

Fiscal reports, statements of balances of appropriations, estimates of receipts and other information pertinent to the fiscal affairs of the State were prepared by the accountants for the Commission and presented to the meetings.

During the period under review, the Budget Commission staff rendered accounting assistance to other State Agencies and Schools.

Procedures for the payment of the bonus to veterans of World War II were developed for the Delaware Military Pay Commission and accountants for Budget Commission aided in the processing of claims for the payment thereof.

A centralized payroll and a revised expenditure code were incorporated in an improvement of the IBM accounting system for the Auditor of Accounts and State Treasurer.

Accounting procedures and controls for all State and School District bond issues were established for the State Treasurer.

A perpetual inventory system for all institution supplies was installed at the Kruse School.

A procedural study of the operations of the Motor Vehicle Division was completed for the State Highway Department.

The accounting systems of the Delaware State Hospital and the Governor Bacon Health Center were reorganized to provide more adequate internal control.

Budgetary controls utilized at the Delaware State College were reviewed and revised to effect greater control over appropriated funds.

A study of the licensing procedures of the Board of Game and Fish Commissioners was made and a proposed record installation was prepared.

Miscellaneous accounting systems were installed for the following agencies: State Apple Commission, Delaware Harness Racing Commission, Board of Boiler Rules and Secretary of State for the distribution of postage and telephone charges.

Other projects participated in were: a pictorial presentation, together with complete supporting data, estimating General Fund receipts and expenditures for the two year period ending June 30, 1951 was prepared.

The possibility of insuring all State owned motor vehicles in one fleet policy was thoroughly investigated and recommendations submitted.

Heating fuel needs for all State Agencies and Schools were surveyed and bid proposals were prepared for centralized review. Upon receipt of bids, same were tabulated and a copy of tabulation sent to all Agencies and Schools.

An examination was made of Special Account funds of the State Forestry Department.

Staff members explored the possibility of central distribution of war surplus commodities.

Budget Commission accountants have conducted numerous audits and examinations of State Agencies and Schools

and efforts have been made to determine whether adequate procedures for proper control of fiscal matters were being maintained.

Agencies have, almost without exception, cooperated with Budget Commission accountants in the examination of their fiscal records.

We wish to express our appreciation to all Agencies and Schools that have been contacted during the period under review for their courtesy and cooperation.

Respectfully submitted,
 BUDGET COMMISSION
 Elbert N. Carvel
 Chairman
 Harris B. McDowell, Jr.
 Secretary
 E. H. Davis
 Chief Accountant

Report of Requests for Transfer of Appropriations

Requests for Transfer of Appropriations presented by State Departments, Institutions and Schools for the Budget Commission's consideration during the period under review, totaled 302 Emergency Fund transfers and 166 transfers of Appropriations.

During the period January 1, 1949 to June 30, 1949, a law existed whereby Transfers of Appropriations, not in excess of ten per cent of total appropriations to any School District, exclusive of salaries and fuel, could be made by Boards of School Trustees and Boards of Education without the consent of Budget Commission. A total of 135 such transfers were made during that period.

Budget Preparation

Budget Commission accountants revised the budget forms, used for submitting requests for appropriations for the next biennium, in order to more adequately portray fiscal operations.

Upon completion of these forms, they were delivered to all State Agencies, Institutions and Schools which receive State aid and instructions given in the preparation of their requests for appropriations.

Budget Commission carefully considered all budgets presented. In a number of cases it was necessary to revise some of the figures. In such an event the Agency, Institution or School was advised, at which time it was possible to request and receive a hearing before Budget Commission in order to produce evidence to substantiate their original request.

Auditing Functions

During the period January 1, 1949 to June 30, 1950 audits and special investigations have been made of the records of the following State Agencies and Schools. The date specified is the ending period of the examination.

Agencies

Boat Inspector—December 31, 1948
 Common Pleas Court.—Kent County—October 31, 1948
 Labor Commission of Delaware—December 31, 1948
 Regulators of Weights and Measures—December 31, 1948
 Industrial Accident Board—December 31, 1948
 Delaware State Employees Pension—September 9, 1948
 Game and Fish Commission—December 31, 1948
 Delaware Commission for the Feeble-Minded—December 31, 1948
 Kruse School—September 30, 1948
 Auditor of Accounts—June 30, 1949
 Delaware Harness Racing Commission—June 30, 1949
 State Insurance Commissioner—June 30, 1949
 Oyster Revenue Collector—June 30, 1949
 State Board of Dental Examiners—June 30, 1949
 Delaware Real Estate Commission—June 30, 1949
 State Board of Examiners and Registration of Architects—
 June 30, 1949
 State Athletic Commission—June 30, 1949
 State Board of Registration for Professional Engineers and
 Land Surveyors—June 30, 1949
 Delaware Commission of Shell Fisheries—June 30, 1949
 National Guard—Adjutant General—December 31, 1948
 Ferris School—June 30, 1949
 Woods Haven School—June 30, 1949

Education

Special School Districts

Caesar Rodney—June 30, 1949
 Claymont—June 30, 1949
 Dover—June 30, 1949
 Georgetown—June 30, 1949
 Harrington—June 30, 1949
 Laurel—June 30, 1949
 Lewes—June 30, 1949
 Milford—June 30, 1949
 Newark—June 30, 1949
 New Castle—June 30, 1949
 Rehoboth—June 30, 1949
 Smyrna—June 30, 1949

