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# STATE OF DELAWARE



## JOURNAL OF THE STATE SENATE AT A SESSION OF THE GENERAL ASSEMBLY

CONVENED AND HELD AT DOVER ON TUESDAY, THE FOURTH  
DAY OF JANUARY, IN THE YEAR OF OUR LORD ONE  
THOUSAND NINE HUNDRED AND FIFTY-FIVE,  
AND OF THE INDEPENDENCE OF THE  
UNITED STATES THE ONE HUNDRED  
AND SEVENTY-NINTH

# 1955

MILFORD CHRONICLE PUBLISHING CO., MILFORD, DELAWARE

# OFFICERS AND MEMBERS OF THE STATE SENATE

<b>President</b> JOHN W. ROLLINS	<b>Minority Leader's Clerk</b> FRANCIS E. HOLIDAY
<b>Secretary of the Senate</b> WILSON E. CAMPBELL	<b>Sergeant-at-Arms</b> RODNEY COMEGYS MATTHEW DONAHUE REYNOLDS GOODEN ALBERT McCULLOUGH WILLIAM POORE
<b>Assistant Secretary of the Senate</b> CLARA L. COULTER	<b>Multilith Operators</b> GEORGE LEVI BENNETT ARTHUR PENNEWILL EDWIN HUTCHINSON
<b>Secretary to the President</b> JEANNE MORRIS	<b>Document Clerk</b> WILHELMINA McBRIDE
<b>Secretary to the President Pro Tem</b> CATHERINE PALMER	<b>Mail Clerk</b> JOHN BELLERE
<b>Secretary of Committees</b> E. HOBSON DAVIS	<b>Assistant Mail Clerk</b> JOHN HOLLOWAY
<b>Secretary to Majority Leader</b> MAY B. REESE	<b>Pages</b> HARRY G. McALLISTER LOUIS McNATT, JR. ELWOOD RAY JAMES SIMPSON ROBERT ADKINS OLIVER WILSON MILLARD COOPER
<b>Reading Clerks</b> LOUISE STAATS CLAUDIA JENKINS PARIS KIRBY	<b>Stenographer</b> PATRICIA FITZPATRICK
<b>Chaplain</b> ROBERT VAN CLEAF	<b>Typist</b> BEATRICE V. HUBBARD
<b>Attorneys</b> SAMUEL R. RUSSELL ROBERT H. WAHL	<b>Attorneys' Secretaries</b> GRACE KEARNEY LULU E. KEMPSTON
<b>Attorneys' Messengers</b> BERNARD P. YEATMAN MONICA BROWN	<b>Bill Clerk</b> CLARENCE REIHM
<b>Telephone Messengers</b> THOMAS GRAY JOSEPH B. JACKSON FRANK WEBB	<b>Assistant Bill Clerk</b> CLARA CONLEY
<b>Cloak Room Attendants</b> OLLIE H. MURRAY LESTER MELVIN GEORGE HUDSON	
<b>Supply Clerk</b> ANNA FOX	
<b>Assistant Supply Clerk</b> WILLIAM D. WILKINS	

## NEW CASTLE COUNTY—WILMINGTON

### District

1	EUGENE LAMMOT	802 W. 20th St., Wilmington, Del.
2	JOHN E. REILLY, SR.	436 South Heald St., Wilmington, Del.

## RURAL NEW CASTLE COUNTY

3	ELWOOD F. MELSON, JR.	Claymont, Del.
4	WILMER F. WILLIAMS	Roselle, Del.
5	CALVIN R. McCULLOUGH	Roselle, Del.
6	JOHN R. BUTLER	Middletown, Del.
7	CLIFFORD PRYOR	Blackbird, Del.

## KENT COUNTY

1	WILLIAM H. BEHEN	Dover, Del.
2	CHARLES G. MOORE	Hartly, Del.
3	S. W. HARRISON	Wyoming, Del.
4	JEHU F. CAMPER	Harrington, Del.
5	WILLIAM C. PARADEE	Magnolia, Del.

## SUSSEX COUNTY

1	WALTER J. HOEY	Milford, Del.
2	WILLIAM O. COVEY, JR.	Seaford, Del.
3	CURTIS W. STEEN	Dagsboro, Del.
4	ROBERT R. WILGUS	Frankford, Del.
5	THOMAS L. JOHNSON	Rehoboth Beach, Del.

# 118TH GENERAL ASSEMBLY

## 1ST LEGISLATIVE DAY

DOVER, DELAWARE

JANUARY 4, 1955

Pursuant to Section 4, Article 2 of the Constitution of the State of Delaware the Senate convened in the 118th regular biennial session Tuesday, January 4, 1955 at 11:00 o'clock A. M. Lieutenant-Governor John Rollins presiding.

Prayer by the Rev. Robert E. VanCleaf, pastor of the Asbury Methodist Church, Harrington, Delaware: Oh gracious and merciful Heavenly Father, we are indeed grateful to Thee for the blessings which Thou hast showered upon us a nation and as a state. Continue Thou to watch over us and bless us, we pray. Be Thou mindful of our needs as a people and meet our needs according to Thy wisdom and mercy.

Look with favor, we beseech Thee, upon these persons who gather here as elected agents of the people. May Thy will be reflected in all that is done by this assembly. We pray in Thy Holy Name. Amen.

On motion of Mr. Moore, Jehu Camper was appointed Temporary Secretary of the Senate.

On motion by Mr. Moore, the Temporary Secretary called the roll of the holdover members of the Senate.

The following Senators answered present on roll call: Messrs. Butler, Camper, Covey, Moore, Reilly, Wilgus and Williams—7.

Mr. Moore introduced the following resolution, which on further motion by him was adopted: **SR 1**—"In Reference to Senate Rules."

**BE IT RESOLVED**, by the Senate, that the Rules of the Senate, together with the Rules governing Executive Sessions adopted by the regular session of the 117th General Assembly, as amended, be and they are hereby adopted as the temporary Rules for governing this Session of the Senate.

Mr. Moore presented the following resolution, which on further motion by him was adopted: **SR 2**—"Informing the Judges That the Senate is Ready to Receive the Certificates of Election of the Senators-Elect."

**BE IT RESOLVED**, by the Senate, that a Committee of two be appointed by the Presiding Officer to inform the Judges that the Senate is ready to receive the Certificates of Election of the Senators-Elect.

Pursuant to **SR 2** the said certificates were presented and the Chair appointed Messrs. Covey and Reilly to the Committee. The Committee retired and upon its return to the Senate reported that all certificates were in proper order.

THE STATE OF DELAWARE  
NEW CASTLE COUNTY, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and fifty-four, for New Castle County, according to the Constitution and Laws of the State of Delaware, EUGENE LAMMOT was duly elected Senator for Senatorial District Number One in said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each persons voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Charles S. Richards and Caleb R. Layton, 3rd, Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this 5th day of November, A. D. 1954.

CHARLES S. RICHARDS

(Seal)

President Judge

CALEB R. LAYTON, 3rd

Resident Associate Judge

THE STATE OF DELAWARE  
NEW CASTLE COUNTY, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and fifty-four, for New Castle County, according to the Constitution and Laws of the State of Delaware, ELWOOD FRANK MELSON, JR., was duly elected Senator for Senatorial District Number Three in said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Charles S. Richards and Caleb R. Layton, 3rd, Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this 5th day of November, A. D. 1954.

CHARLES S. RICHARDS

(Seal)

President Judge

CALEB R. LAYTON, 3rd

Resident Associate Judge

THE STATE OF DELAWARE  
NEW CASTLE COUNTY, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and fifty-four, for New Castle County, according to the Constitution and Laws of the State of Delaware, CALVIN R. McCULLOUGH was duly elected Senator for Senatorial District Number Five in said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Charles S. Richards and Caleb R. Layton, 3rd, Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this 5th day of November, A. D. 1954.

CHARLES S. RICHARDS

(Seal)

President Judge

CALEB R. LAYTON, 3rd

Resident Associate Judge

THE STATE OF DELAWARE  
NEW CASTLE COUNTY, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and fifty-four, for New Castle County, according to the Constitution and Laws of the State of Delaware, CLIFFORD PRYOR was duly elected Senator for Senatorial District Number Seven in said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Charles S. Richards and Caleb R. Layton, 3rd, Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this 5th day of November, A. D. 1954.

CHARLES S. RICHARDS

(Seal)

President Judge

CALEB R. LAYTON, 3rd

Resident Associate Judge

THE STATE OF DELAWARE

KENT COUNTY, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next, after the first Monday in November, in the year of our Lord one thousand nine hundred and fifty-four, for Kent County, according to the Constitution and Laws of the State of Delaware, WILLIAM B. BEHEN was duly elected Senator for the First Senatorial District for said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Collins J. Seitz and Charles L. Terry, Jr., constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 4th day of November, A. D. 1954.

COLLINS J. SEITZ

(Seal)

Chancellor

CHARLES L. TERRY, JR.

Resident Associate Judge

THE STATE OF DELAWARE

KENT COUNTY, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next, after the first Monday in November, in the year of our Lord one thousand nine hundred and fifty-four, for Kent County, according to the Constitution and Laws of the State of Delaware, S. W. HARRISON was duly elected Senator for the Third Senatorial District for said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Collins J. Seitz and Charles L. Terry, Jr., constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 4th day of November, A. D. 1954.

COLLINS J. SEITZ

(Seal)

Chancellor

CHARLES L. TERRY, JR.

Resident Associate Judge

THE STATE OF DELAWARE  
KENT COUNTY, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next, after the first Monday in November, in the year of our Lord one thousand nine hundred and fifty-four, for Kent County, according to the Constitution and Laws of the State of Delaware, WILLIAM C. PARADEE was duly elected Senator for the Fifth Senatorial District for said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Collins J. Seitz and Charles L. Terry, Jr., constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 4th day of November, A. D. 1954.

COLLINS J. SEITZ

(Seal)

Chancellor

CHARLES L. TERRY, JR.

Resident Associate Judge

THE STATE OF DELAWARE  
SUSSEX COUNTY, ss.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord one thousand nine hundred and fifty-four, for Sussex County, according to the Constitution and Laws of the State of Delaware, WALTER J. HOEY was duly elected Senator for Senatorial District Number One in said County in General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the county, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Daniel L. Herrmann and James B. Carey, Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said county, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said county on this fourth day of November, A. D. 1954.

DANIEL L. HERRMANN

(Seal)

Associate Judge

JAMES B. CAREY

Resident Associate Judge

**THE STATE OF DELAWARE**  
**SUSSEX COUNTY, ss.**

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord one thousand nine hundred and fifty-four, for Sussex County, according to the Constitution and Laws of the State of Delaware, CURTIS W. STEEN was duly elected Senator for Senatorial District Number Three in said County in General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the county, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Daniel L. Herrmann and James B. Carey, Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said county, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said county on this fourth day of November, A. D. 1954.

DANIEL L. HERRMANN

(Seal)

Associate Judge

JAMES B. CAREY

Resident Associate Judge

**THE STATE OF DELAWARE**  
**SUSSEX COUNTY, ss.**

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord one thousand nine hundred and fifty-four, for Sussex County, according to the Constitution and Laws of the State of Delaware, THOMAS L. JOHNSON was duly elected Senator for Senatorial District Number Five in said County in General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the county, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Daniel L. Herrmann and James B. Carey, Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said county, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said county on this fourth day of November, A. D. 1954.

DANIEL L. HERRMANN

(Seal)

Associate Judge

JAMES B. CAREY

Resident Associate Judge



Lieutenant-Governor Rollin administered the following oath of office to Eugene Lammott, Elwood F. Melson, Jr., Calvin R. McCullough, Clifford Pryor, William B. Behen, S. W. Harrison, William C. Paradee, Walter J. Hoey, Curtis W. Steen, Thomas L. Johnson.

### ILLUSTRATION OF OATH OF SENATOR

Kent County, The State of Delaware, ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of State Senator in the General Assembly of the State of Delaware from Senatorial District No. One in Kent County (to which office I was elected at the General Election held in said State in the year A. D. 1954), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

WM. B. BEHEN

Sworn to this 4th day of January A. D. 1955, before me.

JOHN W. ROLLINS

President of the Senate

Mr. Moore requested a roll call. The following Senators answered: Messrs. Lammot, Reilly, Melson, Williams, McCullough, Butler, Pryor, Behen, Moore, Harrison, Camper, Paradee, Hoey, Covey, Steen, Wilgus and Johnson—17.

Mr. Lammot nominated Senator Charles G. Moore for the office of President Pro Tempore of the Senate.

The Chair asked for further nominations. There being none, on motion of Mr. Hoey, the nominations were closed.

There being but one nominee for the office, the Presiding Officer directed the Secretary to cast the unanimous vote of the Senate for Charles G. Moore for the office of President Pro Tempore of the Senate, vote cast and recorded as directed.

On motion of Mr. Lammot, the Senate adjourned until 1:00 o'clock P. M.

Senate called in Session at 1:45 P. M. with all members present.

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 3**—"In Reference to Election of Officers."

**BE IT RESOLVED** by the Senate of the 118th General Assembly of the State of Delaware that the following named persons be and they hereby are elected to the respective offices appearing opposite their names, to serve during the pleasure of the Senate:

Secretary of the Senate—Wilson E. Campbell

Attorneys—Robert H. Wahl and Samuel R. Russell  
 Secretary of Committees—E. Hobson Davis  
 Chaplain—Robert VanCleaf  
 Reading Clerks—Louise Staats and Claudia Jenkins  
 Telephone Messenger—Frank Webb  
 Sgts.-at-Arms—Matthew Donahue and Reynolds Gooden  
 Secretary to President Pro Tem—Catherine Palmer  
 President Pro Tem Charles G. Moore administered the  
 oath of office to the persons named in **SR 3**, whereupon Wilson  
 E. Campbell assumed the duties of Permanent Secretary and  
 Jehu Camper retired as Temporary Secretary.

### **ILLUSTRATION OF EMPLOYEES' OATH**

The State of Delaware, County of Kent, ss.

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

WILSON E. CAMPBELL

Sworn and subscribed to this 4th day of January, A. D. 1955.

CHARLES G. MOORE

President Pro Tem of the Senate

Senate recessed by order of the Chair.

Senate met at expiration of recess at 2:00 P. M.

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 4**—"In Reference to Election of Officers."

**BE IT RESOLVED** by the Senate of the 118th General Assembly of the State of Delaware that the following named persons be and they hereby are elected to the respective offices appearing opposite their names, to serve during the pleasure of the Senate:

Sergeants-at-Arms—William Poore, C. Rodney Comegys and Albert L. McCullough

Supply Clerk—Clarence Reilm

Assistant Bill Clerk—Clara Conley

Mail Clerk—John Bellere

Assistant Mail Clerk—John Holloway

Pages—James Simpson, Ellwood Roy, Lewis McNatt, Harry G. McCallister

Typist—Mrs. Beatrice Hubbard

Telephone Messengers—Thomas Gray and Joseph B. Jackson.

Attorneys Messengers—Mrs. Monica Brown, Bernard P. Yeatman

Attorney's Secretary—Mrs. Grace Kearney

Secretary to Majority Leader—May B. Reese

Multilith Operators—Edwin Hutchinson and George Levi Everett

Document Clerk—Mrs. W. McBride  
 Stenographer—Patricia Fitzpatrick  
 Reading Clerk—Paris Kirby  
 Cloak Room Attendant—Ollie H. Murray

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 5**—"Authorizing the State Librarian to Furnish the Secretary of the Senate With Postage Stamps."

**BE IT RESOLVED**, by the Senate of the 118th General Assembly that the State Librarian be and he hereby is authorized and directed to furnish to the Secretary of the Senate postage stamps in an amount up to and including Twenty-five Dollars (\$25.00).

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 6**—"Appropriation for Postage Stamps for the Senate of the 118th General Assembly."

**BE IT RESOLVED** by the Senate of the 118th General Assembly of the State of Delaware, that the sum of Five Hundred Dollars (\$500.00) be and the same is hereby appropriated out of the General Fund in the Treasury of the State of Delaware for the purchase of postage stamps to be used for the official business of the Senate of the 118th General Assembly.

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

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 7**—"Authorization for the State Librarian to Furnish Stationery and Other Supplies to the Lieutenant Governor, Members of the Senate and Certain Other Officers Thereof."

**BE IT RESOLVED** by the Senate of the 118th General Assembly that the State Librarian be and she hereby is authorized and directed to furnish to the Lieutenant-Governor and the Members of the Senate stationery and other supplies, the cost of which shall not exceed the sum of \$25.00 for each.

**BE IT FURTHER RESOLVED** that the State Librarian be and she hereby is authorized and directed to furnish to the attorneys for the Senate, the secretary to the President, the secretary to the President Pro Tem, the assistant secretary of the Senate, the reading clerks, the bill clerks and the document clerks of the present session; stationery and other supplies the cost of which shall not exceed the sum of \$25.00 for each.

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 8**—"Appointing a Committee to Notify the Governor That the Senate is Organized."

BE IT RESOLVED, by the Senate of the 118th General Assembly of the State of Delaware, that the President Pro Tempore of the Senate appoint a committee of two (2) members on the part of the Senate to notify the Governor of the State of Delaware, of the convening of the Senate of the 118th General Assembly, and to inform him that the Senate is ready to receive any communication that he may desire to present, or to receive any message that he may choose to deliver at such time as he may designate.

The President of the Senate in pursuance to **SR 8** appointed Messrs. Johnson and Moore to the Committee.

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 9**—"Notifying the House that the Senate is Organized and Ready for Business."

BE IT RESOLVED, by the Senate of the 118th General Assembly of the State of Delaware, that the temporary Secretary of said Senate notify the House that the Senate is organized and ready to receive business.

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 10**—"Authorizing the Secretary to Obtain Supplies."

BE IT RESOLVED, by the Senate of the 118th General Assembly that the Secretary of the Senate be and he hereby is authorized and directed to procure from the State Librarian all necessary books, forms, seals, blanks, and other stationery as may be required for the proper conducting of the business of the Senate.

Mr. Lammot introduced the following concurrent resolution, which on further motion by him was adopted and sent to the House for concurrence: **SCR 1**—"Authorizing the Adjournment of the Senate and the House of Representatives of the 118th General Assembly Until Monday, January 10, 1955, at 1:00 P. M."

BE IT RESOLVED by the Senate of the 118th General Assembly of the State of Delaware, the House of Representatives concurring therein as follows:

1. That the Senate and House of Representatives adjourn at the close of business on Tuesday, January 4, 1955, until Monday, January 10, 1955 at 1:00 P. M.

The Chief Clerk of the House informed the Senate that the House had concurred in **SCR 1**.

Messrs. Johnson and Moore informed the Senate that the Governor would address a Joint Session of the House and Senate on Tuesday, January 11, at 2:00 o'clock P. M.

The President Pro Tem announced the Senate Committee on Printing and Supplies: Chairman, Mr. Camper; Messrs. Pryor, Hoey, Johnson and Covey.

The Senate adjourned pursuant to **SCR 1**.

## 2ND LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:00 o'clock P. M., Monday, January 10, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Camper, Covey, Johnson, Lammit, McCullough, Melson, Paradee, Pryor, Reilly, Wilgus, Mr. President Pro Tem—13.

Members absent—Messrs. Harrison, Hoey, 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. Williams, Steen and Hoey asked to be marked present.

Mr. Harrison asked to be marked present.

On motion of Mr. Lammot the Senate recessed to call of Chair.

Senate met at expiration of recess at 4:50 o'clock P. M.

The House Committee, upon being admitted to the Senate, announced the House was organized and ready for business.

Mr. Lammot introduced the following concurrent resolution, which on further motion by him was adopted and sent to the House for concurrence: **SCR 2**—"In Reference to a Joint Session to Hear the Message of the Governor."

**BE IT RESOLVED** by the Senate of the 118th General Assembly of the State of Delaware, the House of Representatives concurring therein, that the two Houses of the General Assembly meet in Joint Session in the Senate Chamber at twelve o'clock on the 11th day of January, A. D. 1955, or as soon thereafter as is convenient, for the purpose of receiving from the Governor of the State of Delaware, any communication that he may present or any message that he may choose to deliver.

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 11**—"In Reference to Supply of Delaware Code to Members of the Senate and Certain Officers Thereof."

**BE IT RESOLVED** by the Senate of the 118th General Assembly of the State of Delaware that the State Librarian be and she is hereby instructed to furnish to the President of the Senate, to each member of the Senate, to the Secretary of the Senate, and to the Attorneys of the Senate respectively:

One copy of the Delaware Code Annotated including the 1954 Cumulative Pocket Part.

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 12**—"In Reference to the Printing Needs of the Senate."

**BE IT RESOLVED** by the Senate of the 118th General Assembly of the State of Delaware, that the following bids, received by the Senate Committee on Printing, after public advertisement, be accepted for the respective classes of printed matter, and the work covered by each of said classes of printed matter be awarded to said bidders as the lowest responsible bidders therefor, upon entering into the undertakings and upon strict compliance with the terms and conditions of the specifications upon which said bids were submitted, and upon strict compliance with the law providing for the printing needs of the General Assembly as found in Chapter 11, Title 29 of the Delaware Code:

Item A. Calendar—Milford Chronicle Publ. Co.

Bid—300 copies .....	\$3.60 per page
400 copies .....	4.32 per page
500 copies .....	5.02 per page

Item B. Bill Backers—The Sussex Countain, Inc.

Bid .....	\$127.00
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Item C. Senate Rule Books—The State Register

Bid .....	\$398.50
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Item D. Roll Call Books—The Harrington Journal

Bid .....	\$50.00
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**BE IT FURTHER RESOLVED**, That all work by the successful bidder for each of the above classes of printed matter shall be in strict compliance with the specifications furnished to the bidders and upon which bids were submitted and that all deliveries of printed matter be accompanied by a detailed invoice covering same.

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 13**—"In Reference to Election of Officers."

**BE IT RESOLVED** by the Senate of the 118th General Assembly of the State of Delaware that the following named persons be and they hereby are elected to the respective offices appearing opposite their names, to serve during the pleasure of the Senate:

Assistant Secretary—Clara L. Coulter

Assistant Supply Clerk—William D. Wilkins

Attorney's Secretary—Lua E. Kempston

Secretary to President of the Senate—Jeanne Morris

Messenger—Arthur Pennewill.

Lieutenant-Governor John W. Rollins administered the oath to the persons named in the above resolution.

Senate recessed to call of Chair.

Senate met at expiration of recess at 5:37 o'clock P. M.

Chief Clerk of the House announced the concurrence by the House of **SCR 2**.

On motion of Mr. Lammot the Senate adjourned until Tuesday, January 11, at 11:00 o'clock A. M.

### 3RD LEGISLATIVE DAY

Senate met pursuant to adjournment at 11:00 o'clock A. M. on Tuesday, January 11, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, Melson, Paradee, Pryor, Reilly, Mr. President Pro Tem—12.

Members absent—Messrs. Covey, McCullough, Steen, Wilgus, 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. Covey, McCullough, Wilgus, Williams and Steen asked to be marked present.

On motion of Mr. Lammot, the Senate recessed to call of Chair at 11:45 A. M.

The Senate convened at 11:45 A. M.

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

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

### JOINT SESSION

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

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

Mr. Reilly moved that Senate Rule 36 be suspended during the Joint Session. Motion prevailed.

Mr. Lammot moved that the Chair appoint a Joint Committee to notify the Governor that a Joint Session is organized and to escort the Governor to the Senate. Motion prevailed.

The Chair appointed Messrs. Macklin, Maclary, Johnson and Lammot to the Joint Committee.

The Sergeant-at-Arms announced the presence of His Excellency, The Hon. James Caleb Boggs, Governor of the State of Delaware.

The Joint Committee escorted the Governor to the Senate Rostrum, where he delivered the following message:

### GOVERNOR'S MESSAGE

Message of The Honorable J. Caleb Boggs, Governor of Delaware, to the One Hundred and Eighteenth General Assembly of the State of Delaware convening in Regular Session at Dover, January 11, 1955.

Mr. President, Mr. Speaker, Members of the One Hundred and Eighteenth General Assembly of the State of Delaware:

Thank you for the privilege of meeting with you today in joint session.

I assure you of my fullest cooperation during the present legislative session with respect to the formulation and enactment of legislation in the best interests of good government and the people of Delaware.

### REPORT PROGRESS

In general, the state of affairs in Delaware is good. There has been continuing and extensive growth, development, and progress during the past two years.

Through public and private efforts much has been done to promote and encourage industrial and agricultural pursuits, as well as employment opportunities. The future in these important areas is bright.

In all fields of public health substantial improvement has been made as the result of intelligent utilization of additional funds which were made available for health services.

Education, likewise, has moved forward in our never-ending effort to fulfill educational requirements adequately and to maintain highest standards.

Welfare programs, highway programs, and our natural resources programs reflect improvements and progress in the face of ever-pressing demands.

Much has been accomplished in strengthening the financial soundness of the state. This is of fundamental importance because all progress in the rendering of public services is ultimately dependent on fiscal ability to do so. I urge that there be a constant awareness of that fact.

### MUCH TO BE ACCOMPLISHED

Although much has been achieved, there is yet much to be accomplished.

Our state government, because of unprecedented population and industrial growth, has and will continue to have many problems. Satisfactory solutions to them must be found within the scope of our ability and resources. Various studies, to which I will refer, show that the ability and resources of Delaware and its people are extensive.

### FISCAL AFFAIRS

I am submitting to the General Assembly the Budget Report, the Budget Appropriations Bill, the Contingency Fund Bill, and various other usual supplementary appropriation bills.

In spite of what you may have heard or read recently, these provide for appropriation increases approximating 10-1/4 million dollars for the next biennium over the present biennium



or increases of more than 12 per cent. The recommended appropriations for the next biennium total about 89-1/2 million dollars as compared with about 79-1/4 million dollars for the present biennium.

In preparing the budget being submitted, the Budget Commission and I have been cognizant of the following provisions of the Delaware Code of 1953 to which your attention is also respectfully directed. The Code provides that "The total budget appropriation items may not be increased in the aggregate to a point where they would exceed the state revenue from all sources as estimated in the budget." And furthermore it states that "No supplementary appropriation bill shall be passed, if when added to the appropriations already authorized, the aggregate appropriations exceed in amount the state revenues from all sources for the ensuing biennial period as set forth in the budget".

Therefore, the budget I have submitted is within the total anticipated revenue available for the next biennium. This is estimated as being approximately 83-1/2 million dollars in anticipated revenue, a cash balance of about 4 million dollars and based on previous experience about 2 million dollars in reversions.

This, as you will note, is a tight budget. However, I point out again, it does provide for substantially increased appropriations for the next biennium. For the most part, these increases are mandatory under existing laws, principally for education, retirement pensions including social security and debt service. Otherwise, the level for the present biennium has been almost uniformly maintained.

The budget submitted does also contain, to the extent of about 1-1/2 million dollars, provision for anticipated extended services and increases in teachers' salaries, which will be presented for your consideration.

With this tight squeeze between anticipated expenditures and estimated revenue, it is obvious that little remains available for a working cash balance. In fact the cash balance at times may well be so low as to make necessary, again, short-term borrowing by the state to meet current obligations.

I must also call to your attention the fact that capital improvements are necessary for new educational and institutional facilities, as well as for highways and state agency office buildings.

With the state's bonded indebtedness already at a record 84 million dollars, and with 7 million dollars presently authorized but unissued, a further increase in our bonded debt is cause for concern and careful long-range fiscal planning. I must call to your attention the fact that every increase in our bonded debt automatically increases the biennial appropriations until such debt is liquidated. Already the estimate

for the next biennium is 13-1/2 million dollars—or about 15 per cent of total expenditures.

