Removing the Upper Limitation of the Number of Vestrymen," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—15.

NAYS—None.

NOT VOTING—Mr. Pryor—1.

ABSENT—Mr. Melson—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. Lammot, the Senate adjourned until Tuesday, May 24, 1955, at 2:00 P. M.

91ST LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Tuesday, May 24, 1955, President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—15.

Members absent—Messrs. Covey and Wilgus—2.

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

Mr. Covey asked to be marked present.

On motion of Mr. Hoey, Senate Rule 36 was suspended.

On motion of Mr. Reilly, SB 114—"An Act to Amend Chapter 25, Title 24, Delaware Code, Entitled, "Pharmacy" by Repealing the Provisions Which Permit the Licensing of

Additional "Assistant Pharmacists" and by Changing the Pharmacist Requirements," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wililams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Covey and Wilgus—2.

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. McCullough, SB 501—"An Act to Amend Chapter 81, Title 16, Delaware Code Relating to Plumbing Code for Rural New Castle County by Providing Authority to the Levy Court of New Castle County to Promulgate a Plumbing Code for All of New Castle County," 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. Camper, Lammot, McCullough, Reilly, Steen, Williams, Mr. President Pro Tem—7.

NAYS—Messrs. Behen, Covey, Harrison, Johnson, Melson, Paradee, Pryor—7.

NOT VOTING—Messrs. Butler and Hoey—2.

ABSENT—Mr. Wilgus—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. Hoey, SB 502—"An Act to Amend Chapter 162, Volume 37, Laws of Delaware by Prohibiting the Introduction of Fluorine Into Drinking Water by the City of Milford for One Year and Providing for a Referendum Thereafter," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—15.

NAYS—Mr. McCullough—1.

ABSENT—Mr. Wilgus—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.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: SB 404, 2 favorably, 3 on merits, by Judiciary;

HB 113, HB 600, 1 favorably, 4 on merits, by Municipal Corporations; **HS 1** for **HB 506**, by Revised Statutes; **HB 59**, by Executive; **HB 108**, 4 favorably 1 on merits, by Miscellaneous; **HB 105**, 2 favorably, 3 on merits, by Public Health.

The President announced he was about to sign: **SB 46**, **SB 109**, **SB 171**, **SB 193**, **SB 220**, **SB 233**, **SB 249**, **SB 253**, **SB 348**.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following bills: **HB 364**, **HB 367**, **HB 467**, **HS 1** for **HB 493**, **HB 409**, **HB 604**.

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 80**—"Making an Appropriation for Telephone Service Charges and Toll Calls in Connection With the Work of the Senate of the 118th General Assembly of the State of Delaware."

BE IT RESOLVED, by the Senate, that the amount of One Hundred Twenty-one Dollars and Forty-six Cents (\$121.46) is hereby appropriated, to pay for telephone service charges, and toll calls in connection with the work of the Senate of the 118th Session of the General Assembly of the State of Delaware, which convened January 4, A. D., 1955, and that the State Treasurer be, and he is hereby authorized and directed to pay to the Diamond State Telephone Company the sum of One Hundred Twenty-one Dollars and Forty-six Cents (\$121.46) for telephone service charges according to the statements dated May 11, 1955.

On motion of Mr. Lammot, the Senate adjourned until Thursday, May 26, 1955, at 2:00 P. M.

92ND LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Thursday, May 26, 1955, President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Wilgus, Williams, Mr. President Pro Tem—15.

Members absent: Messrs. Covey and Steen—2.

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

Messrs. Covey and Steen asked to be marked present.

Communications: One from City of Milford, Del., opposing **SB 506**; one from Judge Elwood Melson thanking Senators and attaches for the card to his wife; one from Veterans of Foreign Wars urging a bonus for Korean veterans.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 251**, **SB 252**, and that the House had passed and requested the concurrence of the Senate

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

HB 32—"An Act Appropriating Moneys for Education and Training of Children of Veterans of World War I, World War II and Korean Conflict Who Died While in the Service of the Army, Navy, Marine Corps, Air Forces or Coast Guard of the United States or Who Died from Disease, Wounds or Disabilities Resulting from Such Service," to Finance.

HB 340—"An Act to Amend Chapter 3, Title 11, Delaware Code, Relating to Public Utilities by Prohibiting Use of Telephone to Disturb Privacy," to Municipal Corporations.

HB 605—"An Act to Amend Subchapter II of Chapter 75 of Title 15 of the Delaware Code, Making All the Provisions of Title 15 Applicable to Municipal Elections Held in the City of Wilmington, Defining Political Parties, Providing Certification of Nominations, Device of Party, Ballots, Vacancies After Printing of Ballots and Contests of Elections," to Elections.

HB 606—"An Act to Amend the Charter of the City of Wilmington as Amended by Changing the Term of Office of Mayor and Certain Other Elected Officers of the Said City of Wilmington, by Reconstituting "The Council" and by Changing the Number of Elective Offices of Said City of Wilmington," to Municipal Corporations.

HB 607—"An Act to Repeal Chapter 727, Volume 19, Laws of Delaware, and Any and All Laws Amendatory Thereto, and Pertaining to the Holding and Conducting of Municipal Elections in the City of Wilmington," to Elections.

The Chair presented the following House bills, which were given first and second reading and referred to committees as follows:

HB 364—"An Act to Amend Title 11, Delaware Code, Relating to the Crimes of Embezzlement, Receiving of Embezzled Goods and Larceny," to Judiciary.

HB 467—"An Act to Amend Chapter 50, Title 15, Delaware Code, by Eliminating the Use of Official Paper Ballots in New Castle County," to Elections.

HB 468—"An Act to Amend Chapter 71, Title 15, Delaware Code, to Provide the Necessary Costs and Expenses in Special Elections Shall be Paid by the State Treasurer Out of the State Treasury," to Elections.

HS 1 for HB 493—"An Act to Amend the Charter of the City of Dover, Chapter 158, Volume 36, Laws of Delaware, Relative to the Power to Borrow Money and Issue Bonds," to Municipal Corporations.

HB 509—"An Act to Amend Chapter 45, Title 15, Delaware Code by Repealing the Provisions of the Law Requiring the Printing and Distribution of Official Paper Ballots and Other Election Supplies in New Castle County," to Elections.

HB 604—"An Act to Amend Subchapter XXXV, Chapter 3, Title 11, Delaware Code, Pertaining to Lotteries, Gambling and Betting and Relating to Bingo Games Conducted by Volunteer Fire Companies, Veterans' Organizations, Religious or Charitable Organizations or Fraternal Societies," to Municipal Corporations.

The following communications from the Governor were delivered to the Senate:

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

Dover, May 26, 1955

To The Senate, 118th General Assembly
State of Delaware

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

May 20, 1955, Senate Bill No. 76—An Act Authorizing the Payment of the Sum of \$408.50 for Labor and Materials Supplied to the Delaware Colony.

May 20, 1955, Senate Bill No. 126—An Act to Amend Chapter 84, Title 9 of the Delaware Code Relating to the Salary of the Receiver of Taxes and County Treasurer in Sussex County.

May 20, 1955, Senate Bill No. 160—An Act Making an Appropriation to the Delaware Commission of Shell Fisheries for the State's Share of the Initial Costs of the Improvement of the Indian River Bay Channel via Pepper's Creek in Sussex County, and Authorizing and Empowering the Said Commission to Act as the Agency of the State of Delaware to Do All Things Necessary to Comply With the Requirements of the United States Government Relative to the State's Contribution to Said Improvement.

May 20, 1955, Senate Bill No. 276 with H. A. No. 1—An Act to Amend Chapter 87, Title 10, of the Delaware Code Entitled "Courts and Judicial Procedure" in Respect to Mileage Fees for the Sheriff of New Castle County.

May 20, 1955, Senate Bill No. 316—An Act Transferring and Conveying All of the Right, Title and Interest of the State of Delaware in and to Certain Lands Located in the City of Milford, Kent County and State of Delaware, to the Church of God, a Religious Corporation of the State of Delaware, Therein Described.

May 20, 1955, Senate Bill No. 420—An Act to appropriate Certain Funds to the State Highway Department in Order to Provide a Ten Per Cent Increase in Salaries for State Police Employees.

May 20, 1955, Senate Joint Resolution No. 5—In Reference to the Visit of The Earl and Countess de la Warr.

May 20, 1955, House Bill No. 127—An Act Authorizing the Governor to Enter Into a Compace on Behalf of the State of Delaware With Certain Other States for the Effective Prevention and Control of Forest Fires and for Mutual Aid in Fighting Forest Fires.

May 25, 1955, Senate Bill No. 171—An Act to Amend Title 25, Delaware Code, Entitled "Property" by Validating Certain Instruments as Deeds.

May 25, 1955, Senate Bill No. 220—An Act to Amend Title 11 Delaware Code by Increasing the Penalty for Contributing to the Delinquency of a Child.

May 25, 1955, Senate Bill No. 233—An Act Authorizing and Directing the Commissioners of the Levy Court of Sussex County to Transfer Certain Described Land to the State Soil Conservation Commission for the Use of the Soil Conservation District of Sussex County.

May 25, 1955, Senate Bill No. 253—An Act to Amend Chapter 15, Title 9 of the Delaware Code Relating to the Powers and Duties of the Levy Court of New Castle County.

May 25, 1955, Senate Bill No. 348—An Act to Amend Title 7, Delaware Code, Entitled "Conservation" in Relation to the State Forestry Fund.

May 25, 1955, House Bill No. 143—An Act to Amend the Charter of the Town of Fenwick Island in Respect to Assessments and Collection of Taxes.

May 25, 1955, House Bill No. 436—An Act Providing for the Sale of 114 Shares of the Capital Stock of the National Bank of Smyrna, Owned by the State of Delaware.

Respectfully submitted,

J. CALEB BOGGS, Governor

Honorable John N. McDowell, Secretary of State, delivered the following messages from the Governor to the Senate which were presented by the Chair to the members of the Senate and read into the record.

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

Dover, May 26, 1955

To The Senate, 118th General Assembly
State of Delaware

On May 20, 1955, I receive Senate Bill No. 377 with House Amendment No. 1, entitled:

**AN ACT TO AMEND CHAPTER 13, TITLE 10 OF
THE DELAWARE CODE RELATING TO THE
COURT OF COMMON PLEAS FOR NEW CASTLE
COUNTY.**

I respectfully return this Bill without my approval.

This Bill drastically cuts the term of office and the salary of the incumbent Judge of the Court of Common Pleas for

New Castle County, whose reappointment has been submitted to the Senate. It also requires the appointment of an additional and unneeded Judge to that Court. These changes would not be in the public interest and are contrary to the non-partisan policy followed for several years for the improvement of our Courts and the administration of justice.

The Court was established in 1917 so that small claims and misdemeanors could be tried in a forum presided over by a Judge learned in the law without resort to the Superior Court. The Court has served its purpose so well that its jurisdiction has been increased from time to time and similar Courts have been established in Kent and Sussex Counties.

The work of this Court is expeditiously handled and always has been. The present Judge who is a former Attorney General of Delaware, discontinued his private practice of law some years ago to devote all of his time and attention to the work of the Court. As a result, and as statistics of the Court will reflect and confirm, cases before the Court have been disposed of promptly. There is no significant increase in the case load and no reason is known to expect one. Therefore there is no need for an additional Judge.

The salary limits established by this Bill reflect that two part-time Judges are anticipated. Not only would such action be unfair to the incumbent Judge who has discontinued his private practice of law, but it would also be detrimental to the proper functioning of the Court and symbolic of retrogression in the improvements made in our judicial system during recent years.

Before the present session of the General Assembly the terms of office of the Judges of the Common Pleas Courts, the Family Court and the Juvenile Court were set at 12 years. It is most desirable that the men serving in these judicial capacities be permitted to develop the experience and security that go with 12-year appointments. A term as short as four years is less attractive to qualified Judges and not in the best interest of the public or litigants, who use this court.

The Delaware Bar Association opposes this Bill and it is well known that the Association is not adverse to the expansion of courts where such is justified.

There is no space in the already crowded Public Building for an expanded Court of Common Pleas, and no provision is made in this Bill to set up the facilities which would be required at considerable expense to the taxpaying public.

The purpose of our Courts is to administer justice in the public interest. Consequently the public suffers whenever the judicial system is altered by non-constructive, unnecessary changes such as contained in this Bill.

Respectfully submitted,

J. CALEB BOGGS, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, May 26, 1955

To The Senate, 118th General Assembly
State of Delaware

On May 18, 1955, I received Senate Bill No. 285 with Senate Amendment No. 1 entitled:

AN ACT TO AMEND CHAPTER 1, TITLE 17 OF
THE DELAWARE CODE BY ABOLISHING THE
PRESENT STATE HIGHWAY DEPARTMENT
AND CREATING A NEW STATE HIGHWAY DE-
PARTMENT AND TRANSFERRING THE POW-
ERS, DUTIES AND PROPERTY.

I respectfully return this Bill without my approval.

Senate Bill No. 285 is a prime example of ripper legisla-
tion. Such legislation is not in the public interest and does
not represent a proper fulfillment of a public trust.

Ripper legislation is unjustifiable and is a tragic step
toward the destruction of our form of government. It is used
to gain partisan political control without due process of the
law. No victory at a free election is a mandate to disregard
constitutional or statutory law or established government pro-
cesses.

This Bill disregards legal processes and the public inter-
est simultaneously.

In doing so, it seeks to negate the appointive power of the
Chief Executive, as contemplated in the Constitution, by de-
priving him of his commonly recognized authority to appoint
the members of administrative boards and commissions. This
Bill is, therefore, an attempt by the Legislative Branch to
usurp and exercise the authority of the Executive Branch.

In making this effort to deprive the Chief Executive of
his appointive power, the Bill's proponents have become so
intent on achieving their partisan aims that they have passed
a defective Bill.

It provides that the State Highway Department shall
consist of five members. It designates by name the five persons
whos hall serve as members until July 1, 1961. But it fails to
make any provision for filling vacancies which may occur
before July 1, 1961.

This Bill provides that of the five Commissioners only one
shall be a resident of New Castle County, whereas Kent and
Sussex Counties shall each have two members.

This provision is included even though New Castle County
has about 60 per cent of the State's population; produces by
far the largest share of the State's revenues; and currently
is confronted by the most severe and pressing highway and
traffic problems.

Under the circumstances it seems inconceivable that the
elected representatives of 60 per cent of the people of Dela-
ware would join in a plan giving such a high percentage of

our citizens only 20 per cent of the Commission's membership. A famous statement might be paraphrased to say: Seldom have so many who contribute so much received so little consideration from their elected representatives.

This legislative action is destructive of the sound, economical and efficient administration of a large and vitally important public program. Action of this nature creates such instability, unsoundness and lack of creditability that needed, professionally competent, career personnel will be discouraged from this public service where professional competence is essential. Thus confidence in and creditability of the State of Delaware's highway program, and its operation, will be subject to attack and Federal highway funds available to the State may be jeopardized along with the State's ability to sell highway improvement bonds at the best available interest rate.

The present Commisisoners of the State Highway Department, receiving no compensation, have discharged their duties efficiently, with distinguished competence, outstanding integrity, and forthrightly in the public interest.

Again I direct your attention to the fact that such public service deserves public commendation rather than summarily dismissal.

This legislation finds no support in any political platform. In fact, leaders of both political parties have been outspoken in opposition to this type of legislation.

The citizens of the State know that there is no justification for the abolition of properly functioning and well-administered public agencies solely in an effort to acquire political advantage.

They know, too, that such irresponsible, politically-inspired action not only deserves but will surely receive public condemnation.

Respectfully submitted,

J. CALEB BOGGS, Governor

Requests that the following be stricken from the calendar were granted to members as follows: **SB 157**, by Paradee; **SB 187**, by Lammot.

Request that the following be recommitted was granted to member as follows: **HS 1** for **HB 535**, by Behen, to Municipal Corporations.

On motion of Mr. Behen, **SB 506**—"An Act to Amend Chapter 1, Title 26 of the Delaware Code Relating to the Jurisdiction of the Public Service Commission Over Municipally Owned Public Utilities," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Lammot, McCullough, Reilly—6.

NAYS—Messrs. Covey, Harrison, Hoey, Johnson, Paradee, Pryor, Steen, Wilgus, Williams, Mr. President Pro Tem—10.

NOT VOTING—Mr. Melson—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. Steen, **SB 217**—"An Act to Amend Chapter 61, Title 10 of the Delaware Code Relating to Condemnation, by Granting to Every Corporation Incorporated for the Purpose of and Engaging in the Telephone, Telegraph Business or the Business of Distributing Electricity in the State of Delaware, Additional Power to Condemn and Appropriate Private Property in Certain Cases, Under the Power of Eminent Domain, for the Construction, Maintenance and Operation of Its Lines and Facilities and by Providing for the Procedure for the Determination of Just Compensation in Such Cases," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Hoey, **SB 217** was deferred.

On motion of Mr. Lammot, **SB 346**—"An Act to Amend Chapter 5, Title 18, Delaware Code, Entitled "Regulatory Provisions", by Providing for Actions in This State Against and for the Service of Process Upon Insurers Not Authorized to Transact Business in This State," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Lammot, Melson, Paradee, Reilly, Williams, Mr. President Pro Tem—12.

NAYS—None.

NOT VOTING—Messrs. Johnson and McCullough—2.

ABSENT—Messrs. Pryor, Steen, Wilgus.

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. Lammot, **SB 347**—"An Act to Amend Subchapter II, Chapter 5, Title 18, Delaware Code, Entitled "Prohibited Conduct and Practices", by Defining Trade Practices in the Business of Insurance Which Constitute Unfair Methods of Competition or Unfair or Deceptive Acts or Practices and by Prohibiting the Trade Practices so Defined; by Prohibiting False Swearing and Political Contributions and by Providing Penalties Therefor and for Violation of Title 18," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Wilgus, Williams, Mr. President Pro Tem—14.

NAYS—Mr. Pryor—1.

NOT VOTING—Mr. Hoey—1.

ABSENT—Mr. Steen—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. Lammot, **SB 412**—"An Act to Amend Title 18, Delaware Code, Relating to Accident and Sickness Insurance; to Add a New Chapter Entitled "Accident and Sickness Insurance" Providing for Accident and Sickness Policy Provisions, and to Amend and Repeal Sections in Conflict Therewith," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Lammot, McCullough, Melson, Paradee, Reilly, Williams, Mr. President Pro Tem—11.

NAYS—None.

NOT VOTING—Messrs. Covey, Hoey, Johnson, Pryor, Wilgus—5.

ABSENT—Mr. Steen—1.

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

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 81**—"Authorizing Payment on Account to Attaches and Employees of the Senate."

BE IT RESOLVED, by the Senate of the 118th 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, the sum of One Hundred Dollars (\$100.00) 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 motion of Mr. Behen, **HB 514**—"An Act to Amend Chapters 31 and 39, Title 11, Delaware Code, by Providing a New Procedure for Charging and Sentencing Repeating Criminal Offenders," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—Mr. McCullough—1.

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

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 477**, 5 on merits, **HB 252**, 5 on merits, **HB 280**, 5 on merits, **HB 397**, 5 on merits, **HB 433**, 5 on merits, **HB 434**, 5 on merits, by Public Health; **HB 120**, 5 on merits, **HB 180**, 5 on merits, **HB 199**, 5 on merits, **HB 313**, 2 favorably, 3 on merits, **HB 522**, 5 on merits, **HB 526**, 2 favorably, 3 on merits, by Finance; **HS 1** for **HB 228** with **HA 1**, 5 on merits, **HB 201** with **HA 1**, 5 on merits, **HB 286** with **HA 1**, 5 on merits, **HB 441**, 5 on merits, **HB 390**, 5 on merits, by Fish, Oysters and Game; **HB 260**, by Judiciary; **HB 380**, 2 favorably, 3 on merits, by Banking and Insurance.

On motion of Mr. Hoey, **HB 105**—"An Act to Amend Chapter 140, Volume 48, Laws of Delaware, by Permitting Certain Funds to be Used for Additions to the Department of Public Welfare Facilities in Kent County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. 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 returned to the House.

On motion of Mr. Behen, **HB 113**—"An Act Appropriating Certain Moneys to Kent and Sussex County Fair, Incorporated, for Prizes," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. 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 returned to the House.

On motion of Mr. Behen, **HB 97**—"An Act to Amend An Act Entitled, "An Act Amending, Revising and Consolidating the Charter of the Town of Georgetown", Being Chapter 166, Volume 43, Laws of Delaware, as Amended, by Increasing the Limitation Upon Borrowing for Current Expenses," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. 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 returned to the House.

On motion of Mr. Behen, **HB 599**—"An Act to Amend An Act Entitled "An Act Changing the Name of "The Town of Seaford" and Establishing a Charter Therefor", Being Chapter 184, Volume 43, Laws of Delaware, as Amended by Increasing the Amount of Money Which May be Raised Each year in Taxes," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. 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 returned to the House.

On motion of Mr. Behen, **HB 600**—"An Act to Legalize and Validate the Acts Done and Proceedings Taken by the City of Seaford, a Municipal Corporation, and by Its Officers and Agents, in Relation to the Issuance of the "\$195,000 Seaford Bond Issue of 1955", and to Legalize and Validate Said Bonds and to Provide for the Payment of Said Bonds," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. 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 returned to the House.

On motion of Mr. Steen, **HB 59**—"An Act to Appropriate Funds to the Delaware Code Revision Commission for the Preparation of Pocket Parts to Bring the Delaware Code Up-to-Date," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Pryor—1.

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

On motion of Mr. Behen, **HB 259** with **HA 1**—"An Act to Amend Chapter 3, Title 11, Delaware Code, Forbidding Fortune Tell ing and Related Activities," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Pryor, **HB 259** with **HA 1** was not deferred.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—15.

NAYS—Messrs. Melson and Pryor—2.

So the question was decided in the affirmative and the bill as amended having received the required constitutional majority passed the Senate and was returned to the House.

The Chair presented **HS 1** for **HB 361**—"An Act to Amend Chapter 27, Title 18 of the Delaware Code by Providing for a Special Tax on Certain Gross Premiums of Insurance Companies the Distribution Thereof and Requiring Certain Police Departments or Bureaus to Make Certain Registrations With the State Treasurer," which was returned to the House without the Governor's approval, together with his objections, and was passed by the House by a 3/5 majority, the Governor's objections notwithstanding.

The Governor's veto message, which had been delivered to the Senate along with **HS 1** for **HB 361**, was presented by the Chair and read into the Record, as follows:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

May 17, 1955

To the House of Representatives of the State of Delaware:

On May 11, 1955, I received House Substitute No. 1 for House Bill No. 361, entitled:

AN ACT TO AMEND CHAPTER 27, TITLE 18 OF
THE DELAWARE CODE BY PROVIDING FOR A
SPECIAL TAX ON CERTAIN GROSS PREMIUMS
OF INSURANCE COMPANIES, THE DISTRIBUTION
THEREOF, AND REQUIRING CERTAIN
POLICE DEPARTMENTS OR BUREAUS TO
MAKE CERTAIN REGISTRATIONS WITH THE
STATE TREASURER.

I respectfully return this Bill without my approval.

It is apparent from the face of this Bill that it did not receive the required Constitutional vote in the Senate.

The funds raised under the provisions of this Bill are to "be paid out by the State Treasurer to the proper officers in charge of any State, County or Municipal police department or bureau having a pension fund . . ." This is an express appropriation. Section 4, Article VIII of our State Constitution provides that no appropriation of public money shall be made to any county, municipality or corporation otherwise than pursuant to an act of the General Assembly passed with the concurrence of three-fourths of all the members elected to each House.

This Bill received ten votes in the Senate. Therefore, it did not receive the votes of three-fourths of the members elected to the Senate, which would be at least thirteen votes.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Lammot, the Senate adjourned until Friday, May 27, 1955, at 2:00 P. M.

93RD LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Friday, May 27, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, McCullough, Paradee, Pryor, Reilly, Mr. President Pro Tem—11.