State Board Units

Alfred I. duPont No. 7—June 30, 1949
 Richardson Park No. 20—April 30, 1949
 Newport No. 21—June 30, 1949
 Stanton No. 38—June 30, 1949
 Christiana No. 44—April 30, 1949
 Rose Hill-Minquadale No. 47—June 30, 1949
 Delaware City No. 52—June 30, 1949
 Commodore MacDonough No. 53—June 30, 1949
 Middletown No. 60—June 30, 1949
 Marshallton No. 77—June 30, 1949
 Townsend No. 81—February 9, 1949
 Yorklyn No. 91—February 7, 1949
 Oak Grove No. 130—June 30, 1949
 Henry C. Conrad No. 131—June 30, 1949
 Newport No. 106-C—June 30, 1949
 Felton No. 54—June 30, 1949
 Hartly No. 96—June 30, 1949
 Clayton No. 119—June 30, 1949
 Milton No. 8—June 30, 1949
 Lord Baltimore No. 28—June 30, 1949
 Greenwood No. 91—June 27, 1949

Upon request and in behalf of the Auditor of Accounts, Budget Commission accountants have conducted field audits of all Justices of the Peace every three months. The standard auditing procedure adopted for this purpose has been followed.

The following Departments have been audited by independent certified public accountants. The date specified is the ending period of the examination.

State Tax Department—October 31, 1949

Unemployment Compensation Commission—March 31, 1949

University of Delaware—June 30, 1949

Expenditures from State Emergency Fund

Pursuant to Section 6, Chapter 57, Volume 44, 1943, Laws of Delaware, a statement of expenditures made from the Emergency Fund for the period January 1, 1949 to June 30, 1950 is presented herewith.

The expenditures shown on this statement were approved by Budget Commission only after an emergency was deemed to exist and after proof of said emergency was presented to the Commission. In all instances a notarized affidavit was provided by a duly authorized representative of the agency making application setting forth the facts supporting the claim.

The detailed accounts pertaining to each individual expenditure were maintained by the Office of Auditor of Accounts and all invoices in support of expenditures are on file in that office.

Statement of Emergency Fund Expenditures
For the Period January 1, 1949 to June 30, 1949

<i>Agency</i>	<i>Expenditures</i>
Governor	
Salaries	\$ 500.00
Office Expense	407.73
Repairs and Replacements	600.00
Contingent Fund	1,346.18
Governor's Conference	385.35
Total Governor	3,239.26
Secretary of State	
Salaries	2,986.93
Total Secretary of State	2,986.93
State Treasurer	
Salaries	468.74
Lost or Out-dated Checks	70.32
Total State Treasurer	539.06
Auditor of Accounts	
Salaries	600.00
Total Auditor of Accounts	600.00
State Librarian	
Salaries	187.50
Total State Librarian	187.50
Adjutant General	
Office Expense	699.73
Operations	773.16
Total Adjutant General	1,472.89
Boat Inspector	
Travel	110.12
Total Boat Inspector	110.12
Custodian	
Salaries	1,169.32
Repairs and Replacements	32,500.00
Total Custodian	33,669.32

Delaware Aeronautics Commission	
Salaries	1,000.00
Office Expense	163.40
Travel	500.00
Total Delaware Aeronautics Commission	<u>1,663.40</u>
State Board of Agriculture	
Operations	5,813.65
Controlling Contagious Diseases in Poultry	1,329.00
Total State Board of Agriculture	<u>7,142.65</u>
State Board of Education	
Transportation	9,940.20
Salaries (Additional Teachers)	64,309.19
Student Driver Training	10,579.93
Total State Board of Education	<u>84,829.32</u>
State Board for Vocational Education	
Rehabilitation Division	
Case Service	13,703.95
Total State Board for Vocational Education ..	<u>13,703.95</u>
State Highway Department	
Mosquito Control	31,320.39
Total State Highway Department	<u>31,320.39</u>
Public Archives Commission	
Salaries	494.75
Total Public Archives Commission	<u>494.75</u>
State Board of Welfare	
Direct Care	21,242.02
Assistance Grants	9,673.00
Medical Grants	292.81
Total State Board of Welfare	<u>31,207.83</u>
Old Age Welfare Commission	
New Castle County—Relief	101,390.43
Kent County—Relief	12,927.76
Sussex County—Relief	31,484.31
Supplementation	5,698.56
Total Old Age Welfare Commission	<u>151,501.06</u>

Edgewood Sanatorium Operations	2,500.00
Total Edgewood Sanatorium	<u>2,500.00</u>
Delaware State College Equipment	835.00
Total Delaware State College	<u>835.00</u>
Caesar Rodney Special School Salaries	1,500.00
Total Caesar Rodney Special School	<u>1,500.00</u>
Laurel Special School Fire Replacements	25,600.00
Fuel	1,180.32
Total Laurel Special School	<u>26,780.32</u>
New Castle Special School Delayed Repairs	395.63
Total New Castle Special School	<u>395.63</u>
Arden School No. 3 Fuel	116.56
Total Arden School No. 3	<u>116.56</u>
Hockessin School No. 29 Fuel	110.20
Total Hockessin School No. 29	<u>110.20</u>
Christiana School No. 44 Fuel	386.00
Total Christiana School No. 44	<u>386.00</u>
Commodore MacDonough School No. 53 Fuel	12.30
Total Commodore MacDonough School No. 53	<u>12.30</u>
Middletown School No. 60 Delayed Repairs	120.15
Total Middletown School No. 60	<u>120.15</u>