It is fully recognized that these recommended appropriation items, capital improvement requests and revenue potentials are subject to the legislature's will and wisdom. That is why I have also submitted to you an excellent, unbiased, professional fiscal study, prepared by a widely recognized management consultant firm. It is my hope that this study and its recommendations will provide for your consideration the basis upon which Delaware's growing needs may be met while the state continues to develop a sound fiscal program.

From the beginning of this administration, I recognized that our state was in a serious fiscal plight with a high bonded indebtedness and expenditures exceeding revenues. That is why my primary efforts at the last session of the General Assembly were directed toward improving that situation and re-establishing a sound basis upon which needed state services and capital improvements might be supported.

This effort, however, must be a continuous one if in these times of great growth and development, with heavy demands upon the state, we are to meet our necessary requisements soundly and without undue burden on the taxpayer.

You will see from many of my recommendations which follow, that every possible consideration has been given to finding ways and means of relieving the tax burden and at the same time meeting increased demands for needed services to the public.

### FISCAL ADMINISTRATION

Real and substantial economies are to be obtained from improved administration of fiscal affairs. This can be brought about through better controls, greater availability of current information, modern accounting methods, and well-trained fiscal personnel. I have already submitted to the members of the General Assembly a survey report on this subject prepared by Public Administration Service of Chicago. I asked that the study be made in the hope it would be useful to the General Assembly in its consideration of appropriate action to effect economies and greater efficiency in the operation of our state government. As a result of this study, recommendations will be submitted for your further consideration embodying the suggestion that there be established a new Department of Administration and/or Finance.

### PURCHASING SYSTEM

On another effort to ascertain the opportunities for real and substantial economies and at the same time to effect savings for the taxpayer, I also requested the same consultant service to study the feasibility and desirability of establishing in Delaware a centralized purchasing system. The same subject was also studied by a well-qualified citizen's committee.

Both bodies concluded that centralized purchasing is now generally accepted as one of the earmarks of a modern, economical and efficient administration, and that the scope and volume of purchasing by the State of Delaware are such as to make centralized purchasing practical and, thereby, to render improved service with substantial dollar savings. The report of the citizen's committee states that centralized purchasing in Delaware will provide lower unit cost of commodities, reduction in the overhead cost of buying, standardization of specifications and savings in discounts through prompt payment of invoices.

In view of the conclusion reached by both groups, I shall submit for your consideration recommendations for the establishment of a central purchasing system in Delaware.

### CIVIL SERVICE

Another of the major areas for economy and improved efficiency in our state government is in personnel administration. The absence of any merit system or job classification for state employees in the various agencies results not only in less efficient operation, but also in salary inequities and high turnover of personnel. Operation of our state government on such a basis is not in the best interest of the taxpayers.

I therefore recommend, as I have done before, that civil service legislation for state employees be enacted, excluding therefrom those who hold policy-making positions. A specific recommendation for the creation of a civil service system will be presented for your consideration.

### DELAWARE MEMORIAL BRIDGE

I concur with the recommendation made to me by the State Highway Department that legislation be enacted which would permit the construction of an enlarged approach system to the Delaware Memorial Bridge from income derived from the bridge tolls.

I am informed by that department that the bridge has such a high rate of income that its bonded indebtedness will be liquidated many years ahead of schedule and probably by 1960. Under the terms of existing legislation, as you know, this bridge must be free of tolls when its bonds are retired or at the end of thirty (30) years after its completion, whichever occurs first. Thereafter, the entire cost of maintenance and operation of the bridge will fall upon the taxpayers of Delaware.

On the other hand, we know that the existence of the bridge has caused and will continue to create the need for new highways serving for many miles as approaches to the bridge.

In view of these circumstances, I consider it urgent that the General Assembly give fullest consideration to legislation rectifying this problem and simultaneously enabling the state

to construct sorely needed approach highways without adding a heavy additional burden upon our taxpayers. I recommend the enactment of legislation which will clear the way for the solution of this problem.

Also, I call to your attention that legal obstacles have prevented the accomplishment of an appropriate memorial to those who gave their lives during World War II. I most urgently reiommend that this bridge legislation provide appropriately for this long-awaited memorial.

### COMMUNICATIONS DIVISION

Following an extensive study of the subject, a well-qualified citizen's committee, comprised in part of public officials from various departments, has recommended the establishment of a central communications division. Such a division would be responsible for the supervision and maintenance of all of the state's radio communications equipment and facilities. The committee and its technical advisers state that such a communications division would vastly improve the effectiveness of those charged with maintaining law and order, effect long-range economies and would also be of inestimable value to the many volunteer fire companies throughout Delaware.

After a careful review of the report submitted to me in this matter, I concur with the conclusions reached by the committee and plan to submit to you for your consideration, legislation providing for the establishment of a central communications division in the State Highway Department.

### PENSIONS

As I recommended, the 117th General Assembly adopted legislation under which Delaware became one of the first states in the Union to provide for its employees, in its pension system, the retirement and survivors' benefits of the federal social security system. This has had the dual advantage of permitting the state to increase greatly the liberality of pensions to employees while at the same time reducing very substantially he long-range costs to the taxpayers of the state.

The 117th General Assembly also provided for the first comprehensive study of all state pension plans by a State Employees' Pension Study Commission. Its report, just published, points out that by accepting social security coverage the state is relieved of considerable of the financial responsibility for past services of persons currently employed, regardless of prior service. It states that within a very few years 75 per cent of the gross pension amounts due will be paid as social security.

The commission report contains many well-considered recommendations for further improvement of our pension system. I commend it to yos for careful study and such action as you may deem appropriate.

## WATER RESOURCES

Much concern is being expressed about the fresh water supply in Delaware. Various organizations have been considering the seriousness of this problem to industry, agriculture, and the citizens of our state. At the request of some organizations and various citizens, I recently appointed a committee to review this entire problem. I hope this committee will be in a position to submit recommendations during this session as to what, if any, legislative action should be taken concerning the use and conservation of our water resources.

## WEIGHTS AND MEASURES

Here again I have asked a citizen's committee, composed primarily of public officials within the different agencies, to review the problem of weights and measures and make recommendations. As you know, our present system was not designed to meet the problems which exist today. The recommendations of this committee will be presented to you for your consideration and such action as you may deem in the best interest of the state.

## STATE PENAL SYSTEM

I am sure that all of you have read of the work of the citizen's committee which I appointed sometime ago to review and study carefully the present penal system and existing prison facilities. This committee also has accomplished an outstanding job. Its report and recommendations are available to you, and I recommend your most careful consideration of legislative action looking toward the establishment of a State Penal System.

## HUMAN RELATIONS COMMISSION

Sometime ago I appointed a committee to study human relations problems in the State of Delaware from the standpoint of what the state can do to encourage understanding among all of our people. This committee has recommended legislation for the establishment of a State Human Relations Commission on a permanent basis. I hope that you will give this recommendation your full consideration.

## EDUCATION

I have previously commented on the fact that Delaware is growing industrially with a resultant sharp increase in population. The state also is improving the general welfare of the ever-large number of people who have decided to make Delaware their home.

The brunt of the effect of our great growth and influx of population is being felt acutely in the field of education.

Reports indicate that enrollment at all levels of education will continue to increase for years to come. Therefore, within

the limitations which confront us, action should be taken with a view toward long-range planning, rather than in terms of expediencies which will complicate the problem and thereby create additional difficulties in the years to come.

Education is indeed one of the greatest responsibilities of our state. Not only must we maintain highest standards and provide adequate facilities in the well-established educational fields, but we must also make provision for special educational and training opportunities and facilities for handicapped children.

Among the several bills which will be presented for your consideration in the field of public education, will be one providing for an increase in the salaries of public school teachers. In my budget recommendations I have made provision for an increase in teachers' salaries.

I further recommend that for retirement purposes recognition be given to our teachers for accredited professional services rendered elsewhere. I also recommend favorable consideration of fair dismissal legislation.

In the interest of high educational standards accompanied by economical and efficient administration in the public school system, I also recommend that all reasonable steps be taken toward the consolidation of many of our school districts.

With respect to higher education, studies and reports made by persons competent to do so reflect a sharp and continuing increase in college enrollments in Delaware and elsewhere. It is our responsibility to meet this challenge and to provide adequately for the facilities necessary in the area of higher education. In order to do so, it is clearly apparent that capital funds are urgently needed for the construction of new buildings at the University of Delaware, and I therefore recommend legislation to make such construction possible at an early date.

In regard to Delaware State College, I find that I concur in principle with the conclusions reached by the college's Board of Trustees and submitted to me. The Board concludes that with enrollments increasing constantly in all areas of education, it would be unwise to discontinue any educational facilities. The report I received further reflects that Delaware State College has received only limited financial support with respect to capital improvements.

In view of these circumstances and others which merit equally careful consideration, I recommend adequate operating appropriations for Delaware State College and consider it necessary that funds for the construction of new facilities at the institution be made available by this session of the General Assembly, so as to provide the college with an unhampered opportunity to meet in the years ahead a high standard of education for all those who desire to attend Delaware State College.

## HEALTH, WELFARE AND INSTITUTIONAL CARE

Good health is a matter of topmost importance to all our people. Continuation of efforts to further the enjoyment of good health, speed rehabilitation, and aid the less fortunate will, I am confident, receive your most understanding consideration.

I wish also to make special mention of mental health. Through medical science and a greater awareness of the problem by the general public, real progress is being made in the care, treatment and rehabilitation of those suffering from mental illnesses. Specific mention should be given to our state mental health authority, Dr. M. A. Tarumianz, who has served the State of Delaware for over a third of a century with great ability as an administrator and with national distinction as a psychiatrist. Under his leadership, Delaware has acquired an outstanding reputation in the mental health field. To the best of our ability we should continue to provide the support which will enable Delaware to improve its program and facilities for the prevention and treatment of mental illnesses.

I commend the State Board of Health for its excellent progress in all fields and especially for its outstanding statewide tuberculosis x-ray program. This represents a great step forward toward the eventual eradication of this dreadful disease. Careful and continuous attention to our public health program is essential and desirable.

Aid to the less fortunate is, as I have said, one of our important objectives. The State Department of Public Welfare is generally charged with this responsibility. There are several suggestions which will aid that department in the administration of its welfare program and likewise benefit the State of Delaware and the taxpayers.

These proposals, which I recommend for your consideration, include improvement in the method of collection and disbursement of public welfare funds; authority for reciprocal agreements with other states in certain welfare cases; the establishment of a clear-cut residence requirement applicable to all types of cases; and the establishment of a reimbursement requirement, frequently called a lien law, for application in proper cases.

At Delaware Colony the Board has wisely selected a competent physician-psychiatrist as superintendent. It has also completed a careful study of administration and personnel problems. These steps were essential to the establishment of a sound and proper administration of the institution. I am informed that the minimum immediate requirements at the Delaware Colony are for capital improvements in the form of new facilities and delayed maintenance, especially for the care of infants. I recommend to you for favorable consideration the needs of this institution in order that it may fulfill its mission adequately.

In spite of inadequate facilities, the Welfare Home at Smyrna for the care of the aging has fulfilled its public mission very capably under its Board and very able superintendent, Dr. C. J. Prickett. The minimum need at the Welfare Home is for additional space to accommodate the ever-increasing institutional population. This has also been pointed out by the Grand Jury report of New Castle County. I recommend your favorable consideration of this need.

### HIGHWAYS

We have long been proud of Delaware's leadership in highways. I am confident we desire to make further needed progress and develop a good modern highway system to include interstate, metropolitan and rural routes. Good highways in the country, in the cities, and between our states are essential to the economic well-being of our people.

In addition to the Memorial Bridge legislation, which I have discussed, a long-range highway improvement program is necessary to meet the needs of the public in this continued period of growth and development. I have therefore requested the State Highway Department to prepare a comprehensive study of highway needs which will be available for your consideration and guidance.

I have no doubt that we can move forward at even a greater rate in meeting our highway improvement needs throughout the State of Delaware. It is my hope that within the course of the next ten years or so all of our dirt roads will be hard-surfaced and, with increased federal aid, the interstate system greatly improved. Our city and suburban areas should likewise derive benefits from such an overall, long-range highway program as is contemplated.

I recommend your most favorable consideration of a good highway program, including increased efforts for highway safety.

I especially recommend the enactment of a Constitutional amendment requiring that all revenues derived from axes and fees paid by highway users be made available for highway purposes only.

### LABOR

It is my desire that we continue to strive for full employment of all employables. The State Department of Development and the Industrial Development Committee, which I appointed last year, have given real impetus to a program for increased employment opportunities. The greatest inducement for full employment and prosperity comes from the mutual cooperation of industry, labor and government in creating the type of atmosphere so necessary for a healthy economy. I have before recommended that a State Department of Labor be established—and I now do so again.



In the course of the past year unemployment compensation payments in excess of 3-1/2 million dollars were a major bulwark in supplying support to the economy of our state. At my request, the Unemployment Compensation Commission has conducted studies to determine where needed improvements may be made to our Unemployment Compensation Law.

As a result, I recommend that the weekly benefit amount be raised so that it may approximate 50 per cent of the weekly wage of the average worker. This would make the maximum weekly benefit amount approximately 35 dollars. However, it is important that the weekly benefit amount retain at 1/25th of highest quarterly earnings in order that it may in effect approximate 50 per cent of the weekly wage. It would be a serious mistake to raise the fraction to such a point that the weekly benefit amount would be so high as to deter actual employment. This same problem was before me at the last session of the General Assembly and because of unwise changes in this fractional point I was unable to approve the measure submitted to me.

I further recommend that the tax base on which unemployment compensation taxes are levied should be raised from the first 3 thousand dollars paid to a worker in a given year to 36 hundred dollars. This is necessary if the basic formula, now in effect, is to accomplish the end of permitting a worker to receive the increased weekly benefit amount.

I also recommend that because of the increase in tax base, and as a further incentive to employers to maintain a stable work force, the present minimum payroll tax be reduced from 0.2 per cent to 0.1 per cent and that the schedule of rates now maintained from 0.2 per cent to 3.0 per cent in 0.2 per cent brackets be changed to 0.1 per cent brackets. For most stable employers in Delaware his change will result in a reduction in taxes greater than the increase resulting from a change in tax base.

## NATURAL RESOURCES

Agriculture, and especially our great broiler industry, needs whatever encouragement we are able to give it. Continued cooperation between the State Board of Agriculture and the University of Delaware is very important. Agricultural research and marketing assistance are essential to a healthy and prosperous agriculture.

Good soil, fresh water, forestry preservation and wild-life conservation all are important to the well-being of agriculture and our whole economy. I recommend your support of such measures as will encourage agriculture and provide for the wise use and conservation of our natural resources.

I believe the laws applicable to the Shell Fish Commission should be given careful review from the standpoint of needed revision and modernization.

The Game and Fish Commission very wisely secured the Wildlife Management Institute to make a complete administrative survey of the commission's responsibilities and operation. This survey and its recommendations will be made public and available to the members of the General Assembly.

I recommend that your careful consideration be given to matters which will improve the game and fish management and administration in our state.

I further recommend that the Delaware Geological Survey, the Water Pollution Commission, the program for study of beach erosion, and activities pertaining to mosquito control be continued and encouraged. All of these efforts are working out well and contributing to the protection and well-being of our people.

### PARKS AND RECREATION

As our population continues to increase, parks and recreational areas become increasingly important. Insofar as we are able I recommend continued development of park and recreational areas, including some state-owned ocean-front beach lands.

The areas sets aside for picnic purposes by the State Forestry Department, the Highway Department and the Game and Fish Commission have become an important aspect of our recreational facilities. Our people are using them extensively and with great enjoyment. I recommend more of these picnic areas wherever possible.

### ZONING

With the air base in Kent County and the rapid growth which also is apparent in Sussex County, it is increasingly urgent to secure timely zoning authority for the two counties not now having such authority. I recommend, as I have before, appropriate legislation to accomplish this purpose .

### MUNICIPAL

There will undoubtedly be many measures offered by way of amendment to municipal charters. I am sure they will for the most part deserve your favorable consideration. I believe, however, that it is of utmost importance for a Constitutional amendment to be enacted providing for home rule. This would indeed relieve the legislature of a great volume of time-consuming legislation and enable the municipalities to meet more responsibly the needs of their citizens in local matters.

### ADMINISTRATION OF JUSTICE

In order to improve further the administration of justice, I recommend an amendment to the Constitution of the State of Delaware giving the Chief Justice of the Supreme Court administrative control of all courts of the state, including the justices of the peace courts.

I also recommend that courts of justices of the peace be limited to disputes involving not more than 200 dollars in civil jurisdiction; that the number of justices of the peace be reduced; and that the fee system be abolished and a salary basis established.

The Attorney General's Office is one of the most important state offices. In my opinion it needs a full-time chief deputy. Consequently, I recommend that a full-time career chief deputy be provided and that the number of other deputies then be held to an established minimum.

### DEFENSE

An adequate civil defense program is essential and necessary. I recommend your most favorable consideration to the continuance of our civil defense program and the inclusion under it of disaster authority.

Our National Guard has always been a source of pride to the state and has established a fine record. I recommend your most favorable consideration to the maintenance of an adequate National Guard program.

### KOREAN WAR VETERANS BONUS

It now seems proper and timely to enact bonus legislation for Korean War Veterans similar to that enacted in 1949 for veterans of World War II—and I recommend the passage of appropriate legislation of this nature.

### BINGO

I recommend immediate enactment of an appropriate Constitutional amendment permitting bingo games to be conducted by non-profit charitable, religious and patriotic organizations.

### REAPPORTIONMENT

For many years the reapportionment of representation in the General Assembly has received more and more public interest and consideration. The great population growth in the state has resulted in a widely disproportionate distribution of population among the representative districts. Consequently, it seems only right and fair that a Constitutional amendment be enacted providing for additional representation in heavily populated areas. I believe that the state senatorial districts should remain unchanged, but that reapportionment should be provided for with respect to the House of Representatives.

### ANNUAL SESSION OF GENERAL ASSEMBLY

The population, governmental problems and the budget of the State of Delaware have grown to such an extent that it now seems desirable for the General Assembly to meet annually in order to act adequately and in a responsible manner on behalf of all of the people. I recommend, therefore, that a Con-

stitutional amendment be enacted providing for a regular session of not more than 60 days in the odd years and for a session of not more than 30 days in the even years, the latter to be limited to fiscal matters and only such other matters as the governor may suggest.

### CHILDREN AND YOUTH

The Delaware Commission on Children and Youth directs its attention to urgent problems and needs of the children of Delaware. As a result of a successful state-wide conference held by the commission this past year, it has developed many noteworthy recommendations—some of an administrative nature and others requiring legislation. I recommend that the Commission's legislative recommendations be given your most careful consideration in the interest of a well-conducted youth program in our state.

### OUR OLDER CITIZENS

Public and private agencies and many individuals have properly directed attention to the problems of our older citizens. A state-wide conference held at the University of Delaware focussed attention upon many of these problems which are both economic and social. These older citizens are an important human resource of our state, but their problems are all too little understood. The General Assembly, I am sure, is already cognizant of this growing problem and therefore will certainly give full consideration to such proposals as may be submitted for the benefit of this group.

### CONCLUSION

The problems of the State of Delaware continue to be many and difficult. They extend the full range of our economic and social affairs. Items of importance and concern which may not have been specifically mentioned here today will be brought to your attention if they arise.

Yet, as I stated in my opening remarks, much progress has been made in the past two years for the public good. Consequently, I am confident that our joint efforts will lead to further progress and new solutions in the best interests of all of our people if we proceed cooperatively.

It is my hope and prayer that we may move forward, meeting the challenges before us with faith in our people and with the guidance of a Divine Providence.

The Joint Committee, previously appointed, escorted the Governor back to his office.

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

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

Mr. Lammot moved that the two Houses separate and convene in their respective chambers. Motion prevailed.

Senate convened in regular session.

On motion of Mr. Lammot, the Senate adjourned until 1:00 P. M., Wednesday, January 12, 1955.

#### 4TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:00 o'clock P. M. on Wednesday, January 12, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Camper, Harrison, Johnson, Lammot, Melson, Paradee, Reilly, Steen, Wilgus, Mr. President Pro Tem—12.

Members absent—Messrs. Covey, Hoey, McCullough, 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.

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

Senate met at expiration of recess at 3:25 P. M.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following resolution: **HS 1** for **HJR 1**—"Appointing a Bill Clerk for the House of Representatives and a Bill Clerk for the Senate to Serve During the 118th Session of the General Assembly."

**BE IT RESOLVED** by the House of Representatives and the Senate of the 118th Session of the General Assembly of the State of Delaware that S. Elwood Veasey be and he is hereby appointed Bill Clerk for the House of Representatives to serve during the present session of the House of Representatives; and that Clarence Reihm be and he is hereby appointed Bill Clerk for the Senate to serve during the present session of the Senate, in accordance with section 903, Title 29, Delaware Code.

On motion of Mr. Lammot, **HS 1** for **HJR 1** was adopted by the Senate and returned to the House.

Mr. Steen rose to the point of personal privilege, was recognized by the Chair, and proceeded to make certain remarks.

Mr. Reihm was sworn in by the President.

Mr. Lammot moved the Senate recess to call of the Chair. Motion prevailed.

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

On motion of Mr. Lammot, the Senate adjourned until Thursday, January 13, 1955, at 1:00 P. M.

### 5TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:00 P. M. on Thursday, January 13, 1955, Lieutenant-Governor Rollin presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

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

Members absent—Messrs. Covey, Hoey, Wilgus—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. Hoey and Covey asked to be marked present.

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

**SB 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," by Reilly and Williams; to Public Health.

**SB 2**—"An Act to Amend Chapter 55, Title 29, Delaware Code, Entitled "State Employees Pension Plan" by Providing That Employees of the Delaware Commission for the Blind be Included in Covered Employment," by Reilly and Williams; to Education.

**SB 3**—"An Act Appropriating Certain Moneys to the Delaware Commission of Shell Fisheries to Purchase and Install Two Diesel Engines on the Guard Boat "Delaware", by Steen; to Fish, Oysters and Game.

Lieutenant-Governor John W. Rollins administered the oath of office to S. Elwood Veasey, Bill Clerk of the House, and Wm. D. Wilkins, Assistant Supply Clerk.

### ILLUSTRATION OF EMPLOYEES' OATH

The State of Delaware, County of Kent, ss.

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

On motion of Mr. Lammot, the Senate adjourned until Friday, January 14, 1955, at 1:00 P. M.

### 6TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:00 P. M. on Friday, January 14, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present — Messrs. Camper, Covey, Johnson, Paradee, Wilgus, Williams—6.

Members absent—Messrs. Behen, Butler, Harrison, Hoey, Lammot, McCullough, Melson, Pryor, Reilly, Steen, Mr. President Pro Tem—11.

In the absence of a quorum the Senate was recessed by the Chair to the call of the Chair.

Senate was called to order by the Chair at 3:10 P. M.

Members present — Messrs. Behen, Covey, Harrison, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Wilgus, Williams—12.

Members absent—Messrs. Butler, Camper, Hoey, Steen, Mr. President Pro Tem—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. Steen, Hoey and Butler asked to be marked present.

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

**SB 4**—"An Act Proposing an Amendment to Section 4 of Article II of the Constitution of the State of Delaware Relating to Sessions of the General Assembly," by Johnson; to Judiciary.

**SB 5**—"An Act Proposing an Amendment to Section 25 of Article 2 of the Constitution of the State of Delaware Relating to Zoning," by Johnson; to Buildings and Highways.

**SB 6**—"An Act to Amend Title 14, Delaware Code, Entitled "Education" by Providing Salary Increases of \$200 for Teachers, School Principals, and Chief School Officers and Appropriating Funds," by Williams; to Education.

**SB 7**—"An Act to Create a State Human Relations Commission, Define Its Powers and Duties and Appropriate Funds Thereto," by Williams; to Miscellaneous.

**SB 8**—"An Act Appropriating Funds to the State Board of Education for the Current Fiscal Year on Account of an Unanticipated Increase in the School Population," by Melson; to Finance.

**SB 9**—"An Act to Repeal Chapter 71, Title 11, of the Delaware Code Entitled "Sussex County Prison, Prison Farm, Court House Annex" by Placing Jurisdiction and Control of the Sussex County Prison, Prison Farm, Court House and Court House Annex in the Levy Court of Sussex County," by Steen and Hoey; to Judiciary.

Mr. Pryor rose to the point of personal privilege and upon being recognized by the Chair proceeded to make certain remarks.

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

The Senate was called to order by the Chair at 3:50 o'clock P. M.

The President Pro Tem presented the visitation schedule for the week of January 17, 1955, as follows:

**SCHEDULE FOR VISITATION OF THE SENATE AND  
HOUSE OF REPRESENTATIVES OF THE 118TH  
GENERAL ASSEMBLY**

Monday, January 17, 1955, 10:00 A. M.—Woods Haven School, Blind Shop, Ferris School, Kruse School.

Tuesday, January 18, 1955, 10:00 A. M.—Farnhurst, Governor Bacon Health Center.

Wednesday, January 19, 1955, 10:00 A. M.—Brandywine Sanatorium, Sunnybrook Cottage for Blind Children, New Castle Workhouse.

Thursday, January 20, 1955, 10:00 A. M.—University of Delaware.

Friday, January 21, 1955, 10:00 A. M.—Georgetown Workhouse, Delaware Colony, Stockley.

Mr. Johnson introduced the following resolution, and moved for its adoption: **SR 14**—"Relative to Senator Covey Being Made a Member of the Senate Finance Committee of the 118th General Assembly."

**BE IT RESOLVED** by the Senate of the 118th General Assembly that William O. Covey, Jr., be made a member of the Finance Committee.

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

The Senate was called to order by the Chair at 4:20 o'clock P. M.

The yeas and nays were ordered on **SR 14**, which being taken, were as follows:

**YEAS**—Messrs. Covey, Johnson, Melson, Wilgus, Williams—5.

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

And so the resolution failed to get a constitutional majority and was lost.

Mr. President Pro Tem made the following committee assignments, which on motion by him, were approved by the Senate:

**ACCOUNTS**: McCullough, Chairman; Harrison, Paradee, Covey, Williams.

**AGRICULTURE**: Butler, Chairman; Steen, Harrison, Camper, Johnson.

**BANKING AND INSURANCE**: Lammot, Chairman; Camper, Moore, Pryor, Covey.

**BUILDINGS AND HIGHWAYS**: Butler, Chairman; Camper, Steen, Reilly, Covey.



CLAIMS: Moore, Chairman; Lammot, Paradee, Melson, Wilgus.

CORPORATIONS, MUNICIPAL: Behen, Chairman; Reilly, McCullough, Hoey, Johnson.

CORPORATIONS, PRIVATE: Harrison, Chairman; Camper, Lammot, Covey, Melson.

EDUCATION: McCullough, Chairman; Harrison, Reilly, Hoey, Wililams.

ELECTIONS: Pryor, Chairman; Reilly, Paradee, Hoey, Wilgus.

EXECUTICE: Steen, Chairman; McCullough, Butler, Camper, Wilgus.

FINANCE: Hoey, Chairman; Camper, Butler, Lammot, Melson.

FISH, OYSTERS AND GAME: Paradee, Chairman; Butler, Steen, Johnson, Melson.

JUDICIARY: Behen, Chairman; Pryor, Butler, Melson, Johnson.

LABOR: Reilly, Chairman; Lammot, Paradee, McCullough, Wilgus.