Members absent—Messrs. Covey, Lammot, Melson, Steen, Wilgus, Williams—6.

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

Messrs. Lammot and Steen asked to be marked present.

The President announced he was about to sign: **HB 336, HB 365, HB 383, HB 385, HB 386, HB 398, HB 387, HB 401, HB 427, HB 328, HB 244, HB 229, HB 107, HB 29.**

Mr. Pryor introduced visiting Seventh and Eighth Grades from Townsend High School.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 393**, 4 on merits, by Banking and Insurance; **HB 340**, 3 favorably, 1 unfavorably, 1 on merits, **HB 604**, 3 favorably, 2 on merits, **HB 606**, 3 favorably, 2 on merits, by Municipal Corporations; **HB 32**, 4 on merits, **HS 1** for **HB 576** with **HA 1**, 4 on merits, by Finance.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 236, SB 254, SB 379**, and that the House had passed and requested the concurrence of the Senate in the following bills and resolution, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

HB 25—"An Act Making an Appropriation to the State Board of Agriculture for the Vaccination of Calves and Testing of Cattle for Bang's Disease," to Agriculture.

HB 172 with **HA 1**—"An Act Directing the State Highway Department of the State of Delaware to Hard Surface All the Dirt Roads in the State and Authorizing the Issuance of Bonds to Finance the Cost Thereof," to Finance.

HB 339—"An Act Appropriating Money for Construction of a Cottage for Employees Which Was a Portion of the Money Originally Appropriated for a Building for Vocational Training, as Set Out, Chapter 207, Volume 47, Laws of Delaware," to Finance.

HB 617—"An Act Providing for the Use of the Unexpended Portions of Certain Funds Appropriated to Delaware State College and Amending Chapter 408, Volume 47, and Chapter 231, Volume 48, Laws of Delaware to the Extent of Any Inconsistency," to Finance.

HB 620—"An Act Making an Appropriation to the Board of Trustees of the Milton Consolidated School Number 8 for the Purchase of Equipment for Certain Departments of the School," to Buildings and Highways.

HB 319—"An Act to Amend Chapter 33, Title 19, Delaware Code, Relating to Unemployment Compensation, by Making Certain Changes in the Definitions of Employment." (This bill passed the House over the Governor's veto.)

HCR 30—"Request to the Governor of the State of Delaware to Return House Bill Number 417 as Amended and

House Bill No. 115 for Reconsideration," which was read and on motion of Mr. Lammot adopted, and returned to the House.

On motion of Mr. Paradee, **HB 108**—"An Act to Amend Chapter 5, Title 13, Delaware Code, by Abolishing the Provision Dealing With Liability for Support of Grandparents and Grandchildren and by Adding a Provision Imposing Liability for Support on Spouses," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Johnson, Lammot, McCullough, Paradee, Reilly, Steen, Mr. President Pro Tem—11.

NAYS—Mr. Hoey—1.

ABSENT—Messrs. Covey, Melson, Pryor, Wilgus, Williams—5.

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

On motion of Mr. McCullough, **SB 377** with **HA 1**—"An Act to Amend Chapter 13, Title 10 of the Delaware Code Relating to the Court of Common Pleas for New Castle County," which had been returned to the Senate by the Governor without his approval together with his objections, was reconsidered in order to pass the Senate, the objections of the Governor notwithstanding.

Mr. McCullough made the following statement and requested that it be filed with the Journal:

It is our feeling that no judge of any Court who is only a part time judge and who is permitted to retain his own private practice should be appointed for a term of 12 years or any other long term, since he does not give up his practice or his livelihood.

Furthermore, we feel that the salary should be commensurate with a part-time job such as this is and not pay full time salary for a part time work. The present judge is only a part time judge.

We feel that with two judges there will be encouragement to expand the volume of civil actions in this Court and will still not be too demanding on any one judge.

I therefore move, Mr. President, that the Governor's veto of S. B. 377 as amended, be overridden.

The Governor's objections were again read to the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Lammot, McCullough, Paradee, Reilly, Steen, Mr. President Pro Tem—11.

NAYS—Mr. Johnson—1.

ABSENT—Messrs. Covey, Melson, Pryor, Wilgus Williams—5.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate, the objections of the Governor notwithstanding and was ordered to the House for concurrence.

On motion of Mr. Lammot, the Senate adjourned until Tuesday, May 31, 1955, at 2:00 P. M.

94TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Tuesday, May 31, 1955; Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen,, Mr. President Pro Tem—14.

Members absent—Messrs. Melson, Wilgus, Williams—3.

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

Messrs. Melson and Williams asked to be marked present.

The Chair presented the following communication from the Supreme Court of Delaware:

SUPREME COURT OF DELAWARE

Wilmington, Delaware, May 18, 1955

The Honorable John W. Rollins, Sr., President of the Senate
Dover, Delaware

My dear Mr. President:

Shortly after the convening of the present session of the General Assembly there were introduced twelve bills constituting a program of suggested legislation adopted and approved by the ten state judges. These bills were designed to improve the administration of justice. They consisted of the following:

1. An act proposing a constitutional amendment conferring administrative powers upon the Supreme Court.

2. An act to create a Council on the Administration of Justice.

3. Five acts concerning the subject of court administration. These relate to the appointment and control of court attaches, the keeping of dockets, the summoning of jurors, and the commencement of terms of court.

4. An act relating to the court procedure applicable to search and seizure cases.

5. Three acts relating to the judges' law libraries in New Castle and Sussex Counties.

6. An act relating to the State Library.

I am informed that all of these bills have passed both Houses of the General Assembly and have been approved by the Governor. On behalf of the state judges, may I ask you to extend to the members of the Senate our sincere thank for the willing support the legislative branch of the State has given to the efforts of the judicial branch to improve the administration of justice, and our appreciation of the confidence that the General Assembly has reposed in our views upon these matters.

I am sending a similar letter to the Speaker of the House.

Sincerely yours,

C. A. SOUTHERLAND

Communications: One opposing **HS 1** for **HB 535**.

On motion of Mr. Hoey, **HB 32**—"An Act Appropriating Moneys for Education and Training of Children of Veterans of World War I, World War II and Korean Conflict Who Died While in the Service of the Army, Navy, Marine Corps, Air Forces or Coast Guard of the United States or Who Died from Disease, Wounds or Disabilities Resulting from Such Service," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Reilly, Williams, Mr. President Pro Tem—12.

NAYS—None.

ABSENT—Messrs. Covey, Melson, Pryor, Steen, Wilgus—5.

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

On motion of Mr. Hoey, **HB 120**—"An Act Making a Deficiency Appropriation to the Board of School Trustees of Louis L. Redding Comprehensive School," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Melson and Wilgus—2.

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

On motion of Mr. Hoey, **HB 173**—"An Act Making a Deficiency Appropriation to the Board of School Trustees of Blades School No. 172," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Melson and Wilgus—2.

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

On motion of Mr. Hoey, **HB 180**—"An Act to appropriate Certain Monies to the Board of School Trustees of Millsboro School No. 23 for Current Operation," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Melson and Wilgus—2.

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

On motion of Mr. Hoey, **HB 182**—"An Act Appropriating a Sum of Money to the Delaware Commission for the Feeble-minded in Order to Pay for Certain Labor and Materials Supplied to the Delaware Colony," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Melson and Wilgus—2.

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

On motion of Mr. Hoey, **HB 199**—"An Act Making a Deficiency Appropriation to The Board of School Trustees of Ellendale Public School No. 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. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Wilgus—1.

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

On motion of Mr. Hoey, **HB 202** with **HA 1**—"An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pensions, by Permitting the Employment of Retired Teachers During Emergencies Without Forfeiture of Pension," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Melson and Wilgus—2.

So the question was decided in the affirmative and the bill as amended having received the required constitutional majority passed the Senate and was returned to the House.

On motion of Mr. Steen, **SB 122**—"An Act Appropriating Money to the University of Delaware for Capital Improvements on the University Campus, and at the University's Agricultural Experimental Substation in Sussex County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Melson and Wilgus—2.

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

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following bill, which was given first and second readings by title only, and referred to committee as follows:

HS 1 for HB 443 with HA 1 and HA 2—"An Act to Amend Chapter 43, Title 21, Delaware Code, Relating to Equipment and Construction of Vehicles, by Revising the Provisions for Lights on Vehicles, and to Repeal Certain Sections of Chapter 41, Title 21, Delaware Code, Relating to Lights, on Vehicles," to Judiciary.

On motion of Mr. Hoey, **HB 234**—"An Act Appropriating Funds to The American Legion and American Legion Auxiliary for Expenses to be Incurred in Connection With the Holding of Boys' State and Girls' State," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Williams—14.

NAYS—None.

ABSENT—Messrs. Melson, Wilgus, Mr. President Pro Tem—3.

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

On motion of Mr. Hoey, **HB 266**—"An Act to Amend Title 30, Delaware Code, Entitled "State Taxes" by Providing for Occupational Licenses for Self Service Laundries," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Wilgus—1.

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

On motion of Mr. Hoey, **HB 313**—"An Act Authorizing the Levy Court of Kent County to appropriate Certain Sums to the Kent County Volunteer Firemen's Association for the Maintenance of Radio Equipment Used in Connection With Volunteer Fire Fighting Apparatus," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Johnson and Wilgus—2.

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

On motion of Mr. Hoey, **HB 335**—"An Act Authorizing the Levy Court of Sussex County to Appropriate County Moneys to Pay Its Share of Ditch Taxes Assessed for Construction and Maintenance Purposes on the Eli Wall's Tax Ditch," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Johnson and Wilgus—2.

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

On motion of Mr. Hoey, **HB 522**—"An Act to Appropriate Funds for the Payment of State Contributions for Employee Coverage Under the Social Security Act for the Current Fiscal Year," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Behen and Wilgus—2.

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

The President announced he was about to sign: **HB 59, HB 97, HB 113, HB 105, HB 599, HB 600, HCR 31.**

On motion of Mr. Hoey, **HB 526**—"An Act to Amend Chapter 61, Title 9, Delaware Code, Relating to Authorized Appropriations for Ambulance Service," 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. Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Behen and Wilgus—2.

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

On motion of Mr. Lammott, the Senate recessed.

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

Mr. Lamnot introduced the following concurrent resolution, which on further motion by him was adopted and sent to the House for concurrence: **SCR 13**—"Extending the Sympathy of the Senate and House of Representatives Upon the Death of Howard E. Lynch, Jr., Prominent Attorney and Civic Leader, Late of Dover, Delaware."

Mr. Lamnot introduced the following concurrent resolution, which on further motion by him was adopted and sent to the House for concurrence: **SCR 14**—"Request to the Governor of the State of Delaware to Return Senate Bill Number 334 as Amended for Reconsideration."

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in **HCR 31**.

The Chair presented **HCR 31**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a new Bill," which was read to the Senate and on motion of Mr. Lamnot adopted and returned to the House.

Mr. Camper introduced the following resolution, which on further motion by him was adopted: **SR 82**—"Authorizing the Payment of the Sum of Two Thousand Fifty-nine Dollars and Twenty Cents (\$2,059.20) for Printing of Calendars."

BE IT RESOLVED by the Senate of the 118th General Assembly of the State of Delaware that the State Treasurer be and he is hereby authorized and directed to pay out of the General Fund unto Milford Chronicle Publishing Company, Milford, Delaware, the sum of Two Thousand Fifty-nine Dollars and Twenty Cents (\$2059.20) to cover cost of printing Daily Calendars in accordance with the following statement:

To Printing Daily Calendars for 1955 Session—

300 Copies each day—

85th Legislative Day	62 pages @ \$3.60 per page...	\$ 223.20
86th Legislative Day	64 pages @ \$3.60 per page...	230.40
87th Legislative Day	64 pages @ \$3.60 per page...	230.40
88th Legislative Day	66 pages @ \$3.60 per page...	237.60
89th Legislative Day	64 pages @ \$3.60 per page...	230.40
90th Legislative Day	64 pages @ \$3.60 per page...	230.40
91st Legislative Day	62 pages @ \$3.60 per page...	223.20
92nd Legislative Day	62 pages @ \$3.60 per page...	223.20
93rd Legislative Day	64 pages @ \$3.60 per page...	230.40

Total for printing calendars from 85th Legislative

Day to 93rd Legislative Day, inclusive.....\$2,059.20

The Chief Clerk of the House informed the Senate that the House had concurred in the following: **SCR 13**, **SCR 14**.

On motion of Mr. Hoey, **HS 1** for **HB 576** with **HA 1**—“An Act Providing for a Park Police Pension Fund for Members of the Park Police of the City of Wilmington,” was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Behen and Wilgus—2.

So the question was decided in the affirmative and the bill as amended having received the required constitutional majority passed the Senate and was returned to the House.

On motion of Mr. Lammot, **HB 380**—“An Act to Amend Section 3525, Title 12, Delaware Code, Relating to Testamentary Trusts by Providing That Interest on a Pecuniary Bequest in Trust Shall be Paid by the Executor Out of the Residue of the Estate,” 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. Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, Melson, Paradee, Reilly, Steen, Williams, Mr. President Pro Tem—13.

NAYS—Mr. McCullough—1.

ABSENT—Messrs. Behen, Pryor, Wilgus—3.

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

On motion of Mr. Hoey, **HB 63**—“An Act Appropriating Money to the State Highway Department for the Purpose of Carrying Out the Provisions of Law Relating to State Police Retirement Fund,” 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. Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Steen, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Behen, Pryor, Wilgus—3.

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

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 508**, **HB 448**, 4 favorably, 1 on merits, **HB 197**,

3 favorably, 2 on merits, **HB 148**, 4 favorably, 1 on merits, **HB 172** with **HA 1**, 3 favorably 2 on merits, by Buildings and Highways; **HB 25**, by Agriculture.

On motion of Mr. Steen, all Senate Rules were suspended.

The Chair reassigned **HS 1** for **HB 535** from Municipal Corporations to Public Health.

The President announced he was about to sign: **SCR 13**, **SCR 14**.

On motion of Mr. Lammot, the Senate adjourned until Wednesday, June 1, 1955, at 12:30 P. M.

95TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 12:30 P. M., on Wednesday, June 1, 1955. President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Butler, Harrison, Lammot, McCullough, Paradee, Mr. President President Pro Tem—6.

Members absent—Messrs. Behen, Camper, Covey, Hoey, Johnson, Melson, Pryor, Reilly, Steen, Wilgus, Williams—11.

There not being present a quorum, the Journal was not read.

On motion of Mr. Lammot, the Senate adjourned until Thursday, June 2, 1955, at 2:00 P. M.

96TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Thursday, June 2, 1955. Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Johnson, Melson, Williams—3.

Members absent—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Wilgus, Mr. President Pro Tem—14.

The Senate was recessed by the Chair for lack of quorum.

Senate met at expiration of recess at 2:27 P. M.

Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Lammot, McCullough, Paradee, Reilly and Mr. President Pro Tem asked to be marked present.

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

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 242**, **SB 291** with **SA 1** and **SA 3**, **SB 356**, also **SB 448** with **HA 1**, **HA 2**, **HA 3**, and **HA4**, and that the House had passed and requested the concurrence of the Senate in the following bills, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

HB 142—"An Act to Amend Title 20, Delaware Code, Entitled, "Military and Civil Defense" by Providing for Leave of Absence from Work for Employees Who are Members of the Reserve Components of the Armed Forces, While Engaged in Temporary Military Training With the Armed Forces of the United States," to Miscellaneous.

HB 417 with **HA 1** and **SA 1**—"An Act to Amend Chapter 1, Title 4, Delaware Code, Entitled "Alcoholic Liquors," by Changing the Definition of "Importer," was restored to the Senate Calendar.

Requests that the following be stricken from the calendar were granted to members as follows: **SB 137**, **SB 318**, **SB 320**, **SB 321**, **SB 322**, **SB 461**, **SB 477**, by Moore; **SB 403**, **SB 495**, by McCullough; **SB 468**, by Williams.

On motion of Mr. Camper, **HB 417** with **SA 1** and **HA 1**—"An Act to Amend Chapter 1, Title 4, Delaware Code, Entitled "Alcoholic Liquors", by Changing the Definition of "Importer", was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Reilly, Williams, Mr. President Pro Tem—13.

NAYS—None.

NOT VOTING—Mr. Melson—1.

ABSENT—Messrs. Pryor, Steen, Wilgus—3.

So the question was decided in the affirmative and the bill as amended having received the required constitutional majority, passed the Senate and was returned to the House.

The Secretary notified the Senate that **SB 334** had been returned by the Governor in compliance with **SCR 14**.

Mr. Behen, on privilege of the floor, declared that there was no personal difference between himself and Mr. Moore, and walking across the Senate floor, shook hands with Mr. Moore.

On motion of Mr. Behen, **HB 242**—"An Act to Amend Section 9121, Title 9, Delaware Code, Relating to Mileage Payments to County Employees," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Pryor, Steen, Wilgus—3.

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

On motion of Mr. Behen, **HB 267**—"An Act to Amend Title 14, Delaware Code, Entitled "Education" by Providing for Distribution of Law and Chancery Reports," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Pryor, Steen, Wilgus—3.

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

On motion of Mr. Lammot, **SB 430**—"An Act to Amend Chapter 89, Title 10 of the Delaware Code Relating to Jurors and Witnesses," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Pryor, Steen, Wilgus—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.

On motion of Mr. Behen, **HB 372**—"An Act to Amend Chapter 5, Title 12, Delaware Code, Establishing Rules of Distribution of Intestate Personal Estate," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Pryor, Steen, Wilgus—3.

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

On motion of Mr. Paradee, **HB 164** with **HA 1**—"An Act to Amend Title 21, Delaware Code, Entitled "Motor Vehicles" by Providing for a Deputy Director of Safety Responsibility

and Such Clerical Help as is Necessary," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Paradee, **HB 164** was deferred.

On motion of Mr. Paradee, **HB 201** with **HA 1**—"An Act Amending Chapter 5, Title 7, Delaware Code, Relating to Hunting, Trapping and Fishing Licenses, by Changing the Expiration Date of Such Licenses," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Lammot, McCullough, Paradee, Reilly, Williams, Mr. President Pro Tem—11.

NAYS—Mr. Hoey—1.

NOT VOTING—Messrs. Johnson and Melson—2.

ABSENT—Messrs. Pryor, Steen, Wilgus—3.

So the question was decided in the affirmative and the bill as amended having received the required constitutional majority, passed the Senate and was returned to the House.

On motion of Mr. Paradee, **HS 1** for **HB 228** with **HA 1**—"An Act to Amend Chapter 7, Title 7, Delaware Code, Relating to Regulations and Prohibitions Concerning Game and Fish, by Prohibiting the Use or Possession of Certain Sizes of Shot at Certain Times," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Pryor, Steen, Wilgus—3.

So the question was decided in the affirmative and the bill as amended having received the required constitutional majority, passed the Senate and was returned to the House.

On motion of Mr. Paradee, **HB 256**—"An Act to Amend Chapter 1, Title 7, Delaware Code, With Respect to the Use of Funds Derived from the Sale of Fishing Licenses," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Paradee, **HB 256** was deferred.

The President announced he was about to sign: **SB 236**, **SB 251**, **SB 252**, **SB 254**, **SB 379**, **HB 108**, **HB 259** with **HA 1**, **HB 514** with **HA 1**, **HB 223** with **SA 1**.

On motion of Mr. Lammot, **SB 334** with **SA 1** was restored to the calendar.

Mr. Paradee moved that **SB 157** be restored to the calendar. Motion was deferred on motion of Mr. Reilly.

Mr. Melson rose on the point of personal privilege and spoke of suspension of rules and action of Finance Committee.

On motion of Mr. Paradee, **HB 441**—"An Act to Amend Chapter 5, Title 7, Delaware Code, Relative to Non-Resident Hunting and Trapping License Fees," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Pryor, Steen, Wilgus—3.

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

On motion of Mr. Moore, **SB 393**—"An Act to Amend Title 5, Delaware Code, Relating to Regulations Governing Business of Banks and Trust Companies by Providing That Any Banking Corporation May in Its Certificate of Incorporation, Confer Upon the Directors the Power to Make, Alter or Repeal By-Laws, Subsequent to the Adoption of Its First Set of By-Laws at the Meeting of Its Incorporators," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Pryor, Steen, Wilgus—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.

On motion of Mr. Johnson, **HB 164** with **HA 1**—"An Act to Amend Title 21, Delaware Code, Entitled "Motor Vehicles" by Providing for a Deputy Director of Safety Responsibility and Such Clerical Help as is Necessary," which had been deferred, was reconsidered and placed up its passage.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Pryor, Steen, Wilgus—3.

So the question was decided in the affirmative and the bill as amended having received the required constitutional majority, passed the Senate and was returned to the House.

On motion of Mr. Reilly, SB 448 with **HA 1, HA 2, HA 3, and HA 4**—"An Act to Amend Chapter 23, Title 19 of the Delaware Code Relating to Workmen's Compensation," which had been amended in the House was taken up for consideration.

On motion of Mr. Melson, SB 448 with **HA 1, HA 2, HA 3, and HA 4** was deferred.

On motion of Mr. Lammot, the Senate adjourned until Friday, June 3, 1955, at 2:00 P. M.

97TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:10 P. M., on Friday, June 3, 1955. President Pro Tem Moore, presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present — Messrs. Camper, Harrison, Hoey, Johnson, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—13.

Members absent—Messrs. Behen, Butler, Covey, Lam-mot—4.

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

Messrs. Behen and Covey asked to be marked present.

Communications: One from members of Federation of Delaware Teachers thanking assembly for passage of salary increases.

The Chief Clerk of the House informed the Senate that the House had concurred in SB 77, SS 1 for SB 96 with SA 1, SB 292, SB 293, SB 294, SB 295, SB 397, SB 398, SB 497, SB 503, SB 399 with HA 1, and that the House had passed and requested the concurrence of the Senate in the following bills, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

HB 67 with **HA 1**—"An Act to Amend Chapter 9, Title 28, Delaware Code, Relating to Miscellaneous Provisions Concerning Sports and Amusements; Regulation of Public Entertainment on Sundays," to Revised Statutes.

HB 621—"An Act to Amend Title 21 Delaware Code, Entitled "Motor Vehicles", Relating to Notice by Commissioner of Revocation or Suspension of Driving Privilege," to Revised Statutes.

HB 622—"An Act to Amend Chapter 43, Title 21, Delaware Code, Relating to Motor Vehicles by Changing the Markings of Vehicles Used to Transport Explosives in Order to Conform With the Interstate Commerce Commission Regulation," to Buildings and Highways.

On motion of Mr. Paradee, **HB 255**—"An Act to Amend Chapter 11, Title 7, Delaware Code, Relating to Fishing in Certain Waters, by Providing for the Issuance and Sale of a Delaware Trout Fishing Stamp and the Use of the Proceeds Thereof, Requiring the Purchase of Such a Stamp for Fishing in Trout-Stocked Waters, and Providing Penalties for Violations," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Camper, Covey, Harrison, Johnson, McCullough, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Butler, Hoey, Lammot, Melson—4.

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

On motion of Mr. Paradee, **HB 256**—"An Act to Amend Chapter 1, Title 7, Delaware Code, With Respect to the Use of Funds Derived from the Sale of Fishing Licenses," which had been deferred, was taken up for consideration in order to pass the Senate.

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

YEAS—Messrs. Behen, Camper, Harrison, Johnson, McCullough, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—12.

NAYS—None.

NOT VOTING—Messrs. Covey, Hoey, Melson—3.

ABSENT—Messrs. Butler and Lammot—2.

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

On motion of Mr. Paradee, **HB 390**—"An Act to Amend Chapter 5, Title 7, Delaware Code, Relating to Hunting, Trapping, and Fishing Licenses, by Providing for a Non-Resident License for Hunting on Regulated Shooting Preserves," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Camper, Harrison, Johnson, McCullough, Melson, Pryor, Reilly, Williams—9.