Port Penn School No. 63	
Fuel	30.00
Total Port Penn School No. 63	<u>30.00</u>
Townsend School No. 81	
Fuel	326.31
Total Townsend School No. 81	<u>326.31</u>
Eden School No. 101	
Delayed Repairs	188.75
Fuel	79.56
Total Eden School No. 101	<u>268.31</u>
Henry C. Conrad School No. 131	
Delayed Repairs	687.89
Total Henry C. Conrad School No. 131	<u>687.89</u>
Newport School No. 106-C	
Fuel	114.38
Total Newport School No. 106-C	<u>114.38</u>
Christiana School No. 111-C	
Fuel	58.50
Total Christiana School No. 111-C	<u>58.50</u>
Iron Hill School No. 112-C	
Fuel	58.58
Total Iron Hill School No. 112-C	<u>58.58</u>
St. Georges School No. 117-C	
Fuel	36.77
Total St. Georges School No. 117-C	<u>36.77</u>
Delaware City School No. 118-C	
Fuel	252.81
Total Delaware City School No. 118-C	<u>252.81</u>
Mt. Pleasant School No. 119-C	
Fuel	58.47
Total Mt. Pleasant School No. 119-C	<u>58.47</u>

Middletown School No. 120-C	
Fuel	672.58
Delayed Repairs	1,423.46
Total Middletown School No. 120-C	<u>2,096.04</u>
Lee's Chapel School No. 124-C	
Fuel	8.00
Delayed Repairs	18.39
Total Lee's Chapel School No. 124-C	<u>26.39</u>
Millside School No. 132-C	
Fuel	584.97
Total Millside School No. 132-C	<u>584.87</u>
Leipsic School No. 11	
Fuel	50.00
Total Leipsic School No. 11	<u>50.00</u>
Farmington School No. 39	
Fuel	60.00
Delayed Repairs	53.00
Total Farmington School No. 39	<u>113.00</u>
Magnolia School No. 50	
Fuel	259.80
Total Magnolia School No. 50	<u>259.80</u>
Felton School No. 54	
Fuel	53.78
Total Felton School No. 54	<u>53.78</u>
Cheswold School No. 83	
Fuel	242.55
Total Cheswold School No. 83	<u>242.55</u>
Little Creek School No. 85	
Fuel	32.00
Total Little Creek School No. 85	<u>32.00</u>

Clayton School No. 119	
Fuel	350.00
Total Clayton School No. 119	<u>350.00</u>
Clayton School No. 136-C	
Fuel	24.95
Total Clayton School No. 136-C	<u>24.95</u>
Kenton School No. 140-C	
Fuel	90.29
Total Kenton School No. 140-C	<u>90.29</u>
Lockwood School No. 142-C	
Fuel	92.26
Total Lockwood School No. 142-C	<u>92.26</u>
Cheswold School No. 143-C	
Fuel	301.86
Total Cheswold School No. 143-C	<u>301.86</u>
Fork Branch School No. 145-C	
Fuel	84.17
Total Fork Branch School No. 145-C	<u>84.17</u>
White Oak School No. 146-C	
Fuel	50.93
Total White Oak School No. 146-C	<u>50.93</u>
Woodside School No. 154-C	
Fuel	21.50
Total Woodside School No. 154-C	<u>21.50</u>
Mt. Olive School No. 155-C	
Fuel	11.48
Total Mt. Olive School No. 155-C	<u>11.48</u>
Viola School No. 156-C	
Fuel	62.90
Total Viola School No. 156-C	<u>62.90</u>

Union School No. 158-C	
Fuel	18.00
Total Union School No. 158-C	<u>18.00</u>
Reeves Crossing School No. 159-C	
Fuel	31.37
Total Reeves Crossing School No. 159-C	<u>31.37</u>
Lincoln School No. 3	
Fuel	75.00
Total Lincoln School No. 3	<u>75.00</u>
Milton School No. 8	
Fuel	314.71
Total Milton School No. 8	<u>314.71</u>
Millsboro School No. 23	
Fuel	69.32
Total Millsboro School No. 23	<u>69.32</u>
Lord Baltimore School No. 28	
Fuel	300.00
Total Lord Baltimore School No. 28	<u>300.00</u>
Roxana School No. 31	
Fuel	134.64
Total Roxana School No. 31	<u>134.64</u>
Stockley School No. 34	
Fuel	122.00
Total Stockley School No. 34	<u>122.00</u>
Concord School No. 58	
Fuel	39.90
Total Concord School No. 58	<u>39.90</u>
John M. Clayton School No. 97	
Delayed Repairs	217.50
Fuel	543.21
Total John M. Clayton School No. 97	<u>760.71</u>

Ellendale School No. 125	
Fuel	320.00
Total Ellendale School No. 125	<u>320.00</u>
Delmar School No. 163	
Fuel	398.07
Total Delmar School No. 163	<u>398.07</u>
Blades School No. 172	
Fuel	34.04
Total Blades School No. 172	<u>34.04</u>
Slaughter Neck School No. 193-C	
Fuel	251.67
Total Slaughter Neck School No. 193-C	<u>251.67</u>
Lincoln School No. 194-C	
Fuel	108.79
Total Lincoln School No. 194-C	<u>108.79</u>
Ellendale School No. 195-C	
Fuel	42.75
Total Ellendale School No. 195-C	<u>42.75</u>
Drawbridge School No. 197-C	
Fuel	26.75
Total Drawbridge School No. 197-C	<u>26.75</u>
Rehoboth School No. 200-C	
Fuel	75.00
Total Rehoboth School No. 200-C	<u>75.00</u>
Rabbit's Ferry School No. 201-C	
Delayed Repairs	116.71
Fuel	37.00
Total Rabbit's Ferry School No. 201-C	<u>153.71</u>
Friendship School No. 202-C	
Fuel	25.60
Total Friendship School No. 202-C	<u>25.60</u>