MISCELLANEOUS: Paradee, Chairman; Behen, Pryor, Reilly, Covey.

PASSED BILLS: Steen, Chairman; McCullough, Behen, Johnson, Williams.

PRINTING AND SUPPLIES: Camper, Chairman; Pryor, Hoey, Covey, Johnson.

PUBLIC HEALTH: Hoey, Chairman; Reilly, Harrison, Melson, Williams.

PUBLIC LANDS: Lammot, Chairman; Behen, Butler, Williams, Wilgus.

REVISED STATUTES: Pryor, Chairman; Lammot, Harrison, Steen, Wilgus.

RULES: Reilly, Chairman; Pryor, Steen, McCullough, Melson.

TEMPERANCE: Camper, Chairman; Behen, Butler, Hoey, Williams.

On motion of Mr. Lammot, the Senate was adjourned until 9:00 o'clock A. M., Monday, January 17, 1955.

### 7TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 9:25 o'clock A. M. on Monday, January 17, 1955, President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Covey, Mr. President Pro Tem—3.

Members absent—Messrs. Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, William—14.

In the absence of a quorum, Mr. President Pro Tem declared the Senate adjourned until Tuesday, January 18, 1955, at 9:00 A. M.

### 8TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 9:30 o'clock A. M. on Tuesday, January 18, 1955, President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Mr. Behen, Mr. President Pro Tem—2.

Members absent—Messrs. Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams—15.

There being no quorum present, the Chair declared the Senate adjourned until 9:00 A. M., Wednesday, January 19, 1955.

### 9TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 9:05 A. M. on Wednesday, January 19, 1955, President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Mr. Behen, Mr. President Pro Tem—2.

Members absent—Messrs. Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams—15.

There not being a quorum, the Chair declared the Senate adjourned until 9:00 A. M., Thursday, January 20, 1955.

### 10TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 9:15 A. M. on Thursday, January 20, 1955, President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Mr. Behen, Mr. President Pro Tem—2.

Members absent—Messrs. Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams—15.

There not being a quorum, the Chair declared the Senate adjourned until 9:00 A. M., Friday, January 21, 1955.

### 11TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 9:19 A. M. on Friday, January 21, 1955, President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Mr. Behen, Mr. President Pro Tem—2.

Members absent—Messrs. Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams—15.

There not being a quorum, the Chair adjourned the Senate until 1:00 P. M., Monday, January 24, 1955.

## 12TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:12 o'clock P. M. on Monday, January 24, 1955, President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

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

Members absent—Messrs. Covey, Johnson, Williams—3.

The Secretary proceeded to read the Journal of the previous Session when Mr. McCullough 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. Camper introduced the following petition and requested that it be included in the Journal:

We, the undersigned, want to be placed on record supporting legislation that will make possible black topping of the road that runs by our property known as Paradise Alley Road running from Marsh's Old Mill Pond to Laws Church.

(Signed): Ella Turner, Raymond Goldsborough, Sarah Harris, Schley Biddle, Fred B. Greenly, Jr., Joseph J. Dennin, Ralph R. Coulbourn, Wade Mitchell, Thos. M. Chambers, Randall H. Knox, Sr., Lewis Halliday, Jr., Roy Calloway, H. B. Minner, Wilbur Layton, George Hill, Jr., Wm. G. Carpenter, Vaughn P. Austin, Charles Bush, Earl W. Cook, Edgar Hill, R. W. Bennett, Geo. D. Torbert, H. W. Knapp, Eber Kent, Leon Kent, Tom Phillips, Jr., Bessie A. Nutter.

Mr. Camper introduced the following letter and requested that it be included in the Journal:

### CHRISTIAN SOCIAL RELATIONS DEPARTMENT

Diocese of Delaware

Cathedral Church of St. John

Wilmington 2, Delaware, January 18, 1955

The Hon. Jehu F. Camper, Harrington, Del.

Dear Senator Camper:

In October 1954, as a candidate for election to your present office as a legislator of the State of Delaware, you, as reported in the "Journal-Every Evening," received a letter from a group of citizens calling itself the "Joint Committee for the Promotion of Legislation Legalizing Bingo in Delaware."

In that letter, as quoted in the "Journal-Every Evening," the Committee declared, "It is our humble opinion that this

game is a harmless and entertaining way for many people to donate to various causes which we promote, and gives them an opportunity for an evening of recreation at little cost. This is especially true of our older people who enjoy bingo participation immensely."

If you have been influenced at all by the Committee's letter, allow me to suggest that you carefully read the enclosed article, "Is Bingo Getting Too Big?" by Bill Davidson, which appeared in the December 10th issue of Collier's Magazine. In this article the author points out that the State of Massachusetts finally repealed its law legalizing bingo; that such States as Rhode Island, Connecticut and Maryland are having a difficult time trying to enforce legalized bingo in the face of the *four* great evils that attend this gambling game; and that the well known New Jersey experiment with bingo-control law, (a law with teeth in it), is having to withstand "tremendous pressure to change the law" with the outcome in serious doubt.

I am confident that the Collier's article will convince you that the Joint Committee promoting the legalization of bingo in Delaware is seriously deceived if it honestly supposes that the game "is a harmless and entertaining way for many people to donate to various causes." We who are definitely opposed to any extension of legalized gambling in Delaware are deeply concerned to have our legislators avoid the mistake of supposing that bingo or similar games could be controlled or their evils avoided by Law.

Respectfully yours,

HENRY N. HERNDON

(The Rev.) Henry N. Herndon, Chairman  
Christian Social Relations Department

Mr. Reilly introduced the following resolution, which on further motion by him was adopted: **SR 15**—"Authorization for the State Librarian to Furnish Stationery and Other Supplies to the Officers and Attaches of the Senate."

**BE IT RESOLVED** by the Senate of the 118th General Assembly of the State of Delaware that the State Librarian be and he hereby is authorized and directed to furnish to all those officers and attaches of the Senate other than those specifically named in Senate Resolution No. 7 of the 118th Session of the General Assembly, stationery and other supplies as ordered by them respectively, the cost of which shall not exceed the sum of Ten Dollars (\$10.00) for each such officer or attache during the first thirty (30) legislative days of the present session.

Mr. Reilly introduced the following resolution, which on further motion by him was adopted: **SR 16**—"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, sums on account from time to time, not to exceed the total of One Hundred Dollars (\$100.00) to any one person, on account of services to the present Session of the Senate. Any such sums so paid shall be charged against the salary of the individual attache or employee to whom such sum or sums are paid, and shall be a part of the expenses of this Session of the Senate.

Mr. Hoey asked that members of the Finance Committee be excused.

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

**SB 10**—"An Act Relating to the Valuation and Assessment of Property by Providing for the Valuation and Assessment of Property Commonly Known as House Trailers Under Certain Circumstances," by Lammot; to Miscellaneous.

**SB 11**—"An Act Authorizing a Rebate of an Overpayment by Murray's Feed Service, Inc. of the Feed Tonnage Tax in the Years 1951 and 1952," by Steen; to Miscellaneous.

**SB 12**—"An Act Proposing an Amendment to Article VIII of the Constitution of the State of Delaware," by Williams; to Finance.

**SB 13**—"An Act Amending Title 29, Delaware Code, Entitled "State Government" by Creating a State Personnel Department, the Office of State Personnel Director and a State Personnel Advisory Board and Defining Their Respective Powers and Duties," by Williams; to Miscellaneous.

**SB 14**—"An Act to Amend Chapters 1, 3 and 5 of Title 10 of the Delaware Code, Relating to the Supreme Court, Court of Chancery and Superior Court," by Behen; to Judiciary.

**SB 15**—"An Act Creating a Council on the Administration of Justice," by Behen; to Judiciary.

**SB 16**—"An Act to Amend Chapter 43, Title 11, Delaware Code, Relating to Probation," by Behen; to Judiciary.

**SB 17**—"An Act to Amend Sections 7305, 7306 and 7307 of Title 14 of the Delaware Code, Relating to the State Library," by Behen; to Judiciary.

**SB 18**—"An Act to Amend Chapter 19 of Title 10, of the Delaware Code, Relating to the Law Libraries," by Behen; to Judiciary.

**SB 19**—"An Act Proposing Certain Amendments to Article IV of the Constitution of the State of Delaware, Relating to the Judiciary," by Behen; to Judiciary.

**SB 20**—"An Act Proposing an Amendment to Section 25 of Article 2 of the Constitution of the State of Delaware Relating to Zoning," by Harrison; to Municipal Corporations.

**SB 21**—"An Act to Amend Chapter 39, Title 11 of the Delaware Code by Abolishing the Punishment of Whipping," by Harrison; to Judiciary.

**SB 22**—"An Act to Amend Title 14, of the Delaware Code, Relating to "Education" by Providing for the Issuance of a Professional Status Certificate for Teachers and for Regulations Concerning Certificate Renewal," by McCullough; to Education.

**SB 23**—"An Act to Amend Title 15, Delaware Code, by Providing That Registration Officers and Election Officers May Reside at Any Place in the Representative District in Which Is Located the Election District for Which They Shall be Appointed," by McCullough; to Elections.

**SB 24**—"An Act to Amend Chapter 5, Title 31 of the Delaware Code, by Providing for an Increase in the Amount of Assistance Allowed to Aged Persons," by Butler; to Claims.

The Chair instructed the Secretary of the Senate to transfer **SB 11** from the Miscellaneous Committee to the Claims Committee.

The following Senate Joint Resolution was introduced by Mr. Butler and referred to the Public Health Committee: **SJR 1**—"Relating to an Investigation of State Supported Tuberculosis Sanatoria."

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following: **HB 1**, which was presented by the Chair, given first and second readings by title only and referred to committee as follows:

**HB 1**—"An Act Authorizing the State of Delaware to Transfer a Portion of Public Lands in the Town of Georgetown," to Municipal Corporations.

On motion of Mr. Reilly, the Senate adjourned until Tuesday, January 25, 1955, at 1:00 P. M.

### 13TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:04 P. M. on Tuesday, January 25, 1955, President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Harrison, Johnson, McCullough, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—11.

Members absent—Messrs. Butler, Camper, Covey, Hoey, Lamot, Melson—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. Camper, Butler, Covey, Hoey, Lamot and Melson asked to be marked present.

Mr. Steen introduced the following concurrent resolution, which was given first and second reading: **SCR 3**—"In Reference to the Election of an Accountant for the Joint Finance Committee."

BE IT RESOLVED by the Senate of the 118th General Assembly of the State of Delaware, the House of Representatives concurring therein, that George Littleton be and he hereby is elected accountant for the Joint Finance Committee, to serve during the pleasure of the General Assembly.

On motion of Mr. Pryor, **SCR 3** was tabled.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following: **HJR 3**, which was presented by the Chair, given first and second reading and referred to committee as follows:

**HJR 2**—"Constituting a Commission to Consider the Preservation of the Old Court House at New Castle and Report Its Recommendations to the General Assembly," to Finance.

Mr. Reilly introduced the following resolution: **SR 17**—"In Reference to Senate Rules."

BE IT RESOLVED by the Senate of the 118th General Assembly of the State of Delaware, that Senate Rule 26 be amended to read as follows:

Rule 26. All bills for the amendment of any statutes contained in the Delaware Code, shall be made with reference to the statutes or parts of statutes contained in the Delaware Code, and shall conform to the arrangement of the Delaware Code.

BE IT FURTHER RESOLVED, that Senate Rule 14 be amended by striking out Section 2 thereof.

BE IT FURTHER RESOLVED, that the Rules of the Senate, as amended herein, together with the Rules governing Executive Sessions adopted by the regular Session of the 117th General Assembly, as amended, be and they hereby are adopted as the Rules for governing this Session of the Senate.

On motion of Mr. Johnson, **SR 17** was tabled.

On motion of Mr. Steen, the Senate recessed to call of Chair.

Senate met at expiration of recess at 3:34 P. M. by call of Chair.

Mr. Reilly moved for adjournment until Wednesday, January 26, 1955, at 1:00 P. M.

#### 14TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:00 P. M. on Wednesday, January 26, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Harrison, McCullough, Paradee, Pryor, Reilly, Steen, Mr. President Pro Tem—9.

Members absent—Messrs. Camper, Covey, Hoey, Johnson, Lammot, Melson, Wilgus, Williams—8.

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

On motion of Mr. Reilly, the Senate recessed until 2:30 P. M.

Senate met at expiration of recess at 2:37 P. M. President Pro Tem Moore presiding.

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

On motion of Mr. Reilly **SR 17**—"In Reference to Senate Rules," was called up for final action and upon his further motion, **SR 17** was adopted.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the senate in **HCR 1**, which was presented by the Chair, given first and second reading and referred to committee as follows:

**HCR 1**—"Directing the Appointment of a Joint Committee to Arrange for a Suitable Program for the Observance of Lincoln's Birthday," to Miscellaneous.

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

On motion of Mr. Steen, **SCR 3**—"In Reference to the Election of an Accountant for the Joint Finance Committee," was brought from the table and on further motion by him passed the Senate.

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

**SB 25**—"An Act to Amend and Supplement Chapter 33 of Volume 49 Laws of Delaware, Relating to the Disinterment, Removal and Reinterment of Bodies in the Cemetery Located at Twelfth and Madison Streets in Wilmington," by Reilly; to Miscellaneous.

**SB 26**—"An Act to Amend Chapter 92, Volume 23, Laws of Delaware, as Amended, Being An Act Entitled "An Act to Provide for the Organization and Control of the Public Schools of the City of Wilmington" by Providing for the Election of the Members of the Board of Public Education in Wilmington; Qualifications and Method of Election of Members," by Reilly; to Education.

**SB 27**—"An Act Proposing an Amendment to Section 1, of Article II of the Constitution of the State of Delaware, Providing for the Initiative and Referendum," by Reilly; to Elections.

**SB 28**—"An Act to Amend Title 24, Delaware Code, Entitled "Professions and Occupations" by Providing for the Examination and Registering of Physical Therapists," by Reilly; to Public Health.

**SB 29**—"An Act to Repeal "An Act Providing for Assessment Against Abutting Properties in the City of Wilming-



ton in Proportion to the Special Benefit the Present Improved Street Roadway Will Have to Said Properties" as Amended, Being Chapter 121, Volume 29, Laws of Delaware, as Amended by Chapter 123, Volume 30, Laws of Delaware," by Reilly; to Municipal Corporations.

SB 30—"An Act to Amend Chapter 7, Title 4 of the Delaware Code Entitled "Alcoholic Liquors" Permitting the Sale of Alcoholic Liquors, Wines and Beer During the Time of Certain Elections," by Reilly; to Temperance.

SB 31—"An Act to Amend Article 5, Section 2 of the Constitution of the State of Delaware by Providing That the Minimum Age for Voting Shall be 18 Years," by McCullough; to Elections.

SB 32—"An Act to Amend Chapter 41, Title 7, of the Delaware Code, Pertaining to the Collection of Taxes Levied by Tax Ditches," by Steen; to Miscellaneous.

SB 33—"An Act to Amend Chapter 84, Title 9, of the Delaware Code, Pertaining to the Duty of the Receiver of Taxes and the County Treasurer to Collect School Taxes," by Steen; to Education.

SB 34—"An Act to Amend Chapter 21, Title 14, of the Delaware Code, Pertaining to the Assessment, Levy and Collection of School Taxes," by Steen; to Education.

SB 35—"An Act Amending Chapter 91, Title 9, of the Delaware Code, Pertaining to the Disposition of and Accounting for Fees of County Officers," by Steen; to Accounts.

SB 36—"An Act to Amend Chapter 79, Title 3 of the Delaware Code, Authorizing the Appointment of Agents of the Delaware Society for the Prevention of Cruelty to Animals as Special Constables," by Lammot; to Miscellaneous.

SB 37—"An Act to Amend Chapter 95, Title 9 of the Delaware Code, to Provide for the Payment of \$50 to the Coroner of Kent County for the Purchase of Burial Lots," by Behen; to Claims.

SB 38—"An Act to Amend Chapter 3 Title 11 of the Delaware Code With Reference to the Definition of "Animals", by Lammot; to Miscellaneous.

SB 39—"An Act to Amend Chapter 3 Title 11 of the Delaware Code With Reference to the Penalties for Cruelty to Animals," by Lammot; to Miscellaneous.

SB 40—"An Act to Amend Title 15, Delaware Code, by Changing the Qualifications of Members of Departments of Election and the Secretaries Thereof," by Pryor; to Elections.

SB 41—"An Act to Amend Chapter 17, Title 15, of the Delaware Code by Repealing Provisions Relating to Registration of Voters at Departments of Elections," by Pryor; to Elections.

SB 42—"An Act to Amend Chapter 17, Title 15 of the Delaware Code, Relating to the Delivery of Registration Books to Registrars," by Pryor; to Elections.

**SB 43**—"An Act to Amend Chapter 11, Title 15, of the Delaware Code, by Providing That Registration Places in Election Districts Shall be Open from Seven A. M. Until Eight P. M. and by Providing for Additional Registration Days in Election Districts," by Pryor; to Elections.

**SB 44**—"An Act to Amend Chapter 21, Title 15, of the Delaware Code, Relating to Registration Appeals," by Pryor; to Elections.

On motion of Mr. Reilly, the Senate adjourned until Thursday, January 27, 1955 at 1:00 P. M.

### 15TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:00 P. M. on Thursday, January 27, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Camper, Harrison, Hoey, Lamot, McCullough, Paradee, Pryor, Reilly, Steen, Mr. President Pro Tem—12.

Members absent—Messrs. Covey, Johnson, Melson, Wilgus, Williams—5.

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

Messrs. Covey, Johnson, Melson and Williams asked to be marked present.

Mr. Camper introduced the following resolution, which on further motion by him was adopted: **SR 18**—"Authorizing the Payment of the Sum of \$50.00 to the Harrington Journal for the Printing of Senate Roll Books and the Payment of the Sum of \$30.00 to the Harrington Journal for the Printing of Senate Receipt Books."

**BE IT RESOLVED** by the Senate of the 118th General Assembly of the State of Delaware, that the State Treasurer be and he hereby is authorized and directed to pay out of the General Fund unto Harrington Journal the sum of \$50.00 to cover the cost of printing Senate roll books, and he also is authorized and directed to pay out of the General Fund unto the Harrington Journal the sum of \$30.00 for the printing of Senate receipt books.

Mr. Camper introduced the following resolution, which on further motion by him was adopted: **SR 19**—"Authorizing the Payment of the Sum of \$127 to The Sussex Countian, Inc., for the Printing of Bill Backers."

**BE IT RESOLVED** by the Senate of the 118th General Assembly of the State of Delaware, that the State Treasurer be and he hereby is authorized and directed to pay out of the General Fund unto The Sussex Countian, Inc., the sum of \$127 to cover the cost of printing Senate bill backers.

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

**SB 45**—"An Act to Amend Chapter 7, Title 24, Delaware Code, Regarding Chiropractic," by Butler; to Revised Statutes.

**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," by Butler; to Public Health.

**SB 47**—"An Act Authorizing the Payment of the Sum of \$186.30 to Everett Toomey, Jr., for Expenses Incurred as a Result of an Injury Received at the John M. Clayton School," by Steen; to Claims.

**SB 48**—"An Act to Amend Chapter 7, Title 7 of the Delaware Code, Relating to Booby Brush or Stake Blinds by Providing Penalties for Violations," by Steen; to Revised Statutes.

**SB 49**—"An Act Authorizing a Rebate of an Overpayment by Murray's Feed Service, Inc. of the Feed Tonnage Tax in the Years 1951 and 1952," by Steen; to Claims.

**SB 50**—"An Act to Amend Section 15 of Article 2 of the Constitution of the State of Delaware Relating to Cost of Operation of the General Assembly," by Pryor (by request); to Revised Statutes.

**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," by Pryor (by request); to Revised Statutes.

**SB 52**—"An Act Authorizing the Levy Court of New Castle County to Set Up, Provide and Maintain a Department for the Collection of Garbage and Trash for New Castle County Outside the City of Wilmington," by McCullough; to Buildings and Highways.

**SB 53**—"An Act Authorizing the Levy Court of New Castle County to Appropriate County Moneys to the Wilmington Manor Fire Company, the Good Will Fire Company and the Elsmere Fire Company for the Maintenance of a Rescue Squad," by McCullough; to Finance.

**SB 54**—"An Act to Amend Chapter 5, Title 4 of the Delaware Code Relating to Exemption from Taxes Upon Alcoholic Beverages Sold Upon Military Establishments," by Behen; to Revised Statutes.

**SB 55**—"An Act to Amend Chapter 49, Title 15, of the Delaware Code, by Providing That the Polls Shall be Open from Seven O'clock A. M. Until Eight O'clock P. M.," by Camper; to Elections.

**SB 56**—"An Act to Amend the Charter of the Town of Hartly, Chapter 152, Volume 29, Laws of Delaware, by Increasing the Amount Permitted to be Raised in Taxes," by Moore; to Municipal Corporations.

**SB 57**—"An Act to Amend Title 29 of the Delaware Code Entitled "State Government" in Respect to the Printing Needs of the General Assembly," by Camper; to Printing and Supplies.

**SB 58**—"An Act to Amend Chapter 29, Title 24 of the Delaware Code Relating to Eligibility for Taking Examination to be Real Estate Broker," by Reilly; to Revised Statutes.

**SB 59**—"An Act to Amend Title 29, of the Delaware Code Relating to the State Treasurer by Providing That Monies Belonging to the State and to the School Fund Shall be Deposited in Any Bank or Trust Company in This State," by Moore; to Banking and Insurance.

**SB 60**—"An Act to Appropriate the Sum of Fifty Thousand Dollars to the State Board of Agriculture to be Used for the Purpose of Eradication of Brucellosis in Cattle and Paying Indemnities on Condemned Animals," by Butler; to Agriculture.

Senate recessed until the call of the Chair.

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

Request that **SB 11** be stricken from the calendar was granted to Mr. Steen.

The following communication from the Governor was submitted by the Governor and filed with the Journal:

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

J. Caleb Boggs, Governor

Dover, Delaware, January 20, 1955

Honorable Charles G Moore, President Pro Tem State Senate  
Legislative Hall, Dover, Delaware

Dear Mr. President Pro Tem:

I would like to call to your attention the Delaware Commission on Interstate Cooperation. As you know, the Governor appoints three members, the President Pro Tem appoints three members from the Senate and the Speaker appoints three members of the House. I have my three members selected and I would appreciate being advised as to the members from the Senate and House so that the names may be appropriately listed in the new Delaware State Manual which is being made ready for publication. The term of office for the members of this Commission begins February 2nd and runs for a period of two years. I know you are familiar with this and my main point is simply to call it to your attention so if at all possible the names may be included in the new Manual.

Sincerely yours,

J. CALEB BOGGS

Mr. Moore named the following committee for the Delaware Commission on Interstate Cooperation: Senator Melson, New Castle County; Senator Behen, Kent County; Senator Hoey, Sussex County.

Senate recessed to call of Chair.

Senate met at expiration of recess at 3:45 P. M. at call of Chair.

The following bill and resolution were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 2** by Finance; **HJR 2** by Education.

Mr. Reilly introduced the following resolution: **SR 20**—“Authorizing the State Librarian to Purchase Four (4) Lamps for the Use of the Senate, Appropriating the Necessary Funds Therefor and Providing for the Payment Thereof.”

**BE IT RESOLVED** by the Senate of the 118th General Assembly of the State of Delaware, that the State Librarian be, and is hereby authorized and directed to purchase of and from Butler's, Inc., Wilmington, Delaware, four (4) lamps for the price of Twenty-four Dollars and Twenty Cents (\$24.20) each, delivered, for the use of the Senate of the General Assembly for the State of Delaware; and, further,

**BE IT RESOLVED**, that the sum of Ninety-six Dollars and Eighty Cents (\$9.80) be, and the same hereby is, appropriated out of the General Fund of the Treasury of the State of Delaware for the purchase thereof; and, further,

**BE IT RESOLVED**, that the State Treasurer of the State of Delaware be, and he hereby is, authorized and directed to pay for such lamps out of said appropriation upon warrant approved by the State Librarian.

Which was taken up for consideration and read in order to pass the Senate.

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

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

**NAYS**—None.

**NOT VOTING**—Mr. Pryor—1.

**ABSENT**—Messrs. Hoey, Steen, Wilgus—3.

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

Mr. Reilly introduced the following resolution, which on further motion by him was adopted: **SR 21**—“In Reference to the Transfer of a Certain Officer of the Senate of the 118th General Assembly.”

**BE IT RESOLVED**, by the Senate of the 118th General Assembly of the State of Delaware that Arthur Pennewill previously elected as a messenger is relieved of his duties as

a messenger for the Senate and is hereby elected to serve instead as a multilith operator for the Senate beginning January 25th, 1955, at the pleasure of the Senate.

On motion of Mr. Lammot, the Senate adjourned until Friday, January 28, 1955, at 1:00 P. M.

### 16TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:00 P. M. on Friday, January 28, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

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

Members absent—Messrs. Behen, Covey, Johnson, Williams—4.

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

Messrs. Behen, Covey, Johnson and Williams asked to be marked present.

On motion of Mr. Lammot, the Senate recessed until 2:30 P. M.

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

**SB 61**—"An Act to Amend Chapter 61, Title 29 of the Delaware Code Relating to the "General Fund", by Steen; to Revised Statutes.

**SB 62**—"An Act to Amend Chapter 55, Title 16 of the Delaware Code, by Authorizing the Delaware Commission for the Feeble-Minded to Sell Excess Farm Produce and Live Stock; Deposit the Funds So Derived in a Special Fund and Permitting Expenditures to be Made from Said Special Fund for the Use of the Commission in Connection With the Operation of the Home for Feeble-Minded," by Steen; to Judiciary.

**SB 63**—"An Act to Appropriate Moneys to the State Highway Department for the Purpose of Providing an Overpass With Ramps or Steps on the duPont Highway in Wilmington Manor at Roosevelt Avenue," by McCullough; to Finance.

**SB 64**—"An Act Directing the Department of Elections of New Castle County to Create a New Election District in New Castle Hundred," by McCullough; to Elections.

**SB 65**—"An Act to Amend Title 29, of the Delaware Code Relating to State Buildings and Grounds Commission by Providing That Proceeds of the State of Buildings Sold Under the Provisions of Chapter 29, of the Delaware Code Shall be

Deposited to the Credit of the State of Delaware in the Dover Office of Any Bank or Trust Company Doing Business at Dover," by Moore; to Buildings and Highways.

**SB 66**—"An Act to Amend Title 29 of the Delaware Code Relating to Budget and Fiscal Regulations for State Agencies by Providing That All Monies of State Agencies Which are a Part of the General Fund Shall be Deposited in Any Bank or Trust Company in the State of Delaware," by Moore; to Banking and Insurance.

**SB 67**—"An Act to Amend Chapter 81, Title 9 of the Delaware Code by Providing for the Valuation and Assessment of House Trailers Under Certain Circumstances," by Lammot; to Judiciary.

**SB 68**—"An Act to Amend Chapter 23, Title 15, of the Delaware Code Relating to the Penalties for Fraudulent Voting," by Pryor; to Judiciary.

The Chair directed that **SB 65** be transferred from Buildings and Highways to Banking and Insurance.

The Senate recessed until 2:30 p. m. at the call of the Chair.

Senate met at expiration of recess at 2:44 P. M. to call of Chair.

On motion of Mr. Lammot, made by Senator Reilly, **SB 10** was stricken from the calendar.

On motion of Mr. Lammot, the Senate adjourned until Monday, January 31, 1955, at 1:00 P. M.