NAYS—Messrs. Covey, Hoey, Paradee, Steen, Wilgus, Mr. President Pro Tem—6.

ABSENT—Messrs. Butler and Lammot—2.

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

The President announced he was about to sign: **HB 32, HB 63, HB 120, HB 173, HB 180, HB 182, HB 199, HB 234, HB 266, HB 313, HB 335, HB 380, HB 522, HB 526, HB 202** with **HA 1, HCR 31, HR 87, HR 90.**

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **HB 364**, 1 favorably, 3 on merits, **HS 1** for **HB 443** with **HA 1** and **HA 2**, 1 unfavorably, 3 on merits, by Judiciary; **HB 357**, 3 favorably, 2 on merits, by Education; **HB 605**, 3 favorably, 2 on merits, by Elections.

On motion of Mr. Reilly, **SB 448** with **HA 1, HA 2, HA 3, and HA 4**—"An Act to Amend Chapter 23, Title 19 of the Delaware Code Relating to Workmen's Compensation," which had been returned to the Senate by the House with **HA 1, HA 2, HA 3, and HA 4**, was taken up for consideration in order to pass the Senate.

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

YEAS — Messrs. Behen, Camper, Covey, Harrison, Johnson, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—13.

NAYS—Mr. Wilgus—1.

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. Butler and Lammot—2.

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

Honorable John N. McDowell, Secretary of State, delivered a message from the Governor to the Senate which was presented by the Chair to the members of the Senate and read into the record.

GOVERNOR'S MESSAGE STATE OF DELAWARE EXECUTIVE DEPARTMENT

Dover, June 3, 1955

To The Senate of The State of Delaware:

On May 24, 1955, I received Senate Bill No. 46 entitled:
**AN ACT TO AMEND CHAPTER 23, TITLE 19,
DELAWARE CODE, TO PERMIT CHIROPRACTIC
SERVICES TO BE COMPENSATED FOR UNDER
THE WORKMEN'S COMPENSATION LAW.**

I respectfully return this Bill without my approval.

Because it appears that the arguments on this Bill were not fully explored when it was pending, I feel that the General Assembly, and particularly the House of Representatives, should have an opportunity to re-examine it.

This Bill would give chiropractors the same status as physicians insofar as the Workmen's Compensation Law of the State of Delaware is concerned.

The Delaware Code contains the following definition—"Chiropractic is the science of locating and removing any interference with the transmission of nerve energy. A license under the provisions of this chapter shall not entitle a licensee to use drugs, surgery, osteopathy, obstetrics, dentistry, optometry or chiropody." (Sec. 701, Title 24, Del. C.)

In the definition of the practice of medicine or surgery, the Delaware Code permits physicians to "Give surgical assistance to, or suggest, recommend, prescribe or direct, whether material or not material, for the cure, relief or palliation of any ailment or disease of the mind or body, or for the cure or relief of any wound, fracture, or bodily injury, or deformity, . . ." (Sec. 1731 (a) (4), Title 24, Del. C.)

The Code sets up comprehensive educational and training requirements for those desiring a license to practice medicine, but the legal requirements for a chiropractor's license are much less comprehensive.

It is obvious that physicians are by law and training required to meet standards which should make them capable of discharging the public responsibility imposed upon them by the Workmen's Compensation Law. On the other hand, chiropractors are not permitted to use several recognized methods of treating injuries. For example, a chiropractor may not prescribe the use of drugs or engage in surgery.

Therefore, it seems unwise and not in the public interest to place chiropractors upon the same basis as medical doctors under the Workmen's Compensation Law when equal recognition is otherwise denied by state statutes.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Pryor, **HB 70**—"An Act to Amend Chapter 25, Title 7, Delaware Code, Relating to Crabs and Clams, by Prohibiting the Use of Shinnycock Rakes in Rehoboth and Indian River Bays," which had been deferred, was taken up for consideration in order to pass the Senate.

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

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

YEAS—Messrs. Behen, Camper, McCullough, Reilly, Mr. President Pro Tem—5.

NAYS—Messrs. Covey, Melson, Paradee, Steen, Wililams—5.

NOT VOTING—Messrs. Harrison, Hoey, Johnson, Pryor, Wilgus—5.

ABSENT—Messrs. Butler and Lammot—2.

Mr. McCullough changed his vote from yea to nay, in order that he might move for reconsideration of **HB 70**.

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

On motion of Mr. Pryor, **HB 160**—"An Act to Amend Chapter 1, Title 1, Delaware Code, Relating to the Delaware Code, by Providing for the Distribution of a Copy of Said Code to Delaware State College," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Camper, Covey, Harrison, Hoey, Johnson, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Butler and Lammot—2.

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

On motion of Mr. Pryor, **HB 226**—"An Act to Amend Chapter 27, Title 21, Delaware Code, Relating to Driver's Licenses, by Requirinig The Motor Vehicle Department to Notify Biennial Licensees of the Expiration of Their Licenses," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Camper, Harrison, Hoey, Reilly, Wililams, Mr. President Pro Tem—7.

NAYS—Messrs. Covey, Johnson, McCullough, Melson, Paradee, Pryor, Steen, Wilgus—8.

ABSENT—Messrs. Butler and Lammot—2.

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

On motion of Mr. Pryor, **HB 247**—"An Act to Amend Chapter 8, Title 11, Delaware Code, Entitled "State Police" by Providing for the Sale of Lost, Stolen or Unclaimed Property and the Disposition of the Proceeds and for the Disposition of Lost, Abandoned or Stolen Money," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Pryor, **HB 247** was tabled.

On motion of Mr. Pryor, the Senate recessed.

Senate met at expiration of recess at 3:40 P. M.

Onmotion of Mr. Pryor, **HB 249**—"An Act to Authorize the Recorder of Deeds in and for New Castle County to Procure a New Press and Seal of Office," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Camper, Covey, Harrison, Hoey, Johnson, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—15.

NAYS—None.

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

On motion of Mr. Pryor, **HB 414**—"An Act to Amend Chapter 7, Title 4, Delaware Code, Relating to Alcoholic Liquors, by Further Defining Holidays," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Camper, Johnson, McCullough, Reilly, Wilgus, Mr. President Pro Tem—7.

NAYS—Messrs. Covey, Harrison, Hoey, Melson, Paradee, Pryor, Steen, Williams—8.

ABSENT—Messrs. Butler and Lammot—2.

Mr. Behen changed his vote from yea to nay in order that he might move for reconsideration of **HB 414**.

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

On motion of Mr. Pryor, **HB 444**—"An Act to Amend Chapter 21 Title 16, Delaware Code, Relating to Mattresses, Pillows and Bedding," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Camp, Covey, Harrison, Hoey, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—14.

NAYS—Mr. Johnson—1.

ABSENT—Messrs. Butler and Lammot—2.

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

On motion of Mr. Pryor, **HS 1 for HB 506**—"An Act to Amend Chapter 21, Title 21, Delaware Code, by Providing for the Issuance of Temporary Registration Plates Under Certain Conditions and for Certain Purposes," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Camper, Covey, Harrison, Hoey, Johnson, McCullough, Melson, Paradee, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—14.

NAYS—None.

NOT VOTING—Mr. Pryor—1.

ABSENT—Messrs. Butler and Lammot—2.

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

On motion of Mr. Riley, the Senate recessed.

Senate met at expiration of recess at 4:04 P. M.

The following messages from the Governor were delivered to the Senate:

GOVERNOR'S MESSAGES
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, June 3, 1955

To The Senate of The State of Delaware:

This will advise you that on June 1, 1955, I approved the following legislation:

House Bill 59—An Act to Appropriate Funds to the Delaware Code Revision Commission for the Preparation of Pocket Parts to Bring the Delaware Code Up-to-Date.

House Bill 97—An Act to Amend An Act Entitled, "An Act Amending, Revising and Consolidating the Charter of the Town of Georgetown", Being Chapter 166, Volume 43, Laws of Delaware, as Amended, by Increasing the Limitation Upon Borrowing for Current Expenses.

House Bill 105—An Act to Amend Chapter 140, Volume 48, Laws of Delaware, by Permitting Certain Funds to be Used for Additions to the Department of Public Welfare Facilities in Kent County.

House Bill 107—An Act to Amend Title 31, Delaware Code, Entitled "Welfare" in Regard to the Bringing or Sending of Non-Resident Children Into the State.

House Bill 113—An Act Appropriating Certain Moneys to Kent and Sussex County Fair Incorporated, for Prizes.

House Bill 229—An Act Making an Appropriation to the State Board of Agriculture to Provide for the Payment of State Indemnities for Cattle Condemed and Slaughtered as Brucellosis of Tuberculosis Reactors.

House Bill 244—An Act Authorizing the State Treasurer to Transfer Certain Balances in the Accounts of Former State Treasurer Ralph W. Emerson to the General Fund of the State of Delaware.

House Bill 328—An Act to Amend Chapter 39, Title 12, Delaware Code, Relating to Guardian and Ward by Providing for Waiver of Bond and Court Costs in Cases of Indigent Wards.

House Bill 336—An Act Making an Appropriation to the Public Archives Commission for the Operation and Maintenance of the John Dickinson Mansion as an Historic Site.

House Bill 365—An Act to Amend Chapter 35, Title 11, Delaware Code, by Providing for the Admission in Evidence of the Weight of Alcohol in the Blood of a Person Being Tried for Operating a Motor Vehicle While Under the Influence of Intoxicating Liquor.

House Bill 385—An Act to Amend Subchapter II, Title 24, Delaware Code, Entitled "Dentistry", by Increasing the Fees to be Charged for the Renewal of the Certificate of Registration Required for the Practice of Dentistry in the State of Delaware.

House Bill 386—An Act to Amend Subchapter II, Title 24, Delaware Code, Entitled "Dentistry" by Including Under Qualifications of Applicants for Licenses, Service as a Dental Officer for One Year With the Armed Forces of the United States.

House Bill 387—An Act to Amend Subchapter III, Title 24, Delaware Code, Entitled "Oral Hygiene", by Providing for the Issuance of a Certificate for the Practice of Oral Hygiene to Those Applicants Who Have Graduated from a Two Year Approved Academic Course in a Training School for Oral Hygienists Without the Requirement of One Year of Clinical Work.

House Bill 398—An Act to Amend Subchapter III, Title 24, Delaware Code, Entitled "Oral Hygiene" by Increasing the Fees to be Charged for the Renewal of the Certificates of Registration Required for the Practice of Oral Hygiene in the State of Delaware.

House Bill 401—An Act Creating the New Castle Historic Building Commission, Defining Its Duties and Powers; Appropriations.

House Bill 427—An Act to Amend Chapter 19, Title 10, Delaware Code, Relating to Judicial Reports by Increasing Payment to Reporters for Reports.

House Bill 599—An Act to Amend An Act Entitled "An Act Changing the Name of 'Town of Seaford' and Establishing a Charter Therefor," Being Chapter 184, Volume 43, Laws of Delaware, as Amended, by Increasing the Amount of Money Which May be Raised Each Year in Taxes.

House Bill 600—An Act to Legalize and Validate the Acts Done and Proceedings Taken by the City of Seaford, a Municipal Corporation, and by Its Officers and Agents, in Relation to the Issuance of the "\$195,000 Seaford Bond Issue of 1955", and to Legalize and Validate Said Bonds to Provide for the Payment of Said Bonds.

Respectfully submitted,

J. CALEB BOGGS, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, May 31, 1955

To The Senate, 118th General Assembly, State of Delaware

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

May 26, 1955, Senate Bill No. 249—An Act to Amend Chapter 23, Title 9, of the Delaware Code Relating to the Qualifications of Voters for Elections in Sanitary Sewer Districts.

May 26, 1955, Senate Bill No. 250—An Act to Amend Chapter 6, Title 9 of the Delaware Code Relating to Petition of Freeholders to the Levy Court With Respect to a Proposed Suburban Park Community.

May 31, 1955, Senate Bill No. 109—An Act to Amend Chapter 69, Title 11 of the Delaware Code With Respect to the Removal of the Warden of the Kent County Jail and With Respect to the Filling of Any Vacancies.

May 31, 1955, Senate Bill No. 193—An Act to Amend Title 24, Delaware Code, Entitled "Professions and Occupations" in Respect to the Appointment, Qualifications and Terms of Office of the Board of Accountancy; Requirements for Obtaining Certificate; and in Respect to the Rules and Regulations of the State Board of Accountancy.

May 31, 1955, Senate Bill No. 329 with S. A. 1 and H. A. 1—An Act to Amend Title 15 of the Delaware Code by Creating the Office of the State Election Commissioner and Defining the Powers and Duties Thereof.

May 31, 1955, Senate Bill No. 330 with S. A. No. 1 and H. A. No. 1—An Act to Amend Part II, Title 15, of the Delaware Code Relating to the Registration of Voters.

May 31, 1955, Senate Bill No. 331—An Act to Amend Chapter 23, Title 15 of the Delaware Code Relating to Penal and Enforcement Provisions of the Registration Laws.

May 31, 1955, Senate Bill No. 332—An Act to Amend Chapter 21, Title 15 of the Delaware Code, Relating to Registration Appeals.

May 31, 1955, Senate Bill No. 333 with S. A. 1 and H. A. 1 and 2—An Act to Amend Chapter 49, and Chapter 50, Title 15 of the Delaware Code Relating to the Conduct of Elections.

May 31, 1955, Senate Bill No. 335 with S. A. 1 and S. A. 2—An Act to Amend Chapter 55, Title 15 of the Delaware Code Relating to Absentee Voting.

May 31, 1955, Senate Bill No. 336—An Act to Amend Chapter 51, Title 15 of the Delaware Code Relating to Criminal Offenses Arising from Violations of the Election Laws.

May 31, 1955, Senate Bill No. 338 with S. A. No. 1—An Act to Amend Chapter 45, Title 15 of the Delaware Code Relating to Election Supplies to be Furnished by Departments of Elections.

May 31, 1955, Senate Bill No. 339—An Act to Appropriate Certain Funds to the State Auditor in His Capacity as State Election Commissioner for the Purpose of Enabling Him to Carry Out His Powers and Duties Under Title 15 of the Delaware Code.

May 31, 1955, House Bill No. 102 with H. A. No. 1—An Act to Amend Section 2706, Title 10, Delaware Code, by specifically Providing that a Qualified Surety Company Shall be an Acceptable Surety on a Constable's Bond.

May 31, 1955, House Bill No. 103—An Act to Appropriate Moneys to Certain Hospitals in the State of Delaware.

May 31, 1955, House Bill No. 192—An Act to Amend Chapter 17, Title 9, Delaware Code, Relating to Eligibility for Retirement Benefits.

May 31, 1955, House Bill No. 209 with H. A. No. 1—An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'iCty of Newark' and Establishing a Charter Therefor" by Providing for the Vacation of City Streets.

May 31, 1955, House Bill No. 283—An Act Amending Chapter 83, Title 9, Delaware Code, Relating to County Boards of Assessment and Providing for Appeals to the Superior Court.

May 31, 1955, House Bill No. 330—An Act to Amend Chapter 21 and Chapter 23, Title 21, Delaware Code, Relating to Motor Vehicles by Eliminating the Necessity for the Recording of the Engine Number on an Application for Registration and on an Application for a Certificate of Title.

May 31, 1955, House Bill No. 366—An Act to Amend Chapter 65, Title 3, Delaware Code, Relating to the Purchase of Poultry, by Lowering the Time for Payment b yLicensees.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Pryor, SB 334 with SA 1—"An Act to Amend Chapter 31, Title 15 of the Delaware Code Relating to Primary Elections and Nominations of Candidates," which had been recalled by SCR 14, was taken up for consideration in order to pass the Senate.

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

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

YEAS—Messrs. Behen, Camper, Covey, Harrison, Hoey, Johnson, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Butler and Lammot—2.

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

On motion of Mr. Reilly, the Senate adjourned until Monday, June 6, 1955, at 2:00 P. M.

98TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Monday, June 6, 1955. Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Harrison, Hoey, Melson, Paradee, Pryor, Steen, Wilgus, Williams—10.

Members absent—Messrs. Camper, Covey, Johnson, Lammot, McCullough, Reilly, Mr. President Pro Tem—7.

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

Messrs. Camper, Covey, Johnson, Lammot, McCullough, Reilly and Mr. President Pro Tem asked to be marked present.

On motion of Mr. Lammot, the Senate recessed until call of Chair.

Senate met at expiration of recess at 3:15 P. M.

The Chief Clerk of the House informed the Senate that the House had concurred in SB 179 and SB 180.

On point of personal privilege, Mr. Butler rose and requested the following remarks to be filed with the Journal:

Senate Bill 46 had several hearings and airings in both the State Senate and House and was one of the most discussed and well understood measures before the current General Assembly. It was duly passed by both houses with only one dissenting vote in each instance, but now has been vetoed by the Governor.

The matter of who did, or did not, thoroughly understand or interpret the bill is quite evident in the Governor's veto message. He intimates that the gentlemen of the House "particularly", and of the Senate should be given the opportunity to re-examine the measure.

I feel this is good, because the more the matter is aired and re-examined, the greater becomes the obviousness of its merits and the more certain the prejudice and efforts to monopolize by the opponents.

Truly it is a shame there isn't a great deal more time available to really acquaint many more people with the need and rights of this bill. But the efforts against the measure have repeatedly caused delay and hinerance to the action that has brought it this far in the Assembly.

What is needed now is speed to give the men who showed such insight in passing the bill so generously, to reassure their

constituents that they do have good judgment and can see through moves that oppose an uncontroversial bill with such bombastic efforts and tactics as have been aimed at this measure.

The veto message did not state the fact that Senate Bill 45 which I introduced at the same time as Senate Bill 46 is also in the House and has been there since March 17, held up in committee all this time. This bill is to raise the level of the scholastic training of Chiropractors to the exact equal in requirements of the medical practitioners of this State. This bill naturally passed the Senate without any dissenting vote. But efforts thus far have been fruitless to get it placed on the House Calendar to be brought to a vote. Of course, if it had passed the House and come to the Governor for signature, there is grave doubt that there is any legal possibility that this measure could receive a veto. But as things stand, this measure is currently buried, and therefore doesn't necessitate mention when writing a veto on the other bill.

Now to correct any possible confusion or arguments on this bill that were not fully explained, let us re-explain it.

The purpose and extent of Senate Bill 46 is solely to enable persons covered under the Workmen's Compensation Law, who voluntarily wish to receive chiropractic care for any industrial accident that lawfully can be treated under chiropractic practice as defined in the state law, to be compensated for this treatment.

This bill, if passed, would make Delaware the forty-first state with such legislation.

Hundreds of people in the State annually avail themselves of chiropractic care for conditions that directly resulted from an industrial accident. These persons in the majority of cases had other forms of treatment first, and in testimony of the efficacy of the chiropractic results are willing to pay the bill from their own pockets for the relief experienced.

Now why should these patients be discriminated against and why should the medical profession be so opposed to their getting treatment from other practitioners when they have not received relief thus far.

Incidentally, statistics from several sources, including insurance companies, show that the type of industrial accidents that can legally and effectively be handled by chiropractors are done so at a startling financial saving to the insurance companies and in working man hours saved for the employer. In confirmation of their faith in this evidence, five hundred insurance companies already gladly pay chiropractic bills.

Aside from the arguments that are set forth regarding Senate Bill 46, let us explain why the bill was originally introduced.

Three years ago the Delaware Chiropractic Association requested a ruling from the Delaware Industrial Accident Board on the matter of Insurance Companies paying chiropractice claims under the Workmen's Compensation Law. At that time the board said they had no objections to payments, but that an act of legislation would be required to have the word, "Chiropractor" inserted in the law.

Now the bill has been duly drawn up. I submitted it in February, it received support by all but one person voting in both Senate and then House, and was opposed only by the medical profession, and now the Governor.

In closing, I wish to state that the dentists and optometrists mentioned in the Workmen's Compensation Law, and the Governor's veto, are also limited in scope under the law to practice only their specialty as outlined by their license. The chiropractors and these other professions leave the practice of general medicine to the medical fraternity.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **HS 1** for **HB 561**, 5 on merits, by Judiciary; **HB 459**, 3 favorably, 2 on merits, **HB 298**, 3 favorably, 2 on merits, by Municipal Corporations; **HB 503**, by Miscellaneous; **HB 534**, 3 favorably, 1 on merits, **HB 428**, 3 favorably, 1 on merits, by Revised Statutes; **HB 467**, 3 favorably, 1 on merits, **HB 509**, 3 favorably, 1 on merits, **HB 468**, 3 favorably, 1 on merits, by Elections.

On motion of Mr. Behen, **HB 340**—"An Act to Amend Chapter 3, Title 11, Delaware Code, Relating to Public Utilities by Prohibiting Use of Telephone to Disturb Privacy," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. 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 returned to the House.

On motion of Mr. Behen, **HB 606**—"An Act to Amend the Charter of the City of Wilmington as Amended by Changing the Term of Office of Mayor and Certain Other Elected Officers of the Said City of Wilmington, by Reconstituting "The Council" and by Changing the Number of Elective Offices of Said City of Wilmington," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Mr. President Pro Tem—12.

NAYS—Messrs. Covey, Johnson, Wilgus, Williams—4.

NOT VOTING—Mr. Melson—1.

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

On motion of Mr. Pryor, **HB 605**—"An Act to Amend Subchapter II of Chapter 75 of Title 15 of the Delaware Code, Making All the Provisions of Title 15 Applicable to Municipal Elections Held in the City of Wilmington, Defining Political Parties, Providing Certification of Nominations, Device of party, Ballots, Vacancies After Printing of Ballots and Contests of Elections," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Mr. President Pro Tem—12.

NAYS—Messrs. Covey, Johnson, Wilgus, Williams—4.

NOT VOTING—Mr. Melson—1.

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

On motion of Mr. Pryor, **HB 607**—"An Act to Repeal Chapter 727, Volume 19, Laws of Delaware, and Any and All Laws Amendatory Thereto, and Pertaining to the Holding and Conducting of Municipal Elections in the City of Wilmington," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Mr. President Pro Tem—12.

NAYS—Messrs. Covey, Johnson, Wilgus, Williams—4.

NOT VOTING—Mr. Melson—1.

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

On motion of Mr. Pryor, **HB 369** with **HA 1**—"An Act to Amend Chapter 1, Title 15 of the Delaware Code Relating to the Department of Elections for Sussex County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Camper, **HB 369** with **HA 1** was deferred.

On motion of Mr. Lammot, the Senate recessed until call of Chair.

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

Requests that the following be restored to the calendar were granted to members as follows: **SB 67**, by Pryor; **SB 28**, by Reilly; **SB 157**, by Paradee.

Request that the following be recommitted was granted to member as follows: **SB 334** with **SA 1** and **SA 2**, by Pryor.

On motion of Mr. Butler, **HB 25**—"An Act Making an Appropriation to the State Board of Agriculture for the Vaccination of Calves and Testing of Cattle for Bang's Disease," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Covey and Williams—2.

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

On motion of Mr. Butler, **HB 197**—"An Act Authorizing and Directing the State Highway Department to Install a Traffic Control Light at Bishop's Corner, Kent County, Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Johnson, Lammot, McCullough, Pryor, Reilly, Mr. President Pro Tem—10.

NAYS—Messrs. Melson, Paradee, Steen, Wilgus—4.

ABSENT—Messrs. Covey, Hoey, Williams—3.

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

On motion of Mr. Butler, **HB 448**—"An Act to Amend Title 21, Delaware Code, Entitled, "Motor Vehicles" in Regard to the Color of Lights Visible from the Front of Vehicles," 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:

NAYS—Messrs. Behen, Butler, Camper, Covey, Harrison, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Hoey and Pryor—2.

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

On motion of Mr. McCullough, **HB 357**—"An Act to Amend Title 14, Delaware Code, Entitled "Education" in Respect to Teaching Constitutions and Governments in Schools," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Hoey and Pryor—2.