Warwick School No. 203-C	
Delayed Repairs	65.00
Total Warwick School No. 203-C	<u>65.00</u>
Millsboro School No. 204-C	
Fuel	337.50
Total Millsboro School No. 204-C	<u>337.50</u>
Frankford School No. 206-C	
Fuel	106.94
Total Frankford School No. 206-C	<u>106.94</u>
Blackwater School No. 207-C	
Fuel	89.02
Total Blackwater School No. 207-C	<u>89.02</u>
Selbyville School No. 210-C	
Fuel	100.45
Total Selbyville School No. 210-C	<u>100.45</u>
Owens Corner School No. 213-C	
Fuel	27.39
Total Owens Corner School No. 213-C	<u>27.39</u>
Portsville School No. 214-C	
Fuel	34.08
Total Portsville School No. 214-C	<u>34.08</u>
Concord School No. 216-C	
Fuel	55.00
Total Concord School No. 216-C	<u>55.00</u>
Blocksom School No. 218-C	
Fuel	83.00
Total Blocksom School No. 218-C	<u>83.00</u>
Bridgeville School No. 220-C	
Fuel	152.86
Total Bridgeville School No. 220-C	<u>152.86</u>

Greenwood School No. 222-C	
Fuel	24.21
Total Greenwood School No. 222-C	<u>24.21</u>
Hollyville School No. 224-C	
Fuel	42.90
Total Hollyville School No. 224-C	<u>42.90</u>
Nanticoke Indian School	
Fuel	61.81
Total Nanticoke Indian School	<u>61.81</u>
Total Emergency Fund Expenditures for the Period January 1, 1949 to June 30, 1949....	<u><u>\$408,347.67</u></u>

**Statement of Emergency Fund Expenditures
Fiscal Year Ended June 30, 1950**

<i>Agency</i>	<i>Expenditures</i>
Governor	
Salaries	\$ 2,837.42
Office Expense	502.91
Contingent Expense	700.00
Total Governor	<u>4,040.33</u>
Auditor of Accounts	
Repairs and Replacements	10,000.00
Total Auditor of Accounts	<u>10,000.00</u>
Secretary of State	
Bond Issue	5,000.00
Total Secretary of State	<u>5,000.00</u>
State Treasurer	
Salaries	525.00
Office Expense	273.91
Lost or Out-dated Checks	238.45
Total State Treasurer	<u>1,037.36</u>

Attorney General	
Travel	1,392.09
Operations	3,212.53
Total Attorney General	<u>4,604.62</u>
Adjutant General	
Repairs and Replacements	10,000.00
Operations	6,000.00
Total Adjutant General	<u>16,000.00</u>
State Librarian	
Equipment	310.00
Total State Librarian	<u>310.00</u>
Custodian	
Repairs and Replacements	204.14
Total Custodian	<u>204.14</u>
State Museum	
Operations	8,168.00
Total State Museum	<u>8,168.00</u>
Detention Home for Juveniles	
Repairs and Replacements	2,500.00
Total Detention Home for Juveniles	<u>2,500.00</u>
State Park Commission	
Salaries	299.09
Office Expense	168.75
Operations	7,500.00
Total State Park Commission	<u>7,967.84</u>
Delaware Commission for the Blind	
Grants	5,000.00
Total Delaware Commission for the Blind	<u>5,000.00</u>
Delaware Harness Racing Commission	
Salaries	1,500.00
Total Delaware Harness Racing Commission	<u>1,500.00</u>

Delaware Real Estate Commission	
Office Expense	106.00
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Total Delaware Real Estate Commission.....	106.00
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State Board of Accountancy	
Salaries	90.00
Office Expense	168.60
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Total State Board of Accountancy	258.60
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Board of Boiler Rules	
Office Expense	904.99
Travel	452.00
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Total Board of Boiler Rules	1,356.99
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Board of Parole	
Travel	55.95
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Total Board of Parole	55.95
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Surplus Commodities Administration	
Operations	2,000.00
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Total Surplus Commodities Administration ...	2,000.00
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State Development Department	
Operations	2,500.00
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Total State Development Department	2,500.00
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Mid-Century White House Conference on Youth	
Office Expense	245.87
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Total Mid-Century White House Conference on Youth	245.87
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Displaced Persons Committee	
Salaries	1,350.00
Office	265.09
Travel	382.46
Equipment	46.16
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Total Displaced Persons Committee.....	2,043.71
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State Highway Department	
Equipment (Police Division)	1,305.00
Construction	30,000.00
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Total State Highway Department.....	31,305.00
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State Board of Agriculture	
Controlling Contagious Disease	8,953.23
Matching Funds	10,000.00
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Total State Board of Agriculture.....	18,953.23
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Delaware State Hospital	
Surplus Commodities	500.00
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Total Delaware State Hospital	500.00
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State Board of Welfare	
Grants	8,773.50
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Total State Board of Welfare	8,773.50
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Old Age Welfare Commission	
New Castle County—Relief	292,303.56
Kent County—Relief	25,858.07
Sussex County—Relief	39,007.29
Salary Deficiency	5,074.61
Supplementation	9,936.96
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Total Old Age Welfare Commission	372,180.49
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Kruse School	
Repairs and Replacements	2,496.27
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Total Kruse School	2,496.27
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University of Delaware	
Ground Water Resources	5,000.00
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Total University of Delaware	5,000.00
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Delaware State College	
Salaries	11,560.00
Equipment	10,000.00
Special Fund	888.00
Operations	40,000.00
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Total Delaware State College.....	62,448.00
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State Board of Education	
Firemen Training Program	1,173.83
Veterans Training	1,429.05
Vocational Education	4,460.00
Additional Salaries (Based on Units)	42,525.00
Transportation	24,990.57
Homebound Pupils	3,752.71
Gov. Bacon Health Center—Teachers	4,162.60
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Total State Board of Education	82,493.76
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Board of Vocational Education	
Rehabilitation Division	31,466.23
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Total Board of Vocational Education	31,466.23
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Caesar Rodney Special School	
Salaries	1,200.00
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Total Caesar Rodney Special School	1,200.00
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Georgetown Special School	
Repairs and Replacements	7,846.00
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Total Georgetown Special School	7,846.00
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Harrington Special School	
Delayed Repairs	16,150.00
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Total Harrington Special School	16,150.00
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Laurel Special School	
Delayed Repairs	1,500.00
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Total Laurel Special School	1,500.00
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Milford Special School	
Delayed Repairs	3,000.00
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Total Milford Special School	3,000.00
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Rehoboth Special School	
Salaries	2,400.00
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Total Rehoboth Special School	2,400.00
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Christiana School No. 44	
Salaries	1,973.91
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Total Christiana School No. 44	1,973.91
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Odessa School No. 61	
Salaries	1,891.75
Total Odessa School No. 61	<u>1,891.75</u>
Oak Grove School No. 130	
Salaries	4,066.76
All Other Costs	3,000.00
Total Oak Grove School No. 130	<u>7,066.76</u>
Newport School No. 106-C	
Salaries	4,732.96
Total Newport School No. 106-C	<u>4,732.96</u>
Hockessin School No. 107-C	
Delayed Repairs	3,641.20
Total Hockessin School No. 107-C	<u>3,641.20</u>
Millside School No. 132-C	
Salaries	2,376.26
Total Millside School No. 132-C	<u>2,376.26</u>
Magnolia School No. 50	
Salaries	2,100.00
Total Magnolia School No. 50	<u>2,100.00</u>
Felton School No. 54	
Repairs	1,400.00
Total Felton School No. 54	<u>1,400.00</u>
Clayton School No. 119	
Delayed Repairs	3,000.00
Total Clayton School No. 119	<u>3,000.00</u>
Bridgeville School No. 90	
Repairs and Replacements	4,000.00
Total Bridgeville School No. 90	<u>4,000.00</u>
John M. Clayton School No. 97	
Repairs and Replacements	453.00
Total John M. Clayton School No. 97	<u>453.00</u>