## 17TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:00 P. M. on Monday, January 31, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Harrison, McCullough, Paradee, Pryor, Reilly, Steen, Wilgus, Mr. President Pro Tem—9.

Members absent—Messrs. Butler, Camper, Covey, Hoey, Johnson, Lammot, Melson, Williams—8.

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 following Senators asked to be marked present: Butler, Camper, Covey, Hoey, Johnson, Lammot, Melson and Williams.

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

**SB 69**—"An Act Appropriating Money to the State Soil Conservation Commission for the Drainage of Tax Ditches in New Castle County," by Butler; to Agriculture.

**SB 70**—"An Act to Amend Title 23, of the Delaware Code Relating to Dams by Providing That Damages to be Paid for the Condemnation of Materials for Building and Repair of Dams May be Deposited to the Credit of the Person Entitled Thereto in Any Bank or Trust Company Doing Business in the County Where the Proceedings Shall Have Been Commenced," by Moore; to Banking and Insurance.

**SB 71**—"An Act to Amend Title 25, of the Delaware Code Relating to Liens of Garage Men, Livery and Stable Keepers by Providing That the Balance of Proceeds of a Lienors Sale, if Owner Cannot be Found, Shall be Deposited in Any Bank or Trust Company Doing Business in the County in Which Such Sale Has Been Had," by Moore; to Banking and Insurance.

**SB 72**—"An Act Amending Title 11, Delaware Code, Pertaining to Prisons and Prisoners and Creating a State Board of Corrections Having Responsibility for the Care, Supervision and Administration of Prisons, Correctional Facilities and Prisoners in Lieu of County Boards and Officers and the Transfer of Property and Prisoners to the State, and Appropriating the Necessary Funds," by Lammot; to Judiciary.

**SB 73**—"An Act Authorizing a Referendum on Whether or Not the People are in Favor of Permitting the Playing of "Bingo" When Sponsored by Volunteer Fire Companies and Other Civic, Charitable and Religious Non-Profit Groups," by Reilly; to Judiciary.

**SB 74**—"An Act to Amend Title 5, of the Delaware Code Relating to Building and Loan Associations by Providing That an Amount Due a Shareholder in Settlement May be Deposited in Any Bank or Trust Company in the State of Delaware," by Moore; to Banking and Insurance.

**SB 75**—"An Act to Amend Chapter 3, Title 9 of the Delaware Code Relating to the Qualifications and Selection of Auditors," by Steen and Hoey; to Revised Statutes.

**SB 76**—"An Act Authorizing the Payment of the Sum of \$408.50 for Labor and Materials Supplied to the Delaware Colony," by Steen; to Claims.

**SB 77**—"An Act Proposing an Amendment to Section 9 of Article 3 of the Constitution of the State of Delaware Relating to the Length of the Unexpired Term to Which a Successor is Elected," by Steen; to Elections.

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

Senate met at expiration of recess at 2:32 P. M. at call of Chair.

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



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

January 31, 1955

To the Honorable The Senate of the State of Delaware  
 Dover, Delaware

Gentlemen:

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

Joseph A. Morris, 404 E. 10th Street, Wilmington, Delaware, to be a Justice of the Peace in and for New Castle County for a term of four years from September 22, 1954.

J. Allen Frear, Jr., South State Street, Dover, Delaware, to be a member of the Board of Trustees of the University of Delaware for a term of six years from November 9, 1954.

Mrs. Charles P. Townsend, Selbyville, Delaware, to be a member of the Board of Trustees of the University of Delaware for a term of six years from November 9, 1954.

John G. Leach, 707 West 21st Street, Wilmington, Delaware, to be a member of the Board of Trustees of the University of Delaware for a term of six years from December 2, 1954.

Edward C. Evans, Milford, Delaware, to be a Justice of the Peace in and for Sussex County for a term of four years from December 13, 1954.

Earle N. Faulkner, Rising Sun, Delaware, to be a member of the Department of Elections for Kent County for a term of three years from January 15, 1955.

John M. Longbotham, Milford-Thompsonville Road, Milford, Delaware, to be Boat Inspector for a term of four years from January 20, 1955.

Jule K. deFord, Little Creek, Delaware, to be State Librarian for a term to expire the second Tuesday in February 1957.

Nathaniel W. Taylor, Jr., Dover, Delaware, to be Collector of Oyster Revenue for a term to expire the third Tuesday in February 1957.

Respectfully submitted,

J. CALEB BOGGS, Governor

The following bills and resolutions were reported favorably (unless otherwise) indicated) by the majority of the respective committees as follows: **HCR 1** by Miscellaneous; **SB 9** by Judiciary, 3 favorably, 2 on merits; **HB 1** by Municipal Corporations.

Mr. Reilly introduced the following concurrent resolution: **SCR 4**—"Extending the Sympathy of the Senate and House of Representatives Upon the Death of John C. Hazzard, Prominent Business Man and Civic-Minded Citizen, Late of Wilmington and Dewey Beach Delaware."

On motion of Mr. Johnson and Mr. Reilly, **SCR 4** passed the Senate and was ordered to the House for concurrence.

Mr. Hoey asked that the members of the Finance Committee be excused. The request was granted.

On motion of Mr. Reilly the Senate recessed to call of Chair.

Senate met at 3:27 P. M. at call of the Chair.

On motion of Mr. Reilly, the Senate adjourned until Tuesday, February 1, 1955, at 10:30 A. M.

### 18TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 10:30 A. M. on Tuesday, February 1, 1955, President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

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

Members absent — Messrs. Camper, Covey, Johnson, Melson, Wilgus, Williams—6.

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

Messrs. Camper, Covey, Johnson, Melson, Wilgus and Williams asked to be marked present.

The Chief Clerk of the House informed the Senate that the House had concurred in the following: **SCR 4**.

The President Pro Tem announced that he was signing **SCR 4**.

On motion of Mr. Lammot, the Senate recessed until 3:00 P. M.

Senate met at expiration of recess at 3:15 P. M. to call of Chair. Lieutenant-Governor Rollins presiding.

On motion of Mr. Pryor, **SB 68** was stricken from the calendar.

Mr. Steen asked the privilege of the floor. He proceeded to make the announcement that Senator Goldstein, President Pro Tem of the Maryland State Senate, had asked the Delaware State Senate to be their guests.

On motion of Mr. Moore, the Senate adjourned until 1:00 P. M., Wednesday, February 2, 1955.

### 19TH LEGISLATIVE DAY

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

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Paradee, Pryor, Steen, Wilgus, Mr. President Pro Tem—11.

Members absent—Messrs. Johnson, Lammot, McCullough, Melson, Reilly, Williams—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.

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 presented by the Chair, given first and second readings by title only and referred to committee as follows:

**HB 65**—"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 Dividing the Town Into Wards and Providing for the Election of the Members of the Town Council from Said Wards," to Municipal Corporations.

The following resolution was reported favorably by the majority of the committee: **SJR 1**.

Communications: One asking for test for drinking drivers to prove their intoxication; one from Maryland Senate asking Delaware State Senate to be their guest on February 16, 1955.

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

**SB 78**—"An Act to Amend Chapter 5, Title 4 of the Delaware Code Relating to the Rebate of the Excise Tax of This State on Beer Sold to an Instrumentality of the Armed Forces of the United States," by Behen; to Revised Statutes.

**SB 79**—"An Act to Amend Chapter 51, Title 15, of the Delaware Code Relating to the Penalties for Fraudulent Voting," by Pryor; to Elections.

On motion of Mr. Camper, the Senate adjourned until Thursday, February 3, 1955 at 10:30 A. M.

## 20TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 10:50 A. M. on Thursday, February 3, 1955, President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Harrison, Hoey, Lammot, Paradee, Pryor, Reilly, Mr. President Pro Tem—9.

Members absent—Messrs. Camper, Covey, Johnson, McCullough, Melson, Steen, Wilgus, Williams—8.

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

On motion of Mr. Lammot, SB 72 was stricken from the calendar.

The Senate recessed.

Senate met at call of the Chair at 11:10 A. M.

Messrs. Williams, Covey and Wilgus asked to be marked present.

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

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

February 3, 1955

To the Honorable The Senate of the State of Delaware  
Dover, Delaware

Gentlemen:

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

Sanders P. Darden, Jr., Church Street, Millsboro, Delaware, to be a member of the Department of Elections for Sussex County for a term to expire January 15, 1958.

Respectfully submitted,

J. CALEB BOGGS, Governor

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: SR 22—"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. Lammot, the Senate adjourned until Tuesday, February 8, 1955 at 10:00 A. M.

**21ST LEGISLATIVE DAY**

Senate met pursuant to adjournment at 10:47 A. M. on Tuesday, February 8, 1955, President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members Present—Messrs. Behen, Butler, Camper, Harrison, Lammot, Melson, Paradee, Pryor, Reilly, Wilgus, Mr. President Pro Tem—11.

Members absent—Messrs. Covey, Hoey, Johnson, McCullough, Steen, Williams—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. Covey, Hoey, McCullough and Williams asked to be marked present.

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

**SB 80**—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" by Increasing the Authorized Number of Notaries Public and Providing for Minimum Qualifications for Those Holding Such Office; and Increasing the Fees," by Lammot and Reilly; to Judiciary.

**SB 81**—"An Act to Amend Title 10, Delaware Code, Entitled "Courts and Judicial Procedure" by Establishing Qualifications for Certain Special Constables and by Providing for Two Year Appointments at Increased Fees," by Lammot and Reilly; to Judiciary.

The following bill was reported favorably by the Committee on Municipal Corporations: **HB 65**.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following: **HCR 3**.

On motion of Mr. Behen, Rule 22 was suspended.

On motion of Mr. Behen, **HB 65**—"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 Dividing the Town Into Wards and Providing for the Election of the Members of the Town Council from Said 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, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Wilgus, Mr. President Pro Tem—14.

**NAYS**—None.

**ABSENT**—Messrs. Johnson, Steen, 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.

Mr. Reilly introduced the following resolution: **SR 23**—"In Reference to Election of an Officer."

**BE IT RESOLVED** by the Senate of the 118th General Assembly of the State of Delaware that the following named

person be and he is hereby elected to the office appearing opposite his name, to serve during the pleasure of the Senate:

Cloak Room Attendant—Lester Melvin.

Which was taken up for consideration and read in order to pass the Senate.

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

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

NAYS—Messrs. Covey, Melson, Pryor—3.

ABSENT—Messrs. Johnson, Steen, Williams—3.

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

The Senate recessed on motion of Mr. McCullough.

Senate met at expiration of recess at 11:14 A. M.

The Chair presented **HCR 3**—"Relative to the Death of William J. Thornton, a Member of the House of Representatives of the 118th General Assembly of the State of Delaware," which was given first reading.

On motion of Mr. Hoey, **HCR 3** was adopted and ordered returned to the House.

Mr. Melson, on point of personal privilege, made certain remarks about Civilian Defense and the Atom and Hydrogen Bombs.

Mr. Camper, on point of personal privilege, made certain remarks concerning the safety and necessity of Civilian Defense.

On motion of Mr. Lammot, the Senate adjourned until 1:00 P. M., Thursday, February 10, 1955.

## 22ND LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:00 P. M. on Thursday, February 10, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Covey, Harrison, Johnson, McCullough, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—11.

Members absent—Messrs. Butler, Camper, Hoey, Lammot, Melson, Wilgus—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. Butler, Camper, Hoey, Lammot and Melson asked to be marked present.

Mr. Pryor asked for a meeting on Monday of the Revised Statutes Committee in the office of the President Pro Tem.

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

Senate met at expiration of recess at 2:56 P. M.

The President announced that he was about to sign  
**HB 65.**

On motion of Mr. Steen, **SB 9**—"An Act to Repeal Chapter 71, Title 11, of the Delaware Code Entitled "Sussex County Prison, Prison Farm, Court House and Court House Annex" by Placing Jurisdiction and Control of the Sussex County Prison, Prison Farm, Court House and Court House Annex in the Levy Court of Sussex County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

Mr. Johnson made a motion of deferment on **SB 9.**

Mr. Johnson asked the privilege of the floor for Mr. Harvey Lawson.

The Senate recessed to call of Chair.

Senate met at call of Chair at 3:02 P. M.

Mr. Steen asked for privilege of floor for Mr. Lawson.

Mr. Steen asked for Roll Call on motion for deferment.

On the motion for deferment the yeas and nays were ordered as follows:

YEAS—Messrs. Covey, Johnson, Melson, Williams—4.

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

ABSENT—Mr. Wilgus—1.

So the motion for deferment not having received the constitutional majority, was lost, and **SB 9** was put upon its passage.

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, Melson, Williams—4.

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. McCullough, **HJR 2**—"Constituting a Commission to Consider the Preservation of the Old Court House at New Castle and Report Its Recommendations to the General Assembly," was taken up for consideration and read in order to pass the Senate.

On motion of Mr. McCullough, Senate Rule 22 was suspended.

On the question "Shall the Resolution 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 resolution having received the required constitutional majority, passed the Senate and was ordered returned to the House.

The Chief Clerk of the House informed the Senate that the House had concurred in **SCR 3** and that the House had passed and requested the concurrence of the Senate in the following bill and resolution, which were presented by the Chair, given first and second readings by title only, and referred to committee as follows:

**HB 72**—"An Act to Repeal Chapter 71, Title 11, of the Delaware Code, Entitled "Sussex County Prison, Prison Farm, Court House and Court House Annex" by Placing Jurisdiction and Control of the Sussex County Prison, Prison Farm, Court House and Court House Annex in the Levy Court of Sussex County," to Executive.

**HCR 2**—"Appropriation for Postage Stamps and Other Supplies for the 118th General Assembly," to Finance.

The Chair presented **HCR 2**—"Appropriation for Postage Stamps and Other Supplies for the 118th General Assembly."

**BE IT RESOLVED** by the House of Representatives, the Senate concurring therein, that the sum of Five Thousand Dollars (\$5,000.00) is appropriated out of the General Fund of the Treasury of the State of Delaware for the purchase of postage stamps and other supplies to be used for the official business of the 118th Session of the General Assembly of the State of Delaware.

On motion of Mr. Lammot, **HCR 2** was adopted and returned to the House.

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.

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

February 10, 1955

To the Honorable The Senate of the State of Delaware  
Dover, Delaware

Gentlemen:

Under the authority granted in Title 14, Section 5105 (c) Delaware Code of 1953 the Board of Trustees of the University of Delaware elected two new members to that Board.



At the request of the President of the University of Delaware and in further compliance with the provisions of Title 14, Section 5105 (c) Delaware Code of 1953 I hereby submit for the consent and confirmation of the Senate the following named persons:

James M. Tunnell, Jr., Georgetown, Delaware, elected by the Board of Trustees of the University of Delaware on June 12, 1954 to be a member of the Board of Trustees at the University of Delaware for a term to expire June 12, 1960.

Granville M. Read, 812 Berkley Road, Westover Hills, Wilmington, Delaware, elected by the Board of Trustees of the University of Delaware on December 4, 1954 to be a member of the Board of Trustees at the University of Delaware for a term to expire December 4, 1960.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Behen, **HB 1**—"An Act Authorizing the State of Delaware to Transfer a Portion of Public Lands in the Town of Georgetown to the Town of Georgetown," was taken up 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.

On motion of Mr. Behen, Rule 22 was suspended.

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. Johnson, the Senate recessed until call of Chair.

Mr. Camper introduced the following resolution, which on further motion by him was adopted: **SR 24**—"Authorizing the Payment of the Sum of \$25.00 to the Harrington Journal for the Printing of Senate Roll Call Cards and the Payment of the Sum of \$40.00 to the Harrington Journal for the Printing of Senate Receipt Books."

Senate met at expiration of recess at 4:27 P. M.

**BE IT RESOLVED** by the Senate of the 118th General Assembly of the State of Delaware, that the State Treasurer be and he hereby is authorized and directed to pay out of the General Fund unto Harrington Journal the sum of \$25.00 to cover the cost of printing Senate roll call cards, and he also is authorized and directed to pay out of the General Fund unto the Harrington Journal the sum of \$40.00 for the printing of Senate receipt books.

Mr. Lester Melvin and Mr. George Littleton were sworn in by the President.

## ILLUSTRATION OF EMPLOYEE'S OATH

The State of Delaware, County of Kent, ss.

I, Lester Melvin, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Cloak Room Attendant for the Senate in the General Assembly of the State, according to the best of my ability.

LESTER MELVIN

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

**SB 82**—"An Act to Appropriate Certain Monies to the Board of School Trustees of Millsboro School No. 23," by Steen; to Finance.

**SB 83**—"An Act to Appropriate Certain Monies to the Board of School Trustees of Millsboro School No. 23 for the Purpose of Restoring Certain Monies That Reverted to the General Fund," by Steen; to Finance.

**SB 84**—"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, Remodeling, and Equipping of Two Existing Buildings, and the Enlarging of One Existing Building at the State Hospital at Farnhurst and Making an Appropriation Therefor," by McCullough and Reilly; to Public Health.

**SB 85**—"An Act to Amend Chapter 15, Title 10 of the Delaware Code Relating to the Term of the Judge of the Court of Common Pleas for Kent County," by Behen; to Judiciary.

**SB 86**—"An Act to Amend Chapter 39, Title 12 of the Delaware Code, Relating to Records to be Kept by the Clerk of the Orphans' Court," by Behen; to Judiciary.

**SB 87**—"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," by McCullough; to Revised Statutes.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 3** by Fish, Oysters and Game; **SB 60** by Agriculture; **SB 22**, **SB 33**, **SB 34** by Education; **SB 15** 3 favorably, 2 on merits; **SB 17** 3 favorably, 2 on merits; **SB 18** 3 favorably, 2 on merits; **SB 73** 3 favorably, 2 on merits; **SB 80** 3 favorably, 2 on merits; **SB 81** 3 favorably, 2 on merits by Judiciary; **SB 37** 3 favorably, 1 on merits, by Claims; **SB 56** by Judiciary.

On motion of Mr. Reilly, the Senate adjourned until 1:00 P. M., Friday, February 11, 1955.

## 23RD LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:00 P. M. on Friday, February 11, 1955, President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Camper, Covey, Harrison, Hoey, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Mr. President Pro Tem—13.

Members absent—Messrs. Butler, Johnson, Wilgus, Williams—4.

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

Messrs. Johnson and Williams asked to be marked present.

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 25**—"Authorizing a Payment on Account to the Accountant for the Joint Finance Committee."

**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 George Littleton, who has been duly appointed Accountant for the Joint Finance Committee by Concurrent Resolution of the General Assembly, upon the order of the President Pro Tem of the Senate, the sum of Two Hundred Dollars (\$200.00) on account of services to the present Session of the General Assembly. Such sum so paid shall be charged against the salary of George Littleton, and shall be a part of the expenses of this Session of the General Assembly.

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

**SB 88**—"An Act to Amend Title 24 of the Delaware Code by Creating a State Board of Electrical Examiners, by Prescribing Regulations for Reduction of Fire Hazards and for Protection of Life and Property and Appropriating Funds for the Administration Thereof," by Lammot; to Public Health.

**SB 89**—"An Act Authorizing the Payment of the Sum of \$150.00 to Louis Slater for Expenses Incurred as a Result of an Injury Received at the Harrington School," by Camper; to Claims.

**SB 90**—"An Act to Amend Title 29, of the Delaware Code Relating to "State Government" by Changing the Definition of "Monthly Retiring Base Salary," by McCullough; to Executive.

**SB 91**—"An Act to Amend Title 7, of the Delaware Code Relating to State Parks by Providing That Principal and

Interest of Bonds of the State Park Commission Shall be Payable at the Wilmington Office of Any Specified Bank or Trust Company in the State of Delaware Doing Business in the City of Wilmington," by Camper; to Banking and Insurance.

**SB 92**—"An Act to Authorize the Mayor and Council of Wilmington to Provide for the Planning, Acquisition, Purchase, Construction, Reconstruction, Improvement, Betterment, Extension, Operation, and Maintenance of Revenue-Producing Undertakings for the Improvement of the Water Front and to Increase the Harbor Terminal and Shipping Facilities of the City of Wilmington; Authorizing the Exercise of the Power of Eminent Domain and the Fixing of Rates in Connection With Such Undertakings; Authorizing and Regulating the Issuance of Bonds for Financing Such Undertakings; Providing for the Payment of Such Bonds and the Rights of the Holders Thereof," by Lammot and Reilly; to Buildings and Highways.

**SB 93**—"An Act to Amend Chapter 5, Title 17 of the Delaware Code, Relating to the Penalties for Casting Glass or Injurious Obstructions on Public Highways; by Camper; to Claims.

The Chair presented **HB 72**, which was given first and second reading, the second by title only, and referred to the Executive Committee.

Two messengers from the House, Messrs. Macklin and Maclary, invited the Senate to join the House in Joint Session in observance of Lincoln's Birthday.

On motion of Mr. Lammot, the Senate recessed for the Joint Session.

### JOINT SESSION

The Sergeant-at-Arms announced the President and Members of the Senate. They were admitted and seated. The Speaker of the House invited the President of the Senate to the Rostrum.

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

Mr. Macklin moved that the Speaker of the House preside over the Joint Session. Motion prevailed.

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

The Speaker of the House appointed Mr. Lammot, Mr. Macklin and Mr. Maclary a committee to escort Mr. John M. Tunnell to the Rostrum.

The Speaker introduced Mr. Tunnell, who gave an address on Abraham Lincoln.

The Speaker of the House thanked Mr. Tunnell for his message.

Mr. Lammot moved that the Joint Session be dissolved and the House and Senate convene in their chambers in regular session. Motion prevailed.

Senate met in regular session at 2:20 P. M. at call of the Chair.

On motion of Mr. Lammot, the Senate adjourned until Monday, February 14, 1955, at 1:00 P. M.

## 24TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:02 P. M. on Monday, February 14, 1955, President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

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

Members absent—Messrs. Behen, 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. Behen, Hoey and Steen asked to be marked present.

Announcement by Mr. Pryor of meeting of Revised Statutes Committee.

Communications: By Johnson, concerning **SB 9**; by Steen, from Maryland Senate regarding visit on Wednesday.

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

**SB 94**—"An Act to Require the Railroad Company Owning and Controlling the Railroad Tracks at the Porter Road Crossing in Porter, Delaware, to Install Signal and Warning Lights," by Butler; to Buildings and Highways.

**SB 95**—"An Act to Require the Railroad Company Owning and Controlling the Railroad Tracks at the Armstrong Road Crossing, in Armstrong, Delaware, to Install Signal and Warning Lights," by Butler; to Buildings and Highways.

**SB 96**—"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," by Lammot and Reilly; to Finance.

**SB 97**—"An Act to Repeal Section 122, Title 26, Chapter 1 of the Delaware Code Relating to the Public Service Commission With Regard to Jurisdiction Over Municipally Owned Public Utilities," by Behen; to Municipal Corporations.

**SB 98**—"An Act to Amend Chapter 122, Volume 29, Laws of Delaware, Entitled "An Act Providing for Assess-

ment Against Abutting Properties in the City of Wilmington for a Portion of the Cost of Paving and Improving the Public Street Roadways" by Repealing the Provision for Assessment and Providing for Contribution by the Levy Court of New Castle County," by Reilly; to Buildings and Highways.

On motion of Mr. Steen, **SB 3**—"An Act Appropriating Certain Moneys to the Delaware Commission of Shell Fisheries to Purchase and Install Two Diesel Engines on the Guard Boat "Delaware", was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Camper, the Senate recessed.

Senate met at expiration of recess at 2:20 P. M.

On motion of Mr. Steen, action on **SB 3** was deferred until Thursday, February 17, 1955.

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

Senate met at 2:40 P. M. at the call of the Chair.

The Chair announced that **SB 96** was reassigned from the Finance Committee to the Education Committee.

Mr. Steen introduced the following joint resolution, which on further motion by him was adopted and ordered to the House for concurrence: **SJR 2**—"In Reference to Government Loans to Poultry Growers."

WHEREAS, it has come to the attention of the General Assembly that certain agencies of the United States government have been pursuing a policy of lending money to individuals and companies for the purpose of increasing poultry production and,

WHEREAS, the great majority of all poultry in this State is raised through the use of private capital, and

WHEREAS, the poultry growing industry has suffered and is suffering adverse consequences as a result of over production of poultry throughout the country, NOW, THEREFORE,

BE IT RESOLVED BY THE SENATE OF THE 118TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE (THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN) as follows:

1. That the State of Delaware deplores the policy of these agencies of the United States government in making loans of federal funds for the purpose of increasing poultry production and facilities throughout the country which policy has had adverse effects upon the poultry growing industry of this State that is and always has been financed by private capital.

2. That the Secretary of the Department of Agriculture is requested to review the policy of these agencies in making such loans toward the end of cessation of the making of such loans, and, AN EFFORT BE MADE TO COLLECT ALL LOANS NOW DUE AND OVERDUE, AND,

3. That a certified copy of this Resolution be sent to the Secretary of the Department of Agriculture and to each member of this State's delegation in the Congress of the United States.

The Senate recessed.

Senate met at expiration of recess at 4:19 P. M.

Messenger from the House announced that the House had passed and asked the concurrence of the Senate in the following:

**HCR 4**—"Expressing Appreciation to Justice James M. Tunnell for His Program Commemorating the Birthday of Abraham Lincoln."

**HB 35**—"An Act to Authorize the Register of Wills in and for New Castle County to Procure a New Press and Seal of Office."

The Chair presented **HB 35**, which was given first and second reading and referred to the Miscellaneous Committee.

The Chair presented **HCR 4**.

On motion of Mr. Steen, Rule 22 was suspended.

On further motion by Mr. Steen, **HCR 4** was adopted and ordered returned to the House.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 25** by Miscellaneous; **SB 45** on its merits, **SB 48** on its merits, **SB 50** on its merits, **SB 51** on its merits, **SB 54** 1 favorably, 3 unfavorably, **SB 58** unfavorably, **SB 61** on its merits, **SB 75** on its merits, by Revised Statutes.

On motion of Mr. Reilly for Mr. Moore, **SB 56**—"An Act to Amend the Charter of the Town of Hartly, Chapter 152, Volume 29, Laws of Delaware, by Increasing the Amount Permitted to be Raised 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, 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.

Mr. Johnson presented the following communication to the Senate and requested it be filed with the Journal:

February 11, 1955

The Honorable Thomas L. Johnson, Delaware State Senate  
Dover, Delaware

Dear Senator:

The enclosed copy of my letter to Senator Williams is self explanatory I am sure.

If there is any thing you feel you can do in regard to this matter I would be most grateful. Trust it meets with your approval.

I went to Dover last Monday and hung around until about 1:30, but no one appeared. I presume there was no hearing. I felt it would be futile anyhow, and according to the paper the Democrats got their way.

Will try to get back another day.

Respectfully yours,

RUTH W. HOCH, Bridgeville

The messenger from the House announced that the House had concurred in SJR 2 and was returning same to the Senate.

The President Pro Tem announced that he was signing HB 1.

Mr. Johnson requested a hearing on SB 73.

The President asked Mr. Zack Wells to the Rostrum where he made a few remarks to the Senate.

Mr. Harrison presented a communication.

On motion of Mr. Reilly, the Senate adjourned until Tuesday, February 15, 1955 at 1:00 P. M.

## 25TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:00 P. M. on Tuesday, February 15, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lamot, McCullough, Melson, Paradee, Pryor, Reilly, Steen—14.

Members absent—Messrs. Wilgus, Williams, Mr. President Pro Tem—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. Wilgus, Williams and Mr. President Pro Tem asked to be marked present.