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

On motion of Mr. Melson, **SB 419**—"An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety" by Abolishing the Delaware Commission for the Feeble Minded and Transferring Its Functions and Facilities of the State Board of Trustees of the Delaware State Hospital at Farnhurst," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Hoey and Pryor—2.

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. Steen, **SB 217**—"An Act to Amend Chapter 61, Title 10 of the Delaware Code Relating to Condemnation, by Granting to Every Corporation Incorporated for the Purpose of and Engaging in the Telephone, Telegraph Business or the Business of Distributing Electricity in the State of Delaware, Additional Power to Condemn and Appropriate Private Property in Certain Cases, Under the Power of Eminent Domain, for the Construction, Maintenance and Operation of Its Lines and Facilities and by Providing for the Procedure for the Determination of Just Compensation in Such Cases," 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. Lammot, Melson, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—8.

NAYS—Messrs. Behen, Butler, Covey, Harrison, McCullough, Paradee—6.

NOT VOTING—Messrs. Camper and Johnson—2.

ABSENT—Mr. Hoey—1.

Mr. Steen changed his vote from yea to nay in order that he might move for reconsideration of **SB 217**.

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

On motion of Mr. Melson, **SB 483** with **SA 1**—"An Act to Amend Title 11 of the Delaware Code Entitled "Crimes and Criminal Procedure" by Abolishing Capital Punishment," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS — Messrs. Covey, Harrison, Johnson, Lammot, McCullough, Melson, Steen—8.

NAYS—Messrs. Behen, Butler, Camper, Hoey, Paradee, Reilly, Williams, Mr. President Pro Tem—8.

NOT VOTING—Mr. Wilgus—1.

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

On motion of Mr. Lammot, the Senate recessed until call of Chair.

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

On motion of Mr. Pryor, **HB 247**—"An Act to Amend Chapter 83, Title 11, Delaware Code, Entitled "State Police" by Providing for the Sale of Lost, Stolen or Unclaimed Property and the Disposition of the Proceeds and for the Disposition of Lost, Abandoned or Stolen Money," was brought from the table 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. Butler, Camper, Covey, Johnson, Lammot, McCullough, Pryor, Reilly, Williams, Mr. President Pro Tem—10.

NAYS—Messrs. Hoey, Paradee, Steen—3.

NOT VOTING—Messrs. Behen and Harrison—2.

ABSENT—Messrs. Melson and Wilgus—2.

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

Mr. McCullough rose on a point of personal privilege and noted that **SB 302** had passed Senate and was not now a responsibility of the Senate, but one of the House.

On motion of Mr. Pryor, **HB 279**—"An Act to Amend Chapter 47, Title 16, Delaware Code, Relating to Narcotic

Drugs, by Revising the Penalties Imposed for Violations," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Melson and Wilgus—2.

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

On motion of Mr. Lammot, the Senate adjourned until Tuesday, June 7, 1955, at 2:00 P. M.

99TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Tuesday, June 7, 1955. Lieutenant-Governor Rollins presiding.

Prayer by the Rev. Buckley.

Members present—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Reilly, Steen, Wilgus, Mr. President Pro Tem—13.

Members absent—Messrs. Covey, Melson, Pryor, Williams—4.

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

Messrs. Covey, Pryor and Williams asked to be marked present.

On motion of Mr. Behen, **HB 459**—"An Act to Regulate the Expansion of Facilities and Services of Water Companies Doing Business in New Castle County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—14.

NAYS—None.

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

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

On motion of Mr. Lammot, the Senate recessed until call of Chair.

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

The Chief Clerk of the House informed the Senate that the House had concurred in SB 125, SB 129, SB 211, SB 281, SB 283, SB 310, SB 367, SB 368, SB 369 with SA 1, SB 492, SB 416 with HA 1 and SB 377 with HA 1 over the Governor's veto, and that the House had passed and requested the concurrence of the Senate in the following bills, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

HB 215—"An Act Making an Appropriation to the Board of Trustees of the State Welfare Home and Hospital for the Chronically Ill at Smyrna to Make Capital Improvements and to Purchase Equipment for the State Welfare Home," to Finance.

HB 321—"An Act to appropriate Money to the State Highway Department so as to Enable it to Expand the State Police Force," to Finance.

HB 331—"An Act to Amend Chapter 7, Title 7, Delaware Code, Relative to Sale of Game Birds, Game Fish, and Game Animals and the Penalties Provided Therefor," to Fish, Oysters and Game.

HB 389—"An Act Authorizing the State of Delaware to Borrow Five Hundred Thousand Dollars (\$500,000.00) and Issue Bonds and Notes Therefor, to Provide for the Acquisition of Lands and the Construction, Reconstruction, Repair, Improvement and Purchase of Buildings for the Use of the Delaware National Guard and Improvements Incidental Thereto, and Providing the Form of Such Bonds and Notes as Well as the Procedure for the Sale Thereof, and Providing for the Payment of Principal and Interest of Such Bonds and Notes, and Appropriating the Sum or Sums Received Therefrom to the Delaware National Guard," to Finance.

HB 406—"An Act to appropriate Funds for a Fire Alarm System and Fire Fighting Equipment at the Delaware Colony for the Feeble Minded at Stockley," to Finance.

HB 408 with HA 1—"An Act to Amend Chapter 6, Title 9, Delaware Code, Relating to Suburban Park Community and Election, and County Bonds," to Public Lands.

HB 483—"An Act Proposing an Amendment to Article IV of the Constitution of the State of Delaware, Relating to Appointments by State Judges," to Judiciary.

HS 1 for HB 518—"An Act to Amend Title 17, Delaware Code of 1953, Entitled "Highways" by Changing § 504 Thereof, Relating to Drainage of Roads or Causeways," to Buildings and Highways.

HB 564—"An Act to Amend Chapter 23, Title 30, Delaware Code, Relating to Occupational Licenses by Establishing a License Fee for Keepers of Hotels, Tourist Home, Tourist Courts and Motels," to Miscellaneous.

HB 614—"An Act to Amend Chapter 370, Volume 48, Laws of Delaware, So as to Permit the Use of a Portion of the Funds Borrowed Thereunder for Additions to the Department of Public Welfare Facilities in Kent County," to Public Health.

HB 615—"An Act to Amend Chapter 290, Volume 47, Laws of Delaware, so as to Permit the Use of a Portion of the Funds Borrowed Thereunder for a Cottage for Employees at Ferris School for Boys," to Education.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **HB 362**, **HB 378**, **HB 379**, by Miscellaneous; **SB 334** with **SA 1** and **SA 2**, 3 favorably, 1 on merits, by Elections; **HB 662**, by Buildings and Highways.

On motion of Mr. Behen, **HB 364**—"An Act to Amend Title 11, Delaware Code, Relating to the Crimes of Embezzlement, Receiving of Embezzled Goods and Larceny," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—15.

NAYS—None.

NOT VOTING—Mr. Hoey—1.

ABSENT—Mr. Melson—1.

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

On motion of Mr. Pryor, **HB 277**—"An Act to Amend Chapter 19, Title 7, Delaware Code, With Respect to the Leasing of Acreage for Shell Fisheries in Rehoboth Bay and Indian River Bay," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Butler, **HB 277** was deferred.

On motion of Mr. Lammot, Senate Rule 22 was suspended.

On motion of Mr. Paradee, **HB 362**—"An Act to Amend Chapter 5, Title 29, of the Delaware Code, by Providing for the Designation of the Official Flag of the State of Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Johnson and Melson—2.

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

On motion of Mr. Pryor, **SB 334** with **SA 1** and **SA 2**—"An Act to Amend Chapter 31, Title 15 of the Delaware Code Relating to Primary Elections and Nominations of Candidates," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

Mr. Pryor introduced **SA 3**, which was read and on his further motion adopted.

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

YEAS—Messrs. Behen, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Butler and Melson—2.

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

On motion of Mr. Paradee, **HB 379**—"An Act to Amend Chapter 5, Title 29 of the Delaware Code by Providing for the Designation of the Official Flag of the Governor of the State of Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Wilgus, Williams—15.

NAYS—None.

ABSENT—Mr. Melson and Mr. President Pro Tem—2.

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

On motion of Mr. Paradee, **HB 378**—"An Act to Amend Chapter 5, Title 29 of the Delaware Code by Providing for the Designation of the Official Flower of the State of Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Melson—1.

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

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 83**—"Making an Appropriation for Telephone Service Charges and Toll Calls in Connection with the Work of the Senate of the 118th General Assembly of the State of Delaware."

BE IT RESOLVED, by the Senate, that the amount of One Hundred Eighty-four Dollars and Fifty Cents (\$184.50) is hereby appropriated, to pay for telephone service charges, and toll calls in connection with the work of the Senate of the 118th Session of the General Assembly of the State of Delaware, which convened January 4, A. D., 1955, and that the State Treasurer be, and he is hereby authorized and directed to pay to the Diamond State Telephone Company the sum of One Hundred Eighty-four Dollars and Fifty Cents (\$184.50) for telephone service charges according to the invoice No. 44425, dated June 1, 1955.

On motion of Mr. Lammot, the Senate adjourned until Wednesday, June 8, 1955, at 2:00 P. M.

100TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Wednesday, June 8, 1955. Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Camper, Covey, Harrison, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Mr. President Pro Tem—15.

Members absent—Messrs. Hoey and Williams—2.

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

The President announced he was about to sign: **SB 125**, **SB 129**, **SB 211**, **SB 281**, **SB 283**, **SB 310**, **SB 356**, **SB 367**, **SB 368**, **SB 492**, **SB 77**, **SB 119**, **SS 1** for **SB 96** with **SA 1**, **SB 180**, **SB 291** with **SA 1**, **SB 292**, **SB 293**, **SB 294**, **SB 295**, **SB 242**, **SB 397**, **SB 398**, **SB 497**, **SB 503**.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 165** with **SA 1**, **SB 346**, **SB 347**, **SS 1** for **SB 352**, **SB 412** with **SA 1**, **SB 158** with **SA 1** and **HA 1**, **SB 159** with **HA 1**, **SB 286** with **HA 1**, and that the House had passed and requested the concurrence of the Senate in the following bills and resolution, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

HB 117—"An Act Appropriating Certain Moneys to the State Highway Department to Conduct an Educational Cam-

paign on Street and Highway Safety," to Buildings and Highways.

HB 281—"An Act to Amend Chapter 31, Title 16, Delaware Code, Relating to Vital Statistics; Fees for Issuance of Certificates and Searches," to Public Health.

HB 347 with **HA 1** and **HA 2**—"An Act to Amend An Act Entitled "An Act Changing the Corporate Name of 'The Commissioners of Wyoming' to 'The Town of Wyoming' and Establishing a Charter Therefor", Being Chapter 189, Volume 43, Laws of Delaware, 1941, as Amended by Chapter 87, Volume 47, Laws of Delaware, 1949, by Increasing the Amount of Money Which May be Raised Each Year in Taxes," to Executive.

HB 435—"An Act Appropriating Money to the State Board of Health for Services to Crippled Children," to Finance.

HCR 35—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill.

On motion of Mr. Behen, **HB 604**—"An Act to Amend Subchapter XXXV, Chapter 3, Title 11, Delaware Code, Pertaining to Lotteries, Gambling and Betting and Relating to Bingo Games Conducted by Volunteer Fire Companies, Veterans' Organization, Religious or Charitable Organizations or Fraternal Societies," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Lammot, McCullough, Paradee, Pryor, Reilly, Williams, Mr. President Pro Tem—10.

NAYS—Messrs. Covey, Harrison, Hoey, Melson, Steen, Wilgus—6.

NOT VOTING—Mr. Johnson—1.

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

On motion of Mr. Behen, **HS 1** for **HB 443** with **HA 1** and **HA 2**—"An Act to Amend Chapter 43, Title 21, Delaware Code, Relating to Equipment and Construction of Vehicles, by Revising the Provisions for Lights on Vehicles, and to Repeal Certain Sections of Chapter 41, Title 21, Delaware Code, Relating to Lights on Vehicles," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Johnson—1.

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

The President announced he was about to sign: **HB 25, HB 160, HB 164 with HA 1, HB 197, HB 201 with HA 1, HS 1 for HB 228 with H 1, HB 247, B 242, HB 249, HB 255, HB 256, HB 267, HB 279, HB 340, HB 357, HB 372, HB 390, HB 417 with HA 1 and SA 1, HB 441, HB 444, HB 448, HB 506, HB 576 with HA 1, HB 605, HB 606, HB 607.**

On motion of Mr. Butler, **SB 46**—"An Act to Amend Chapter 23, Title 19, Delaware Code, to Permit Chiropractic Services to be Compensated for Under the Workmen's Compensation Law," which had been returned to the Senate by the Governor without his approval together with his objections, was reconsidered in order to pass the Senate, the objections of the Governor notwithstanding.

Mr. Butler made the following statement and requested that it be filed with the Journal:

The Governor has seen fit to return Senate Bill No. 46 to the Senate without his approval. He recites as his reasons, in effect, lesser training standards for chiropractors as compared to physicians.

It is my feeling that since the State has seen fit to license these men to practice, leaving the choice to the patient, it would be rather ridiculous to say that we license this method of treatment but refuse to recognize that it is licensed when it comes to getting paid.

I therefore respectfully move, Mr. President, that Senate Bill No. 46 be passed over the Governor's veto.

The Governor's objections were again read to the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Mr. President Pro Tem—13.

NAYS—Messrs. Covey, Wilgus, Williams—3.

ABSENT—Mr. Johnson—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority, passed the Senate, the objections of the Governor notwithstanding to the contrary, and was ordered to the House for concurrence.

On motion of Mr. Camper, **SB 286 with HA 1**—"An Act to Amend Chapter 3, Title 4, of the Delaware Code Relating to the Delaware Liquor Commission by Abolishing That Commission and Creating a New Commission to be Known as the Delaware Alcoholic Beverage Control Commission; Transferring Duties, Powers and Property, which was amended in the House, was taken up for consideration in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Mr. President Pro Tem—12.

NAYS—Messrs. Covey, Johnson, Melson, Wilgus, Williams—5.

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

Request that the following be restored to the calendar was granted to member as follows: **SB 217**, by Steen.

On motion of Mr. Steen, **SB 159** with **HA 1**—"An Act to Amend Chapter 43, Title 16 of the Delaware Code Relating to Artificial Sweetener in Soft Drinks, which was amended in the House, was taken up for consideration in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Lammot, **SB 285** with **SA 1**—"An Act to Amend Chapter 1, Title 17 of the Delaware Code by Abolishing the Present State Highway Department and Creating a new State Highway Department and Transferring the Powers, Duties and Property," which had been returned to the Senate by the Governor without his approval together with his objections, was reconsidered in order to pass the Senate, the objections of the Governor notwithstanding.

The Governor's objections were again read to the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Mr. President Pro Tem—12.

NAYS—Messrs. Covey, Johnson, Melson, Wilgus, Williams—5.

So the question was decided in the affirmative and the bill as amended having received the required constitutional majority, passed the Senate the objections of the Governor to the contrary notwithstanding, and was ordered to the House for concurrence.

On motion of Mr. Reilly, SB 28—"An Act to Amend Title 24, Delaware Code, Entitled "Professions and Occupations" by Providing for the Examination and Registering of Physical Therapists," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—14.

NAYS—Mr. Covey—1.

NOT VOTING—Messrs. Hoey and Williams—2.

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. Melson, SB 399 with HA 1—"An Act to Amend Section 504, Title 22, Delaware Code, Relating to Parking Authorities," which had been amended in the House, was taken up for consideration in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Lammot, McCullough, Melson, Paradee, Reilly, Wilgus, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENTS—Messrs. Johnson, Pryor, Steen—3.

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

On motion of Mr. Melson, SB 416 with HA 1—"An Act to Amend Chapter 65, Title 29 of the Delaware Code by Requiring All Persons, Firms or Corporations Receiving Appropriations from the State to File a Financial Report, which had been amended in the House, was taken up for consideration in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Hoey, Senate Rule 36 was suspended.

The following message from the Governor was delivered to the Senate.

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, June 7, 1955

To The Senate, 118th General Assembly, State of Delaware

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

June 7, 1955, Senate Bill No. 236—An Act Extending the Corporate Limits of the City of Seaford.

June 7, 1955, Senate Bill No. 251—An Act to Amend Chapter 26, Title 9 of the Delaware Code Concerning the List of Non-Conforming Uses Related to Zoning in New Castle County.

June 7, 1955, Senate Bill No. 252—An Act to Amend Chapter 83, Title 16 of the Delaware Code Relating to the Promulgation of the Building Code in New Castle County.

June 7, 1955, Senate Bill No. 254—An Act to Amend Chapter 19, Title 9 of the Delaware Code Relating to Fire and Police Protection in New Castle County.

June 7, 1955, Senate Bill No. 379—An Act to Authorize the Levy Court of Kent County to Make Certain Tax Refunds.

June 7, 1955, House Bill No. 108—An Act to Amend Chapter 5, Title 13, Delaware Code, by Abolishing the Provision Dealing With Liability for Support of Grandparents and Grandchildren and by Adding a Provision Imposing Liability for Support on Spouses.

June 7, 1955, House Bill No. 259 with H.A. No. 1—An Act to Amend Chapter 3, Title 11, Delaware Code, Forbidding Fortune Telling and Related Activities.

June 7, 1955, House Bill No. 383—An Act to Amend Section 2316, Title 12, Delaware Code, Relating to Distribution of Funds Where Person Entitled to Legacy, Distributive Share or Trust Fund, Refuses Same or is Out of State, Unknown, Incompetent or Shares Uncertain.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Behen, SB 155—"An Act to Amend Chapter 96 Title 9 of the Delaware Code Relating to the Recordation of Instruments in Kent and Sussex Counties," which had been returned to the Senate by the Governor without his approval together with his objections, was reconsidered in order to pass the Senate, the objections of the Governor notwithstanding.

The Governor's objections were again read to the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Mr. President Pro Tem—12.

NAYS—Messrs. Covey, Johnson, Melson, Wilgus, Williams—5.

So the question was decided in the affirmative and the bill having received the required constitutional majority, passed the Senate, the objections of the Governor notwithstanding to the contrary, and was ordered to the House for concurrence.

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 84**—"In Reference to Recovery of Governor Boggs."

WHEREAS, our Governor J. Caleb Boggs unfortunately suffered painful and serious illness to such an extent that he was confined to his home and unable to be with us in the State House, and

WHEREAS, he has now recovered his health and resumed his active attention to the duties of his office, NOW THEREFORE

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF DELAWARE:

Section 1. That the members of the Senate of the 118th General Assembly hereby express their happiness to hear that Governor Boggs has recovered his health and do hereby extend their best wishes for his continued good health.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **HB 583**, by Banking and Insurance; **HB 117**, by Buildings and Highways; **HB 189** with **HA 1**, 5 on merits, **HB 237**, 5 on merits, **HB 269**, 5 on merits, by Revised Statutes; **HB 615**, 2 favorably, 3 on merits, by Education.

On motion of Mr. Paradee, **HB 503**—"An Act to Amend Chapter 166, Volume 37, Laws of Delaware, Entitled "An Act to Reincorporate the Town of Selbyville" as Amended, by Increasing the Amount of Taxes That May be Raised in Any One Year by Taxation," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Steen—1.

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

On motion of Mr. Behen, **HS 1** for **HB 561**—"An Act to Amend Chapter 13, Title 24, Delaware Code, by Revising the Provisions for the Licensing and Regulation of Private Detectives and Detective Agencies," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Steen—1.

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

On motion of Mr. Reilly, Senate Rules 28 and 29 were suspended.

On motion of Mr. Reilly, **SB 448** with **HA 1**, **HA 2**, **HA 3**, **HA 4**—"An Act to Amend Chapter 23, Title 19 of the Delaware Code Relating to Workmen's Compensation," was reconsidered that might be amended in order to pass the Senate.

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

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Johnson—1.

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

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 85**—"Authorizing Payment on Account to Attaches and Employees of the Senate."

BE IT RESOLVED, by the Senate of the 118th General Assembly, that the State Treasurer by 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, the sum of One Hundred Dollars (\$100.99) 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 motion of Mr. Reilly, **SB 158** with **SA 1** and **HA 1**—“An Act to Amend Chapter 31 Title 24, Delaware Code, by Providing for the Refusal to Grant or Renew and the Suspension or Revocation of Certificates to Engage in the Undertaking Business,” which was amended in the House, was taken up for consideration and read in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. McCullough and Williams—2.

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

On motion of Mr. Covey, **SB 404**—“An Act to Amend Chapter 83, Title 11, Delaware Code, in Regard to Pensions and Death Benefits for State Police,” was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, Melson, Pryor, Steen, Wilgus, Mr. President Pro Tem—13.

NAYS—None.

NOT VOTING—Mr. Reilly—1.

ABSENT—Messrs. McCullough, Paradee, Williams—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.

On motion of Mr. Covey, **SB 232**—“An Act to Amend Chapter 55, Title 29, Delaware Code, Entitled, “State Employee’s Pension Plan,” 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. Covey, Hoey, Johnson, Lammot, Melson, Paradee, Pryor, Steen, Wilgus, Williams, Mr. President Pro Tem—11.

NAYS—Messrs. Behen, Butler, McCullough, Reilly—4.

NOT VOTING—Messrs. Camper and Harrison—2.

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 **HCR 32**—“Appropriation for Postage Stamps and Other Supplies for the 118th General Assembly,” which on motion of Mr. Lammot, was adopted and returned to the House.

The Chair presented **HCR 33**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a new Bill," which on motion of Mr. Lammot, was adopted and returned to the House.

On motion of Mr. Lammot, the Senate adjourned until Thursday, June 9, 1955, at 2:00 P. M.

101ST LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:05 P. M., on Thursday, June 9, 1955. President Pro Tem Moore presiding. Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Covey, Harrison, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Wilgus, Williams, Mr. President Pro Tem—14.

Members absent—Messrs. Covey, Hoey, Steen—3.

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

Messrs. Covey, Hoey and Wilgus asked to be marked present.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 259**, **SB 280**, **SB 351**, **SB 454**, **SB 440** with **HA 1**, **SB 465** with **HA 1**, and that the House had passed and requested the concurrence of the Senate in the following bills, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

HS 1 for **HB 115**—"An Act to Amend Section 731, Title 4, Delaware Code, Relating to the Retaliatory Beer Tax," to Revised Statutes.

HB 19—"An Act Appropriating Money to The Woods Haven School for Girls," to Finance.

HB 69—"An Act Appropriating Certain Moneys to Historical Society of Delaware for Operation Expenses," to Finance.

HB 154 with **HA 1**—"An Act Making an Appropriation to the Delaware Commission for the Feeble Minded to Build and Equip an Infirmary at the Delaware Colony for the Feeble Minded at Stockley," to Finance.

HB 156 with **HA 1**—"An Act Making an Appropriation to the Delaware Commission for the Feeble Minded to Equip the New Central Kitchen at the Delaware Colony for the Feeble Minded at Stockley," to Judiciary.

HB 157—"An Act to Appropriate Funds to the Delaware Commission for the Feeble Minded for the Care of Abnormal Infants Until Space is Available at the Delaware Colony, Stockley," to Judiciary.

HB 158 with HA 1—"An Act Making an Appropriation to the Delaware Commission for the Feeble Minded to Convert Present Decentralized Kitchens Into Service Pantries at the Delaware Colony for the Feeble Minded at Stockley," to Judiciary.

HB 278 with HA 1—"An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Adding to the Provisions for Which Indebtedness May be Incurred by the Issue of Bonds," to Executive.

HB 412 with HA 1—"An Act to Amend Chapter 13, Title 25, Delaware Code, Relative to the Responsibility for Maintenance of Partition Fences," to Buildings and Highways.

HB 422—"An Act Authorizing the State of Delaware to Make, Execute, Acknowledge and Deliver Unto Rainbow Cove, Inc., a Corporation of the State of Delaware, a Deed Conveying Whatever Interest the State Has in Certain Lands Now Occupied by Rainbow Cove, Inc., Along the Eastern Side of Rehoboth Bay, in Sussex County, and Authorizing Rainbow Cove, Inc., to Construct a Bulkhead Along the North-westerly Side Thereof," to Buildings and Highways.