Ellendale School No. 125	
Salaries	2,400.00
Total Ellendale School No. 125	<u>2,400.00</u>
Blackwater School No. 207-C	
Delayed Repairs	1,475.00
Total Blackwater School No. 207-C	<u>1,475.00</u>
Bridgeville School No. 220-C	
Delayed Repairs	1,400.00
Total Bridgeville School No. 220-C	<u>1,400.00</u>
William Jason Comprehensive High School	
Operations	7,224.46
Total William Jason Comprehensive High School	<u>7,224.46</u>
Total Emergency Fund Expenditures for Fiscal Year Ended June 30, 1950	<u><u>\$767,747.19</u></u>

The following Substitute Bill with title the same as the Original Bill was introduced, given first and second readings by title only, and referred to committee as follows: **SS 1** for **SB 377**, by Webb, to Finance.

Mr. Peeney moved that Committee Reports be read by number only. Motion prevailed.

The following Bills were reported favorably by the majority of the respective committees as follows: **HB 273**, by Buildings and Highways; **SS 1** for **SB 284**, by Printing and Supplies; **SB 298**, **SB 347**, by Finance; **SB 380**, by Banking and Insurance; **SB 167** (on its merits), **SB 272**, **SB 318**, by Revised Statutes; **SB 186** (on its merits), **SB 141** (on its merits), **SB 243** (on its merits), **SB 313** (1 favorably, 2 unfavorably, 2 on its merits), **SB 422** (on its merits), **HB 120**, **SB 236**, **SB 250**, by Miscellaneous; **HB 448**, by Municipal Corporations.

On motion of Mr. Cannon, **HB 405**—"An Act to Authorize New Castle County to Provide for the Planning, Acquisition, Purchase, Construction, Reconstruction, Improvement, Betterment, Extension, Operation, and Maintenance of Sewerage Systems, for the Collection, Treatment and Disposal of Sewage, Waste, Garbage, and Storm Water; Authorizing the Exercise of the Power of Eminent Domain; Authorizing and Regulating the Issuance of Bonds for Financing Such Sewerage

Systems; Authorizing the Charging of Service Charges for Service Rendered by Such Sewerage Systems and Providing for the Enforcement of the Payment Thereof; and Providing for the Payment of Such Bonds and for the Rights of the Holders Thereof," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Barnard, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Benger, Klair—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. Cannon, **SB 349**—"An Act Making an Appropriation to the State Welfare Home for Certain Capital Improvements," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Cannon the substitute was adopted in lieu of the original.

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

Yeas—Messrs. Barnard, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Dr. Benger—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. Klair, **HB 188**—"An Act to Amend an Act Entitled 'An Act to Re-incorporate the Town of Bridgeville' Relative to the Hours for Holding Town 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. Barnard, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Dr. Benger—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. Cabbage, **SB 361**—"An Act to Protect the Use of the Great Seal, Coat of Arms, State Flag and Other Emblems or Insignia of the State of Delaware," was taken up.

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

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

Yeas—Messrs. Barnard, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Dr. Benger—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. Klair the Senate recessed until 3:55 p.m.

Senate met at expiration of recess at 4:20 p.m., Pres. Pro Tem R. A. Cannon presiding.

Mr. Francis Q. Lemon, former member of the House of Representatives was granted the privilege of the floor to discuss **SB 133**.

On motion of Mr. Klair, **SB 133**—"An Act to Amend Chapter 33, Revised Code of Delaware, 1935, as Amended, Relative to the Board of Examiners of Barbers; Providing for the Appointment of a Commission and Establishing Its Jurisdiction Throughout the State; Regulation of Licenses; Expiration of Appointment; Power to Make Regulations; Regulations of Apprentices; Establishing Rules for the Operation of Barber Shops," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Klair, Peeney, Steen, Mr. President Pro Tem—4.