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

SB 99—"An Act to Amend Chapter 27, Title 21 of the Delaware Code, Relating to Discretionary Suspension or Revocation of Motor Vehicle Licenses," by Camper; to Buildings and Highways.

SB 100—"An Act to Repeal Chapter 85, Title 9, of the Delaware Code by Abolishing the Office of Collector of Delinquent County Taxes in New Castle County and Transferring All the Powers and Duties Thereof to the Receiver of Taxes and County Treasurer," by Pryor; to Executive.



**SB 101**—"An Act to Amend Chapter 19, Title 9, Section 1902 of the Delaware Code by Increasing the Amount Paid by the Levy Court of New Castle County to Certain Fire Companies," by McCullough; to Accounts.

**SB 102**—"An Act to Amend Chapter 45, Title 7 of the Delaware Code by Requiring Public Notice and Public Sale of Public Lands," by Behen; to Public Lands.

**SB 103**—"An Act to Amend Chapter 3, Title 9, Section 249 of the Delaware Code by Increasing the Amount Paid by the Levy Courts of the Several Counties to Each Fire Company for Ambulance Service," by McCullough; to Accounts.

**SB 104**—"An Act Amending Title 24 of the Delaware Code Creating a State Board of Electrical Examiners, and to Prescribe Regulations for Reduction of Fire Hazards and for Protection of Life and Property," by Lammot and Steen; to Executive.

On Motion of Mr. Butler, **SB 60**—"An Act to Appropriate the Sum of Fifty Thousand Dollars to the State Board of Agriculture to be Used for the Purpose of Eradication of Brucellosis in Cattle and Paying Indemnities on Condemned Animals," was taken up for consideration and read a third time by title and enacting clause in order to pass the 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 ordered to the House for concurrence.

On motion of Mr. McCullough, **SB 22**—"An Act to Amend Title 14, of the Delaware Code, Relating to "Education" by Providing for the Issuance of a Professional Status Certificate for Teachers and for Regulations Concerning Certificate Renewal," was taken up 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, Mr. President Pro Tem—16.

**NAYS**—Mr. Williams—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 by the majority of the Committee on Elections: **SB 44, SB 43, SB 40, SB 42, SB 42, SB 23, SB 31, SB 27.**

On motion of Mr. Behen, **SB 37**—"An Act to Amend Chapter 95, Title 9 of the Delaware Code, to Provide for the

Payment of \$50 to the Coroner of Kent County for the Purchase of Burial Lots," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. President Pro Tem Moore the Senate recessed until call of Chair.

Senate met at expiration of recess at 4:00 P. M. President Pro Tem Moore presiding.

On motion of Mr. Behen, SB 37 was deferred.

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.

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

February 15, 1955

To the Honorable The Senate of the State of Delaware  
Dover, Delaware

Gentlemen:

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

Americus G. Betts, Millsboro, Delaware, to be a Justice of the Peace in and for Sussex County for a term of four years from February 16, 1955.

Respectfully submitted,

J. CALEB BOGGS, Governor

Mr. Reilly introduced the following resolution, which on further motion by him was adopted: **SR 26**—"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.

Mr. Reilly announced that the Members of the Senate would go to Annapolis by bus in Wednesday, February 16, 1955.

On motion of Mr. Reilly, the Senate adjourned until 10:00 A. M., Wednesday, February 16, 1955.

## 26TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 10:05 A. M. on Wednesday, February 16, 1955, President Pro Tem Moore presiding.

Prayer by Mr. Lammot.

Members present—Messrs. Butler, Camper, Covey, Harrison, Hoey, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Mr. President Pro Tem—13.

Members absent—Messrs. Behen, Johnson, Wilgus, Williams—4.

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

Mr. Williams asked to be marked present.

On motion of Mr. McCullough, SB 22—"An Act to Amend Title 14 of the Delaware Code, Relating to "Education" by Providing for the Issuance of a Professional Status Certificate for Teachers and for Regulations Concerning Certificate Renewal," was reconsidered and restored to the Calendar.

On motion of Mr. McCullough, SB 22—"An Act to Amend Title 14 of the Delaware Code, Relating to "Education" by Providing for the Issuance of a Professional Status Certificate for Teachers and for Regulations Concerning Certificate Renewal," was taken up for consideration and read a third time by enacting clause 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, Lammot, McCullough, Melson, Paradee, Reilly, Steen, Mr. President Pro Tem—13.

NAYS—Messrs. Pryor, Williams—2.

ABSENT—Messrs. Johnson 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.

On motion of Mr. Lammot, the Senate adjourned until Thursday, February 17, 1955 at 1:00 P. M.

## 27TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:00 P. M. on Thursday, February 17, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Butler, Camper, Harrison, Lammot, McCullough, Melson, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—12.

Members absent—Messrs. Behen, Covey, Hoey, Johnson, Paradee—5.

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

Mr. Camper presented a communication about SB 93.

On motion of Mr. Pryor, the desks of the Senators were given a different arrangement.

On motion of Mr. Lammott the Senate recessed.

Senate met at expiration of recess.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 27** by Elections; **SB 101**, **SB 103** by Accounts; **SB 87** by Education.

Mr. Reilly introduced the following joint resolution, which on further motion by him was adopted and ordered to the House for concurrence: **SJR 3**—"Appointing Directors on the Part of the State for the Farmers Bank of the State of Delaware.

**BE IT RESOLVED**, by the Senate and the House of Representatives of the State of Delaware, in General Assembly met:

That Vernon B. Derrickson, Walter L. Wheatley and Henry V. P. Wilson, be and they are hereby appointed Directors, on the part of the State, of the Farmers Bank of the State of Delaware for the Principal Office at Dover; and that **Aaron Finger**, Charles F. Krug and Eugene Lammot be and they are hereby appointed Directors, on the part of the State of the Farmers Bank of the State of Delaware for the branch at Wilmington; and that Charles D. Murphy, Jr., John G. Townsend, Jr., and Curtis W. Steen be and they are hereby appointed Directors, on the part of the State, of the Farmers Bank of the State of Delaware for the branch at Georgetown.

Mr. Steen introduced the following resolution, which on further motion by him was adopted: **SR 27**—"In Reference to the Visitation by the Senate to the Senate of the State of Maryland."

**WHEREAS** the Senate of the State of Delaware visited the Senate of the State of Maryland in Annapolis, Maryland on February 16, 1955, and

**WHEREAS** the senate of the State of Delaware was greeted with true hospitality and graciousness by the Governor of the State of Maryland, the President of the Senate of the State of Maryland, members of the Senate of the State of Maryland and other dignitaries of that great State, and

**WHEREAS** the members of the Senate of the State of Delaware found their visit to be truly enjoyable and educational,

# **NOW THEREFORE**

**BE IT RESOLVED** by the Senate of the 118th General Assembly of the State of Delaware as follows:

1. That the thanks and gratitude of the Senate of the State of Delaware be extended to the Governor of the State of Maryland, the President of the Senate of the State of Maryland, the members of the Senate of the State of Maryland and the other dignitaries of that great State for their generous hospitality upon the visit of the members of the Senate of the State of Delaware to the Senate of the State of Maryland in Annapolis, Maryland on February 16, 1955; and, further

2. That a copy of this Resolution be spread upon the Journal of the Senate and a further copy be forwarded to the Governor of the State of Maryland and the President of the Senate of the State of Maryland.

Mr. Reilly introduced the following resolution, which on further motion by him was adopted: **SR 28**—"In Reference to the Visitation by the Senate of the State of Delaware to the Senate of the State of Maryland."

**WHEREAS** the Senate of the State of Delaware visited the Senate of the State of Maryland in Annapolis, Maryland on February 16, 1955, and

**WHEREAS** Senator Curtis W. Steen so graciously arranged for all plans and details of this visit and through his initiative was the motivating force behind this visit with the Governor and the Senate of the State of Maryland, and

**WHEREAS** the members of the Senate of the State of Delaware found this visit to be an enjoyable and educational experience, and

**WHEREAS** it is the desire of the members of the Senate of the State of Delaware to extend their sincere thanks and appreciation to Senator Curtis W. Steen for his considerate efforts and labors which resulted in making this trip a memorable occasion,

# **NOW THEREFORE**

**BE IT RESOLVED BY THE SENATE OF THE 118TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE AS FOLLOWS:**

1. That the sincere thanks and appreciation of the members of the Senate of the State of Delaware be and they hereby are extended to their fellow member of the Senate, Senator Curtis W. Steen, for his fine efforts in making the visit to the Senate of the State of Maryland possible. He is hereby assured that this experience will long be remembered and it is hoped that the fine friendly relationship between the State of Delaware and the State of Maryland may be continued on the same fine basis which this visit exemplified; and, further

2. That a copy of this Resolution be spread upon the Journal of the Senate and a further copy be given to Senator Curtis W. Steen.

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

**SB 105**—"An Act to Amend Chapter 43, Title 21, Delaware Code With Regard to Regulating Transportation of Explosives," by McCullough; to Education.

**SB 106**—"An Act to Amend Title 7, of the Delaware Code Relating to the Collector of Oyster Revenue by Providing That Moneys Received by the Collector May be Deposited to the Credit of the State Treasurer in Any Bank or Trust Company in the State of Delaware," by Moore; to Banking and Insurance.

**SB 107**—"An Act to Amend Title 9, Delaware Code, Relating to Suburban Communities Improvements by Providing That Demand for Registration of Levy Court Bonds for Particular Community Improvements May be Made Upon the Office of the Banks or Trust Company at Which the Bonds are Payable," by Moore, to Banking and Insurance.

**SB 108**—"An Act to Amend Chapter 21 of Title 25, Volume 11 of the Delaware Code in Relation to Mortgages on Interests in Real Estate and Providing for Open End Mortgages," by Melson (by request); to Banking and Insurance.

The Senate recessed until the call of the Chair.

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

The messenger from the House announced that the House had passed **HCR 5**—"Directing the Appointment of a Joint Committee to Arrange for a Suitable Program for the Observance of Washington's Birthday," and requested the concurrence of the Senate.

The Chair presented **HCR 5**, which was read into the record.

Mr. Reilly moved that Rule 22 be suspended. Motion prevailed.

Mr. Reilly moved for adoption of **HCR 5**. Motion prevailed. And **HCR 5** was returned to the House.

On motion of Mr. Lammot, **SB 88** was stricken from the calendar.

President Pro Tem announced the appointment of Messrs. Lammot, Covey and Camper to the committee authorized by **HCR 5**.

On motion of Mr. Reilly, **SB 26** was stricken from the calendar.

On motion of Mr. Lammot, the Senate adjourned until Monday, February 21, 1955 at 1:00 P. M.

## 28TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:00 P. M. on Monday, February 21, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Camper, Harrison, Hoey, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Mr. President Pro Tem—12.

Members absent—Messrs. Covey, Johnson, Steen, Wilgus, Williams—5.

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. Johnson, Steen, Wilgus and Williams asked to be marked present.

Communications: One from Mrs. John Hazzard thanking the House and Senate for **SCR 4**.

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

Senate met at expiration of recess at 1:15 P. M.

Mr. Reilly moved that **SJR 3**—"Appointing Directors on the Part of the State for the Farmers Bank of the State of Delaware," be reconsidered. Motion prevailed.

Mr. Reilly asked for roll call.

The yeas and nays were ordered.

**YEAS**—Messrs. Butler, Camper, Harrison, Hoey, Johnson, McCullough, Melson, Paradee, Reilly, Williams, Mr. President Pro Tem—11.

**NAYS**—None.

**NOT VOTING**—Messrs. Lammot, Steen—2.

**ABSENT**—Messrs. Behen, Covey, Pryor, Wilgus—4.

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

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

**SB 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," by Behen; to Judiciary.

**SB 110**—"An Act to Amend Chapter 55, Title 29 of the Delaware Code Relating to the State Employees' Pension Plan by Providing for Optional Retirement of Female Employees at the Age of 55 Years," by Behen; to Judiciary.

**SB 111**—"An Act Authorizing the Levy Court of Kent County to Borrow on the Credit of the County a Sum of Money Not Exceeding Three Hundred and Seventy-Five Thousand Dollars to be Expended for Acquiring Additional Lands to be Used for the Purpose of Building an Addition or Additions to the Kent County Court House, and for Making Such Alterations and Repairs to the Existing Court House as the Levy Court Shall Deem Necessary and Expedient," by Behen (by request); to Municipal Corporations.

The Senate recessed until the call of the Chair.

Senate met at expiration of recess at 3:37 P. M. at call of the Chair.

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

**SB 112**—"An Act to Prohibit the Retail Sale of Poultry in the State of Delaware Below the Current Wholesale Market price; Providing Penalty," by Pryor; to Miscellaneous.

**SB 113**—"An Act to Amend Chapter 83, Title 11 of the Delaware Code Relating to the State Police Pension System," by Behen (by request); to Judiciary.

**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," by Reilly; to Public Health.

**SB 115**—"An Act to Amend Chapter 53, Title 30 of the Delaware Code by Repealing the Cigar Tax," by Reilly; to Finance.

**SB 116**—"An Act to Amend Chapter 41, Title 14 of the Delaware Code, to Provide Teachers With Duty Free Lunch Time," by McCullough; to Education.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 78** on it merits, by Revised Statutes; **SB 79** by Elections; **SB 69** by Agriculture; **HB 72** by Executive.

Request that the following be stricken from the calendar was granted to member as follows: By Behen, **SB 54**.

On motion of Mr. Reilly, the Senate adjourned until 1:00 P. M., Tuesday, February 22, 1955.

## 29TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:00 P. M. on Tuesday, February 22, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Covey, Harrison, Lammt, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—13.

Members absent—Messrs. Camper, Hoey, Johnson, Wilgus—4.

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. Camper and Hoey asked to be marked present.

On motion of Mr. Pryor, **SB 58** was returned to the Revised Statutes Committee for further consideration.



On motion of Mr. Steen, **HB 72**—"An Act to Repeal Chapter 71, Title 11, of the Delaware Code Entitled "Sussex County Prison, Prison Farm, Court House and Court House Annex" by Placing Jurisdiction and Control of the Sussex County Prison, Prison Farm, Court House and Court House Annex in the Levy Court of Sussex County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On objection by Mr. Melson, that **HB 72** was not on the agenda, Mr. Steen asked that it be deferred until February 23, 1955.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following: **HB 57, HB 58, HB 73, HB 86, HB 96, HB 91, HB 126, HB 129.**

The Chair presented the following bill, which was given first and second readings by title only, and referred to committee as follows:

**HB 129**—"An Act to Amend Title 16, Delaware Code, in Regard to Offensive Use of Property Near the Governor Bacon Health Center," to Municipal Corporations.

Mr. Steen presented a communication about **HB 72.**

The Chair recommitted **HB 129** to Accounts from Municipal Corporations.

The Senate recessed until 2:00 P. M.

Senate met at 2:00 P. M. at call of Chair.

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

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

### JOINT SESSION

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

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

Mr. Lammot moved that Senate Rule 36 be suspended during the Joint Session. Motion prevailed.

The Chair appointed Messrs. Lawson and Reilly to escort the speaker of the occasion to the Rostrum.

The Chair appointed Messrs. Williams, Hoey, Maclary and Macklin to escort the Governor to the Rostrum.

The committee escorted the speaker for the occasion, Judge Charles L. Terry, to the Rostrum.

The Sergeant-at-Arms announced His Excellency, J. Caleb Boggs.

The committee escorted Governor Boggs to the Rostrum.

Mr. Lammot introduced Mr. Wallace Pancoast, the band leader of the Wm. Penn High School of New Castle, Del. The band played several selections.

Mr. Moore introduced the Honorable Charles L. Terry, Judge of the Superior Court of Delaware, gave the speech for Washington's Birthday.

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

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

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

Senate met in regular session at 2:50 P. M.

Judge Elwood F. Melson was invited to the Rostrum.

On motion of Mr. Lammot, the Senate adjourned until 1:00 P. M., Wednesday, February 23, 1955.

### 30TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:00 P. M. on Wednesday, February 23, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

For lack of quorum, the Chair declared the Senate recessed to call of Chair.

Senate met at expiration of recess at 1:38 P. M.

Roll call:

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

Members absent—Messrs. Camper, Covey, McCullough, 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. Camper, McCullough and Steen asked to be marked present.

Mr. Camper introduced Ladies from the Harrington New Century Club.

Mr. McCullough introduced students, who were from his home district.

On motion of Mr. Behen, SB 37—"An Act to Amend Chapter 95, Title 9 of the Delaware Code, to Provide for the Payment of \$50 to the Coroner of Kent County for the Purchase of Burial Lots," was taken up for consideration, having previously been given third reading and then deferred, in order to pass the Senate.

Mr. Camper moved for deferrment.

The yeas and nays were ordered.

YEAS—Messrs. Camper, Hoey, Johnson, Melson, Steen, Wilgus, Williams—7.

NAYS—Messrs. Behen, Butler, Harrison, Lammot, McCullough, Paradee, Pryor, Reilly, Mr. President Pro Tem—9.

ABSENT—Mr. Covey—1.

The motion for deferrment failed to get a constitutional majority and so was 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, 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 having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Steen, **HB 72**—"An Act to Repeal Chapter 71, Title 11, of the Delaware Code Entitled "Sussex County Prison, Prison Farm, Court House and Court House Annex" by Placing Jurisdiction and Control of the Sussex County Prison, Prison Farm, Court House and Court House Annex in the Levy Court of 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. Behen, Butler, Camper, Harrison, Hoey, Lammot, McCullough, Paradee, Pryor, Reilly, Steen—11.

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

ABSENT—Mr. Covey, 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. Reilly, **SB 72**—"An Act Authorizing a Referendum on Whether or Not the People are in Favor of Permitting the Playing of "Bingo" When Sponsored by Volunteer Fire Companies and Other Civic, Charitable and Religious Non-Profit Groups," was taken up 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, Mr. President Pro Tem—11.

NAYS—Messrs. Johnson, Melson, Steen, Williams—4.

ABSENT—Messrs. Covey, 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.

Mr. McCullough introduced the following resolution, which on further motion by him was adopted: **SR 29**—"In Reference to the Purchase of Filing Cabinets."

WHEREAS, the volume of mail, literature and other documents received by individual Senators has reached the point where existing facilities are inadequate for filing or storing them,

**BE IT RESOLVED BY THE SENATE OF THE 118th GENERAL ASSEMBLY OF THE STATE OF DELAWARE:**

1. That the State Librarian be and is hereby authorized and directed to purchase four filing cabinets each consisting of four independently locking drawers for the use of members of the Senate.

Mr. Camper introduced the following resolution, which on further motion by him was adopted: **SR 30**—"Authorizing the Payment of the Sum of \$25.00 to the Harrington Journal for the Printing of Bill Backers for Senate Concurrent and Joint Resolutions."

**BE IT RESOLVED** by the Senate of the 118th General Assembly of the State of Delaware, that the State Treasurer be and he hereby is authorized and directed to pay out of the General Fund unto Harrington Journal the sum of \$25.00 to cover the cost of printing bill backers for Senate Concurrent and Joint Resolutions.

Mr. Lamot introduced the following resolution, which on further motion by him was adopted: **SR 31**—"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, up to and including the 30th 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 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

th Senate hereinafter named, the respective amounts sets 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 .....	6.00
Charles G. Moore .....	155.00
S. W. Harrison .....	24.00
Jehu F. Camper .....	190.00
Clifford Pryor .....	108.00
William C. Paradee .....	45.00
William O. Covey .....	300.00
Curtis W. Steen .....	300.00
Robert E. Wilgus .....	327.00
Thomas L. Johnson .....	264.00

Mr. Camper introduced the following resolution, which on further motion by him was adopted: **SR 32**—"Authorizing the Payment of the Sum of Nine Hundred Eighty-Six Dollars and Forty Cents (\$986.40) to the Milford Chronicle Publishing Company 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 nine hundred eighty-six dollars and forty cents (\$986.40) to cover cost of printing Daily Calendars in accordance with the following statement:

To Printing Daily Calendars for 1955 Session.

300 copies each day

6th Legislative Day	4 pages @ \$3.60 per page	....\$ 14.40
7th Legislative Day	6 pages @ \$3.60 per page	.... 21.60
12th Legislative Day	6 pages @ \$3.60 per page	.... 21.60
13th Legislative Day	8 pages @ \$3.60 per page	.... 28.80
14th Legislative Day	8 pages @ \$3.60 per page	.... 28.80
15th Legislative Day	10 pages @ \$3.60 per page	.... 36.00
16th Legislative Day	12 pages @ \$3.60 per page	.... 43.20
17th Legislative Day	12 pages @ \$3.60 per page	.... 43.20
18th Legislative Day	14 pages @ \$3.60 per page	.... 50.40
19th Legislative Day	14 pages @ \$3.60 per page	.... 50.40
20th Legislative Day	14 pages @ \$3.60 per page	.... 50.40
21st Legislative Day	14 pages @ \$3.60 per page	.... 50.40
22nd Legislative Day	14 pages @ \$3.60 per page	.... 50.40
23rd Legislative Day	16 pages @ \$3.60 per page	.... 57.60
24th Legislative Day	16 pages @ \$3.60 per page	.... 57.60
25th Legislative Day	16 pages @ \$3.60 per page	.... 57.60

26th Legislative Day 18 pages @ \$3.60 per page ....	64.80
27th Legislative Day 18 pages @ \$3.60 per page ....	64.80
28th Legislative Day 18 pages @ \$3.60 per page ....	64.80
29th Legislative Day 18 pages @ \$3.60 per page ....	64.80
30th Legislative Day 18 pages @ \$3.60 per page ....	64.80

Total for printing calendars from 6th Legislative

Day to 30th Legislative Day inclusive .....\$986.40

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

**SB 117**—"An Act Authorizing and Directing the Levy Court of Sussex County to Make Available to the Board of Soil District Supervisors of the Soil Conservation District of Sussex County Certain Funds for the Employment of an Equipment Manager," by Steen; to Agriculture.

**SB 118**—"An Act Appropriating Money to the State Soil Conservation Commission for the Drainage of Tax Ditches in Sussex County," by Steen and Wilgus; to Agriculture.

**SB 119**—"An Act to Require the Railroad Company Owning and Controlling the Railroad Tracks at the Armstrong Road Crossing, in Armstrong, Delaware, to Install Signal and Warning Lights," by Butler; to Buildings and Highways.

**SB 120**—"An Act to Require the Railroad Company Owning and Controlling the Railroad Tracks at the Porter Road Crossing in Porter, Delaware, to Install Signal and Warning Lights," by Butler; to Buildings and Highways.

**SB 121**—"An Act Authorizing and Directing the Levy Court of New Castle County to Appoint and Station a Crossing Guard at Lambson's Lane and New Castle Avenue in New Castle Hundred," by McCullough; to Education.

**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," by Steen and Williams; to Finance.

**SB 123**—"An Act to Amend Chapter 43, Title 21 of the Delaware Code Relating to Motor Vehicles by Requiring Certain Equipment on Commercial Vehicles and Trailers and Providing Penalty for Violation," by Reilly; to Buildings and Highways.

**SB 124**—"An Act to Amend Chapter 92, Volume 23, Laws of Delaware, as Amended, Being An Act Entitled "An Act to Provide for the Organization and Control of the Public Schools of the City of Wilmington" by Providing for the Election of the Members of the Board of Public Education in Wilmington: Qualifications and Method of Election of Members," by Reilly; to Education.

**SB 125**—"An Act to Amend Chapter 23, Title 21 of the Delaware Code Relating to the Recording of Liens on Encumbrances," by Steen; to Finance.

**SB 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," by Steen; to Executive.

**SB 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," by McCullough; to Education.

**SB 128**—"An Act to Amend Chapter 3, Title 14 of the Delaware Code by Changing the Time During Which Polls are to Remain Open for Election of School Board Members in Kent, Sussex, and Part of New Castle Counties," by McCullough; to Education.

The Senate recessed until the call of the Chair.

Senate met at expiration of recess at 5:02 P. M.

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

**HB 57**—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware," to Finance.

**HB 58**—"An Act Appropriating Money to the Disabled American Veterans in Delaware," to Finance.

**HB 73**—"An Act Appropriating Money to American Legion, Sussex Post Number 8, in Sussex County, With Which to Operate and Maintain An Ambulance," to Finance.

**HB 86**—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware Which Maintain and Operate a Rescue Truck," to Finance.

**HB 91**—"An Act Making Appropriations to the Veterans of Foreign Wars, Department of Delaware, for the Furnishing of Services to Veterans and Their Dependents," to Finance.

**HB 96**—"An Act Making Appropriations to the American Legion, Department of Delaware, for the Furnishing of Services to Veterans and Their Dependents," to Finance.

**HB 126**—"An Act Making an Appropriation to the State Board of Education to Provide for the Payment of Costs and Expenses of Transportation of School Pupils Over and Above the Present Appropriations Available to the State Board of Education for Such Purposes," to Finance.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following: **HB 66, HB 76.**

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 113** 3 favorably, 2 on merits, **SB 110** 3 favorably, 2 on merits, **SB 109** 3 favorably, 2 on merits, **SB 86**

3 favorably, 2 on merits, **SB 85** 3 favorably, 2 on merits, **SB 19** 3 favorably, 2 on merits, **SB 16** 3 favorably, 2 on merits, **SB 14** 3 favorably, 2 on merits, by Judiciary.

Requests that the following be stricken from the calendar were granted to member as follows: **SB 94**, **SB 95**, by Butler.

On motion of Mr. Lammot, the Senate adjourned until Thursday, February 24, 1955, at 1:00 P. M.

### 31ST LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:00 P. M. on Thursday, February 24, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

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

Members absent— Messrs. Covey, McCullough, Pryor, 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. McCullough and Pryor asked to be marked present.

The President announced that he was about to sign **HB 72**.

On motion of Mr. Hoey, the members of the Finance Committee were excused.

The Secretary of the Senate read a communication from the Senate of the State of Maryland.

### SENATE OF MARYLAND

Louis L. Goldstein, President of the Senate

Annapolis, Maryland, February 23, 1955

Honorable Wilson E. Campbell, Secretary of the Senate,  
Dover, Delaware

Dear Mr. Campbell:

I herewith acknowledge receipt of your kind letter of February 22, and the copy of the Resolution passed by your Honorable Body, expressing the appreciation of the members of the Delaware Senate to our Senate.

I want to thank you in behalf of the Maryland Senate for the Resolution which will be read across the desk and Journalized.

With kindest personal regards and best wishes, I remain

Sincerely yours,

LOUIS L. GOLDSTEIN



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

**SB 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," by Behen; to Judiciary.

**SB 130**—"An Act to Amend Chapter 96, Title 9 of the Delaware Code Relating to the Salary of the Recorder of Kent County," by Behen, Harrison and Paradee; to Miscellaneous.

**SB 131**—"An Act to Amend Chapter 94, Title 9 of the Delaware Code, Relating to the Salary of the Clerk of the Peace of Kent County," to Harrison and Behen; to Miscellaneous.

**SB 132**—"An Act to Amend Chapter 84, Title 9 of the Delaware Code Relating to the Salary of the Receiver of Taxes and County Treasurer of Kent County," by Harrison and Behen; to Miscellaneous.

**SB 133**—"An Act to Amend Chapter 21, Title 10 of the Delaware Code Relating to the Salary of the Sheriff of Kent County," by Harrison and Behen; to Miscellaneous.

**SB 134**—"An Act to Amend Chapter 23, Title 10 of the Delaware Code Relating to the Salary of the Prothonotary of Kent County," by Paradee and Behen; to Miscellaneous.