HB 457—"An Act Amending Chapter 152, Volume 48, Laws of Delaware, Being An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Amending the Provisions Pertaining to the Fiscal Year, Budget, Audit, and Financial Statement, and by Providing a Deadline for the Establishment of the Tax Rate and Adoption of the Budget in Each Year," to Municipal Corporations.

On motion of Mr. Paradee, **SB 157**—"An Act to Amend Chapter 21, Title 24, Delaware Code, Entitled "Optometry", 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. Behen, Butler, Harrison, Johnson, Lam-mot, McCullough, Paradee, Reilly, Wilgus, Williams, Mr. President Pro Tem—11.

NOT VOTING—Messrs. Camper and Melson—2.

ABSENT—Messrs. Covey, Hoey, Pryor, Steen—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. Butler, **HB 117**—"An Act Appropriating Certain Moneys to the State Highway Department to Conduct an Educational Campaign on Street and Highway Safety," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Lam-mot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—14.

NAYS—None.

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

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

On motion of Mr. Lam-mot, Senate Rule 36 was suspended.

Miss Margaret Ann Behen was invited to the Rostrum.

On motion of Mr. Butler, **HB 622**—"An Act to Amend Chapter 43, Title 21, Delaware Code, Relating to Motor Vehicles by Changing the Markings of Vehicles Used to Transport Explosives in Order to Conform With the Interstate Commerce Commission Regulation," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, John-son, Lam-mot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Covey and Hoey—2.

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

On motion of Mr. Lam-mot, **SB 345**—"An Act to Amend Chapter 31 Title 15 of the Delaware Code, Relating to Pri-mary Elections," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

YEAS — Messrs. Butler, Lam-mot, McCullough, Pryor, Reilly, Steen, Williams—7.

NAYS—Messrs. Behen, Covey, Harrison, Hoey, Johnson, Melson, Paradee, Wilgus, Mr. President Pro Tem—9.

NOT VOTING—Mr. Camper—1.

Mr. Lam-mot changed his vote from yea to nay in order that he might move for reconsideration of **SB 345** with **SA 1**.

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

The following bills were reported favorably (unless other-wise indicated) by the majority of the respective committees

as follows: **HB 347** with **HA 1** and **HA 2**, by Executive; **HB 196**, 3 favorably, 1 on merits, by Claims.

The President announced he was about to sign: **HB 451**, **HB 378**, **HB 362**, **HB 364**, **HB 379**.

On motion of Mr. Butler, **HB 172** with **HA 1**—"An Act Directing the State Highway Department of the State of Delaware to Hard Surface All the Dirt Roads in the State and Authorizing the Issuance of Bonds to Finance the Cost Thereof," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Lammot, Paradee, Pryor, Reilly, Steen, Mr. President Pro Tem—11.

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

ABSENT—Messrs. Covey, Johnson, Wilgus—3.

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

On motion of Mr. Butler, **HB 148**—"An Act Authorizing and Directing the State Highway Department to Erect and Maintain Signs at the Limits of the Village of Uhlerville in Sussex County," 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. Butler, McCullough, Melson, Pryor, Willims—5.

NAYS—Messrs. Behen, Harrison, Lammot, Paradee, Reilly, Steen—6.

NOT VOTING—Messrs. Camper, Hoey, Mr. President Pro Tem—3.

ABSENT—Messrs. Covey, Johnson, Wilgus—3.

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

On motion of Mr. McCullough, **HB 615**—"An Act to Amend Chapter 290, Volume 47, Laws of Delaware, so as to Permit the Use of a Portion of the Funds Borrowed Thereunder for a Cottage for Employees at Ferris School for Boys," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Lammot, McCullough, Melson, Paradee, Reilly, Steen, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Covey, Johnson, Pryor, Wilgus—4.

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

On motion of Mr. Lammot, **SB 465** with **HA 1**—"An Act Authorizing and Directing the Department of Public Welfare to sell the Property Located at 905-907 West Street in Wilmington, Delaware," which was amended in the House, was taken up for consideration and read in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Lammot, McCullough, Melson, Paradee, Reilly, Steen, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Covey, Johnson, Pryor, Wilgus—4.

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

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 86**—"Requesting Return of Senate Bill No. 472 as Amended from the House of Representatives of the 118th General Assembly of the State of Delaware."

BE IT RESOLVED by the Senate of the 118th General Assembly of the State of Delaware, that the House of Representatives of the 118th General Assembly of the State of Delaware is requested to return to the Senate for reconsideration Senate Bill No. 472 with Senate Amendments Nos. 2, 3, and 4.

On motion of Mr. Williams, **SB 440** with **HA 1**—"An Act Appropriating Money to the Delaware Commission for the Blind for the Education of Blind Children," which had been amended in the House, was taken up for consideration and read in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Steen, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Pryor and Wilgus—2.

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

On motion of Mr. Lammot, the Senate adjourned until Friday, June 10, 1955, at 2:00 P. M.

102ND LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Friday, June 10, 1955. Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Camper, Harrison, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Mr. President Pro Tem—11.

Members absent—Messrs. Covey, Hoey, Johnson, Steen, Wilgus, Williams—6.

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

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

The Chief Clerk of the House informed the Senate that the House had concurred in SB 82, SB 344, SB 466, SB 473, SB 485, SB 486, SB 496, and SB 156 with HA 1 and HA 2, also SB 46 and SB 285 with SA 1 over the Governor's veto, and that the House had passed and requested the concurrence of the Senate in the following bills, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

HB 186 with HA 1 and HA 2—"An Act Appropriating a Certain Sum of Money to Lida Gruwell in Payment of a Claim Against the State of Delaware," to Finance.

HB 240—"An Act Directing the State Highway Department to Carry Out an Accurate Survey and Permanent Marking of State-Owned Lands in Sussex County Adjacent to the Atlantic Ocean; Appropriations Therefor," to Buildings and Highways.

HB 344 with HA 1 and HA 2—"An Act to Amend Chapter 1, Title 8, Delaware Code, Relating to Corporations," to Private Corporations.

HB 354—"An Act Appropriating Funds for the Payment of a Claim of James L. Sease, Jr., Rising Out of the Negligent Operation of a Delaware National Guard Vehicle," to Finance.

HB 393—"An Act Authorizing and Directing the State Highway Department to Install a Traffic Control Light at the Intersection of State Highway No. 71 and County Road No. 25 at Ginn's Corner Near Townsend, New Castle County," to Buildings and Highways.

HB 469—"An Act to Amend Title 4, Delaware Code, Relating to the Quantity of Beer That May be Sold to be Kept in Stock for Personal Use Without the Necessity of an Individual License to Purchase the Same; Permitting Purchase and Transportation of Greater Quantity of Beer," to Revised Statutes.

HB 609—"An Act to Amend Section 40 of the Charter of the City of Wilmington, as Amended, by Changing the Provisions Relative to the Salary of the City Solicitor," to Municipal Corporations.

The Chief Clerk of the House informed the Senate that the House had passed over the Governor's veto and requested the concurrence of the Senate in the following:

HB 203—"An Act Authorizing and Directing the State Highway Department to Install a Traffic Control Light at the Intersection of State Route Number 10, and U. S. Route Number 13, at Camden, Kent County, Delaware."

HB 405—"An Act to Amend Chapter 1, Title 15, Delaware Code, Relating to the Department of Elections for Kent County."

On motion of Mr. Lammot, **SB 358**—"An Act to Amend Chapter 1, Title 17 of the Delaware Code Relating to the State Highway Department by Affecting the Awarding of Contracts Without Bids," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS — Messrs. Behen, Butler, Camper, Harrison, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Mr. President Pro Tem—11.

NAYS—None.

ABSENT—Messrs. Covey, Hoey, Johnson, Steen, Wilgus, Williams—6.

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. Lammot, **SB 360**—"An Act to Amend Chapter 1, Title 17 of the Delaware Code Relating to the State Highway Department by Changing the Number of Members Required for Concurrence in the Appointment of a Chief Engineer," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS — Messrs. Behen, Butler, Camper, Harrison, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Mr. President Pro Tem—11.

NAYS—Mr. Williams—1.

ABSENT—Messrs. Covey, Hoey, Johnson, Steen, Wilgus—5.

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. Lammot, **SB 361**—"An Act to Amend Chapter 1, Title 17 of the Delaware Code Relating to the State Highway Department by Changing the Number of Members Required for a Quorum," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Mr. President Pro Tem—12.

NAYS—Mr. Williams—1.

ABSENT—Messrs. Covey, Hoey, Johnson, Wilgus—4.

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. Lammot, **SB 362**—"An Act to Amend Chapter 1, Title 17 of the Delaware Code Relating to the State Highway Department by Changing the Number of Members Required for Concurrence in the Appointment of a Secretary," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Mr. President Pro Tem—13.

NAYS—Mr. Williams—1.

ABSENT—Messrs. Covey, Johnson, Wilgus—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.

On motion of Mr. Reilly, **HS 1 for HB361**—"An Act to Amend Chapter 27, Title 18 of the Delaware Code by Providing for a Special Tax on Certain Gross Premiums of Insurance Companies, the Distribution Thereof and Requiring Certain Police Departments or Bureaus to Make Certain Registrations With the State Treasurer," which had been returned to the House by the Governor without his approval, passed the House with three-fifths vote of its membership and ordered to the Senate for concurrence together with a copy of the Governor's objections, was reconsidered in order to pass the Senate, the objections of the Governor notwithstanding.

Mr. Reilly made the following statement and requested that it be filed with the Journal:

House Substitute No. 1 for House Bill No. 361 has been returned by the Governor without his approval. The House of Representatives has seen fit to override his Veto.

The Governor's Veto is based upon the fact that there is an appropriation in violation of Section 4 Act VIII of our State Constitution. I respectfully suggest that this act does

not fall within the provisions of this section since the various governmental divisions to which this section is applicable, if they actually can be said to receive money, receive it only as a disbursing or accounting agency and not for their own use.

The welfare of the people of this State should be the prime factor for our consideration. It is to further the improvement of police protection to our citizens that I urge the passage of this bill over the Governor's Veto and therefore, so move you, Mr. President.

The Governor's objections were again read to the Senate.

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

YEAS — Messrs. Behen, Butler, Camper, Harrison, Lammot, McCullough, Melson, Pryor, Reilly, Mr. President Pro Tem—10.

NAYS—Messrs. Hoey, Paradee, Steen, Williams—4.

ABSENT—Messrs. Covey, Johnson, Wilgus—3.

Mr. Reilly changed his vote from yea to nay.

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

On motion of Mr. Lammot, **SB 345** was restored to the calendar.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **HB 483**, 3 favorably, 2 on merits, by Judiciary; **SB 186**, 2 favorably, 2 on merits, **SB 507**, 1 favorably, 3 on merits, **SB 196**, 4 on merits, **HB 389**, 4 on merits, **HB 620**, 4 on merits, **HB 617**, 4 on merits, **HB 339**, 4 on merits, **HB 224**, 4 on merits, **HB 321**, 5 on merits, **HB 406**, 5 on merits, **HB 215**, 5 on merits, **HB 69**, 5 on merits, **HB 19**, 5 on merits, **HB 154** with **HA 1**, 5 on merits, by Finance; **HB 281**, 2 favorably, 3 on merits, **HB 614**, 1 favorably, 4 on merits; **HS 1** for **HB 535**, 1 favorably, 3 on merits, by Public Health; **HB 630**, 4 favorably, by Executive.

Mr. Melson, on the point of personal privilege, rose and made remarks about gambling laws.

On motion of Mr. Steen, Rule 22 was suspended.

On motion of Mr. Steen, **HB 630**—"An Act to Amend Chapter 55, Title 16, Delaware Code, by Authorizing the Delaware Commission for the Feeble-minded to Sell Excess Farm Produce and Live Stock," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Covey and Wilgus—2.

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

The President announced he was about to sign: **HS 1** for **HB 443** with **HA 1**, **HB 503**, **HB 604**, **HS 1** for **HB 561**, **HCR 32**, **HCR 33**, **SB 440**, **SB 182**, **SB 344**, **SB 473**, **SB 485**, **SB 496**, **SB 465** with **HA 1**, **SB 416** with **HA 1**, **SB 399** with **HA 1**, **SB 159** with **HA 1**, **SB 158** with **SA 1** and **HA 1**, **SB 286** with **HA 1**, **SB 351**, **SB 280**, **SB 165** with **SA 1**, **SB 347**, **SS 1** for **SB 352**, **SB 346**, **SB 369** with **SA 1**, **SB 454**.

On motion of Mr. Lammot, the Senate recessed until call of Chair.

Senate met at expiration of recess at 3:15 P. M.

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

The following message from the Governor was delivered to the Senate.

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, June 10, 1955

To The Senate, 118th General Assembly, State of Delaware

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

June 8, 1955, House Bill No. 25—An Act Making an Appropriation to the State Board of Agriculture for the Vaccination of Calves and Testing of Cattle for Bang's Disease.

June 8, 1955, House Bill No. 32—An Act Appropriating Moneys for Education and Training of Children of Veterans of World War I, World War II and Korean Conflict Who Died While in the Service of the Army, Navy, Marine Corps, Air Forces or Coast Guard of the United States or Who Died from Disease, Wounds or Disabilities Resulting from Such Service.

June 8, 1955, House Bill No. 63—An Act Appropriating Money to the State Highway Department for the Purpose of Carrying Out the Provisions of Law Relating to State Police Retirement Fund.

June 8, 1955, House Bill No. 120—An Act Making a Deficiency Appropriation to the Board of School Trustees of Louis L. Redding Comprehensive School.

June 8, 1955, House Bill No. 160—An Act to Amend Chapter 1, Title 1, Delaware Code, Relating to the Delaware Code, by Providing for the Distribution of a Copy of Said Code to Delaware State College.

June 8, 1955, House Bill No. 173—An Act Making a Deficiency Appropriation to the Board of School Trustees of Blades School No. 172.

June 8, 1955, House Bill No. 180—An Act to Appropriate Certain Monies to the Board of School Trustees of Millsboro School No. 23 for Current Operation.

June 8, 1955, House Bill No. 182—An Act Appropriating a Sum of Money to the Delaware Commission for the Feeble-minded in Order to Pay for Certain Labor and Materials Supplied to the Delaware Colony.

June 8, 1955, House Bill No. 199—An Act Making a Deficiency Appropriation to the Board of School Trustees of Ellendale Public School No. 125.

June 8, 1955, House Bill No. 201 with H. A. No. 1—An Act Amending Chapter 5, Title 7, Delaware Code, Relating to Hunting, Trapping and Fishing Licenses, by Changing the Expiration Date of Such Licenses.

June 8, 1955, House Bill No. 202 with H. A. No. 1—An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pensions, by Permitting the Employment of Retired Teachers During Emergencies Without Forfeiture of Pension.

June 8, 1955, House Bill No. 234—An Act Appropriating Funds to the American Legion and American Legion Auxiliary for Expenses to be Incurred in Connection With the Holding of Boy's State and Girl's State.

June 8, 1955, House Bill No. 242—An Act to Amend Section 9121, Title 9, Delaware Code, Relating to Mileage Payments to County Employees.

June 8, 1955, House Bill No. 247—An Act to Amend Chapter 83, Title 11, Delaware Code, Entitled "State Police" by Providing for the Sale of Lost, Stolen or Unclaimed Property and the Disposition of the Proceeds and for the Disposition of Lost, Abandoned or Stolen Money.

June 8, 1955, House Bill No. 249—An Act to Authorize the Recorder of Deeds in and for New Castle County to Procure a New Press and Seal of Office.

June 8, 1955, House Bill No. 266—An Act to Amend Title 30, Delaware Code, Entitled "State Taxes" by Providing for Occupational Licenses for Self Service Laundries.

June 8, 1955, House Bill No. 267—An Act to Amend Title 14, Delaware Code, Entitled "Education" by Providing for Distribution of Laws and Chancery Reports.

June 8, 1955, House Bill No. 279—An Act to Amend Chapter 47, Title 16, Delaware Code, Relating to Narcotic Drugs, by Revising the Penalties Imposed for Violations.

June 8, 1955, House Bill No. 313—An Act Authorizing the Levy Court of Kent County to Appropriate Certain Sums to the Kent County Volunteer Firemen's Association for the Maintenance of Radio Equipment Used in Connection With Volunteer Fire Fighting Apparatus.

June 8, 1955, House Bill No. 335—An Act Authorizing the Levy Court of Sussex County to Appropriate County Monies to Pay Its Share of Ditch Taxes Assessed for Construction and Maintenance Purposes on the Eli Wall's Tax Ditch.

June 8, 1955, House Bill No. 340—An Act to Amend Chapter 3, Title 11, Delaware Code, Relating to Public Utilities by Prohibiting Use of Telephone to Disturb Privacy.

June 8, 1955, House Bill No. 357—An Act to Amend Title 14, Delaware Code, Entitled "Education" in Respect to Teaching Constitutions and Government in Schools.

June 8, 1955, House Bill No. 372—An Act to Amend Chapter 5, Title 12, Delaware Code, Establishing Rules of Distribution of Intestate Personal Estate.

June 8, 1955, House Bill No. 380—An Act to Amend Section 3525, Title 12, Delaware Code, Relating to Testamentary Trusts by Providing That Interest on a Pecuniary Bequest in Trust Shall be Paid by the Executor Out of the Residue of the Estate.

June 8, 1955, House Bill No. 441—An Act to Amend Chapter 5, Title 7, Delaware Code, Relative to Non-Resident Hunting and Trapping License Fees.

June 8, 1955, House Bill No. 444—An Act to Amend Chapter 21 Title 16, Delaware Code, Relating to Mattresses, Pillows and Bedding.

June 8, 1955, House Bill No. 448—An Act to Amend Title 21, Delaware Code, Entitled, "Motor Vehicles" in Regard to the Color of Lights Visible from the Front of Vehicles.

June 8, 1955, House Bill No. 514 with H. A. No. 1—An Act to Amend Chapters 31 and 39, Title 11, Delaware Code, by Providing a New Procedure for Charging and Sentencing Repeating Criminal Offenders.

June 8, 1955, House Bill No. 522—An Act to Appropriate Funds for the Payment of State Contributions for Employee Coverage Under the Social Security Act for the Current Fiscal Year.

June 8, 1955, House Bill No. 526—An Act to Amend Chapter 61, Title 9, Delaware Code, Relating to Authorized Appropriations for Ambulance Service.

June 8, 1955, Senate Bill No. 125—An Act to Amend Chapter 23, Title 21 of the Delaware Code Relating to the Recording of Liens on Encumbrances.

June 8, 1955, Senate Bill No. 129—An Act to Amend Chapter 327 of Volume 48 Laws of Delaware (1951) Entitled "An Act to Authorize the Recorder of Deeds, in and for Kent County to Make New Indices for Mortgages" by Omitting Certain Mortgages from Said Indices.

June 8, 1955, Senate Bill No. 179—An Act to Amend the Charter of the City of Rehoboth as Established by Chapter 161, Volume 41, Laws of Delaware, and as Amended by Chapter 200, Volume 49, Laws of Delaware by Increasing the Amount of Taxes That May be Raised for Municipal Purposes.

June 8, 1955, Senate Bill No. 180—An Act to Amend the Charter of the City of Rehoboth Beach, in Sussex County, as Established by Chapter 161, Volume 41, Laws of Delaware, and as Amended, by Providing for the Improvement of Streets at the Joint Expense of the City and Abutting Property Owners.

June 8, 1955, Senate Bill No. 242—An Act to Prohibit the Use of Vacuum or Suction Devices for the Taking and Catching of Oysters, Clams, Crabs and Other Shellfish in Delaware.

June 8, 1955, Senate Bill No. 291 with S. A. No. 1 and S. A. No. 3—An Act to Amend Chapter 55 Title 29 of the Delaware Code Relating to Eligibility and Benefits Based Upon Military Service of Certain School Employees and Employees of the Department of Public Instruction in the State Employees Pension Plan.

June 8, 1955, Senate Bill No. 295—An Act to Amend Title 13 Delaware Code by Abrogating the Rule of Law Which Prohibits a Wife from Testifying to the Fact of Non-Access by Her Husband.

June 8, 1955, Senate Bill No. 310—An Act to Amend Chapter 71, Title 29 of the Delaware Code Relating to the Mileage Rate for State Employees.

June 8, 1955, Senate Bill No. 356—An Act to Amend Title 5, Delaware Code, Relating to Building and Loan Associations.

June 8, 1955, Senate Bill No. 367—An Act to Amend Title 13, Delaware Code, Entitled "Domestic Relations" by Enacting a Uniform Reciprocal Enforcement of Support Act.

June 8, 1955, Senate Bill No. 368—An Act to Amend Title 31, Delaware Code, Entitled "Welfare" in Respect to the Organization and Administration of the State Department of Public Welfare; Appropriating Funds.

June 8, 1955, Senate Bill No. 397—An Act to Amend Section 508, Title 22, Delaware Code, Relating to Parking Authorities.

June 8, 1955, Senate Bill No. 398—An Act to Amend Section 504, Title 22, Delaware Code, Relating to Parking Authorities.

June 8, 1955, Senate Bill No. 492—An Act to Appropriate Money to the State Board of Health for the Purpose of Purchasing Polio Vaccine and Supplies and Administering Polio Vaccine to the Children of This State.

June 8, 1955, Senate Bill No. 497—An Act to Amend Chapter 13, Title 14, Delaware Code, by Adding Teachers and Clerical Workers Employed by the State Board of Education to the Personnel Covered by That Chapter.

June 8, 1955, Senate Bill No. 503—An Act to Appropriate Money to Certain Volunteer Fire Companies.

June 9, 1955, Senate Bill No. 293—An Act to Amend Chapter 9 Title 10 Delaware Code by Granting to the Family Court for New Castle County, Delaware, Special Jurisdiction With Equitable Powers in Civil Action Arising in New Castle County for Support of Minor Children and/or Separate Maintenance of a Wife and Removing Jurisdiction Over Said Actions from the Court of Chancery of the State of Delaware.

June 9, 1955, Senate Bill No. 294—An Act to Amend Chapter 9 of Title 10 Delaware Code Entitled "Family Court for New Castle County" by Granting Jurisdiction to the Family Court Over Any Child Found in New Castle County; by Empowering Said Court to Prosecute Persons Charged With Any Offenses Except Felonies Against Children; by Granting Jurisdiction to Said Court of the Crime Commonly Known as "Wife-Beating"; by Granting Jurisdiction to the Said Court of the Offense of Selling or Delivering Alcoholic Liquors to a Minor; by Granting Jurisdiction to Said Court of the Crime of Harboring or Using a Child for Sexual Purposes; by Empowering Said Court to Punish Any Person Attempting to Evade the Jurisdiction of the Court by Removing from the State a Child Concerning Whose Custody or Possession Proceedings Have Been Filed With the Court.

June 9, 1955, Senate Bill No. 281—An Act to Amend Chapter 49, Title 10 of the Delaware Code Entitled "Courts and Judicial Procedure" in Respect to Unclaimed Funds After Execution Process in New Castle County.

June 9, 1955, S. S. 1 for Senate Bill No. 96 with S. A. No. 1—An Act to Amend Chapter 13, Title 14, of the Delaware Code by Increasing the Uniform State Supported Salary Schedule for Superintendents, Principals, Teachers, Nurses, Secretaries, Clerks and Custodial Personnel of the Various Districts of the State, and by Making Additional Appropriations Therefore.

June 9, 1955, Senate Bill No. 211—An Act to Amend Chapter 27, Title 21 of the Delaware Code Relating to Motor Vehicles by Providing a Renewal Privilege for Temporary Instruction Permits.

June 9, 1955, House Bill No. 390—An Act to Amend Chapter 5, Title 7, Delaware Code, Relating to Hunting, Trapping, and Fishing Licenses, by Providing for a Non-Resident License for Hunting on Regulated Shooting Preserves.