Nays—Messrs. Barnard, Burris, Crossley, Cabbage, Dolby, Johnson, Longbotham, Pedrick, Powell, Reilly, Webb—11.

Absent—Messrs. Benger, Handsberry—2.

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

The President announced he was about to sign: **SB 19, 37, 56, 59, 97, 107, 113, 118, 136, 138, 156, 208, 214**.

On motion of Mr. Cannon, **SB 391**—"An Act Appropriating the Sum of One Hundred Nineteen Thousand Three Hundred Twenty-nine Dollars and Forty-four Cents (\$119,329.44) to the State Police Pension Board for the Purpose of Carrying Out the Provisions of Law Relating to State Police Pensions," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Barnard, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Powell, Reilly, Webb, Mr. President Pro Tem—12.

Nays—Mr. Steen—1.

Absent—Messrs. Pedrick, Peeney, Benger, Longbotham—4.

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

Request that the following be restored was granted to member as follows: **SB 133**, Reilly.

On motion of Mr. Cannon, **SB 395**—"An Act Authorizing the Acceptance of Title to Lands in Sussex County in the Name of the State of Delaware for the Construction, Operation and Maintenance by the Highway Commissioner of the State of New Jersey of Facilities Necessary to a Ferry Service for the Transportation of Persons and Property Between a Point in Cape May County, New Jersey, and a Point in Lewes, Delaware; Consenting to the Use of Said Lands for the Construction, Operation and Maintenance of Said Facilities; Providing Means to Assist in the Acquisition of the Use of Property Necessary or Convenient for Said Purpose; Consenting to the Establishment, Operation and Maintenance of Such Ferry Service; Exempting Such Facilities and Their Revenue from Taxation; and Containing Other Provisions Incidental to Foregoing," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Barnard, Burris, Crossley, Dolby, Handsberry, Johnson, Klair, Longbotham, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—13.

Nays—Mr. Cabbage—1.

Absent—Messrs. Pedrick, Peeney, Benger—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 450**—"An Act Appropriating Money to the 'Board of Managers of the Detention Home' for Salaries and Wages," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Barnard, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Nays—None.

Absent—Messrs. Benger, Pedrick, Peeney—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. Klair, **SB 424**—"An Act Appropriating Certain Moneys to Laura Livergood in Payment of a Claim of Said Laura Livergood Against the State of Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Barnard, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Nays—None.

Absent—Messrs. Benger, Pedrick, Peeney—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. Cubbage, **SB 434**—"An Act Making an Appropriation to the State Highway Department to Recut State Boundary Marker No. 1 at Fenwick Island in Sussex County and for the Replacement of State Boundary Marker No. 85 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. Barnard, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Nays—None.

Absent—Messrs. Benger, Pedrick, Peeney—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. Cubbage the Senate adjourned until 11 a.m., Tues., April 24, 1951.

71ST LEGISLATIVE DAY

Senate met pursuant to adjournment at 11 a.m., Tues., April 24, 1951, Pres. Pro Tem Cannon presiding.

Prayer by the Chaplain, Rev. Bundick: Almighty and eternal God, help us to draw near to Thee in true faith and humility. Grant Thy blessing upon our labors from day to day. We turn for a moment from the daily grind of things which drain our strength of body, mind and spirit and look to Thee for strength to face honestly every problem and grace to solve them in a manner acceptable unto Thee. Bless all honest efforts to better our condition and that of our brother. Guide us in all our ways that we may be worthy of Thy approval. Through Jesus Christ, our Lord. Amen.

Members present—Messrs. Barnard, Crossley, Dolby,

Handsberry, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Mr. Pres. Pro Tem—11.

Members absent—Messrs. Benger, Burris, Cabbage Johnson, Powell, Webb—6.

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

The President announced he was about to sign: **HB 4** with **A 1, HB 35, HB 36.**

On motion of Mr. Peeney the Senate recessed until 2 p.m. Senate met at expiration of recess at 3:25 p.m., Lt. Gov. Bayard presiding.

Messrs. Webb, Cabbage, Johnson, Burris, Benger, Powell asked to be marked present.

The following Substitute Bills with titles the same as the Original Bills were introduced, given first and second readings by title only, and referred to committees as follows: **SS 1** for **SB 310**, by Dolby, to Revised Statutes; **SS 1** for **SB 393**, by Cannon, to Finance.

On motion of Mr. Webb, **SB 39**—"An Act to Provide That the Shell Fisheries Commission Rather Than the Board of Game and Fish Commission Shall Be Exclusively Authorized and Directed to Enforce the Laws of the State of Delaware Relative to Fishing in the Delaware River and Delaware Bay Within the Jurisdiction of the State of Delaware and in the Atlantic Ocean Within Three Nautical Miles of the Coast Line of This State," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Barnard, Benger, Burris, Cabbage, Johnson, Pedrick, Peeney, Steen, Webb—9.

Nays—Messrs. Crossley, Dolby, Handsberry, Klair, Reilly, Mr. President Pro Tem—6.

Absent—Mr. Powell—1.

Not Voting—Mr. Longbotham—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 225**—"An Act to Amend Chapter 33, Section 9 of Volume 32, Laws of Delaware, Being 625, Section 58 of the Revised Code of Delaware, 1935, as Amended 1943, Relating to Commercial Feeding Stuffs," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley,

Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—17.

Nays—None.

Absent—None.

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

Mr. Peeney moved that **HB 66** be made a special order of business at 4:00 p.m., this day, and asked for Roll Call.