**SB 135**—"An Act to Amend Chapter 95, Title 9 of the Delaware Code Relating to the Salary of the Coroner of Kent County," by Paradee and Behen; to Miscellaneous.

**SB 136**—"An Act to Amend Chapter 1, Title 16 of the Delaware Code by Granting the State Board of Health the Power to Regulate and Control Surface Drainage Disposal, Sewage Disposal and Water Supply Problems and Providing Penalties for Violations," by McCullough; to Public Health.

**SB 137**—"An Act to Amend Title 9, Delaware Code, Relating to Clerks of the Peace by Providing That All Monies Received by a Clerk of the Peace and Payable to the State or County Shall be Deposited in One of the County Seat Offices of Any Bank or Trust Company Doing Business at His County Seat," by Moore; to Banking and Insurance.

**SB 138**—"An Act to Prohibit the Retail Sale of Poultry in the State of Delaware Below the Current Wholesale Price; Providing Penalty," by Pryor; to Agriculture.

**SB 139**—"An Act to Amend Chapter 3, Title 9 of the Delaware Code Relating to the Salary of the Commissioners of the Levy Court of Kent County and Sussex County," by Behen and Paradee; to Miscellaneous.

**SB 140**—"An Act to Amend Section 19 of Article 3 of the Constitution of the State of Delaware Relating to the Compensation of the Lieutenant Governor," by Behen and Johnson; to Finance.

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

**HB 66**—"An Act Appropriating Certain Money to Palmer Home, Incorporated," to Finance.

**HB 76**—"An Act Appropriating Money to the Delaware Society for the Prevention of Cruelty to Animals," to Finance.

The Chief Clerk of the House informed the Senate that the House had passed and returned to the Senate the following: **SB 60**.

Hon. John N. McDowell, Secretary of State, notified the Senate that the Governor had signed the following:

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

Dover, Delaware, February 24, 1955

To the Honorable, The Senate of the State of Delaware,  
Dover, Delaware

Gentlemen:

This will advise you that on the dates indicated I signed the following bills:

February 10, 1955, **HB 65**—"An Act Amending, Revising, and Consolidating the Charter of the Town of Georgetown", Being Charter 166, Volume 43, Laws of Delaware, as Amended, by Dividing the Town into Wards and Providing for the Election of the Members of the Town Council from Said Wards.

February 24, 1955, **HB 1**—"An Act Authorizing the State of Delaware to Transfer a Portion of Certain Public Lands in the Town of Georgetown to the Town of Georgetown.

Respectfully submitted,

J. CALEB BOGGS

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

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

The Chair announced that **SB 138** was being reassigned to the Revised Statutes Committee.

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 33**—"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 Forty-Seven Dollars and Four Cents (\$147.04) 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 Forty-Seven Dollars and Four Cents (\$147.04) for telephone service charges according to the statements dated February 11, 1955.

Request that the following be stricken from the calendar was granted to member as follows: By Pryor, SB 112.

The President announced he was about to sign: **SJR 2, SCR 1, SCR 2, SCR 3, SCR 4, SB 60.**

The following bill was reported favorably (unless otherwise indicated) by the majority of the Committee on Education: **HB 129**, 3 favorably, 1 on merits.

On motion of Mr. McCullough, Senate Rule 22 was suspended.

On motion of Mr. McCullough, **HB 129**—"An Act to Amend Title 16, Delaware Code, In Regard to Offensive Use of Property Near the Governor Bacon Health Center," was taken up 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, Harrison, Johnson, McCullough, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—11.

**NAYS**—Mr. Melson—1.

**ABSENT** — Messrs. Camper, Covey, Hoey, Lammot, 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. Moore, the Senate recessed until call of Chair.

Senate met at expiration of recess at 3:33 P. M.

Mr. Reilly announced Senate visitation to the Welfare Home at Smyrna on Friday.

On motion of Mr. Reilly, the Senate adjourned until Friday, February 25, 1955, at 10:00 A. M.

### 32ND LEGISLATIVE DAY

Senate met pursuant to adjournment at 10:03 A. M. on Friday, February 25, 1955, President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present — Messrs. Butler, Harrison, Lammot, McCullough, Melson, Paradee, Reilly, Steen, Mr. President Pro Tem—9.

Members absent—Messrs. Behen, Camper, Covey, Hoey, Johnson, Pryor, Wilgus, Williams—8.

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. Behen, Camper Hoey and Williams asked to be marked present.

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

Senate met at expiration of recess at 4:03 P. M.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: SB 97 4 favorably, 1 on merits, SB 111, 3 favorably, 2 on merits, by Municipal Corporations.

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

**SB 141**—"An Act to Amend Chapter 3, Title 4 of the Delaware Code Relating to the Location of the Head Office of the Delaware Liquor Commission," by Steen; to Executive.

**SB 142**—"An Act to Amend Chapter 45, Title 21 of the Delaware Code Relating to the Maximum Gross Load in Vehicles Equipped With Three Axles," by Steen; to Buildings and Highways.

**SB 143**—"An Act to Amend Chapter 45, Title 21 of the Delaware Code Relating to the Maximum Gross Load in Semi-Trailers Equipped With One Axle," by Steen; to Buildings and Highways.

**SB 144**—"An Act to Amend Chapter 31, Title 19 of the Delaware Code Relating to the Duty of the Unemployment Compensation Commission to Furnish Certain Information to the Family Court of New Castle County or the Juvenile Court of Kent and Sussex Counties," by McCullough; to Labor.

**SB 145**—"An Act to Amend Chapter 282 of Volume 21 of the Laws of Delaware Relating to the Town of Leipsic by Providing for an Increase in the Limit of Taxation," by Behen; to Municipal Corporations.

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, which were presented by the Chair and given first and second reading and referred to the following committees:

**HB 74**—"An Act Appropriating Money to the American Legion, Department of Delaware," to Miscellaneous.

**HB 85**—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware Which Maintain and Operate an Ambulance," to Miscellaneous.

**HB 99**—"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 Raise by Taxation a Sum Not in Excess of Seventy-Five Thousand Dollars (\$75,000.00) Yearly to Carry on the Government of the Town and Defray the Expenses Thereof," to Miscellaneous.

The Senate recessed until call of Chair.

Senate met at expiration of recess.

Communications: One from Governor McKeldin of the State of Maryland thanking the Senate for SR 27, as follows:

**EXECUTIVE DEPARTMENT**

Theodore R. McKeldin, Governor

Annapolis, Maryland, February 24, 1955

Mr. Wilson E. Campbell, Secretary of the Senate,  
State of Delaware, Dover, Delaware

Dear Mr. Campbell:

Thank you very much for your letter of February 22nd and the enclosed copy of Senate Resolution 27, passed by the State of Delaware.

I assure you that it was a sincere personal pleasure for me to have the opportunity to welcome the members of this distinguished body to our Capital City, and I take this opportunity to express the hope that such a visit will become an annual affair.

With kindest personal regards, and best wishes, I am,

Sincerely yours,

THEO. R. McKELDIN, Governor

Mr. Steen introduced members of John M. Clayton High School Senior Class.

The President announced that he was about to sign: **HB 129, HCR 2, HJR 2.**

Mr. Melson rose on a point of personal privilege to read from a book "The Government of Delaware" by George S. Messersmith.

On request of Mr. Reilly, Mr. Melson read Mock House Resolution.

Mr. Camper rose on a point of personal privilege to read a prepared statement.

Mr. Camper rose to point out error in **SB 138.**

On motion of Mr. Lamot, the Senate adjourned until Monday, February 28, 1955, at 1:00 P. M.

**33RD LEGISLATIVE DAY**

Senate met pursuant to adjournment at 1:00 P. M. on Monday, February 28, 1955, President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Camper, Covey, Harrison, Lamot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Mr. President Pro Tem—14.

Members absent—Messrs. Hoey, Johnson, Williams—3.

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

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

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 102** by Public Lands; **SB 129**, 3 favorably, 2 on merits, by Judiciary; **SB 145**, by Municipal Corporations; **SB 32**, by Miscellaneous.

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

**HB 74**—"An Act Appropriating Money to the American Legion, Department of Delaware," to Miscellaneous.

**HB 85**—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware Which Maintain and Operate an Ambulance," to Miscellaneous.

**HB 99**—"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 Raise by Taxation a Sum Not in Excess of Seventy-Five Thousand Dollars (\$75,000.00) Yearly to Carry on the Government of the Town and Defray the Expenses Thereof," to Miscellaneous.

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

**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," by Wilgus; to Executive.

**SB 147**—"An Act to Amend Chapter 1, Title 7 of the Delaware Code by Providing for the Restocking of Rabbits," by Behen; to Fish, Oysters and Game.

**SB 148**—"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," by Behen; to Fish, Oysters and Game.

**SB 149**—"An Act to Amend Chapter 25, Title 10 of the Delaware Code Relating to the Salary of the Register in Chancery and Clerk of the Orphans' Court of Kent County," by Behen, Paradee and Harrison; to Finance.

**SB 150**—"An Act to Amend Chapter 93, Title 9 of the Delaware Code Relating to the Salary of the County Comptroller of All Counties," by Behen, Harrison and Paradee; to Finance.

**SB 151**—"An Act to Amend Chapter 25, Title 29 of the Delaware Code Relating to the Salary of the Register of Wills of Kent County," by Behen; to Finance.

**SB 152**—"An Act to Amend Chapter 45, Title 21 of the Delaware Code Relating to the Size of Vehicles and Loads," by Behen (by request); to Buildings and Highways.

**SB 153**—"An Act to Amend Chapter 69, Title 11 of the Delaware Code Relating to the Appointment of the Deputy Warden and Other Employees at the Kent County Jail," by Harrison and Behen; to Executive.

**SB 154**—"An Act to Amend Chapter 69, Title 11 of the Delaware Code Relating to the Formulation of Rules and Regulations of the Kent County Jail," by Harrison and Behen; to Executive.

**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," by Behen; to Executive.

**SB 156**—"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," by Paradee; to Public Health.

**SB 157**—"An Act to Amend Chapter 21, Title 24, Delaware Code, Entitled "Optometry," by Paradee; to Public Health.

**SB 158**—"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," by Recalled. (Recalled on motion by Mr. Reilly.)

**SB 159**—"An Act to Amend Chapter 43, Title 16 of the Delaware Code Relating to Artificial Sweetener in Soft Drinks," by Steen; to Executive.

**SB 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," by Steen and Wilgus; to Fish, Oysters and Game.

Hon. John N. McDowell, Secretary of State, presented the following message from the Governor:

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

Dover, Delaware, February 28, 1955

To the Honorable, The Senate of the State of Delaware,  
Dover, Delaware

Gentlemen:

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

February 25, 1955, House Concurrent Resolution No. 1—Directing the Appointment of a Joint Committee to Arrange for a Suitable Program for the Observance of Lincoln's Birthday.

February 25, 1955, House Concurrent Resolution No. 2—Appropriation for Postage Stamps and Other Supplies for the 118th General Assembly.

February 25, 1955, House Concurrent Resolution No. 3—Relative to the Death of William J. Thornton, a Member of the House of Representatives of the 118th General Assembly of the State of Delaware.

February 25, 1955, House Concurrent Resolution No. 4—Expressing Appreciation to Justice James M. Tunnell for his Program Commemorating the Birthday of Abraham Lincoln.

February 25, 1955, House Bill No. 129—An Act to Amend Title 16, Delaware Code, In Regard to Offensive Use of Property Near the Governor Bacon Health Center.

Respectfully submitted,

J. CALEB BOGGS

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

Senate met at expiration of recess at 3:28 P. M.

Mr. Wilgus, on the point of personal privilege, read a statement about the necessity of a Department of Purchasing and Supplies.

On motion of Mr. Steen, letters of resignation from Mr. Ollie H. Murray and Harry G. McCallister were read in the Senate.

February 28, 1955

The Senate of the 118th General Assembly, State of Delaware,  
Dover, Delaware

Gentlemen:

I hereby submit my resignation from the office of Page of the Senate of the 118th General Assembly of the State of Delaware, effective immediatly.

Respectfully submitted,

OLLIE H. MURRAY



February 28, 1955

The Senate of the 118th General Assembly, State of Delaware,  
Dover, Delaware

Gentlemen:

I hereby submit my resignation from the office of Cloak Room Attendant of the Senate of the 118th General Assembly of the State of Delaware, effective immediately.

Respectfully submitted,

HARRY G. McCALLISTER

Mr. Steen moved that the resignations be reluctantly accepted. Motion prevailed.

Mr. Covey introduced visiting physics class of Seaford High School.

Mr. McCullough rose on a point of personal privilege to make certain remarks.

The following message was received from the Governor:

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

Dover, Delaware, February 24, 1955

To the Honorable, The Senate of the State of Delaware,  
Dover, Delaware

Gentlemen:

This will advise you that on the dates indicated I signed the following bills:

February 10, 1955, HB 65—"An Act Amending, Revising, and Consolidating the Charter of the Town of Georgetown", Being Charter 166, Volume 43, Laws of Delaware, as Amended, by Dividing the Town into Wards and Providing for the Election of the Members of the Town Council from Said Wards.

February 24, 1955, HB 1—An Act Authorizing the State of Delaware to Transfer a Portion of Certain Public Lands in the Town of Georgetown to the Town of Georgetown.

Respectfully submitted,

J. CALEB BOGGS

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following: **HB 95, HB 110, HCR 7.**

The Chair presented **HCR 7**, which was read to the Senate:

**HCR 7**—"Expressing Appreciation to Those Who Assisted in the Program Commemorating the Birthday of George Washington."

On motion of Mr. Reilly, **HCR 7** passed the Senate and was ordered returned to the House.

Mr. Reilly introduced the following resolution, which on further motion by him was adopted: **SR 34**—"Authorizing the Payment of the Sum of \$105.38 to Whelan's for Typewriter Repairs and Supplies."

**BE IT RESOLVED** by the Senate of the 118th General Assembly of the State of Delaware, that the State Treasurer be and he hereby is authorized and directed to pay out of the General Fund to Whelan's the sum of \$105.38 to cover the cost of typewriter repairs and supplies as per invoice No. 63890, 63896, 63898 and 63883.

Mr. Reilly introduced the following resolution, which on further motion by him was adopted: **SR 35**—"Authorizing the Payment of the Sum of \$5.10 to the International Business Machines Corporation for Repair Service on Electric T/W 44988."

**BE IT RESOLVED** by the Senate of the 118th General Assembly of the State of Delaware, that the State Treasurer be and he hereby is authorized and directed to pay out of the General Fund unto International Business Machines Corporation the sum of \$5.10 to cover the cost of repair service on electric T/W 44988 on January 17, 1955.

On motion of Mr. Reilly, Rule 22 was suspended.

Mr. Reilly introduced the following resolution, **SR 36**—"Authorizing the Payment of the Sum of \$50.00 to Butler's,

**BE IT RESOLVED** by the Senate of the 118th General Assembly of the State of Delaware, that the State Treasurer be and he hereby is authorized and directed to pay out of the General Fund to Butler's, Inc., the sum of \$50.00 to cover the cost of two used desks, as per invoice No. 92293.

Inc., for Two Used Desks," and moved for its adoption.

The yeas and nays were ordered.

**YEAS**—Messrs. Behen, Covey, Harrison, Johnson, Paradee, Reilly, Williams, Mr. President Pro Tem—8.

**NAYS**—Messrs. Pryor, Steen, Wilgus—3.

**NOT VOTING**—Mr. McCullough—1.

**ABSENT**—Messrs. Butler, Camper, Hoey, Melson, Lam-mot—5.

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

So the question was decided in the negative and the resolution not having received a constitutional majority, did not pass the Senate.

On motion of Mr. Reilly the Senate recessed.

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

On motion of Mr. Reilly, **SR 36** was reconsidered.

Mr. Reilly asked for roll call on **SR 36**.

The yeas and nays were ordered.

**YEAS**—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lam-mot, Melson, Paradee, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—15.

**NAYS**—Mr. Pryor—1.

NOT VOTING—Mr. McCullough—1.

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

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

Senate met at 4:50 P. M.

Mr. Reilly introduced the following resolution SR 37—“Authorizing the Payment of the Sum of \$46.25 to Walton H. Simpson for Four Tables,” and moved for its adoption.

BE IT RESOLVED by the Senate of the 118th General Assembly of the State of Delaware, that the State Treasurer be and he hereby is authorized and directed to pay out of the General Fund to Walton H. Simpson the sum of \$46.25 to cover the purchase of four tables.

The yeas and nays were ordered.

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

NAYS—Messrs. McCullough, Pryor—2.

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

The Senate was recessed until the call of the Chair.

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

On motion of Mr. Stein, the Senate moved into Executive Session.

Regular session was resumed at 5:11 p. m.

Mr. Steen, on behalf of the Committee on Passed Bills reported that **SJR 2, SCR 1, SCR 2, SCR 3, SCR 4** and **SB 60** had been delivered to the Governor for his approval.

Mr. Reilly moved for adjournment until March 1, 1955, at 10:00 A. M.

The yeas and nays were ordered.

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

Nays—Messrs. McCullough, Pryor—2.

ABSENT—Messrs. Covey, Lammot, Wilgus—3.

And so, the motion for adjournment having received a constitutional majority, passed the Senate, and the Senate adjourned.

### 34TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 10:00 A. M. on Tuesday, March 1, 1955, President Pro Tem Moore presiding.

Prayer by Mr. Lammot.

Members present—Messrs. Lammot, Paradee, Reilly, Mr. President Pro Tem—4.

Members absent—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, McCullough, Melson, Pryor, Steen, Wilgus, Williams—13.

There not being present a quorum, on motion of Mr. Lammot, the Senate adjourned until 10:00 A. M., Wednesday, March 2, 1955.

### 35TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 10:00 A. M. on Wednesday, March 2, 1955, President Pro Tem Moore presiding.

Prayer by Mr. Lammot.

Members present—Messrs. Lammot, Paradee, Mr. President Pro Tem—3.

Members absent—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, McCullough, Melson, Pryor, Reilly, Steen, Wilgus, Williams—14.

There not being present a quorum, Mr. Lammot moved that the Senate adjourn until Thursday, March 3, 1955, at 10:00 A. M. Motion prevailed.

### 36TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 10:00 A. M. on Thursday, March 3, 1955, Mr. Lammot presiding.

Prayer by Mr. Melson.

Members present—Messrs. Lammot, Melson, Paradee—3.

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

There not being present a quorum, on motion of Mr. Melson, the Senate adjourned until Friday, March 4, 1955, at 1:00 P. M.

### 37TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:00 P. M. on Friday, March 4, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Harrison, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—14.

Members absent—Messrs. Camper, Covey, Hoey—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.

Asked to be marked present: Messrs. Camper, Covey and Hoey.

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

**SB 161**—"An Act to Amend Chapter 21, Title 18, of the Delaware Code Relating to Agents and Brokers, by Providing for Regulations and Examinations in Licensing of Agents and Brokers: Non-Resident Brokers; Appropriation," by Lammot; to Banking and Insurance.

**SB 162**—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" in Respect to the Printing, Binding and Distribution of the Session Laws," by Lammot and Melson; to Printing and Supplies.

**SB 163**—"An Act to Amend the Constitution of the State of Delaware by Inserting at the End Thereof an Article Providing for Municipal Home Rule," by Lammot and Reilly; to Municipal Corporations.

**SB 164**—"An Act to Amend Chapter 119, Volume 28, Laws of Delaware Entitled "An Act Providing for the Collection of Taxes for the City of Wilmington by Increasing the Salary of the Collectors of Taxes for the City of Wilmington and Providing a Salary for the Clerks in the Office of the Said Collectors", by Lammot and Reilly; to Municipal Corporations.

**SB 165**—"An Act to Amend Chapter 31, Title 24, of the Delaware Code Relating to the Qualifications and Apprenticeship Requirements for Applicants for a Certificate to Engage in the Undertaking Business," by Reilly; to Public Health.

**SB 166**—"An Act to Amend Chapter 1, Title 27 of the Delaware Code Relating to Religious Societies and Corporations," by Reilly; to Private Corporations.

**SB 167**—"An Act Appropriating Money to the Gumboro Volunteer Fire Company at Gumboro, Delaware," by Steen; to Finance.

**SB 168**—"An Act to Amend Chapter 31, Title 20, Delaware Code Relating to Civil Defense: Definitions," by Pryor; to Miscellaneous.

**SB 169**—"An Act Amending Title 20, of the Delaware Code by Providing for Compensation for Civil Defense Workers While in Training," by Pryor; to Finance.

**SB 158 (Reintroduced)**—"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," by Reilly; to Public Health.

**SB 170**—"An Act Amending Title 11, Delaware Code, Relating to Prisons and Prisoners, and Creating a State Board of Corrections Having Responsibility for the Care, Supervision and Administration of Prisoners, Correctional Facilities and Prisoners in Lieu of County Boards and Officers and the Transferring of Property and Prisoners to the

Jurisdiction of the State, Defining Certain Crimes, Appropriating Funds and Repealing Contrary Provisions," by Lammot and Williams; to Executive.

**SB 171**—"An Act to Amend Title 25, Delaware Code, Entitled "Property" by Validating Certain Instruments as Deeds," by Reilly; to Executive.

**SB 172**—"An Act to Prescribe Minimum Wage for All Employees, to Provide for the Further Determination and Establishment of Minimum Wages and Supporting Standards by Occupation and to Provide for Enforcement of Such Provisions," by Reilly; to Labor.

**SB 173**—"An Act Appropriating Money to the Gumboro Volunteer Fire Company at Gumboro, Delaware," by Steen; to Finance.

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 38**—"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.

Mr. Camper introduced the following resolution, which on further motion by him was adopted: **SR 39**—"Authorizing the Payment of the Sum of \$180.50 to the Harrington Journal for the Printing of Senate Letterheads and Envelopes."

**BE IT RESOLVED** by the Senate of the 118th General Assembly of the State of Delaware, that the State Treasurer be and he hereby is authorized and directed to pay out of the General Fund unto Harrington Journal the sum of \$180.50 to cover the cost of printing Senate letterheads and envelopes.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 124**, 3 favorably, 2 on merits, by Education; **SB 47**, 4 favorably, 1 on merits, **SB 49**, 4 favorably, 1 on merits, by Claims.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following: **HB 56**, **HB 63**, **HCR 6**.

The Chair presented the following House Bills and Concurrent Resolution, which were given first and second reading and referred to committee as follows:

**HB 95**—"An Act Appropriating Money to the Veterans of Foreign Wars Department of Delaware," to Finance.

**HB 110**—"An Act Making a Deficiency Appropriation to the Industrial Accident Board for the Fiscal Year Ending June 30, 1955," to Finance.

**HB 56**—"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 Accommodations," to Buildings and Highways.

**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," to Finance.

**HCR 6**—"Authorizing the State Librarian to Supply a Copy of "The Delaware Citizen" to Each Member of the 118th General Assembly of the State of Delaware," to Printing and Supplies.

Hon. John N. McDowell, Secretary of State, notified the Senate that the Governor had signed the following:

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

Dover, Delaware, March 4, 1955

To the Honorable, The Senate of the State of Delaware,  
Dover, Delaware

Gentlemen:

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

March 2, 1955, Senate Joint Resolution No. 2—In Reference to Government Loans to Poultry Growers.

March 2, 1955, Senate Bill No. 60—An Act to Appropriate the Sum of Fifty Thousand Dollars to the State Board of Agriculture to be Used for the Purpose of Eradication of Brucellosis in Cattle and Paying Indemnities on Condemned Animals.

March 2, 1955, Senate Concurrent Resolution No. 1—Authorizing the Adjournment of the Senate and House of Representatives of the 118th General Assembly until Monday, January 10, 1955, at 1:00 P. M.

March 2, 1955, Senate Concurrent Resolution No. 2—In Reference to a Joint Session to Hear the Message of the Governor.

March 2, 1955, Senate Concurrent Resolution No. 3—In Reference to the Election of an Accountant for the Joint Finance Committee.

March 2, 1955, Senate Concurrent Resolution No. 4—Extending the Sympathy of the Senate and the House of

Representatives Upon the Death of John C. Hazzard, Prominent Businessman and Civic-minded Citizen, late of Wilmington and Dewey Beach, Delaware.

Respectfully submitted,

J. CALEB BOGGS

Mr. Moore requested privilege of the floor to make presentation of gift to Mr. Camper.

On motion of Mr. Moore, Mr. Camper was requested to open the gift.

Mr. McCullough offered the following communication in regards to SB 8.

### SEAFORD SPECIAL SCHOOL DISTRICT

Seaford, Delaware, March 2, 1955

Senator Calvin F. McCullough, Chairman,  
Senate Education Committee, Legislative Hall,  
Dover, Delaware

Dear Senator McCullough:

For sometime now I have been anxious to write to you, first, to congratulate you upon your election and second, to renew acquaintances first established with you when you were director of the Delayed Repairs Program. Upon reading last night's paper I determined that I should write to you and again congratulate you upon your stand on behalf of the school children in Delaware. I think this was a courageous thing to do on your part and all of us in the school business are proud that you can take this stand.

It is urgent that Senate Bill 8 receives attention because I can state for our district that since January 30, we have only \$33.00 in State funds. This means that we are operating on Local funds and we have not received all of our Local funds because the tax collections are not all in. I assume that a great many of the other districts are in the same situation. At this time I would especially like to impress upon you the importance of a better salary for teachers in Delaware. I know that you do not need to be sold upon the need but never the less letters in support of this program probably are appreciated by you. To my way of thinking the teachers scale is the important thing and not how much money we actually receive as an increase in any one year. The thing that would help me most in being able to attract other teachers would be the fact that I could point to a salary scale to which teachers could point in the next few years. I think that you can understand my point of view in this matter. Without local funds to supplement teachers' salaries, we in the southern end of the State are at considerable disadvantage in comparison with those in the upper end of the State. Since we have tried a local referendum for salary and it failed you can see that I



must depend solely upon the State salary scale and without it it will be necessary for us to take the teachers that the other districts don't want. Only a fairly high state scale will help us in our problem.

I hope to be in Dover one of these days and shall hope that I can have the opportunity to talk with you about some of these matters as well as to renew our acquaintanceship.

Very truly yours,

KENNETH C. MADDEN, Superintendent

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

Senate met at expiration of recess at 4:10 P. M.

On motion of Mr. Steen, **SB 167** was stricken from the Calendar.

Mr. Steen introduced the following resolution, which on further motion by him was adopted: **SR 40**—"In Reference to Election of Officers."

**BE IT RESOLVED** by the Senate of the 118th General Assembly of the State of Delaware that the following named persons be and they hereby are elected to the respective offices appearing opposite their names, to serve during the pleasure of the Senate:

Cloak Room Attendant—George Hudson

Page—Robert Adkins

Mr. George O. Hudson was sworn in as Clerk Room Attendant, and Mr. Robert Adkins was sworn in as Page.

### **ILLUSTRATION OF EMPLOYEE'S OATH**

The State of Delaware, County of Kent, ss.

I, George O. Hudson, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Cloak Room Attendant for the Senate in the General Assembly of the State, according to the best of my ability.

GEORGE O. HUDSON

Sworn and subscribed to this 4th day of March, A. D. 1955.

CHAS. G. MOORE

President Pro Tem of the Senate

Mr. McCullough presented a letter of resignation from Elwood S. Roy.

March 4, 1955

The Senate of the 118th General Assembly, State of Delaware,  
Dover, Delaware

Gentlemen:

I hereby submit my resignation from the office of Page of the Senate of the 118th General Assembly of the State of Delaware, effective immediately.