June 9, 1955, H. S. 1 for House Bill No. 506—An Act to Amend Chapter 21, Title 21, Delaware Code, by Providing for the Issuance of Temporary Registration Plates Under Certain Conditions and for Certain Purposes.

June 9, 1955, House Bill No. 256—An Act to Amend Chapter 1, Title 7, Delaware Code, With Respect to the Use of Funds Derived from the Sale of Fishing Licenses.

June 9, 1955, House Bill No. 255—An Act to Amend Chapter 11, Title 7, Delaware Code, Relating to Fishing in Certain Waters, by Providing for the Issuance and Sale of a

Delaware Trout Fishing Stamp and the Use of the Proceeds Thereof, Requiring the Purchase of Such a Stamp for Fishing in Trout-Stocked Waters, and Providing Penalties for Violations.

June 9, 1955, House Bill No. 164 with H. A. No. 1—An Act to Amend Title 21, Delaware Code, Entitled "Motor Vehicles" by Providing for a Deputy Director of Safety Responsibility and Such Clerical Help as is Necessary.

No action was taken on House Bill No. 597 in the ten day period.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Pryor, **HB 369** with **HA 1**—"An Act to Amend Chapter 1, Title 15 of the Delaware Code Relating to the Department of Elections for Sussex County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Lammot, McCullough, Paradee, Pryor, Reilly, Mr. President Pro Tem—10.

NAYS—Messrs. Hoey, Johnson, Melson, Steen, Williams—5.

ABSENT—Messrs. Covey and Wilgus—2.

So the question was decided in the affirmative and the bill as amended having received the required constitutional majority, passed the Senate and was returned to the House.

On motion of Mr. Moore, **HB 196**—"An Act Appropriating Certain Moneys to Maren F. McDowell for Additional Salary to Which He Was Entitled to be Paid as a Teacher at the William W. M. Henry Comprehensive High School," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Covey and Wilgus—2.

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

On motion of Mr. Behen, **HB 260**—"An Act Authorizing and Directing the Secretary of State of the State of Delaware to Convey Any Interest in Certain Real Property in Baltimore Hundred, Sussex County, Delaware, Which May Have Escheat-

ed or be Subject to Escheat to the State of Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Covey and Wilgus—2.

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

On motion of Mr. Pryor, **HB 428**—"An Act to Amend Chapter 51, Title 29, Delaware Code, Relative to Meetings of State Boards and Commissions," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Covey and Wilgus—2.

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

On motion of Mr. Lammot, the Senate adjourned until 2:00 P. M., Monday, June 13, 1955.

103RD LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Monday, June 13, 1955. Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present — Messrs. Butler, Camper, Harrison, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Steen, Wilgus, Mr. President Pro Tem—12.

Members absent — Messrs. Behen, Covey, Hoey, Pryor, Williams—5.

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

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

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 175**, **SB 319**, **SB 448** with **SA 1** and **HA 1**, **HA 2**, **HA 3** and **HA 4**, **SB 469**, **SB 504**, and that

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

HB 175 with **HA 1**—"An Act to Amend Chapter 31, Title 24, Delaware Code, Relating to Undertakers, by Raising the Fees for Certificate Renewals," to Public Health.

HS 1 for **HB 558**—"An Act to Appropriate a Sum of Money to the State Building and Grounds Commission for the Construction of Water Mains and Associated Equipment on State Lands at Dover," to Finance.

HB 598—"An Act Making Appropriations for the Expenses of the State Government for Each of the Two Fiscal Years Ending June 30, 1956 and June 30, 1957," to Finance.

On motion of Mr. Johnson, **SB 196**—"An Act Providing for Protecting the Beach or Strand from Erosion Opposite, or in Front of, or Near the Town of Lewes, Along the Delaware Bay Shore, in Sussex County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Lammot, **SB 196** was deferred.

Requests that the following be restored to the calendar were granted to members as follows: **HS 1** for **HB 361** (over the Governor's veto), by Reilly; **HB 172** (over the Governor's veto), by McCullough.

The President announced he was about to sign: **HB 117**, **HB 196**, **HB 260**, **HB 367** with **HA 1**, **HB 428**, **HB 615**, **HB 630**, **HB 622**.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 389**, 2 favorably, 2 on merits, **SB 390**, 2 favorably, 2 on merits, by Judiciary.

On motion of Mr. Lammot, the Senate adjourned until Tuesday, June 14, 1955, at 2:00 P. M.

104TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Tuesday, June 14, 1955. Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Camper, Harrison, Hoey, Lammot, McCullough, Paradee, Pryor, Really, Wilgus, Williams, Mr. President Pro Tem—13.

Members absent—Messrs. Covey, Johnson, Melson, Steen—4.

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

Messrs. Covey, Johnson and Melson asked to be marked present.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 309**, **SB 387**, and that the House had passed and requested the concurrence of the Senate in the following bills and resolution: **HB 165**, **HB 274**, **HB 474**, **HS 1** for **HB 528**, **HS 1** for **HB 559**, **HCR 34**.

On motion of Mr. Lammot the Senate recessed until call of Chair.

Senate met at expiration of recess at 2:55 P. M.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **HS 1** for **HB 558**, 5 on merits, **HB 175**, 5 on merits, **HB 598**, by Finance; **HB 156** with **HA 1**, **HB 157**, **HB 158** with **HA 1**, by Judiciary; **HB 609**, 3 favorably, 1 on merits, **HB 457**, 4 favorably, 1 on merits, by Municipal Corporations; **HB 240**, **HB 393**, 3 favorably, 1 on merits, by Buildings and Highways.

On motion of Mr. Paradee, **SB 156** with **HA 1** and **HA 2**—An Act to Amend Chapter 17, Title 24, Delaware Code, Entitled, "Medicine, Surgery and Osteopathy" by Consolidating the Boards of Medical Examiners and Generally Revising the Provisions of the Said Chapter," which had been amended in the House, was taken up for consideration and read in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Wilgus, Williams, Mr. President Pro Tem—15.

NAYS—None.

NOT VOTING—Mr. Pryor—1.

ABSENT—Mr. Steen—1.

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

On motion of Mr. Williams, **SB 326**—"An Act to Amend Title 14, Delaware Code, in Respect to High School Attendance Districts and to Provide for More Equitable Distribution of School Taxes," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Wilgus, Williams, Mr. President Pro Tem—14.

NAYS—None.

NOT VOTING—Messrs. Hoey and Pryor—2.

ABSENT—Mr. Steen—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. Harrison, **SB 389**—"An Act to Amend Chapter 3, Title 4, Delaware Code, Relating to Alcoholic Liquors," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough Melson, Paradee, Pryor, Reilly, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Steen—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. Harrison, **SB 390**—"An Act to Amend Chapter 11, Title 4, Delaware Code Relating to Alcoholic Liquors," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough Melson, Paradee, Pryor, Reilly, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Steen—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. Lammot, **SB 411**—"An Act to Transfer a Certain Tract of Public Land to Tide Water Associated Oil Company," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough Melson, Paradee, Pryor, Reilly, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Steen—1.

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

On motion of Mr. Reilly, **SB 474**—"An Act to Prescribe Minimum Wages for Certain Employees, to Provide for the Further Determination and Establishment of Certain Minimum Wages and Supporting Standards by Occupation and to

Provide for Enforcement of Such Violations," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Reilly, **SS 1** for **SB 474** was adopted in lieu of the original.

On motion of Mr. Reilly, **SS 1** for **SB 474** was deferred.

On motion of Mr. Johnson, **SB 439**—"An Act to Amend Chapter 1, Title 17 of the Delaware Code Relating to the Power and Duty of the State Highway Department to Establish Minimum Rights of Way," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

YEAS—Messrs. Butler, Camper, Johnson, Lammot, McCullough, Melson, Pryor, Reilly, Wilgus, Williams, Mr. President Pro Tem—11.

NAYS—Messrs. Behen, Covey, Hoey, Paradee—4.

NOT VOTING—Mr. Harrison—1.

ABSENT—Mr. Steen—1.

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

On motion of Mr. Camper, **SB 475**—"An Act to Amend Chapter 21, Title 21 of the Delaware Code Relating to Registration of Vehicles," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough Melson, Paradee, Pryor, Reilly, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Steen—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. Behen, **HB 298**—"An Act to Reincorporated the City of New Castle and to Repeal Chapter 216 Volume 27, Laws of Delaware, as Amended, Entitled "An Act Amending, Revising and Consolidating the Charter of the City of New Castle" and Repealing Certain Other Acts Concerning the iCty of New Castle Inconsistent Herewith Relating to the Board of Education, Eletcions, City Clerk, Board of Water and Light Commissioners, Sewers and Disposal Works," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

Mr. McCullough introduced **SA 1** to **HB 298**, which was read and on his further motion adopted.

Mr. Hoey introduced **SA 2** to **HB 298**, which was read and on his further motion was lost.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Steen—1.

So the question was decided in the affirmative and the bill as amended having received the required constitutional majority, passed the Senate and was returned to the House for concurrence.

On motion of Mr. Camper, **HB 347** with **HA 1** and **HA 2**—"An Act to Amend An Act Entitled "An Act Changing the Corporate Name of 'The Commissioners of Wyoming' to 'The Town of Wyoming' and Establishing a Charter Therefor", Being Chapter 189, Volume 43, Laws of Delaware, 1941, as Amended by Chapter 87, Volume 47, Laws of Delaware, 1949, by Increasing the Amount of Money Which May be Raised Each Year in Taxes," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough Melson, Paradee, Pryor, Reilly, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Steen—1.

So the question was decided in the affirmative and the bill as amended having received the required constitutional majority, passed the Senate and was returned to the House.

Mr. Melson introduced the following concurrent resolution, which on further motion by him was adopted and sent to the House for concurrence: **SCR 15**—"Request to the Governor of the State of Delaware to Return Senate Bill Number 292 for Reconsideration."

On motion of Mr. Pryor, **HB 534**—"An Act to Amend Chapter 3, Title 9, of the Delaware Code Relating to Staggered Terms of Office of Levy Court Commissioners of New Castle County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Steen—1.

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

Mr. Behen introduced the following resolution, which on further motion by him was adopted: **SR 87**—"Requesting Return of Senate Bill No. 151 from the House of Representatives of the 118th General Assembly of the State of Delaware."

BE IT RESOLVED by the Senate of the 118th General Assembly of the State of Delaware, that the House of Representatives of the 118th General Assembly of the State of Delaware is requested to return to the Senate for reconsideration Senate Bill No. 151.

On motion of Mr. Lammot, the Senate adjourned until Wednesday, June 15, 1955, at 2:00 P. M.

105TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:15 P. M., on Wednesday, June 15, 1955. President Pro Tem Moore presiding.

Prayer by Senator Harrison.

Members present — Messrs. Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Wilgus, Mr. President Pro Tem—12.

Members absent—Messrs. Behen, Butler, Covey, Melson, Williams—5.

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

Messrs. Behen and Williams asked to be marked present.

The following message from the Governor was delivered to the Senate.

GOVERNOR'S MESSAGE STATE OF DELAWARE EXECUTIVE DEPARTMENT

Dover, June 14, 1955

To The Senate of The State of Delaware:

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

June 13, 1955, House Bill No. 117—An Act Appropriating Certain Moneys to the State Highway Department to Conduct an Education Campaign on Street and Highway Safety.

June 13, 1955, House Bill No. 196—An Act Appropriating Certain Moneys to Maren F. McDowell for Additional Salary to Which He was Entitled to be Paid as a Teacher at the William W. M. Henry Comprehensive High School.

June 13, 1955, House Bill No. 362—An Act to Amend Chapter 5, Title 29, of the Delaware Code, by Providing for the Designation of the Official Flag of the State of Delaware.

June 13, 1955, House Bill No. 378—An Act to Amend Chapter 5, Title 29 of the Delaware Code by Providing for the Designation of the Official Flower of the State of Delaware.

June 13, 1955, House Bill No. 379—An Act to Amend Chapter 5, Title 29 of the Delaware Code by Providing for the Designation of the Official Flag of the Governor of the State of Delaware.

June 13, 1955, House Bill No. 428—An Act to Amend Chapter 51, Title 29, Delaware Code, Relative to Meetings of State Boards and Commissions.

June 13, 1955, H. S. 1 for House Bill No. 443 with H. A. 1 and H. A. 2—An Act to Amend Chapter 43, Title 21, Delaware Code, Relating to Equipment and Construction of Vehicles, by Revising the Provisions for Lights on Vehicles, and to Repeal Certain Sections of Chapter 41, Title 21, Delaware Code, Relating to Lights on Vehicles.

June 13, 1955, House Bill No. 503—An Act to Amend Chapter 166, Volume 37, Laws of Delaware, Entitled "An Act to Reincorporate the Town of Selbyville" as Amended, by Increasing the Amount of Taxes That May be Raised in Any One Year by Taxation.

June 13, 1955, House Bill No. 615—An Act to Amend Chapter 290, Volume 47, Laws of Delaware, so as to Permit the Use of a Portion of the Funds Borrowed Thereunder for a Cottage for Employees at Ferris School for Boys.

June 13, 1955, House Bill No. 622—An Act to Amend Chapter 43, Title 21, Delaware Code, Relating to Motor Vehicles by Changing the Markings of Vehicles Used to Transport Explosives in Order to Conform With the Interstate Commerce Commission Regulation.

June 13, 1955, House Bill No. 630—An Act to Amend Chapter 55, Title 16 Delaware Code, by Authorizing the Delaware Commission for the Feebleminded to Sell Excess Farm Produce and Live Stock.

June 13, 1955, Senate Bill No. 82—An Act to Appropriate Certain Monies to the Board of School Trustees of Millsboro School No. 23.

June 13, 1955, Senate Bill No. 158 with S. A. No. 1 and H. A. No. 1—An Act to Amend Chapter 31, Title 24, Delaware Code, by Providing for the Refusal to Grant or Renew and the Suspension or Revocation of Certificates to Engage in the Undertaking Business.

June 13, 1955, Senate Bill No. 159 with H. A. No. 1—An Act to Amend Chapter 43, Title 16 of the Delaware Code Relating to Artificial Sweetener in Soft Drinks.

June 13, 1955, Senate Bill No. 259—An Act to Amend Chapter 25, Title 29, Section 2505, of the Delaware Code Relating to the Attorney General by Providing That the Attorney General and Deputies May Administer Oaths and Affirmations.

June 13, 1955, Senate Bill No. 344—An Act to Further Amend Chapter 208, Volume 26, Laws of Delaware, as Amended, Entitled "An Act to Establish a Retirement Fund for Pensioning Teachers of the Public Schools in the City of Wilmington, and to Regulate the Collection, Management and Disbursement Thereof, by Increasing the Maximum Amount of the Annual Contributions by Teacher to Said Fund.

June 13, 1955, Senate Bill No. 346—An Act to Amend Chapter 5, Title 18, Delaware Code, Entitled "Regulatory Provisions", by Providing for Actions in This State Against and for the Service of Process Upon Insurers Not Authorized to Transact Business in This State.

June 13, 1955, Senate Bill No. 347—An Act to Amend Subchapter II, Chapter 5, Title 18, Delaware Code, Entitled "Prohibited Conduct and Practices", by Defining Trade Practices in the Business of Insurance Which Constitute Unfair Methods of Competition or Unfair or Deceptive Acts or Practices and by Prohibiting False Swearing and Political Contributions and by Providing Penalties Therefor and for Violation of Title 18.

June 13, 1955, Senate Bill No. 351—An Act to Amend Chapter 41, Title 7, Delaware Code, Entitled "Drainage of Lands; Tax Ditches".

June 13, 1955, S. S. No. 1 for Senate Bill No. 352—An Act to Appropriate Certain Funds to the Board of Education of the Laurel Special School District.

June 13, 1955, Senate Bill No. 369 with S. A. No. 1—An Act to Amend Title 31, Delaware Code, Entitled "Welfare" by Establishing a Public Assistance Code for the State Department of Public Welfare and Repealing Inconsistent Provisions.

June 13, 1955, Senate Bill No. 399 with H. A. No. 1—An Act to Amend Section 504, Title 22, Delaware Code, Relating to Parking Authorities.

June 13, 1955, Senate Bill No. 416 with H. A. No. 1—An Act to Amend Chapter 65, Title 29 of the Delaware Code by Requiring All Persons, Firms or Corporations Receiving Appropriations from the State to File a Financial Report.

June 13, 1955, Senate Bill No. 440 with H. A. No. 1—An Act Appropriating Money to the Delaware Commission for the Blind for the Education of Blind Children.

June 13, 1955, Senate Bill No. 465 with H. A. No. 1—An Act Authorizing and Directing the Department of Public Welfare to Sell the Property Located at 905-907 West Street in Wilmington, Delaware.

June 13, 1955, Senate Bill No. 473—An Act to Amend Title 21 of the Delaware Code by Providing for Antique Automobile Licensing.

June 13, 1955, Senate Bill No. 485—An Act to Amend Chapter 21, Title 14 of the Delaware Code Relating to Ballots Used in Special Elections to Authorize School Bonds.

June 13, 1955, Senate Bill No. 496—An Act to Require the State Highway Department to Install a Push Button Traffic Control in the Wilmington Manor Fire Hall.

Respectfully submitted,

J. CALEB BOGGS, Governor

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

HB 165—"An Act Providing for the Acquisition of Lands Constituting the Bottom of Horsey's Pond and Appropriating Certain Moneys to the State Highway Department for the Construction of a Dam and Sluiceway at the Old Dam Site," to Fish, Oysters and Game.

HB 274—"An Act to Amend Title 17, Delaware Code, Entitled "Highways" by Providing for a State Communication Division Within the Highway Department, Defining Its Duties and Appropriating Funds," to Buildings and Highways.

HB 474—"An Act Appropriating Certain Money to Delaware Day School for Handicapped Children, Inc.," to Finance.

HS 1 for HB 520—"An Act to Permit the Use of Certain Funds for Capital Improvements at Delaware State College," to Judiciary.

HS 1 for HB 559—"An Act to appropriate a Sum of Money to the State Building and Grounds Commission for Construction of Sidewalks and Street Lights on State Lands at Dover," to Private Corporations.

The Chair presented **HCR 34**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing Four New Bills."

Mr. Lammot moved for its adoption.

On the question, "Shall **HCR 34** pass the Senate?", the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Camper, Harrison, Hoey, Johnson, Lammot, Paradee, Reilly, Steen, Wilgus, Wililams, Mr. President Pro Tem—12.

NAYS—Messrs. McCullough and Pryor—2.

ABSENT—Messrs. Butler, Covey, Melson—3.

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

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 57, SB 154, SB 219, SB 226, SB 227, SB 230, SB 261** with **HA 1, SB 284, SB 300, SB 411**

with SA 1, also SB 426 with HA 1, and that the House had passed and requested the concurrence of the Senate in the following bills, which were presented by the Chair, given first and second readings by title only, and referred to committee as follows:

HB 263 with HA 1—"An Act to Amend Chapter 67, Title 29, Delaware Code, Relating to the Procurement of Supplies and Automobiles," to Finance.

HB 355—"An Act to Amend Chapter 47, Title 7, Delaware Code, by Establishing Fort Delaware State Park and Providing for Fees and Charges to Make the Same Self-Supporting," to Buildings and Highways.

HB 450 with HA 1—"An Act to Amend Chapter 23, Title 30, Delaware Code, Relative to License Fees Payable by Cigarette Vending Machine Owners and Stamps for Such Machines," to Judiciary.

HS 1 for HB 497—"An Act to Amend Chapter 57 Title 29, Delaware Code, Relating to Social Security," to Judiciary.

HB 542—"An Act to Amend Chapter 3, Title 14, Delaware Code, Relative to Notice of Annual School Elections," to Elections.

Request that the following be stricken from the calendar was granted to member as follows: SB 174, by Lammot.

The President announced he was about to sign: SB 57, SB 154, SB 219, SB 226, SB 227, SB 230, SB 284, SB 300, SB 448 with SA 1 and HA 1, HA 2, HA 3, and HA 4, SB 178, SB 309, SB 319, SB 412 with SA 1, SB 469.

On motion of Mr. Lammot the Senate recessed until call of Chair.

Senate met at expiration of recess at 4:00 P. M.

Mr. Camper introduced the following resolution, which on further motion by him was adopted: SR 88—"Authorizing the Payment of the Sum of Two Thousand Three Hundred Seventy-six Dollars (\$2,376.00) for Printing of Calendars."

BE IT RESOLVED by the Senate of the 118th General Assembly of the State of Delaware that the State Treasurer be and he is hereby authorized and directed to pay out of the General Fund unto Milford Chronicle Publishing Company, Milford, Delaware, the sum of Two Thousand Three Hundred Seventy-six Dollars (\$2,376.00) to cover cost of printing Daily Calendars in accordance with the following statement:

To Printing Daily Calendars for 1955 Session—

300 Copies each day—

94th Legislative Day 66 pages @ \$3.60 per page..	\$ 237.60
95th Legislative Day 66 pages @ \$3.60 per page..	237.69
96th Legislative Day 66 pages @ \$3.60 per page..	237.60
97th Legislative Day 64 pages @ \$3.60 per page..	230.40
98th Legislative Day 66 pages @ \$3.60 per page..	237.60
99th Legislative Day 66 pages @ \$3.60 per page..	237.60
100th Legislative Day 66 pages @ \$3.60 per page..	237.60
101st Legislative Day 66 pages @ \$3.60 per page..	237.60

102nd Legislative Day 66 pages @ \$3.60 per page.. 237.60
 103rd Legislative Day 68 pages @ \$3.60 per page.. 244.80

Total for printing Calendars from 94th Legislative

Day to 103rd Legislative Day inclusive\$2,376.00

On motion of Mr. Camper, **SB 426** with **HA 1**—"An Act to Appropriate Certain Funds to the Trustees of the Hartly School District to Enable It to Build an Addition to the Hartly School," which was amended in the House, was taken up for consideration and read in order to pass the Senate.

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

YEAS—Messrs. Behen, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Butler, Covey, Melson—3.

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

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **HB 67**, 4 on merits, **HB 469**, 4 on merits, **HB 621**, 4 on merits, **HS 1** for **HB 115**, by Revised Statutes; **HB 354**, 3 on merits, **HB 186** with **HA 1** and **HA 2**, 3 on merits, by Finance; **HB 278** with **HA 1**, by Executive.

On motion of Mr. Pryor, **HB 405** with **HA 1**—"An Act to Amend Chapter 1, Title 15, Delaware Code, Relating to the Department of Elections for Kent County," which had been returned to the House by the Governor without his approval, passed the House with three-fifth vote of its membership and ordered to the Senate for concurrence together with a copy of the Governor's objections, was reconsidered in order to pass the Senate, the objections of the Governor notwithstanding.

The Governor's veto message was read to the Senate as follows:

STATE OF DELAWARE EXECUTIVE DEPARTMENT

May 20, 1955

To The House of Representatives of The State of Delaware

On May 17, 1955, I received House Bill No. 405 with House Amendment No. 1, entitled:

AN ACT TO AMEND CHAPTER 1, TITLE 15, DELAWARE CODE, RELATING TO THE DEPARTMENT OF ELECTIONS FOR KENT COUNTY.

I respectfully return this bill without my approval.

Partisan political advantage seems to be the sole objective of this ripper legislation wherein the public interest is given no consideration.

The Department of Elections for Kent County has done an excellent job of administering the registration and election laws of the State in the best interest of the public and through a difficult period of transition from paper ballots to voting machines. Again it may be said that such public service deserves commendation rather than summary dismissal.

This bill finds no support in any political platform and, in fact, as contrary to a specific pledge in the platform of the Democratic Party.

House Bill No. 405 removes the appointive power from the Governor and places it in the Levy Court of Kent County. On this point it may be said again that there is no justification for depriving a Governor of the appointive power of the Chief Executive as contemplated in the Constitution.