The Yeas and Nays were ordered, which being taken, were as follows:

Yeas—Messrs. Barnard, Benger, Burris, Cubbage, Johnson, Longbotham, Pedrick, Peeney, Powell, Webb—10.

Nays—Messrs. Crossley, Handsberry, Dolby, Klair, Reilly, Steen, Mr. President Pro Tem—7.

So the question was decided in the affirmative and **HB 66** was made a special order of business for 4:00 p.m. this day.

Mr. Reilly moved that the Senate be in recess for 15 minutes, and asked for Roll Call.

The Yeas and Nays were ordered, which being taken, were as follows:

Yeas—Messrs. Benger, Crossley, Cubbage, Dolby, Handsberry, Klair, Longbotham, Reilly, Webb, Mr. President Pro Tem—10.

Nays — Messrs. Barnard, Burris, Johnson, Pedrick, Peeney, Powell—6.

Absent—Mr. Steen—1.

So the question was decided in the affirmative and the Senate recessed for 15 minutes.

Senate met at expiration of recess at 4:30 p.m.

Mr. Cannon moved that action be deferred on **HB 66** and asked for a Roll Call.

The Yeas and Nays were ordered, which being taken, were as follows:

Yeas—Messrs. Crossley, Cubbage, Dolby, Handsberry, Klair, Reilly, Webb, Steen, Mr. President Pro Tem—9.

Nays—Messrs. Barnard, Benger, Burris, Johnson, Longbotham, Pedrick, Peeney, Powell—8.

So the question was decided in the affirmative and action on **HB 66** was deferred.

On motion of Mr. Cannon, **SB 318**—"An Act to Amend Chapter 104, Volume 45, Laws of Delaware, 1945, as Amended, Known as 'The Delaware State Employees' Pension Act' by Providing Pension Benefits to Surviving Spouse and/or Dependent Children of Deceased Employee Under Certain Conditions," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Barnard, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—Dr. Bengler—1.

Absent—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. Klair, **SB 326**—"An Act to Amend Chapter 90 of the Revised Code of Delaware, 1935, Entitled: 'Employers and Employees,' Relative to the Minimum Rate of Wages to Be Paid upon Public Building Projects," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Crossley, Handsberry, Klair, Powell, Reilly Steen, Mr. President Pro Tem—7.

Nays—Messrs. Barnard, Bengler, Burris, Dolby, Johnson, Longbotham, Pedrick, Peeney, Webb—9.

Absent—None.

Not Voting—Mr. Cabbage—1.

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

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 40**, **SB 90**, **SB 196**, **SCR 16**; and that the House had passed and requested the concurrence of the Senate in the following Bills:

HB 381—"An Act to Amend Chapter 23 of the Revised Code of Delaware, 1935, Relating to Distribution of Forest Trees by the State Forestry Department."

HB 217—"An Act Authorizing and Directing the State Treasurer to Pay to Dr. William T. Chipman the Sum of Six Thousand Nine Hundred Eighty-five Dollars and Nineteen Cents for Salary and Traveling Expenses Incident to the Office as a Member of the Industrial Accident Board from January 11, 1949 to December 31, 1950."

HB 286—"An Act to Amend an Act Entitled 'An Act to Protect the Public Against Misleading Advertisements Pertaining to the Sale of Motor Fuels at Retail by Regulating the Method of Retail Sale of Motor Fuels, and Providing Penalties for Violations' Being Chapter 70, Volume 42, Laws of Delaware, by Providing for the Prohibition of the Substitution or Adulteration of Petroleum Products, and Establishing Uniform Regulations with Respect to the Size and Location of Signs Indicating the Sale Price Per Gallon of Motor Fuel."

HB 342—"An Act to Amend Chapter 23, Revised Code of Delaware, 1935, as Amended, Entitled 'State Forestry Depart-

ment,' with Reference to the Establishment of Wayside Sites and Facilities for Tourists, Making an Appropriation and Regulations Therefor, Giving Certain Authority to the State Forestry Department, and Providing Penalties."

HS 1 for **HB 473**—"An Act to Amend Chapter 275, Volume 45, Laws of Delaware Entitled 'An Act to Amend Chapter 166 of the Revised Code of Delaware, 1935, to Authorize and Empower the State Highway Department to Issue Revenue Bonds to Defray the Cost of Construction of a Crossing Over the Delaware River,' as Amended by Chapter 192, Volume 46, Laws of Delaware, by Increasing the Aggregate Amount of Bonds That May Be Issued Thereunder."

The privilege of the floor was granted to Col. D. Preston Lee to explain **SB 360**.

On motion of Mr. Cannon, **SB 360**—"An Act Relating to the Establishment of a Department of Civil Defense and Other Organizations for Civil Defense Within This State; Granting Certain Executive Powers with Respect Thereto and for Related 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—Mr. Peeney—1.

Absent—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. Cabbage introduced the following Resolution, which on further motion by him was adopted: **SR 48**—"With Regard to the Wedding Anniversary of the Lieutenant-Governor and His Wife."

Whereas, on this 24th day of April, A. D. 1951, the Honorable Alexis I. duPont Bayard, Lieutenant-Governor of the State of Delaware and President of the Senate, together with his charming and lovely wife, Jane Hildreth Bayard, celebrate their seventh wedding anniversary; and

WHEREAS, these seven full years of their marriage have been blessed with the birth of three sons and one daughter, THEREFORE,

BE IT RESOLVED, that the Senate of the 116th General Assembly of the State of Delaware unanimously do hereby extend unto the Honorable Alexis I. duPont Bayard and his wife, the gracious Jane Hildreth Bayard, their sincere congratulations upon this, the happy occasion of their seventh wedding anniversary; and, further,

BE IT RESOLVED, that a copy of this Resolution be forwarded to the Honorable and Mrs. Alexis I. duPont Bayard.