Respectfully submitted,

ELWOOD S. ROY

On motion by Mr. McCullough, Mr. Roy was given a rising vote of thanks and his resignation reluctantly accepted.

Mr. McCullough asked the privilege of the floor. He announced that Dr. Mueller would address the Senate at 10:00 A. M., Monday, March 7, 1955.

On motion of Mr. Lammot, the Senate adjourned until Monday, March 7, 1955, at 1:00 P. M.

### 38TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:00 P. M. on Monday, March 7, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Camper, Covey, Harrison, Lammot, Melson, Paradee, Reilly, Steen, Wilgus—11.

Members absent—Messrs. Hoey, Johnson, McCullough, Pryor, Williams, Mr. President Pro Tem—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.

Asked to be marked present: Mr. McCullough, Mr. President Pro Tem.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees: Temperance; SB 62, 1 favorably, 4 on merits, by Judiciary; as follows: SB 30, 3 on merits, 1 favorably, 1 unfavorably, by SB 153, SB 154, SB 155, SB 90, SB 126, SB 141, SB 146, SB 159, by Executive; SB 35, 3 favorably, 2 on merits, by Accounts; SB 55, 4 favorably, 1 on merits, SB 64, 4 favorably, 1 on merits, SB 77, 4 favorably, by Elections; SB 76, 3 favorably, 2 on merits, by Claims; SB 161, 4 favorably, 1 on merits, by Banking and Insurance; SB 117, SB 118, by Agriculture.

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

Senate met at expiration of recess at 1:28 P. M.

Mr. McCullough introduced the following resolution, which on further motion by him was adopted: SR 41—"In Reference to Election of an Officer."

BE IT RESOLVED by the Senate of the 118th General Assembly of the State of Delaware that the following named person be and he is hereby elected to the office appearing opposite his name, to serve during the pleasure of the Senate:

Page—Oliver Wilson

Mr. Oliver J. Wilson was sworn in as Page by the President Pro Tem.

### ILLUSTRATION OF EMPLOYEE'S OATH

The State of Delaware, County of Kent, ss.

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

OLIVER J. WILSON

Sworn and subscribed to this seventh day of March, A. D. 1955.

CHAS. G. MOORE

President Pro Tem of the Senate

On motion of Mr. Reilly, **SB 25**—"An Act to Amend and Supplement Chapter 33 of Volume 49 Laws of Delaware, Relating to the Disinterment, Removal and Reinterment of Bodies in the Cemetery Located at Twelfth and Madison Streets in 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, 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 ordered to the House for concurrence.

On motion of Mr. Steen, **SB 48**—"An Act to Amend Chapter 7, Title 7 of the Delaware Code, Relating to Booby Brush or Stake Blinds by 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, 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 ordered to the House for concurrence.

On motion of Mr. Butler, **SB 69**—"An Act Appropriating Money to the State Soil Conservation Commission for the Drainage of Tax Ditches 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, 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 ordered to the House for concurrence.

On motion of Mr. Behen, **SB 78**—"An Act to Amend Chapter 5, Title 4 of the Delaware Code Relating to the Rebate of the Excise Tax of This State on Beer Sold to an Instrumentality of 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, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Mr. President Pro Tem—13.

**NAYS**—Messrs. Melson, Williams—2.

**NOT VOTING**—Messrs. Covey, 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, **SB 80**—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" by Increasing the Authorized Number of Notaries Public and Providing for Minimum Qualifications for Those Holding Such Office; and Increasing the 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, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

**NAYS**—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. McCullough, **SB 101**—"An Act to Amend Chapter 19, Title 9, Section 1902 of the Delaware Code by Increasing the Amount Paid by the Levy Court of New Castle County to Certain 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, 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 ordered to the House for concurrence.

On motion of Mr. McCullough, **SB 103**—"An Act to Amend Chapter 3, Title 9, Section 249 of the Delaware Code by Increasing the Amount Paid by the Levy Courts of the Several Counties to Each Fire Company 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. 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 ordered to the House for concurrence.

On motion of Mr. Steen, **SB 75**—"An Act to Amend Chapter 3, Title 9 of the Delaware Code Relating to the Qualifications and Selection of Auditors," was taken up 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 ordered to the House for concurrence.

On motion of Mr. Behen, **SB 85**—"An Act to Amend Chapter 15, Title 10 of the Delaware Code Relating to the Term of the Judge of the Court of Common Pleas for 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, Lammot, McCullough, Paradee, Pryor, Reilly, Steen, Mr. President Pro Tem—13.

NAYS—Messrs. Johnson, Melson, Williams—3.

NOT VOTING—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 introduced, given first and second readings, the second by title only, and referred to committee as follows:

**SB 174**—"An Act to Amend Chapter 87, Title 9 of the Delaware Code Relating to Collection of Delinquent Taxes by Removing the Priority of Lien or Encumbrances Against

Land and Tenements Sold for Taxes in New Castle County," by Lammot; to Judiciary.

**SB 175**—"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 Board of Boiler Rules, the Industrial Accident Board and the Unemployment Compensation Commission to Said Department as Divisions Thereof, Abolishing the Labor Commission of Delaware and Transferring the Powers and Duties Thereof to Said Department, and Prescribing the Powers and Duties of Said Department, Its Commissioner and Divisions; Providing for Punishment for Violations and Enforcement," by Reilly, Lammot, McCullough, Butler and Pryor; to Labor.

**SB 176**—"An Act to Require a Provision in All Contracts Executed by the State of Delaware With Independent Contractors Requiring Them to Comply with the State Minimum Wage Law," by Reilly; to Labor.

**SB 177**—"An Act to Amend Chapter 55, Title 29 of the Delaware Code Relating to Certain Definitions Contained in the State Employees' Pension Plan," by McCullough and Steen; to Accounts.

**SB 178**—"An Act Authorizing the Payment of the Sum of \$3,000.00 to William Austin Tydings for Expenses and Damages Incurred as a Result of Injuries Received by the Negligence of a Delaware National Guardsman," by Steen; to Claims.

**SB 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," by Johnson; to Municipal Corporations.

**SB 180**—"An Act to Amend the Charter of Rehoboth Beach, in Sussex County, as Established by Chapter 161, Volume 41, by Providing for the Improvement of the City and Abutting Property Owners," by Johnson; to Municipal Corporations.

**SB 181**—"An Act Authorizing and Directing the State Highway Department to Install a Traffic Control Light at the Intersection of Front Street and Route Number 113 in the Town of Frederica, Kent County, Delaware," by Paradee; to Buildings and Highways.

**SB 182**—"An Act to Amend Chapter 5, Title 18 of the Delaware Code Relating to Requirements for Issuance of Original of Renewal Certificates of Authority of Insurance Companies," by Steen; to Banking and Insurance.

**SB 183**—"An Act to Amend Title 15 of the Delaware Code by Abolishing the Department of Elections for Sussex County and Transferring Its Powers and Duties to the Clerk of the Peace of Sussex County," by Hoey; to Elections.

On motion of Mr. Lammot, the Senate adjourned until 1:30 P. M. on Tuesday, March 8, 1955.

### 39TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:30 P. M. on Tuesday, March 8, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

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

Members absent—Messrs. Hoey, Reilly—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.

Asked to be marked present: Messrs. Hoey and Reilly.

Hon. John N. McDowell, Secretary of State, notified the Senate that the Governor had signed the following:

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

Dover, Delaware, March 8, 1955

To the Honorable, The Senate of the State of Delaware,  
Dover, Delaware

Gentlemen:

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

March 7, 1955, House Bill No. 72—An Act to Repeal Chapter 71, Title II, of the Delaware Code, Entitled "Sussex County Prison, Prison Farm, Court House and Court House Annex" by Placing Jurisdiction and Control of the Sussex County Prison, Prison Farm, Court House and Court House Annex in the Levy Court of Sussex County.

March 7, 1955, House Joint Resolution No. 2—Constituting a Commission to Consider the Preservation of The Old Court House at New Castle and Report Its Recommendations to the General Assembly.

Respectfully submitted,

J. CALEB BOGGS

#### STATE OF DELAWARE EXECUTIVE DEPARTMENT

Dover, Delaware, March 4, 1955

To the Honorable, The Senate of the State of Delaware,  
Dover, Delaware

Gentlemen:

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

March 2, 1955, Senate Joint Resolution No. 2—In Reference to Government Loans to Poultry Growers.

March 2, 1955, Senate Bill No. 60—An Act to Appropriate the Sum of Fifty Thousand Dollars to the State Board of Agriculture to be Used for the Purpose of Eradication of Brucellosis in Cattle and Paying Indemnities on Condemned Animals.

March 2, 1955, Senate Concurrent Resolution No. 1—Authorizing the Adjournment of the Senate and House of Representatives of the 118th General Assembly until Monday, January 10, 1955, at 1:00 P. M.

March 2, 1955, Senate Concurrent Resolution No. 2—In Reference to a Joint Session to Hear the Message of the Governor.

March 2, 1955, Senate Concurrent Resolution No. 3—In Reference to the Election of an Accountant for the Joint Finance Committee.

March 2, 1955, Senate Concurrent Resolution No. 4—Extending the Sympathy of the Senate and the House of Representatives Upon the Death of John C. Hazzard, Prominent Businessman and Civic-minded Citizen, late of Wilmington and Dewey Beach, Delaware.

Respectfully submitted,

J. CALEB BOGGS

Communication: One from U. S. Department of Agriculture. Referred to Agriculture Committee.

#### DEPARTMENT OF AGRICULTURE

Washington 25, D. C., March 7, 1955

Honorable Wilson E. Campbell, Secretary of the Senate,  
Dover, Delaware

Dear Mr. Campbell:

This is in reply to your letter of February 21 with which you transmitted a copy of Senate Joint Resolution No. 2 concerning the use of Government credit to finance poultry production.

The Farmers Home Administration is the only agency in the Department of Agriculture which is authorized to make loans to broiler producers. In the past few years some real estate loans have been made to repair or rebuild broiler houses and in some instances to build new broiler houses. The enclosed table shows the number of loans made for this purpose during the past four fiscal years. Inasmuch as only a part of these loans were made to new broiler producers, it seems that they did not contribute significantly to the overproduction of broilers.

It is the policy of the Farmers Home Administration to make loans to farmers to assist them in carrying on general family-type farming operations. When broiler production is



an incidental part of such operations, funds may be advanced for that enterprise. For example, when a farmer needs a loan for productive livestock, equipment and crop production and desires to produce some broilers, funds may be included in the loan for that purpose. Loans under the regular lending authorities of the Farmers Home Administration are not made to farmers who are producing only broilers. However, in emergency situations, such as those existing in the broiler producing areas affected by the 1954 hurricane, it may be necessary and desirable for that agency to extend some emergency credit to broiler producers for the repair or replacement of their dwellings and other farm buildings.

The Farm Credit Administration, which supervises the activities of the production credit associations, the intermediate credit banks and the banks for cooperatives, is no longer a part of the Department of Agriculture. Information furnished by the Farm Credit Administration, however, indicates that production credit associations provide only a relatively small part of the total credit required by broiler producers. Estimates were recently obtained of the amount of loan funds outstanding on June 30, 1954, to broiler producers in 21 production credit associations located in important broiler areas. These associations had loans outstanding of \$26,061,970, of which \$1,143,574 was estimated to be for broiler production, or about 4.4 percent of the total.

As you may know, Federal land banks make long-term loans to farmers on the security of farm real estate. We are informed that during the fiscal year ending June 30, 1954, the land bank system made 49,405 loans through national farm loan associations in the amount of \$301,433,724. Of these, 195 loans in the amount of \$557,504 were made to broiler producers, or about .184 percent of the total business for the year.

Under the authorities set forth in the Farm Credit Act of 1933, as amended, the banks for cooperatives may finance a cooperative association engaged in the marketing of broilers or may finance a farm supply cooperative that furnishes feed to its members. In the latter case, the banks may make funds available to cooperative associations which, in turn, may extend credit to a farmer for feed purchased, ordinarily on a 30-day basis. The Farm Credit Administration has informed us that it is impossible to tabulate exactly the volume of loans made by the banks for cooperatives to associations engaged in broiler operations. This is because in many instances a cooperative's broiler operations are incidental to many other enterprises.

The Federal Housing Administration and the Veterans' Administration do not make loans to farmers, but only insure loans made by private lending agencies. These two agencies, of course, are not a part of the Department of Agriculture.

Therefore, we are unable to give you information on the number of loans which may have been insured.

We believe that lending policies should provide that careful consideration be given to the current and prospective supply and price situation for the commodity being financed. For example, when there is an over-supply of the commodity, such as currently exists in the poultry industry, we believe that lenders should not only take advantage of every opportunity to discourage expansion of the industry, but also should assist their borrowers in working out practical adjustments in their individual operations which will result in reducing the volume of production. You may be assured that these lending policies are being followed in the making of loans through the Farmers Home Administration.

While the Department of Agriculture has made no general survey of the sources of credit used by poultry producers, agricultural experiment stations in a number of states have developed some information on the use of credit by broiler producers. This information shows that feed dealers and hatcheries interested in the broiler industry provide a very high percentage of the credit used by broiler producers.

If you have additional questions concerning this subject, we shall be glad to receive them.

Sincerely yours,

K. L. SCOTT, Director,  
Agricultural Credit Services

Enclosure

UNITED STATES DEPARTMENT OF AGRICULTURE  
FARMERS HOME ADMINISTRATION

Loans Involving Broiler Houses Costing \$1,000 or More

State	Number by Fiscal Year			
	1951	1952	1953	1954
U. S. Total . . . . .	45	179	134	53
Alabama . . . . .	4	31	20	14
Arkansas . . . . .	2	10	20	11
Florida . . . . .	1	0	3	2
Georgia . . . . .	28	73	25	10
Illinois . . . . .	0	0	1	0
Indiana . . . . .	1	0	0	0
Iowa . . . . .	0	0	2	0
Kansas . . . . .	0	1	2	0
Kentucky . . . . .	0	1	1	1
Louisiana . . . . .	1	2	2	0
Maryland . . . . .	3	4	1	0
Minnesota . . . . .	0	1	2	0
Mississippi . . . . .	3	12	18	6

Missouri . . . . .	0	7	13	6
Nebraska . . . . .	0	1	0	0
New York . . . . .	0	1	0	0
North Carolina . . .	0	3	0	0
Ohio . . . . .	0	0	1	0
Oklahoma . . . . .	2	22	11	0
Pennsylvania . . . .	0	0	1	0
South Carolina . . .	0	2	1	0
Tennessee . . . . .	0	4	1	0
Texas . . . . .	0	2	2	2
Virginia . . . . .	0	2	7	0
West Virginia . . . .	0	0	0	1

The Senate recessed until call of Chair.

Senate met at expiration of recess at 4:35 P. M.

On motion of Mr. Johnson, the Senate recessed.

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

**SB 159** was deferred on motion of Mr. Steen.

On motion of Mr. McCullough, Mr. Earl McGinnis was granted the privilege of the floor.

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

**SB 184**—"An Act to Amend Part III, Title 6, Delaware Code, Entitled, "Weights and Measures and Standards" by Repealing Most of the Present Provisions and Substituting New Administrative and Substantive Provisions, Defining Certain Crimes and Appropriating Funds," by Wilgus; to Agriculture.

**SB 185**—"An Act to Abolish the Department of Elections of New Castle County and to Create a New Bi-partisan Department of Elections of New Castle County," by Pryor; to Elections.

On motion of Mr. Steen, **SB 3**—"An Act Appropriating Certain Moneys to the Delaware Commission of Shell Fisheries to Purchase and Install Two Diesel Engines on the Guard Boat, "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, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

**NAYS**—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. Lammot, **SB 161**—"An Act to Amend Chapter 21, Title 18, of the Delaware Code Relating to Agents

and Brokers, by Providing for Regulations and Examinations in Licensing of Agents and Brokers: Non-Resident Brokers; Appropriation," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—Mr. Behen—1.

NOT VOTING—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 ordered to the House for concurrence.

On motion of Mr. McCullough, SB 31—"An Act to Amend Article 5, Section 2 of the Constitution of the State of Delaware by Providing That the Minimum Age for Voting Shall be 18 Years," was taken up 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, Mr. President Pro Tem—16.

NAYS—Mr. Williams—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 87—"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," was taken up 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, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—13.

NAYS—None.

NOT VOTING—Mr. Wilgus—1.

ABSENT—Messrs. Behen, Butler, Camper—3.

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

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: SB 119, 3 favorably, 2 on merits, SB 120, 3 favorably, 2 on merits, by Buildings and Highways; SB 8, on merits, SB 12, 1 unfavorably, 4 on merits; SB 53, 3 favorably, 2 on merits; SB 63, on merits, SB 82, 5 on merits, SB 83, 1 favorably, 4 on merits. SB 115, 2 unfavorably, 3 on merits; SB 122,

5 on merits, **SB 125**, 5 favorably, **SB 140**, 5 on merits, **SB 149**, 2 favorably, 3 on merits; **SB 150**, 2 unfavorably, 2 on merits, **SB 151**, 2 favorably, 2 on merits, **SB 169**, 3 favorably, 1 on merits; **SB 173**, 3 favorably, 2 on merits, **HB 95**, 4 favorably, **HB 66**, 3 favorably, 1 on merits, **HB 76**, 3 favorably, 1 on merits, **HB 110**, 3 favorably, 2 on merits, by Finance.

On motion of Mr. Lammot, the Senate adjourned until 1:00 P. M., Wednesday, March 9, 1955.

#### 40TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:02 P. M. on Wednesday, March 9, 1955, President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

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

Members absent—Messrs. Hoey, Melson, 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. Melson and Steen asked to be marked present.

The Chief Clerk of the House informed the Senate that the House had passed and requested the Concurrence of the Senate in the following: **HB 59**, **HB 69**, **HB 70**, **HB 81**, **HB 89**, **HB 109**.

Mr. Reilly introduced the following concurrent resolution, which on further motion by him was deferred: **SCR 5**—"Requesting the Congress of the United States to Consider Separately Legislation as to Salary of Postal Employees."

WHEREAS: The United States Postal Service is the one branch of the Federal Government that most nearly affects all American Citizens, and

WHEREAS: There is a current tendency to place all legislation affecting the Post Office Department in an omnibus bill, which has the effect of lowering the morale of Postal employees, preventing a proper and thorough study of effects of such legislation on the communications of a free people, and causing a general slow-down in the delivery of mail,

NOW THEREFORE

BE IT RESOLVED THAT: The General Assembly of the State of Delaware, The Senate and the House of Representatives concurring respectfully requests the Congress of the United States to carefully and separately consider any proposed legislation, such as salary increases, rate increases, or re-classification, now being proposed, and

BE IT FURTHER RESOLVED: That a copy of this resolution be forwarded to the President of the United States, The Vice-President of the United States, the Speaker of the United

States House of Representatives, and the Senators and Representatives of the State of Delaware to the Congress of the United States.

On motion of Mr. McCullough, **SB 64**—"An Act Directing the Department of Elections of New Castle County to Create a New Election District in New Castle Hundred," was taken up 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, Paradee, Pryor, Reilly, Steen, Mr. President Pro Tem—11.

**NAYS**—Messrs. Melson, Williams—2.

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

**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.

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

**SB 186**—"An Act to Amend Chapter 51 of the Delaware Code Entitled "University of Delaware" for the Purpose of Granting Continuing Authority to Issue Revenue Bonds for Income Producing Capital Improvements of the University of Delaware," by Lammot; to Finance.

**SB 187**—"An Act Amending Title 29, of the Delaware Code Entitled "State Government" by Creating a State Personnel Department, the Office of State Personnel Director and a State Personnel Advisory Board and Defining Their Respective Powers and Duties," by Lammot; to Judiciary.

**SB 188**—"An Act Appropriating Funds to the Judges of the Superior Court Residing in Sussex County for the Maintenance and Operation of the Sussex County Law Library," by Behen; to Judiciary.

**SB 189**—"An Act to Amend Chapter 19, of Title 10 of the Delaware Code Relating to the Law Libraries," by Behen; to Judiciary.

**SB 190**—"An Act Appropriating Funds to the Judges of the Superior Court and Court of Chancery Residing in New Castle County for the Maintenance and Operation of the New Castle County Law Library," by Behen; to Judiciary.

**SB 191**—"An Act to Amend Chapter 27, Title 18 of the Delaware Code Relating to the Rate of Special Tax on Gross Premiums of Fire Companies for the Purpose of Assisting in Maintaining Fire Companies," by Reilly; to Miscellaneous.

**SB 192**—"An Act to Amend the Charter of the City of Seaford by Requiring That All City Employees "Be Bonded" Rather Than "Give Bond", by Covey; to Municipal Corporations.

**SB 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," by Lammot and Johnson; to Judiciary.

**SB 194**—"An Act to Amend Chapter 95, Title 9 of the Delaware Code by Raising the Salary of the Coroner in New Castle County," by McCullough; to Accounts.

**SB 195**—"An Act Making Appropriations to the State Highway Department to Provide for Protecting the Beach at Kitts Hummock in Kent County, from Erosion and Inundation," by Behen; to Accounts.

**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," by Johnson; to Finance.

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

**HB 68**—"An Act Proposing an Amendment to Section 3 of Article IV of the Constitution of the State of Delaware Relating to the Appointment of Members of the State Judiciary by Requiring the Governor to Address a Public Letter to the President of the Senate Stating the Name of the Person He Intends to Appoint at Least Ten Days Prior to the Submission of Such Person's Name to the Senate for Confirmation," to Judiciary.

**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," to Executive.

**HB 81**—"An Act Agreeing to the Proposed Amendment to Article Three of the Constitution of the State of Delaware," to Revised Statutes.

**HB 70**—"An Act to Amend Chapter 25, Title 7, Delaware Code, Relating to Crabs and Clams, by Prohibiting the Use of Shinnycok Rakes in Rehoboth and Indian River Bays," to Revised Statutes.

**HB 89**—"An Act Appropriating a Certain Sum of Money to Ella M. Forrest in Payment of a Claim Against the State of Delaware," to Claims.

**HB 109**—"An Act to Amend Chapter 23, Title 12, Delaware Code, Relating to Widows' Allowance and the Settlement of Personal Estates," to Judiciary.

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

Senate met at expiration of recess at 3:06 P. M. at call of the Chair.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the

Senate in the following: **HB 112, HB 121, HB 140, HB 143, HB 159.**

On motion of Mr. Behen, **SB 14**—"An Act to Amend Chapters 1, 3 and 5 of Title 10 of the Delaware Code, Relating to the Supreme Court, Court of Chancery and 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, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—16.

**NAYS**—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.

The following bills and resolution were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 148**, by Fish, Oysters and Game; **SB 138**, 4 on merits, 1 unfavorably, by Revised Statutes; **SB 121**, 3 favorably, 1 on merits, **SB 127**, **SB 128**, by Education; **SB 57**, by Printing and Supplies; **SB 188**, **SB 189**, **SB 190**, by Judiciary; **SB 89**, 3 favorably, 2 on merits, **SB 93**, 3 favorably, 2 on merits, by Claims; **HCR 6**, 3 favorably, 2 on merits, by Printing and Supplies; **SB 99**, 3 favorably, 2 on merits, **SB 142**, 3 favorably, 2 on merits, **SB 143**, 3 favorably, 2 on merits, by Buildings and Highways.

On motion of Mr. Behen, **SB 15**—"An Act Creating a Council on the Administration of Justice," was taken up 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**—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. Behen, **SB 16**—"An Act to Amend Chapter 43, Title 11, Delaware Code, Relating to Probation," was taken up 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**—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. Behen, **SB 17**—"An Act to Amend Sections 7305, 7306 and 7307 of Title 14 of the Delaware Code, Relating to the State Library," was taken up 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 ordered to the House for concurrence.

On motion of Mr. Behen, **SB 18**—"An Act to Amend Chapter 19 of Title 10, of the Delaware Code, Relating to the Law Libraries," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Senate met at expiration of recess at 3:58 P. M.

On motion of Mr. Behen and without objection, **SB 18** was tabled.

Mr. Behen moved that Senate Rule 22 be suspended. Motion prevailed.

On motion of Mr. Behen, **SB 189**—"An Act to Amend Chapter 19, of Title 10 of the Delaware Code Relating to the Law Libraries," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

Mr. Steen moved that **SB 189** be tabled.

The yeas and nays were ordered.

YEAS—Messrs. Hotey, Steen—2.

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

NOT VOTING—Mr. McCullough—1.

And so the motion to table was 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, 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 ordered to the House for concurrence.

On motion of Mr. Behen, **SB 19**—"An Act Proposing Certain Amendments to Article IV of the Constitution of the

State of Delaware, Relating to the Judiciary," was taken up for consideration and read a third time by 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, Wilgus, Williams, Mr. President Pro Tem—15.

NAYSH—Messrs. Hoey, Steen—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 188**—"An Act Appropriating Funds to the Judges of the Superior Court Residing in Sussex County for the Maintenance and Operation of the Sussex County Law Library," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

Mr. Behen requested and was granted the privilege of the floor for Judge Wolcott.

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

On motion of Mr. Behen, **SB 190**—"An Act Appropriating Funds to the Judges of the Superior Court and the Court of Chancery Residing in New Castle County for the Maintenance and Operation of the New Castle Law Library," was taken up 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 ordered to the House for concurrence.

Mr. Steen introduced **SR 42**.

Mr. Steen yielded the floor to Mr. Behen.

On motion of Mr. Behen, **SB 86**—"An Act to Amend Chapter 39, Title 12 of the Delaware Code, Relating to Records to be Kept by the Clerk of the Orphans' 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, 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 ordered to the House for concurrence.

The Chair presented the following resolution **SR 42**—"In Reference to an Amendment to the Senate Rules."

**BE IT RESOLVED** by the Senate of the 118th General Assembly of the State of Delaware that Senate Rule 24 shall be and it hereby is amended by adding thereto a second paragraph to read as follows:

"Any Senator who desires to call up a bill or resolution that has been reported out of a Committee for a vote by the Senate shall move that the Secretary place the bill or resolution upon a list of bills and resolutions to be voted upon the next succeeding legislative day, whereupon the Secretary shall prepare a list of all bills to be voted upon and distribute copies to the President and each member of the Senate on the next succeeding legislative day. No bill or resolution may be voted upon by the Senate unless such a motion has been made on the legislative day preceding the day of voting upon any bill or resolution."

Mr. Steen moved for adoption.

Mr. Lammot moved that **SR 42** be referred to the Rules Committee.

The yeas and nays were ordered.

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

NAYS—Messrs. Hoey, Pryor, Steen—3.

And so **SR 42** was referred to the Rules Committee.

Mr. Williams asked for the privilege of the floor, and upon this being granted, made a statement concerning **SB 31**.

Mr. Lammot introduced the following concurrent resolution, which on further motion by him was adopted and sent to the House for concurrence: **SCR 6**—"Appropriating Money to Reimburse John N. McDowell, Secretary of the State, for Certain Monies Expended for Certain Telephone Services Paid Out, Needed, Furnished to and Used by the Senate and House of Representatives of the 118th General Assembly."

**BE IT RESOLVED BY THE SENATE OF THE 118TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE, (THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN)** as follows:

1. The sum of Two Hundred Seven Dollars Eighty-two Cents (\$207.82) is appropriated to John N. McDowell, Secretary of the State, for certain telephone services furnished to

and used by the Senate and House of Representatives of the 118th General Assembly.

2. The State Treasurer is directed to pay the sum of Two Hundred Seven Dollars Eighty-two Cents (\$207.82) unto John N. McDowell, Secretary of the State, upon warrants approved by the Chairmen of the Claims Committees of the Senate and the House of Representatives.