But in this bill not only is the Governor permanently deprived of the appointive power which is properly his, but such power is delegated to a county administrative body to appoint those who will be responsible for conducting elections pertaining to National and State-wide offices. Although this may not be illegal, it certainly seems inappropriate.

Furthermore, uniformity in the administration of the election laws is seriously jeopardized by the requirement that the Department of Elections in Kent County be selected by a different method and by an entirely different governmental body than are similar Departments in the other counties. If good reasons exist for depriving the State government of its present part in the administration of State and National elections, surely such reasons apply in all counties.

This bill is defective in that it fails to make any provision whatsoever for the filling of vacancies which may occur after July 1, 1959.

If the reports carried in the public press are correct, there were several misstatements made in connection with this bill on the floor of the House of Representatives which tend to indicate that the bill was misunderstood and the proponents uninformed. For example, a statement made on the floor by a member indicated that the bill would result in a net saving by reducing the salaries of the members from \$750 per year to \$500. No such saving would result, since the amount now spent annually for salaries is \$2250 whereas under this bill it would be \$3500.

The same member also reportedly referred to the five present members. His knowledge of the law which he urged to be amended was clearly limited, for the present Department consists, by law, of only three members.

It is also reported that a member stated "Any seven men would be better than what we now have." In the absence of any charges against any present member of the Department, this statement merely indicates that legislator's advocacy of ripper legislation.

The abolition of properly functioning public agencies solely in an effort to acquire political advantage rightly deserves and will surely receive public condemnation.

Respectfully submitted,

J. CALEB BOGGS, Governor

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

YEAS—Messrs. Behen, Camper, Harrison, Hoey, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Mr. President Pro Tem—11.

NAYS—Messrs. Johnson, Wilgus, Williams—3.

ABSENT—Messrs. Butler, Covey, Melson—3.

So the question was decided in the affirmative and the bill as amended having received the required constitutional majority, passed the Senate, the objections of the Governor notwithstanding to the contrary, and was returned to the House.

On motion of Mr. McCullough, Senate Rule 22 was suspended.

On motion of Mr. McCullough, **HB 278** with **HA 1**—"An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Adding to the Provisions for Which Indebtedness May be Incurred by the Issue of Bonds," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Butler, Covey, Melson—3.

So the question was decided in the affirmative and the bill as amended having received the required constitutional majority, passed the Senate and was returned to the House.

The Governor's veto message, which had been delivered to the Senate along with **HB 197**—"An Act Authorizing and Directing the State Highway Department to Install a Traffic Control Light at Bishop's Corner, Kent County, Delaware," was presented by the Chair and read into the Record.

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

June 13, 1955

To The House of Representatives of The State of Delaware:

On June 8, 1955, I received House Bill 197, entitled:
AN ACT AUTHORIZING AND DIRECTING THE
STATE HIGHWAY DEPARTMENT TO INSTALL
A TRAFFIC CONTROL LIGHT AT BISHOP'S COR-
NER, KENT COUNTY, DELAWARE.

I respectfully return this bill herewith without my approval.

Throughout the State of Delaware there are a great number of intersections carrying varying volumes of vehicular and pedestrian traffic. In order to cope with the problem of installing traffic signals as may be necessary in the public interest, the Legislative Branch of our State government has in the past permitted broad authority to the Highway Department to meet these needs appropriately and properly.

The Highway Department has a uniform procedure to determine whether or not traffic signals are justified in light of the overall community interest, safety and proper flow of traffic. The Highway Department uses ten warrants, or criteria, that have been developed by the Institute of Traffic Engineers and the American Association of State Highway Officials. This procedure is in wide and general use throughout the nation. It is recognized as the best and approved way for meeting this problem.

It is my opinion that it is a better policy to have the Highway Department continue to administer this function on the basis of its surveys and nationally recognized criteria. As may be recalled, in the last session of the legislature several bills on this subject were passed which I was unable to approve for the same reasons which I am giving here.

If, however, the Legislative Branch wishes to take over this function, I would recommend that all the various bills carry necessary supplemental appropriations to meet the installation and maintenance costs.

I believe that upon reflection you will agree this is not a matter on which the Legislative Branch has the time or the means to administer effectively.

In this particular case, I am advised by the State Highway Department that not even a request has been made of the Department for a traffic control light at this intersection nor has a request been made of the Department for a survey of this location with a view to determining whether or not it would be in the public interest and in the best interests of highway safety to establish a traffic control signal at this location.

In view of the above, I recommend that these highway traffic control signals and related problems be left to the careful study and consideration of the Highway Department and to be decided upon the merits of each case as they may appear after a proper and careful survey.

Respectfully submitted,

J. CALEB BOGGS, Governor

Mr. Paradee introduced the following concurrent resolution, which on further motion by him was adopted and sent to the House for concurrence: **SCR 16**—"Request to the Governor of the State of Delaware to Return House Substitute No. 1 for House Bill No. 228 for Reconsideration."

On motion of Mr. Paradee, **HCR 34**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing Four New Bills," which had passed the Senate, was reconsidered.

On motion of Mr. Paradee, **HCR 34** with **SA 1** was placed upon its passage.

On motion of Mr. Paradee, **SA 1** to **HCR 34** was adopted.

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

YEAS—Messrs. Behen, Camper, Harrison, Hoey, Johnson, Lammot, Paradee, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—12.

NAYS—Mr. McCullough—1.

ABSENT—Messrs. Butler, Covey, Melson, Pryor—4.

So the question was decided in the affirmative and the resolution as amended having received the required constitutional majority, passed the Senate and was returned to the House.

On motion of Mr. Lammot, the Senate adjourned until Thursday, June 16, 1955, at 2:00 P. M.

106TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:05 P. M., on Thursday, June 16, 1955. President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Steen, Wilgus, Mr. President Pro Tem—14.

Members absent—Messrs. Covey, Pryor, Williams—3.

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

Messrs. Covey and Williams asked to be marked present.

Mr. Lammot asked for the privilege of the floor. He then presented President Pro Tem Moore with a gift wrist watch from Senators and attaches, in recognition of his services to the Senate of the 118th General Assembly. Mr. President Pro Tem expressed his thanks.

Mr. Lammot asked for the further privilege of the floor. He then presented a gift wrist watch from Senators and attaches to Minority Leader Senator Johnson in recognition of his cooperation in the Senate of the 118th General Assembly. Mr. Johnson expressed his thanks.

Mr. Reilly asked for the privilege of the floor. He then presented a gift wrist watch to Majority Leader Senator Lammot from the Senators and attaches, in recognition of his services and leadership in the Senate of the 118th General Assembly. Mr. Lammot expressed thanks for the gift.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 258**, **SB 260** with **SA 1**, also **SB 302** with **HA 1**, and that the House had passed and requested the concurrence of the Senate in the following bills and resolution, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

HB 470—"An Act to Amend Chapter 6, Title 9, Delaware Code, by Providing for a Maximum Annual Tax Rate for the Cost of Maintaining a Park or Recreational Area," to Revised Statutes.

HB 555 with **HA 1** and **HA 2**—"An Act to Amend Titles 11, 14, and 29, Delaware Code, by Creating a Public Employees' Retirement Commission of the State of Delaware to Administer All the Retirement Disability and Pension Laws of the State of Delaware, Defining the Powers and Duties of the Commission, Transferring Certain Administrative Functions and Duties Thereto, and Abolishing the Arbitration Committee and the Disability Commission," to Banking and Insurance.

HCR 35—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill."

The Chair presented **HCR 35**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing New Bills", which on motion of Mr. Lammot was adopted and returned to the House.

On motion of Mr. McCullough, **SB 302** with **HA 1**—"An Act to Appropriate Certain Funds to the State Board of Education for the Education, Training or Transportation of Handicapped Children," which was amended in the House, was taken up for consideration and read in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Pryor—1.

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

On motion of Mr. Behen, **HB 156** with **HA 1**—"An Act Making an Appropriation to the Delaware Commission for the Feeble Minded to Equip the New Central Kitchen at the Delaware Colony for the Feeble Minded at Stockley," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Pryor—1.

So the question was decided in the affirmative and the bill as amended having received the required constitutional majority, passed the Senate and was returned to the House.

On motion of Mr. Behen, **HB 157**—"An Act to appropriate Funds to the Delaware Commission for the Feeble Minded for the Care of Abnormal Infants Until Space is Available at the Delaware Colony, Stockley," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Pryor—1.

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

On motion of Mr. Behen, **HB 158** with **HA 1**—"An Act Making an Appropriation to the Delaware Commission for the Feeble Minded to Convert Present Decentralized Kitchens Into Service Pantries at the Delaware Colony for the Feeble Minded at Stockley," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Pryor—1.

So the question was decided in the affirmative and the bill as amended having received the required constitutional majority, passed the Senate and was returned to the House.

The following bill was reported by the majority of the committee as follows: **HB 422**, 1 favorably, 4 on merits, by Buildings and Highways.

On motion of Mr. Behen, **HB 457**—"An Act Amending Chapter 152, Volume 48, Laws of Delaware, Being An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Amending the Provision Pertaining to the Fiscal Year, Budget, Audit, and Financial Statement, and by Providing a Deadline for the Establishment of the Tax Rate and Adoption of the Budget in Each Year," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Pryor—1.

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

On motion of Mr. Behen, **HB 609**—"An Act to Amend Section 40 of the Charter of the City of Wilmington, as Amended, by Changing the Provisions Relative to the Salary of the City Solicitor," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Pryor—1.

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

On motion of Mr. Behen, **HB 478**—"An Act to Amend Chapter 47 Title 10, Delaware Code, in Relation to the Lien of Judgments," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Covey, Harrison, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Wililams, Mr. President Pro Tem—12.

NAYS—Mr. Steen—1.

NOT VOTING—Messrs. Hoey and Williams—2.

ABSENT—Messrs. Camper and Pryor—2.

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

On motion of Mr. Behen, **HB 483**—"An Act Proposing an Amendment to Article IV of the Constitution of the State of Delaware, Relating to Appointments by State Judges," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Lammot, McCullough, Paradee, Reilly, Steen, Mr. President Pro Tem—11.

NAYS—Messrs. Covey, Johnson, Melson, Wilgus, Williams—5.

ABSENT—Mr. Pryor—1.

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

Mr. Behen changed his vote from yea to nay in order that he might move for reconsideration.

On motion of Mr. Lammot, the Senate adjourned until Monday, June 20, 1955, at 2:00 P. M.

107TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:05 P. M., on Monday, June 20, 1955. President Pro Tem Moore presiding.
Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Reily, Wilgus, Mr. President Pro Tem—13.

Members absent—Messrs. Covey, Pryor, Steen, Williams—4.

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

Messrs. Covey, Pryor, Steen and Williams asked to be marked present.

On motion of Mr. Lammot, **HB 583**—"An Act to Amend Chapter 27, Title 29, Delaware Code, Relating to State Treasurer by Providing Changes in the Bond Servicing Procedure," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—14.

NAYS—None.

NOT VOTING—Mr. Melson—1.

ABSENT—Messrs. Covey and Melson—2.

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

On motion of Mr. Hoey, **HB 19**—"An Act Appropriating Money to the Woods Haven School for Girls," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, Paradee, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—13.

NAYS—Messrs. McCullough and Pryor—2.

ABSENT—Messrs. Covey and Melson—2.

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

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 45**, **SB 83**, **SB 278**, **SB 306**, **SV 317**, **SB 365**, **SB 370**, **SCR 14**, **SCR 16**, also **SJR 3** with **HA 1**, and **SB 419** with **HA 1** and **HA 2**, and that the House had passed and requested the concurrence of the Senate in the following bills, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

HB 261—"An Act Making an Appropriation to the Delaware Commission of Shell Fisheries for the State's Share of the Initial Costs of the Improvement of White's Creek Between Indian River Bay and a Point Beyond Assawoman Canal to Lord Baltimore School in Sussex County, and Authorizing and Empowering the Said Commission to Act as the Agency of the State of Delaware to Do All Things Necessary to Comply

With the Requirements of the United States Government Relative to the State's Contribution to Said Government," to Executive.

HB 322—"An Act Appropriating Certain Sums to the State Park Commission for Construction and Repair of Certain Facilities at Fort Delaware State Park," to Judiciary.

HB 455—"An Act to Amend Title 12, Delaware Code, In Respect to the Escheator," to Judiciary.

On motion of Mr. Hoey, **HB 69**—"An Act Appropriating Certain Moneys to Historical Society of Delaware for Operation Expenses," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Covey and Melson—2.

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

On motion of Mr. Hoey, **HB 154** with **HA 1**—"An Act Making an Appropriation to the Delaware Commission for the Feeble Minded to Build and Equip an Infirmary at the Delaware Colony for the Feeble Minded at Stockley," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Covey—1.

So the question was decided in the affirmative and the bill as amended having received the required constitutional majority, passed the Senate and was returned to the House.

On motion of Mr. Hoey, **HB 175** with **HA 1**—"An Act to Amend Chapter 31, Title 24, Delaware Code, Relating to Undertakers, by Raising the Fees for Certificate Renewals," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Covey—1.

So the question was decided in the affirmative and the bill as amended having received the required constitutional majority, passed the Senate and was returned to the House.

On motion of Mr. Hoey, **HB 186** with **HA 1** and **HA 2**—An Act Appropriating a Certain Sum of Money to Lida Gruwell in Payment of a Claim Against the State of Delaware,” was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Covey—1.

So the question was decided in the affirmative and the bill as amended having received the required constitutional majority, passed the Senate and was returned to the House.

On motion of Mr. Hoey, **HB 215**—“An Act Making an Appropriation to the Board of Trustees of the State Welfare Home and Hospital for the Chronically Ill at Smyrna to Make Capital Improvements and to Purchase Equipment for the State Welfare Home,” was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Hoey, **HB 215** was deferred.

On motion of Mr. Hoey, **HB 224**—“An Act Appropriating Money to the State Highway Department for the Purpose of Repairing and Maintaining Certain Public Works,” was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. 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 returned to the House.

On motion of Mr. Hoey, **HB 252**—“An Act to Amend Chapter 51, Title 16, Delaware Code, by Making Provisions for the Care of Mentally Ill Persons in State Institutions Applicable to Commitment, Transfer, Care and Release of Persons Entitled to Such Services in Hospitals of the Veterans Administration,” was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. 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 returned to the House.

Requests that the following be stricken from the calendar were granted to member as follows: **SB 91**, **SB 106**, **SB 107**, by Camper.

Request that the following be restored to the calendar was granted to member as follows: **HB 483**, by Behen.

The President announced he was about to sign: **SB 258**, **SB 411** with **SA 1**, **SB 426** with **HA 1**, **SB 504**, **HB 534**, **HB 347** with **HA 1**, **HB 278** with **HA 1**.

On motion of Mr. Hoey, **HB 280**—"An Act to Amend Chapter 1, Title 16, Delaware Code, Relating to the State Board of Health by Increasing the Power of the Board in Reference to Sewage Disposal," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. 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 returned to the House.

On motion of Mr. Hoey, **HB 281**—"An Act to Amend Chapter 31, Title 16, Delaware Code, Relating to Vital Statistics; Fees for Issuance of Certificates and Searches," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. 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 returned to the House.

On motion of Mr. Hoey, **HB 354**—"An Act Appropriating Funds for the Payment of a Claim of James L. Sease, Jr., Rising Out of the Negligent Operation of a Delaware National Guard Vehicle," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Hoey, **HB 354** was deferred.

On motion of Mr. Hoey, **HB 389**—"An Act Authorizing the State of Delaware to Borrow Five Hundred Thousand Dollars (\$500,000.00) and Issue Bonds and Notes Therefor, to Provide for the Acquisition of Lands and the Construction, Reconstruction, Repair, Improvement and Purchase of Buildings for the Use of the Delaware National Guard and Improvements Incidental Thereto, and Providing the Form of Such Bonds and Notes as Well as the Procedure for the Sale Thereof, and Providing for the Payment of Principal and Interest of Such Bonds and Notes, and Appropriating the Sum or Sums Received Therefrom to the Delaware National Guard," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Hoey, **HB 389** was deferred.

On motion of Mr. Hoey, **HB 397**—"An Act to Amend Subchapter I, Title 24, Delaware Code, Entitled "State Board of Dental Examiners", by Increasing the Compensation of Members of the Board," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:
YEAS—Messrs. Behen, Butler, Camper, Harrison, Johnson, Lammot, Melson, Paradee, Reilly, Williams, Mr. President Pro Tem—11.

NAYS—Messrs. Covey, McCullough, Pryor, Steen—4.

NOT VOTING—Messrs. Hoey and Wilgus—2.

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

On motion of Mr. Hoey, **HB 406**—"An Act to Appropriate Funds for a Fire Alarm System and Fire Fighting Equipment at the Delaware Colony for the Feeble Minded at Stockley," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. 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 returned to the House.

On motion of Mr. Hoey, **HB 433**—"An Act to Amend Chapter 1 of Title 16 of the Delaware Code in Reference to the Issuance of Permits by the State Board of Health," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Hoey, **HB 433** was deferred.

On motion of Mr. Pryor, **HB 468**—"An Act to Amend Chapter 71, Title 15, Delaware Code, to Provide the Necessary Costs and Expenses in Special Elections Shall be Paid by the State Treasurer Out of the State Treasury, was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Williams, Mr. President Pro Tem—13.

NAYS—Messrs. Covey, Steen, Wilgus—3.

NOT VOTING—Mr. Hoey—1.

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

Honorable John N. McDowell, Secretary of State, delivered the following messages from the Governor to the Senate which were presnted by the Chair to the members of the Senate and read into the record.

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

Dover, June 20, 1955

To The Senate of the State of Delaware:

On June 13, 1955, I received Senate Bill 280, entitled:
**AN ACT TO AMEND CHAPTER 19, TITLE 10,
DELAWARE CODE BY PROVIDING FOR THE
APPOINTMENT BY THE LEVY COURT OF NEW
CASTLE COUNTY OF COMMISSIONERS TO EX-
AMINE CERTAIN LIEN INDICES IN NEW
CASTLE COUNTY AND SATISFACTION THERE-
OF.**

I respectfully return herewith this Bill without my approval.

This Bill deprives the Resident Associate Judge of New Castle County of the power to appoint the commissioners who inspect the indices of official records in New Castle County. The Bill transfers the power to make such appointments to the Levy Court.

Ever since such office was created in 1905, the Resident Judge has been deemed to be the appropriate appointing official. It is desirable to maintain a close relationship between the Superior Court and the work of the commissioners because the records involved are either court records or are similar permanent records.

These commissioners determine whether the indices of official court records and other documents are properly executed and exact. They also pass on the legality of notations that judgments are satisfied.

A considerable number of legal questions arise in connection with these duties. The Resident Judge is in a position to know which individuals are qualified by training and experience to carry out these duties. He is also in a position to consult with such officer from time to time as to legal problems which arise. Such Judge would, of course, be especially interested in proper indices for these records. The public, however, would also suffer if the indices are inaccurate.

The work has been efficiently and carefully done in the past. I see no reason for a change in the provisions of the present law in respect to these appointments.

Respectfully submitted,

J. CALEB BOGGS, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, June 20, 1955

To The Senate of the State of Delaware:

On June 8, 1955, I received Senate Bill 283, entitled:
AN ACT TO AMEND CHAPTER 19, TITLE 10,
DELAWARE CODE BY PROVIDING FOR THE
APPOINTMENT BY THE LEVY COURT OF NEW
CASTLE COUNTY OF COMMISSIONERS TO EX-
AMINE MORTGAGE SATISFACTION IN NEW
CASTLE COUNTY.

I respectfully return herewith this Bill without my approval.

This Bill deprives the Resident Associate Judge of New Castle County of the power to appoint the mortgage commissioner for that County and transfers the power to make such an appointment to the Levy Court.

When the office of mortgage commissioner was created in 1917, the Resident Judge was deemed the appropriate appointing official. It is desirable to maintain this relationship between the Superior Court and the work of the mortgage commissioner.

The mortgage Commissioner determines whether recorded mortgages which have been marked satisfied are in fact legally and fully satisfied. He then makes a notation of his decision on the official mortgage index and signs the same.

A considerable number of legal questions arise in connection with these duties. The Resident Judge is in a position to know which individuals are qualified by training and experience to carry out these duties. He is also in a position to consult with such officer from time to time as to legal problems which arise.

The work has been efficiently and carefully done. I see no reason for a change in the provisions of the present law in respect to this appointment.

Respectfully submitted,

J. CALEB BOGGS, Governor

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 484**, by Labor; **HB 450** with **HA 1**, 2 favorably, 3 on merits, by Judiciary; **HS 1** for **HB 559**, by Private Corporations; **HB 165**, 3 favorably, 1 on merits, **HB 331**, 3 favorably, 1 on merits, by Fish, Oysters and Game; **HB 370**, by Miscellaneous; **HB 474**, 4 favorably, 1 on merits, by Finance.

On motion of Mr. Reilly, **SJR 3** with **HA 1**—"Appointing Directors on the Part of the State for the Farmers Bank of the State of Delaware," which was amended in the House, was taken up for consideration and read in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Melson, Paradee, Reilly, Wilgus, Williams, Mr. President Pro Tem—13.

NAYS—None.

NOT VOTING—Messrs. Lammot and Pryor—2.

ABSENT—Messrs. McCullough and Steen—2.

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

The following message from the Governor was delivered to the Senate.

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, June 20, 1955

To the Senate of the State of Delaware:

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

June 14, 1955, House Substitute No. 1 for House Bill No. 576 as amended with H. A. No. 1—An Act Providing for a Park Police Pension Fund for Members of the Park Police of the iCty of Wilmington.

June 15, 1955—House Bill No. 260—An Act Authorizing and Directing the Secretary of State of the State of Delaware to Convey Any Interest in Certain Real Property in Baltimore Hundred, Sussex County, Delaware, Which May Have Escheated or be Subject to Escheat to the State of Delaware.

June 20, 1955, Senate Bill 454—An Act to Amend Chapter 17, Title 9, Delaware Code Relating to Employees Pensions in New Castle County.

June 20, 1955, House Bill 364—An Act to Amend Title 11, Delaware Code, Relating to the Crimes of Embezzlement, Receiving of Embezzled Goods and Larceny.

June 20, 1955, House 417 as amended with H. A. No. 1 and S. A. No. 1—An Act to Amend Chapter 1, Title 4, Delaware Code, Entitled "Alcoholic Liquors", by Changing Definition of "Importer".

June 20, 1955, House Substitute No. 1 for House Bill No. 561—An Act to Amend Chapter 13, Title 24, Delaware Code, by Revising the Provisions for the Licensing and Regulation of Private Detetctives and Detective Agencies.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Hoey, **HS 1 for HB 558**—"An Act to Appropriate a Sum of Money to the State Building and Grounds Commission for the Construction of Water Mains and Associated Equipment on State Lands at Dover," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, Melson, Paradee, Pryor, Reilly, Wilgus, Williams, Mr. President Pro Tem—15.

NAYS—Mr. McCullough—1.

ABSENT—Mr. Steen—1.

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

On motion of Mr. Hoey, **HB 598**—"An Act Making Appropriations for the Expenses of the State Government for Each of the Two Fiscal Years Ending June 30, 1956 and June 30, 1957," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

Mr. Johnson introduced **SA 1**, which was read and on his further motion lost.

Mr. Johnson introduced **SA 2**, which was read and on his further motion lost.

Mr. Johnson introduced **SA 3**, which was read and on his further motion lost.

Mr. Johnson introduced **SA 4**, which was read and on his further motion lost.

Mr. Johnson introduced **SA 5**, which was read and on his further motion lost.

Mr. Johnson introduced **SA 6**, which was read and on his further motion lost.

Mr. Williams introduced **SA 7**, which was read and on his further motion lost.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. McCullough—1.

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

Mr. Lammot introduced the following concurrent resolution, which on further motion by him was adopted and sent to the House for concurrence: **SCR 17**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of Certain Bills."