Mr. Camper introduced the following resolution: **SR 43**—  
“In Reference to the Proposed Sale of Television Station WDEL-TV.”

WHEREAS, it appears to the membership of the Senate of the State of Delaware, that the best interests of the City of Wilmington, New Castle County, and the State of Delaware, will be retarded by the sale of Station WDEL-TV, Wilmington, and

WHEREAS, many responsible persons in all walks of public life have stated via press, radio and television that such a sale as contemplated will not in all probability best serve the interests of the residents of Wilmington, New Castle County and the State of Delaware. Now, Therefore,

BE IT RESOLVED BY THE SENATE OF THE 118TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE that the Federal Communication Commission shall be and it hereby is requested to disapprove the transfer of station WDEL-TV to the proposed new owners on the ground that such a transfer would be against the best interests of the people of the State of Delaware,

BE IT FURTHER RESOLVED that the Secretary of the Senate forward a copy of this Resolution to the Chairman of the Federal Communication Commission and to each member of this State's Congressional delegation.

On motion of Mr. Camper, action on **SR 43** was tabled.

Mr. Johnson presented a communication on **SB 64**.

On motion of Mr. Steen, the Senate went into Executive Session.

Senate convened in regular session at 5:10 P. M.

The Chair presented the following communication from the Honorable J. Caleb Boggs, Governor of the State of Delaware.

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

March 9, 1955

To the Honorable The Senate of the State of Delaware  
Dover, Delaware

Gentlemen:

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

March 9, 1955, House Concurrent Resolution No. 5—Directing the Appointment of a Joint Committee to Arrange for

a Suitable Program for the Observance of Washington's Birthday.

March 9, 1955, House Concurrent Resolution No. 7—Expressing Appreciation to Those Who Assisted in the Program Commemorating the Birthday of George Washington.

March 9, 1955, H. S. No. 1 for House Joint Resolution No. 1—Appointing a Bill Clerk for the House of Representatives and a Bill Clerk for the Senate to Serve During the 118th Session of the General Assembly.

Respectfully submitted,

J. CALEB BOGGS

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

**HB 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," to Miscellaneous.

**HB 121**—"An Act Amending Chapter 7 and Chapter 13, Title 14, Delaware Code, by Providing an Optional Ten or Twelve Month Salary Payment Plan for Teachers Employed on Ten Month Contract," to Education.

**HB 140**—"An Act to Amend the Charter of the Town of Farmington by Increasing the Amount Authorized to be Raised by Taxation and by Changing the Tax Assessment Requirements," to Municipal Corporations.

**HB 159**—"An Act to Amend Chapter 11, Title 13, Delaware Code Relating to the Termination of Parental Rights," to Judiciary.

**HB 143**—"An Act to Amend the Charter of the Town of Fenwick Island in Respect to Assessments and Collection of Taxes," to Finance.

On motion of Mr. Lammot, the Senate adjourned until 1:00 P. M., Thursday, March 10, 1955.

#### 41ST LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:00 P. M. on Thursday, March 10, 1955, President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Camper, Harrison, Lammot, McCullough, Melson, Pryor, Reilly, Steen, Wilgus, Mr. President Pro Tem—12.

Members absent—Messrs. Hoey, Johnson,

Members absent—Messrs. Covey, Hoey, Johnson, Paradee, 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.

Asked to be marked present: Messrs. Hoey, Johnson, Paradee and Wililams.

Mr. Pryor made the announcement that the Elections Committee would hold an open hearing on Monday, March 14, 1955, at 1:30 P. M.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 166**, 2 favorably, 2 on merits, by Private Corporations; **SB 195**, 2 on merits, 1 unfavorably, **SB 181**, 3 on merits, 1 unfavorably, **SB 123**, by Buildings and Highways; **SB 160**, 4 on merits, 1 favorably, by Fish, Oysters and Game; **HB 70**, **HB 81**, by Revised Statutes; **HB 126**, 4 on merits, 1 favorably, **HB 73**, 4 favorably, 1 on merits, **HB 91**, 4 favorably, 1 on merits; **HB 58**, 4 favorably, 1 on merits, **HB 57**, 4 favorably, 1 on merits, **HB 86**, 4 favorably, 1 on merits, by Finance.

Requests that the following be stricken from the calendar were granted to members as follows: **SB 53**, **SB 90** by McCullough; **SB 142**, **SB 143** by Steen.

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

Senate met at expiration of recess at 1:24 P. M. to call of Chair.

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

**SB 197**—"An Act Authorizing the Levy Court of New Castle County to Appropriate County Moneys to the Wilmington Manor Fire Company, the Good Will Fire Company, the Elsmere Fire Company, and the Aetno Hook, Hose and Ladder Company for the Maintenance of a Rescue Squad," by McCullough; to Accounts.

**SB 198**—"An Act to Amend Chapter 45, Title 21 of the Delaware Code Relating to the Maximum Gross Load in Vehicles Equipped With Three Axles," by Steen; to Buildings and Highways.

**SB 199**—"An Act to Amend Chapter 45, Title 21 of the Delaware Code Relating to the Maximum Gross Load in Semi-Trailers Equipped With One Axle," by Steen; to Buildings and Highways.

**SB 200**—"An Act to Amend Chapter 17, Title 9 of the Delaware Code by Increasing the Compulsory Retirement Age of Certain Covered Employees of the City of Wilmington and of New Castle County," by Reilly; to Labor.

**SB 201**—"An Act to Require All Insurance Companies Doing Business in the State of Delaware to Maintain an Office and Agent With Full Authority to Process, Handle and Pay Out Claims Under Policies Within the State of Delaware," by McCullough; to Banking and Insurance.

**SB 202**—"An Act to Amend Chapter 71, Title 3 of the Delaware Code Relating to the Duties and Powers of the Board of Agriculture," by Steen; to Agriculture.

**SB 203**—"An Act to Amend Chapter 55, Title 29 of the Delaware Code Relating to Disability Pensions," by McCullough; to Education.

**SB 204**—"An Act to Amend Chapter 55, Title 29 of the Delaware Code Relating to the Definition of "Covered Employment" Contained in the State Employers' Pension Plan," by McCullough; to Education.

**SB 205**—"An Act to Amend Chapter 21, Title 21 of the Delaware Code by Providing for the Removal of Plates by Dealers and Junk Men and Providing Penalties for Violations," by Pryor (by request); to Revised Statutes.

The Senate recessed until call of the Chair.

Senate met at expiration of recess at 1:55 P. M.

On motion of Mr. Melson, **SB 8**—"An Act Appropriating Funds to the State Board of Education for the Current Fiscal Year on Account of an Unanticipated Increase in the School Population," was taken up 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, Wilgus, Williams, Mr. President Pro Tem—14.

**NAYS**—None.

**ABSENT**—Messrs. Covey, Hoey, 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. Camper, **SB 55**—"An Act to Amend Chapter 49, Title 15, of the Delaware Code, by Providing That the Polls Shall be Open from Seven O'Clock A. M. Until Eight O'Clock P. M.," was taken up 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, Wilgus, Williams, Mr. President Pro Tem—14.

**NAYS**—None.

**ABSENT**—Messrs. Covey, Hoey, 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. Camper, **SB 57**—"An Act to Amend Title 29 of the Delaware Code Entitled "State Government" in Respect to the Printing Needs of the General Assembly," was taken up 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, Wilgus, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Covey, Hoey, 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. Reilly, SB 81—"An Act to Amend Title 10, Delaware Code, Entitled "Courts and Judicial Procedure" by Establishing Qualifications for Certain Special Constables and by Providing for Two Year Appointments at Increased 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, Harrison, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Wilgus, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Covey, Hoey, 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. Camper, SB 89—"An Act Authorizing the Payment of the Sum of \$150.00 to Louise Slater for Expenses Incurred as a Result of an Injury Received at the Harrington 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, Lammot, McCullough, Paradee, Reilly, Steen, Mr. President Pro Tem—11.

NAYS—Messrs. Johnson, Melson, Pryor, Wilgus, Williams—5.

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. Camper, SB 93—"An Act to Amend Chapter 5, Title 17 of the Delaware Code, Relating to the Penalties for Casting Glass or Injurious Obstructions on Public Highways," was taken up 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, 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 121—"An Act Authorizing and Directing the Levy Court of New Castle County to Appoint and Station a Crossing Guard at Lambson's Lane and New Castle Avenue in New Castle Hundred," was taken up 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. Melson, Wilgus, Williams—3.

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 and was ordered to the House for concurrence.

On motion of Mr. Steen, SB 47—"An Act Authorizing the Payment of the Sum of \$186.30 to Everett Toomey, Jr., for Expenses Incurred as a Result of an Injury Received at the John M. Clayton School."

The Chair declared a recess.

Senate met at expiration of recess at 3:13 P. M.

SB 47 was taken up 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, Mr. President Pro Tem—13.

NAYS—Messrs. Melson, Pryor, Williams—3.

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. Behen, SB 102—"An Act to Amend Chapter 45, Title 7 of the Delaware Code by Requiring Public Notice and Public Sale of Public Lands," was taken up 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, 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. Behen, **SB 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," was taken up 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, 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. Reilly, **SB 115**—"An Act to Amend Chapter 53, Title 30 of the Delaware Code by Repealing the Cigar Tax," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—Messrs. Hoey, Melson, Steen, Wilgus, Williams—5.

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.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following: **HB 128, HCR 9, HCR 11.**

On motion of Mr. McCullough, **SB 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," was taken up 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, 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 128**—"An Act to Amend Chapter 3, Title 14 of the Delaware Code by Changing the Time During Which Polls are to Remain Open for Election of School Board Members in Kent, Sussex, and Part of New Castle Counties," was taken up 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, 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. Lammot, the Senate recessed.

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

On motion of Mr. Behen, **SB 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," was taken up 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, Wilgus, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Covey and Johnson—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 140**—"An Act to Amend Section 19 of Article 3 of the Constitution of the State of Delaware Relating to the Compensation of the Lieutenant-Governor," was taken up for consideration and read a third time by title and enacting clause in order to pass the 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, 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.

Messrs McCullough and Butler introduced the following resolution, which on further motion by Mr. McCullough was adopted: **SR 44**—"Appropriating Money to Pay for a Bronze Plaque for the Senate Chamber."

WHEREAS, it is the feeling of the Senate of the 118th General Assembly of the State of Delaware that a bronze plaque bearing the names of the members thereof should be affixed to the wall of the Senate Chamber in order that these names may be preserved for historical purposes, and

WHEREAS, it is necessary to make provision for same at this time:

NOW, THEREFORE,

BE IT RESOLVED, by the Senate of the 118th General Assembly of the State of Delaware that the sum of Two Hundred Forty Dollars (\$240.00) be and the same is hereby appropriated out of the General Fund of the State Treasury, from monies not otherwise appropriated, for the payment of a bronze plaque and the installation thereof in the Senate Chamber, said plaque containing the names of the members of the Senate of the 118th General Assembly, and the State Treasury is hereby authorized and directed to pay the afore-said sum upon warrants duly signed by the President and Secretary of the Senate, said sum so appropriated being a part of the expenses of the Senate, and

BE IT FURTHER RESOLVED, That the President Pro Tem of the Senate is hereby authorized and directed to appoint a committee to make the necessary arrangements and contract for the preparation and erection of such an appropriate plaque.

On motion of Mr. Reilly, **SB 124**—"An Act to Amend Chapter 92, Volume 23, Laws of Delaware, as Amended, Being An Act Entitled "An Act to Provide for the Organization and Control of the Public Schools of the City of Wilmington" by Providing for the Election of the Members of the Board of Public Education in Wilmington; Qualifications and Method of Election of Members," was taken up 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, Mr. President Pro Tem—11.

**NAYS**—Messrs. Melson and Williams—2.

**NOT VOTING**—Mr. Johnson—1.

**ABSENT**—Messrs. Covey, 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.

The Chair presented the following House Bill, which was given first and second reading and referred to committee as follows:

**HB 128**—"An Act to Amend Chapter 45, Title 10, Delaware Code, Pertaining to Juries, by Changing Number of Offenses for Which Panel of Not Less than Sixty-Four (64) Jurors is Required," to Judiciary.

The Chair presented the following concurrent resolution:

**HCR 9**—"Memorializing the Congress of the United States to Consider Favorably an Increase of Salary for Employees of the United States Post Office."

On motion of Mr. Lammot, **HCR 9** was tabled.

The Chair presented the following concurrent resolution:

**HCR 11**—"Inviting the Boys' State to be the Guests of the One Hundred and Eighteenth General Assembly."

On motion of Mr. Lammot, **HCR 11** was tabled.

On motion of Mr. Lammot, the Senate adjourned until Friday, March 11, 1955, at 1:00 P. M.

## 42ND LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:00 P. M. on Friday, March 11, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Camper, Harrison, Lammot, McCullough, Paradee, Pryor, Reilly, Williams, Mr. President Pro Tem—10.

Members absent—Messrs. Butler, Covey, Hoey, Johnson, Melson, Steen, Wilgus—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.

Asked to be marked present: Messrs. Camper, Hoey, Johnson Steen and Wilgus.

Communications: One about **HB 245**; one in favor of retaining Fire Marshal's Office.

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

Senate met at expiration of recess at 1:55 P. M.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 177**, **SB 197**, by Accounts; **SB 203**, **SB 204**, 4 favorably, 1 on merits, by Education; **HB 68**, 4 favorably, 1 on merits, by Judiciary; **HB 140**, by Municipal Corporations; **HB 89**, 3 favorably, 2 on merits, by Claims.

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

**SB 206**—"An Act to Amend Title 9, Delaware Code, Relating to Receivers of Taxes and County Treasurers by Providing That All Public Moneys Received by Each Receiver of Taxes and County Treasurer Shall be Deposited in One of the County Seat Offices of Any Bank or Trust Company Doing Business at His County Seat," by Moore; to Banking and Insurance.

On motion of Mr. Butler, **SB 119**—"An Act to Require the Railroad Company Owning and Controlling the Railroad Tracks at the Armstrong Road Crossing, in Armstrong, Delaware, to Install Signal and Warning Lights," was taken up 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, Melson, Paradee, Pryor, Reilly, Wilgus, Williams, Mr. President Pro Tem—14.

**NAYS**—None.

**ABSENT**—Messrs. Covey, McCullough, 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. Butler, **SB 120**—"An Act to Require the Railroad Company Owning and Controlling the Railroad Tracks at the Porter Road Crossing in Porter, Delaware, to Install Signal and Warning Lights," was taken up 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, Melson, Paradee, Pryor, Reilly, Wilgus, Williams, Mr. President Pro Tem—14.

**NAYS**—None.

**ABSENT**—Messrs. Covey, McCullough, 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. Behen, SB 145—"An Act to Amend Chapter 282 of Volume 21 of the Laws of Delaware Relating to the Town of Leipsic by Providing for an Increase in the Limit of 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, Harrison, Hoey, Johnson, Lammot, Melson, Paradee, Pryor, Reilly, Wilgus, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Covey, McCullough, 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.

Mr. Camper requested and received permission to introduce students of Felton High School.

On motion of Mr. Behen, SB 148—"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," was taken up 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, Melson, Paradee, Pryor, Reilly, Wilgus, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Covey, McCullough, 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. Harrison, SB 153—"An Act to Amend Chapter 69, Title 11 of the Delaware Code Relating to the Appointment of the Deputy Warden and Other Employees at the Kent County Jail," was taken up 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, Melson, Paradee, Pryor, Reilly, Wilgus, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Covey, McCullough, 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. Harrison, SB 154—"An Act to Amend Chapter 69, Title 11 of the Delaware Code Relating to the Formulation of Rules and Regulations of the Kent County

Jail," was taken up 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:

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

NAYS—None.

ABsent—Messrs. Covey and Steen—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, **HCR 9**—"Memorializing the Congress of the United States to Consider Favorably an Increase of Salary for Employees of the United States Post Office," was brought from the table and put upon its passage in order to pass the Senate.

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

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

NAYS—None.

NOT VOTING—Messrs. Johnson and Wilgus—2.

ABsent—Messrs. Covey and Steen—2.

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.

On motion of Mr. Lammot, **HCR 11**—"Inviting the Boys' State to be the Guests of the One Hundred and Eighteenth General Assembly, was brought from the table.

On motion of Mr. Lammot, **HCR 11** was passed by the Senate and returned to the House.

On motion of Mr. Lammot, the Senate adjourned until Monday, March 14, 1955, at 1:00 P. M.

### 43RD LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:00 P. M. on Monday, March 14, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Camper, Johnson, Lammot, Paradee, Steen, Wilgus, Mr. President Pro Tem—9.

Members absent—Messrs. Covey, Harrison, Hoey, McCullough, Melson, Pryor, Reilly, Williams—8.

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.

Asked to be marked present: Messrs. Harrison, Hoey, McCullough, Melson, Pryor, Reilly, Williams.

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

**SB 207**—"An Act to Amend Chapter 28, Title 31 of the Delaware Code by Requiring the State Welfare Home to Set Aside and Maintain a Certain Area for the Purpose of Burial of Bodies from Kent County," by Behen; to Public Health.

**SB 208**—"An Act Authorizing "St. Paul's Methodist Episcopal Church, Odessa, Delaware", a Delaware Corporation Situated on High Street in the Town of Odessa, New Castle County, State of Delaware, to Disinter and Remove from the Cemetery of Said Church, the Bodies Now Buried Therein and Re-inter Said Bodies in Consecrated Ground Under the Said Church," by Butler; to Public Health.

**SB 209**—"An Act to Amend Chapter 1, Title 7 of the Delaware Code by Providing for the Restocking of Rabbits," by Behen; to Agriculture.

**SB 210**—"An Act to Amend Title 12, Delaware Code, Section 2316, (b) Relating to Payment of Legacy, Distributive Share or Trust Fund Where Person Entitled is Out of State, Unknown, Incompetent or Shares Uncertain and the Proceedings for Same," by Melson (by request); to Revised Statutes.

**SB 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," by McCullough; to Buildings and Highways.

**SB 212**—"An Act to Increase the Rate of Compensation to Persons Authorized to Sell Hunting, Trapping and Fishing Licenses," by Moore; to Fish, Oysters and Game.

On motion of Mr. Reilly, **SB 30**—"An Act to Amend Chapter 7, Title 4 of the Delaware Code Entitled "Alcoholic Liquors" Permitting the Sale of Alcoholic Liquors, Wines and Beer During the Time of Certain 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, Johnson, Lammot, McCullough, Paradee, Reilly, Wilgus, Mr. President Pro Tem—11.

**NAYS**—Messrs. Hoey, Melson, Steen—3.

**NOT VOTING**—Mr. Pryor—1.

**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 ordered to the House for concurrence.

On motion of Mr. Reilly, **SB 166**—"An Act to Amend Chapter 1, Title 27 of the Delaware Code Relating to Religious Societies and 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 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, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—14.

**NAYS**—None.

**NOT VOTING**—Messrs. Hoey and Pryor—2.

**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.

The Senate recessed until call of Chair.

Senate met at expiration of recess at 3:04 P. M.

On motion of Mr. Reilly, **SB 191** was given the name of Mr. McCullough as sponsor instead of Mr. Reilly.

Request that the following be stricken from the calendar was granted to member as follows: **SB 18**, **SB 147**, by Behen.

On motion of Mr. McCullough, **SB 197**—"An Act Authorizing the Levy Court of New Castle County to Appropriate County Moneys to the Wilmington Manor Fire Company, the Good Will Fire Company, the Elsmere Fire Company, and the Aetno Hook, Hose and Ladder Company for the Maintenance of a Rescue Squad," was taken up 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, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—14.

**NAYS**—None.

**ABSENT**—Messrs. Covey, Hoey, Pryor—3.

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

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 206**, by Banking and Insurance; **SB 168**, by Miscellaneous; **SB 194**, by Accounts.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following: **HCR 14**, **HCR 15**.

On motion of Mr. Behen, **HB 68**—"An Act Proposing an Amendment to Section 3 of Article IV of the Constitution of the State of Delaware Relating to the Appointment of Members of the State Judiciary by Requiring the Governor to Address a Public Letter to the President of the Senate Stating

the Name of the Person He Intends to Appoint at Least Ten Days Prior to the Submission of Such Person's Name to the Senate for Confirmation," was taken up 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, 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.

The Chair presented **HCR 14**—"Extending the Sympathy of the House of Representatives and the Senate Unto Honorable Robert P. Maclary Upon the Death of His Father, Charles Wesley Maclary."

On motion of Mr. Lammot, **HCR 14** was adopted and returned to the House.

The Chair presented **HCR 15**—"Expression of Deep Regret by Members of the House of Representatives and the Members of the Senate of the 118th General Assembly on the Untimely Death of Former Representative Randolph P. Reynolds, Senior."

On motion by Mr. Lammot, Senate Rule 22 was suspended.

On motion of Mr. Lammot, **HCR 15** was adopted and returned to the House.

On motion of Mr. McCullough, **HB 70**—"An Act to Amend Chapter 25, Title 7, Delaware Code, Relating to Crabs and Clams, by Prohibiting the Use of Shinnycok Rakes in Rehoboth and Indian River Bays," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

Mr. McCullough moved for deferment.

The yeas and nays were ordered.

YEAS—Messrs. Butler, Camper, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Steen, Wilgus, Williams, Mr. President Pro Tem—12.

NAYS—Messrs. Behen, Harrison, Pryor, Reilly—4.

ABSENT—Mr. Covey—1.

And so the motion for deferment by Mr. McCullough, having received a constitutional majority, passed the Senate and **HB 70** was deferred.

On motion of Mr. Paradee, **SB 181**—"An Act Authorizing and Directing the State Highway Department to Install a Traffic Control Light at the Intersection of Front Street and Route Number 113 in the Town of Frederica, 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, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Reilly, Mr. President Pro Tem—12.

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

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.

Mr. Behen moved that **SB 148** be reconsidered.

The yeas and nays were ordered.

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

NAYS—None.

ABSENT—Messrs. Covey and Hoey—2.

The motion for reconsideration received a constitutional majority and so **SB 148** was reconsidered.

Mr. Behen introduced **SA 1** to **SB 148**.

The yeas and nays were ordered.

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.

**SA 1** to **SB 148** was adopted.

On motion of Mr. Behen, **SB 148** with **SA 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," 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 ordered to the House for concurrence.

On motion of Mr. Behen, **HB 140**—"An Act to Amend the Charter of the Town of Farmington by Increasing the Amount Authorized to be Raised by Taxation and by Changing the Tax Assessment 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, 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 returned to the House.

On motion of Mr. Steen, **SB 159**—"An Act to Amend Chapter 43, Title 16 of the Delaware Code Relating to Artificial Sweetener in Soft Drinks," was taken up 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, 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. Camper, **HCR 6**—"Authorizing the State Librarian to Supply a Copy of "The Delaware Citizen" to Each Member of the 118th General Assembly 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 Concurrent Resolution 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, Wilgus, Williams, Mr. President Pro Tem—15.

NAYS—Mr. Hoey—1.

ABSENT—Mr. Covey—1.

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.

On motion of Mr. Lammot, the Senate recessed.

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

Mr. Moore announced the following Senators were appointed in conformity with **SR 44**: I hereby appoint Senators Walter J. Hoey, Jehu F. Camper and Eugene Lammot as a committee to make the necessary arrangements and contract for the preparation and erection of such an appropriate plaque.

Mr. Pryor introduced the following resolution, which on further motion by him was adopted: **SR 45**—"In Reference to Attorneys' Fees Paid by State Agencies."

**BE IT RESOLVED** by the Senate of the 118th General Assembly of the State of Delaware that each State department, board, commission, agency or any subdivision thereof which retained an attorney to supply legal services within the past year shall make a written report to the Secretary of the Senate on or before March 21, 1955, giving the following information for the period March 1, 1954-March 1, 1955:

(1) Name of attorneys retained and the nature of their services.

(2) The amount of compensation paid to each such attorney.

On motion of Mr. Lammot, the Senate adjourned until 1:00 P. M., Wednesday, March 16, 1955.

#### 44TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:00 P. M. on Wednesday, March 16, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Butler, Camper, Covey, Harrison, Hoey, Lammot, Paradee, Pryor, Wilgus, Williams, Mr. President Pro Tem—11.

Members absent—Messrs. Behen, Johnson, McCullough, Melson, Reilly, Steen—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.

Asked to be marked present: Messrs. Behen, Johnson, McCullough, Melson, Reilly, Steen.

On motion of Mr. Lammot, the Senate recessed.

Senate met at expiration of recess at 4:00 P. M.

The following bills and resolution were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 183**, 4 favorably, 1 on merits, by Elections; **SB 52**, 4 favorably, 1 on merits, **SB 198**, 4 favorably, 1 on merits, **SB 199**, 4 favorably, 1 on merits, **SB 211**, by Buildings and Highways; **SB 202**, **SB 209**, by Agriculture; **SB 178**, 3 favorably, 1 on merits, **SB 24**, 3 favorably, 1 on merits, by Claims; **SB 100**, **SB 170**, by Executive; **SB 207**, 4 favorably, 1 on merits, **SB 28**, 3 favorably, 2 on merits, **SB 1**, 3 favorably, 2 on merits, **SB 46**, 2 favorably, 3 on merits, by Public Health; **SB 179**, 2 favorably, 3 on merits, **SB 164**, 3 favorably, 2 on merits, **SB 180**, 2 favorably, 3 on merits, **SB 192**, 1 favorably, 4 on merits, by Municipal Corporations; **SB 124**, 2 favorably, 3 on merits, **SB 193**, 2 favorably, 1 un-

favorably, 2 on merits, by Judiciary; **SB 191**, 4 favorably, 1 on merits, by Miscellaneous; **SB 212**, 4 favorably, 1 on merits, by Fish, Oysters and Game; **SR 42**, by Rules.

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

**SB 213**—"An Act to Amend Chapter 196, Volume 22, Part One, Laws of Delaware, Being An Act Establishing a Board of Public Works for the Town of Lewes and Defining Its Powers, by Granting to the said Board the Authority to Make Certain Additions and Improvements to the Electric Light Plant and Distribution System and to the Water Pumping and Distribution Facilities, on Credit, Including the Right to Buy on Contracts of Conditional Sale, Pledging the Revenues from Those Two Utilities for the Payments of the Cost Thereof," by Johnson; to Revised Statutes.

**SB 214**—"An Act to Amend Title 24, Delaware Code of 1953 by Providing for a State Licensing Board for General Building Contractors," by Lammot and Reilly; to Buildings and Highways.

**SB 215**—"An Act to Amend Chapter 47, Title 10 of the Delaware Code in Relation to the Lien of Judgments," by Lammot and Melson; to Judiciary.

**SB 216**—"An Act to Amend Chapter 87, Title 9, of the Delaware Code in Relation to the Collection of Delinquent Taxes," by Lammot; to Miscellaneous.

**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," by Steen and Wilgus; to Executive.

**SB 218**—"An Act Appropriating Funds to the Trustees of the Millsboro School #204 for the Current Fiscal Year on Account of Unanticipated Expenses as a Result of a New Addition to Millsboro School #204," by Steen; to Education.

**SB 219**—"An Act Appropriating Funds to the Trustees of the Frankford School #206 for the Current Fiscal Year on Account of Unanticipated Expenses for Fuel as the Result of the Construction of a New School Building," by Steen; to Education.

**SB 220**—"An Act to Amend Title 11 Delaware Code by Increasing the Penalty for Contributing to the Delinquency of a Child," by Melson and Lammot; to Judiciary.