On motion of Mr. Hoey, **HB 617**—"An Act Providing for the Use of the Unexpended Portions of Certain Funds Appropriated to Delaware State College and Amending Chapter 408, Volume 47, and Chapter 231, Volume 48, Laws of Delaware to the Extent of Any Inconsistency," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Lammot, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Johnson and McCullough—2.

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

On motion of Mr. Hoey, **HB 620**—"An Act Making an Appropriation to the Board of Trustees of the Milton Consolidated School Number 8 for the Purchase of Equipment for Certain Departments of the School," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. McCullough—1.

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

On motion of Mr. Pryor, **SB 51**—"An Act to Amend Section 4 of Article 2 of the Constitution of the State of Delaware Relating to the Time of Meetings of the General Assembly," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Pryor, **SS 1** for **SB 51** was accepted in lieu of the original.

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

YEAS—Messrs. Butler, Covey, Harrison, Hoey, Johnson, Lammot, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—13.

NAYS—Messrs. Behen and Camper—2.

ABSENT—Messrs. McCullough and Wilgus—2.

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. Lammot, the Senate adjourned until Tuesday, June 21, 1955, at 2:00 P. M.

108TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:05 P. M., on Tuesday, June 21, 1955. President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Camper, Harrison, Lammot, McCullough, Melson, Paradee, Reilly, Wilgus, Williams, Mr. President Pro Tem—12.

Members absent—Messrs. Covey, Hoey, Johnson, Pryor, Steen—5.

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

Messrs. Covey, Hoey, Johnson, Pryor and Steen asked to be marked present.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 360**, **SB 361**, **SB 362**, **SB 364** and **SB 75** with **HA 1**, and that the House had passed and requested the concurrence of the Senate in the following bills, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

HB 167 with **HA 1**—"An Act Making an Appropriation to Delaware State College to Provide for the Erection of Certain Buildings and for the Equipping and Furnishing Thereof," to Finance.

HS 1 for **HB 580** with **HA 1**—"An Act to Amend Title 25, Delaware Code of 1953, Entitled "Property" by Adding a New Chapter Relating to Off Site Improvements to be Made in Connection With the Development of Real Property, Such as Installation of Streets, Curbs, Gutters, Sidewalks, Storm Sewers, Sanitary Sewers, Water Systems and Lines as Well as Community Recreational and Commercial Shopping Areas; Providing for the Issuance of Bonds by the State to Cover the Cost Thereof, and Regulating the Installation of Such Improvements," to Judiciary.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **HS 1** for **HB 497**, 2 favorably, 2 on merits, **HB 322**, 2 favorably, 2 on merits, **HS 1** for **HB 520**, 2 favorably, 2 on merits, by Judiciary; **HB 555** with **HA 1** and **HA 2**, 1 favorably, 1 unfavorably, 3 on merits, **SB 108**, 1 favorably, 4 on merits, by Banking and Insurance; **HB 408** with **HA 1**, 3 favorably, 2 on merits, by Public Lands; **HB 261**, 3 favorably, 1 on merits, by Executive; **HS 1** for **HB 518**, 3 favorably, 2 on merits, **HB 355**, 4 favorably, 1 on merits, **HB 274**, 3 favorably, 2 on merits, by Buildings and Highways.

On motion of Mr. Steen, **SB 75** with **HA 1**—"An Act to Amend Title 14 of the Delaware Code by Providing for the Continued Employment of Employees in Districts That are Consolidated or Changed," which was amended in the House, was taken up for consideration and read in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Lammot, Melson, Paradee, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—14.

NAYS—None.

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. McCullough and Pryor—2.

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

On motion of Mr. Harrison, **HS 1** for **HB 559**—"An Act to Appropriate a Sum of Money to the State Building and Grounds Commisison for Construction of Sidewalks and Street Lights on State Lands at Dover," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Covey, Harrison, Johnson, Lammot, Melson, Paradee, Reilly, Wilgus, Williams, Mr. President Pro Tem—12.

NAYS—Mr. McCullough—1.

NOT VOTING—Messrs. Camper, Hoey, Steen—3.

ABSENT—Mr. Pryor—1.

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

On motion of Mr. Behen, **HB 450** with **HA 1**—"An Act to Amend Chapter 23, Title 30, Delaware Code, Relative to License Fees Payable by Cigarette Vending Machine Owners

and Stamps for Such Machines," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Melson, Paradee, Reilly, Steen, Wilgus, Mr. President Pro Tem—12.

NAYS—Messrs. Johnson, Lammot, McCullough, Williams—4.

NOT VOTING—Mr. Pryor—1.

So the question was decided in the affirmative and the bill as amended having received the required constitutional majority, passed the Senate and was returned to the House.

On motion of Mr. Reilly, **HS 1** for **HB 361**—"An Act to Amend Chapter 27, Title 18 of the Delaware Code by Providing for a Special Tax on Certain Gross Premiums of Insurance Companies the Distribution Thereof and Requiring Certain Police Departments or Bureaus to Make Certain Registrations With the State Treasurer," which on a vote to override the Governor's veto, was lost, and on motion of Mr. Reilly, restored, was reconsidered and placed on its passage in order to pass the Senate, the objections of the Governor notwithstanding.

The Governor's objections were again read to the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Mr. President Pro Tem—11.

NAYS—Messrs. Haey, Steen, Wilgus, Williams—4.

NOT VOTING—Mr. Johnson—1.

ABSENT—Mr. Covey—1.

So the question was decided in the affirmative and the bill having received the required constitutional majority, passed the Senate, the objections of the Governor to the contrary notwithstanding, and returned to the House.

On motion of Mr. Harrison, **HB 203**—"An Act Authorizing and Directing the State Highway Department to Install a Traffic Control Light at the Intersection of State Route Number 10, and U. S. Route Number 13, at Camden, Kent County, Delaware," which had been passed over the Governor's veto by a 3/5 majority and ordered to the Senate, together with the Governor's objections, was brought up for consideration in order to pass the Senate, the objections of the Governor notwithstanding.

The Governor's veto message was read to the Senate:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

April 14, 1955

The Honorable House of Representatives
Legislative Hall, Dover, Delaware

Gentlemen:

On April 5, 1955, I received the following bill:
House Bill No. 203 entitled, AN ACT AUTHORIZ-
ING AND DIRECTING THE STATE HIGHWAY
DEPARTMENT TO INSTALL A TRAFFIC CON-
TROL LIGHT AT THE INTERSECTION STATE
ROUTE NUMBER 10 AND U. S. ROUTE NUMBER
13, AT CAMDEN, KENT COUNTY, DELAWARE.

I am returning this bill without my approval.

Throughout the State of Delaware there are a great number of intersections carrying varying volumes of vehicular and pedestrian traffic. In order to cope with the problem of installing traffic signals as may be necessary in the public interest, the Legislative Branch of our State government has in the past permitted broad authority to the Highway Department to meet these needs appropriately and properly.

The Highway Department has a uniform procedure to determine whether or not traffic signals are justified in light of the overall community interest, safety and proper flow of traffic. The Highway Department uses ten warrants, or criteria, that have been developed by the Institute of Traffic Engineers and the American Association of State Highway Officials. This procedure is in wide and general use throughout the nation. It is recognized as the best and approved way for meeting this problem.

It is my opinion that it is a better policy to have the Highway Department continue to administer this function on the basis of its surveys and nationally recognized criteria. As may be recalled, in the last session of the legislature several bills on this subject were passed which I was unable to approve for the same reasons which I am giving here.

If, however, the Legislative Branch wishes to take over this function, I would recommend that all the various bills carry necessary supplemental appropriations to meet the installation and maintenance costs.

I believe that upon reflection you will agree this is not a matter in which the Legislative Branch has the time or the means to administer effectively.

The latest study and survey of this particular location was prepared during the last week of March of this year. Of the ten warrents, four were in favor of this installation and six were unfavorable. However, periodic surveys will be made and as traffic, pedestrian, residential and commercial activities

increase in this area, no doubt a traffic signal will be justified at some future time, although it is not justified now on the basis of the present studies.

In this particular case, the intersection is located within the limits of the City of Camden. The City of Camden has actual jurisdiction over this traffic control point. Ordinarily, any traffic control arrangements in any city are worked out on a mutual agreement basis between the city and the State Highway Department as to the necessity of the signal and on a 50/50 basis.

The estimated cost of installing a traffic signal at the location in question is \$3300.00. The annual maintenance cost would be approximately \$300.00 per year. This particular bill fails to carry any appropriation for installation and makes no provision for subsequent maintenance costs.

However, I assure you that in every instance of a request for a traffic control signal anywhere in the State the Highway Department will give each request its full and careful study and consideration in the interest of the public based upon what appears to be the soundest and best approach to this important problem.

Respectfully submitted,

J. CALEB BOGGS, Governor

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Lamnot, McCullough, Reilly, Mr. President Pro Tem—9.

NAYS—Messrs. Covey, Johnson, Melson, Paradee, Pryor, Steen, Wilgus, Williams—8.

So the question was decided in the negative and the bill not having received the required constitutional majority, failed to pass the Senate over the Governor's veto and was returned to the House.

The President announced he was about to sign: **SCR 15, SCR 16.**

On motion of Mr. Lamnot, the Senate adjourned until Wednesday, June 22, 1955, at 2:00 P. M.

109TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Wednesday, June 22, 1955. Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present — Messrs. Butler, Camper, Harrison, Lamnot, McCullough, Paradee, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—11.

Members absent—Messrs. Behen, Covey, Hoey, Johnson, Melson, Pryor—6.

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

Messrs. Behen, Covey, Hoey, Johnson, Melson and Pryor asked to be marked present.

The President announced he was about to sign: **SJR 3** with **HA 1**, **SB 156** with **HA 1** and **HA 2**, **SB 360**, **SB 75** with **HA 1**, **SB 361**, **SB 362**, **SB 364**, **SB 302** with **HA 1**, **SB 278**, **SB 306**, **SB 317**, **SB 365**, **SB 370**, **SB 260** with **SA 1**, **SB 45**, **SB 83**, **HCR 34** with **SA 1**, **HCR 35**, **HB 620**, **HB 617**, **HB 609**, **HB 598**, **HB 583**, **HS 1** for **HB 558**, **HB 478**, **HB 468**, **HB 406**, **HB 397**, **HB 298** with **SA 1**, **HB 281**, **HB 280**, **HB 224**, **HB 252**, **HB 186** with **HA 1** and **HA 2**, **HB 175** with **HA 1**, **HB 158** with **HA 1**, **HB 157**, **HB 156** with **HA 1**, **HB 154** with **HA 1**, **HB 69**, **HB 19**.

On motion of Mr. Hoey, **HB 474**—"An Act Appropriating Certain Money to Delaware Day School for Handicapped Children, Inc.," 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. Butler, Camper, Covey, Harrison, Hoey, Lammot, McCullough, Paradee, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—13.

NAYS—Mr. Pryor—1.

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

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

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 28**, **SB 323**, **SB 324**, **SB 325**, **SB 358**, **SB 428** with **SA 1**, **SB 467**, and that the House had passed and requested the concurrence of the Senate in the following bills, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

HS 1 for **HB 300**—"An Act to Establish a Board on Mental Health Training and Research and Making an Appropriation thereto," to Public Health.

HB 348—"An Act Directing the State Highway Department to Erect and Construct a Spill Dam at Ingram Pond, Near Millsboro, in Sussex County; Appropriation," to Buildings and Highways.

HB 480—"An Act Authorizing and Directing the State Highway Department to Install a Traffic Control Light at the Intersection of North Walnut Street and State Route No. 14 in the City of Milford, Kent County, Delaware," to Buildings and Highways.

HB 610 with HA 1—"An Act to Provide for State Supported Salary Schedules for the Biennium Beginning July 1, 1955 and Ending June 30, 1957, for Employees of the State Board of Education, the State Board for Vocational Education, and the Board of Public Education in Wilmington Who are Not Covered by the Salary Schedules in Title 14, Chapter 13, Delaware Code, and to Provide Appropriation Therefor," to Finance.

HB 634—"An Act to Amend Chapter 11, Title 12, Delaware Code, Entitled "Escheats", Declaring Abandoned Certain Money and Personal Property Held by Courts and Banking Organizations Which Have Been Unclaimed for Certain Periods of Time and Appropriating the Same for the Use of the State of Delaware; Providing for the Return of Certain Such Property to the Person Entitled Thereto and the Assumption of Liability Therefor by the State of Delaware; Providing for the Publication of the Names of the Persons Entitled Thereto; Providing for the Suspension of Interest on Such Property and Requiring Certain Reports; Providing for the Suspension of the Statute of Limitations in Certain Cases; Providing for the Assessment of Certain Service Charges; Providing for Penalties and Making an Appropriation," to Buildings and Highways.

On motion of Mr. Camper, **SB 238**—"An Act to Amend Chapter 51, Title 30 of the Delaware Code by Providing for a Refund of Taxes Collected by Motor Fuel Retailers and the Procedure Therefore," 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. Camper and Willams—2.

NAYS—Messrs. Butler, Covey, Harrison, Hoey, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Wilgus, Mr. President Pro Tem—12.

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

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

Mr. Moore, on point of personal privilege, arose, ascended the Rostrum and presented Lieutenant-Governor Rollins with a gift wrist watch. Mr. Rollins accepted the gift with thanks.

On motion of Mr. Hoey, **HB 389**—"An Act Authorizing the State of Delaware to Borrow Five Hundred Thousand Dollars (\$500,000.00) and Issue Bonds and Notes Therefor, to Provide for the Acquisition of Lands and the Construction, Reconstruction, Repairs, Improvement and Purchase of Buildings for the Use of the Delaware National Guard and Improvements Incidental Thereto, and Providing the Form of Such Bonds and Notes as Well as the Procedure for the Sale Thereof, and Providing for the Payment of Principal and

Interest of Such Bonds and Notes, and Appropriating the Sum or Sums Received Therefrom to the Delaware National Guard," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. 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 returned to the House.

On motion of Mr. Pryor, **HS 1** for **HB 115**—"An Act to Amend Section 731, Title 4, Delaware Code, Relating to the Retaliatory Beer Tax," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Pryor, **HS 1** for **HB 115** was deferred.

Mr. Steen moved that **HB 148**, which had been lost in the Senate be reconsidered and restored to the calendar.

The Chair ruled that since it was lost on June 9, 1955, that it could not be restored as it had passed the period for reconsideration.

Mr. Lammot introduced the following concurrent resolution, which on further motion by him was adopted and sent to the House for concurrence: **SCR 18**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill."

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 89**—"In Reference to Acceptance of a Resignation of an Office of the Senate."

BE IT RESOLVED by the Senate of the 118th General Assembly of the State of Delaware that the resignation of Edwin W. Hutchinson dated June 8, 1955 from the office of Multilith Machine Operator to which he was previously elected is hereby accepted and he is hereby discharged as an attache as of that date.

The following bill was reported favorably (unless otherwise indicated) by the majority of the respective committee as follows: **SB 383**, 2 favorably, 2 on merits, by Judiciary.

Request that the following be stricken from the calendar was granted to member as follows: **SB 4**, by Johnson.

Requests that the following be restored were granted to member as follows: **SB 292**, **HS 1** for **HB 228**, by Lammot.

On motion of Mr. Reilly, **SB 383**—"An Act to Amend Chapter 21, Title 19 of the Delaware Code Relating to Payments by the Industrial Accident Board to Physicians," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Hoey—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. Pryor, **HS 1** for **HB 115**—"An Act to Amend Section 731, Title 4, Delaware Code, Relating to the Retaliatory Beer Tax," which had been deferred was reconsidered in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—15.

NAYS—Mr. Melson—1.

ABSENT—Mr. Hoey—1.

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

On motion of Mr. Reilly, **SB 419** with **HA 1** and **HA 2**—"An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety" by Abolishing the Delaware Commission for the Feeble Minded and Transferring Its Functions and Facilities of the State Board of Trustees of the Delaware State Hospital at Farnhurst," which was amended in the House, was taken up for consideration and read in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Wilgus, **SB 146**—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" by Providing for a State Department of Purchases and Supply, Transferring Certain Functions Thereto, Repealing Contrary Provisions and Appropriating Funds," 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. Covey, Johnson, McCullough, Melson, Pryor, Steen, Wilgus, Williams—8.

NAYS—Messrs. Behen, Butler, Camper, Harrison, Lam-mot, Paradee, Reilly—7.

NOT VOTING—Mr. Hoey and Mr. President Pro Tem—2.

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

Mr. Wilgus changed his vote from yea to nay in order to note for reconsideration.

On motion of Mr. Johnson, **SB 438**—"An Act to Amend Title 19, Delaware Code, Entitled "Labor" by Providing for a Department of Labor, Outlining Its Powers and Duties; Abolishing the Labor Commission of Delaware, and Appropriating Funds," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Messrs. Johnson and Reilly, **SS1** for **SB 438** was adopted in lieu of the original.

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

YEAS—Messrs. Covey, Hoey, Johnson, Lam-mot, McCul-lough, Melson, Paradee, Pryor, Reilly, Wilgus, Williams, Mr. President Pro Tem—12.

NAYS—Messrs. Behen, Butler, Harrison, Steen—4.

NOT VOTING—Mr. Camper—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. Hoey, **HB 215**—"An Act Making an Appropriation to the Board of Trustees of the State Welfare Home and Hospital for the Chronically Ill at Smyrna to Make Capital Improvements and to Purchase Equipment for the State Welfare Home," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lam-mot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. 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 returned to the House.

On motion of Mr. Lam-mot, the Senate adjourned until Thursday, June 23, 1955, at 2:00 P. M.

110TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:05 P. M., on Thursday, June 23, 1955. President Pro Tem Moore presiding.

Prayer by the Reverend Buckley.

Members present—Messrs. Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Steen, Wilgus, Williams, Mr. President Pro Tem—14.

Members absent—Messrs. Behen, Pryor, Reilly—3.

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

Messrs. Behen, Pryor and Reilly asked to be marked present.

The Chair presented the following resignation, which was read to the Senate:

June 8, 1955

The Senate of the 118th General Assembly
State of Delaware, Dover, Delaware
Gentlemen:

I hereby submit my resignation from the office of Multi-lith Machine Operator of the Senate of the 118th General Assembly of the State of Delaware, effective immediately.

Respectfully submitted,

E. W. HUTCHISON

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 90**—"Making an Appropriation for Telephone Service Charges and Toll Calls in Connection With the Work of the Senate of the 118th General Assembly of the State of Delaware."

BE IT RESOLVED, by the Senate, that the amount of One Hundred Six Dollars and Ninety-nine Cents (\$106.99) is hereby appropriated, to pay for telephone service charges, and toll calls in connection with the work of the Senate of the 118th Session of the General Assembly of the State of Delaware, which convened January 4, A. D., 1955, and that the State Treasurer be, and he is hereby authorized and directed to pay to the Diamond State Telephone Company the sum of One Hundred Six Dollars and Ninety-nine Cents (\$106.99) for telephone service charges according to the invoices dated June 11, 1955.

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 91**—"Authorizing Payment on Account to Attaches and Employees of the Senate."

BE IT RESOLVED, by the Senate of the 118th General Assembly, that the State Treasurer be, and is 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, the sum of One Hundred Dollars (\$100.00 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.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 49**, **SB 248**, **SB 425**, **SB 430**, **SB 442** with **SA 1**, and that the House had passed and requested the concurrence of the Senate in the following bills, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

HB 101—"An Act to Appropriate Funds to the State Development Department for the Preparation and Publication of a State Information Booklet," to Finance.

HB 316—"An Act Authorizing the Mayor and Council of Wilmington to Create a Department of Motor Vehicles, Outlining the Powers and Duties Thereof, and Providing Personnel Therefor," to Municipal Corporations.

HB 413—"An Act to Amend Title 30, Delaware Code, Entitled "State Taxes" to Permit the Prepayment of State Income Taxes in Lieu of Withholding," to Revised Statutes.

HB 582—"An Act to Amend the Charter of the Town of Delmar, Chapter 182, Volume 45, Laws of Delaware, Relative to the Compensation of Certain Officers," to Judiciary.

The Chief Clerk of the House informed the Senate that the following bills had been lost in the House: **SB 31**, 3-11-55; **SB 87**, 6-20-55; **SB 89**, 6-22-55; **SB 99**, 6-2-55; **SB 140**, 5-5-55; **SB 153**, 6-14-55; **SB 181**, 4-18-55; **SB 212**, 5-31-55; **SB 337**, 5-11-55; **SB 421**, 6-6-55; **SB 458**, 5-26-55; **SB 459**, 5-26-55; **SB 464**, 6-10-55; **SB 486**, 6-9-55; **SB 500**, 6-8-55.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **HB 634**, 4 favorably, 1 on merits, by Banking and Insurance; **HB 344** with **HA 1**, and **HA 2**, 2 favorably, 3 on merits, by Private Corporations; **HS 1** for **HB 580**, 5 on merits, by Judiciary.

Request that the following be stricken from the calendar was granted to member as follows: **SB 484**, by Melson.

Requests that the following be restored to the calendar were granted to members as follows: **SB 146**, by Wilgus; **HB 344**, by Harrison.

The president announced he was about to sign: **SB 28**, **SB 358**, **SB 467**, **SB 323**, **SB 324**, **SB 325**.

On motion of Mr. Butler, **HB 274**—"An Act to Amend Title 17, Delaware Code, Entitled "Highways" by Providing for a State Communication Division Within the Highway De-

partment, Defining Its Duties and Appropriating Funds," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Lammot, **HB 274** was deferred.

On motion of Mr. Steen, **HB 261**—"An Act Making an Appropriation to the Delaware Commission of Shell Fisheries for the State's Share of the Initial Costs of the Improvement of White's Creek Between Indian River Bay and a Point Beyond Assawoman Canal to Lord Baltimore School in Sussex County, and Authorizing and Empowering the Said Commission to Act as the Agency of the State of Delaware to Do All Things Necessary to Comply With the Requirements of the United States Government Relative to the State's Contribution to Said Government," 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. Butler, Covey, Harrison, Hoey, Johnson, Lammot, Melson, Paradee, Reilly, Steen, Wilgus, Wililams, Mr. President Pro Tem—13.

NAYS—Mr. McCullough—1.

NOT VOTING—Mr. Camper—1.

ABSENT—Messrs. Behen and Pryor—2.

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

On motion of Mr. Harrison, Senate Rule 22 was suspended.

On motion of Mr. Harrison, **HB 344** with **HA 1** and **HA 2**—"An Act to Amend Chapter 1, Title 8, Delaware Code, Relating to Corporations," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Butler, Camper, Covey, Harrison, Johnson, Melson, Pryor, Reilly, Wilgus, Williams, Mr. President Pro Tem—11.

NAYS—None.

NOT VOTING—Messrs. Hoey, Paradee, Steen—3.

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

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

Mr. Harrison changed his vote from yea to nay in order that he might move for reconsideration.

On motion of Mr. Melson, **SB 292**—"An Act to Amend Title 13 Delaware Code by Providing That the Superior Court of the State of De'aware in and for New Castle County May

Within Its Discretion Refer Proceedings for Divorce or Annulment of Marriage to the Family Court for New Castle County for Attempted Reconciliation," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

YEAS—Messrs. Butler, Camper, Covey, Harrison, Hoey, Johnson, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—14.

NAYS—None.

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

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

Mr. Butler introduced the following concurrent resolution, which on further motion by him was adopted and sent to the House for concurrence: **SCR 19**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill."

On motion of Mr. Lammot, the Senate adjourned until Friday, June 24, 1955, at 2:00 P. M.

111TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Friday, June 24, 1955. Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Camper, Harrison, Lammot, McCullough, Paradee, Pryor, Reilly, Wilgus, Mr. President Pro Tem—11.

Members absent—Messrs. Covey, Hoey, Johnson, Melson, Steen, Williams—6.

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

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

The Chief Clerk of the House informed the Senate that the House had concurred in **SCR 19**, **SB 269**, **SB 271**, **SB 297**, **SB 452**, and that the House had passed and requested the con-