On motion of Mr. Steen, **SB 363**—"An Act to Authorize Housing Authorities to Undertake the Development or Administration of Projects to Assure the Availability of Safe and Sanitary Dwellings for Persons Engaged in National-Defense Activities and to Make Such Projects Available to Servicemen and Returning Veterans Consistent with National Defense; to Limit the Initiation of the Development of Such Projects to National Defense Periods; to Authorize Housing Authorities to Cooperate with or Act as Agents of the Federal Government in the Development or Administration of Such Projects of the Federal Government; to Acquire or Lease Such Projects; to Authorize Public Bodies to Assist Such Projects of Housing Authorities and of the Federal Government; to Make Obligations Issued for Such Projects of Housing Authorities Legal Investments; to Provide for the Creation of Housing Authorities for the Purposes of This Act; and to Declare Valid All Bonds, Notes and Obligations of Housing Authorities Issued for Projects Heretofore Undertaken to Assure the Availability of Safe and Sanitary Dwellings for Persons Engaged in National Defense Activities," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cubbage, Dolby, Handsberry, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Mr. President Pro Tem—14.

Nays—None.

Absent—Messrs. Johnson, Longbotham, Webb—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. Cannon, **SB 374**—"An Act to Amend Chapter 176, Revised Code of Delaware, 1935, with Reference to Alcoholic Liquor, Wines and Beer, by Providing that the Commission Shall Not Concern Itself with Respect to the Payment of Alcoholic Liquor or Beer Purchased by Holders of a License from a Manufacturer or Importer Except Under Certain Conditions," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

Yeas—Messrs. Crossley, Cubbage, Dolby, Handsberry, Klair, Peeney, Powell, Reilly, Steen, Mr. President Pro Tem—10.

Nays—Messrs. Barnard, Benger, Burris, Pedrick—4.

Absent—Messrs. Johnson, Longbotham, Webb—3.

So the question was decided in the affirmative, and the Bill with Amendment having received the required constitutional

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

On motion of Mr. Cannon, **SB 378**—"An Act to Provide for the Clearance of Slum and Blighted Areas for Redevelopment in Accordance with Plans Approved by the Governing Body of the City, Town or County; to Create for This Purpose a Public Body Corporate and Politic, to Be Known as the Slum Clearance and Redevelopment Authority, in Each City, Town and County of This State; to Define the Duties, Liabilities, Exemptions, and Powers of Such Authorities, Including the Power to Acquire and Dispose of Property, Exercise the Power of Eminent Domain, Issue Bonds and Other Obligations, and to Give Security Therefor; and Enter into Agreements to Secure Federal Aid or Contributions and Comply with Conditions Imposed in Connection Therewith; to Provide that Slum Clearance and Redevelopment Authorities, Their Property and Securities Shall Be Exempt from Taxation and Assessment; to Authorize Either the Transaction of Business by Such Authority or the Exercise of the Duties and Powers of Such Authority by the City, Town or County Itself or by a Housing Authority upon Approval by the Governing Body of the City, Town or County; to Authorize the Creation of Such Authorities in Regions Comprising Cooperating Cities, Towns and Counties; to Authorize the Acquisition and Development of Vacant Areas in Connection with the Redevelopment of Slum or Blighted Areas, upon Approval of the Governing Body of the City, Town or County; to Authorize Public Bodies to Furnish Funds, Services, Facilities and Property in Aid of Slum Clearance and Redevelopment Projects Hereunder; to Authorize Cities, Towns and Counties to Obtain Funds Therefor by the Issuance of Obligations, by Taxation or Otherwise; to Provide That Obligations Issued for Slum Clearance or Redevelopment Projects Hereunder Shall Be Legal Investment," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Johnson, Webb—2.

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

On motion of Mr. Cannon, **SB 380**—"An Act to Amend Chapter 66, Revised Code of Delaware, 1935, as Amended, Relating to 'Banks, Savings Societies and Trust Companies,' by Increasing the Size of the Bank Advisory Board; Qualifications and Compensation," was taken up for consideration

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

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—17.

Nays—None.

Absent—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. Peeney, **SB 373**—"An Act to Amend 'An Act to Revise and Consolidate the Statutes Relating to the City of Wilmington' the Same Being Chapter 207, Volume 17, Laws of Delaware, as Amended, by Changing the Term of Office of the Mayor and Other Elected City Officers," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

Yeas—Messrs. Crossley, Cabbage, Dolby, Handsberry, Klair, Reilly, Steen, Webb, Mr. President Pro Tem—9.

Nays—Messrs. Barnard, Benger, Burris, Johnson, Longbotham, Pedrick, Peeney, Powell—8.

Absent—None.

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

On motion of Mr. Cabbage the Senate adjourned until 11 a.m., Wed., April 25, 1951.

72ND LEGISLATIVE DAY

Senate met pursuant to adjournment at 11 a.m., Wed., April 25, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Bundick: Our Heavenly Father, we thank Thee for the blessed privilege we have of calling Thee Father. As we live this day we want to put our hand in Thine and ask Thee to lead us. The future is darkness, except as it is lighted by Thy presence.

We pray Thee to guide these servants of mankind as Thou hast guided men of old. Give them victory over every weakness and every foe. Make plain to them their duty and may they be instrumental in bringing about Thy will on earth as it is in Heaven.

May all of us live this day so as to make life sweeter here on earth. Fill our hearts with the hope of the life to come. Use

the best thoughts of our minds, and the best efforts of our lives, to make us a channel of blessings on this day. In Jesus' Name. Amen.

Members present—Messrs. Barnard, Bengler, Crossley, Cabbage, Dolby, Handsberry, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. Pres. Pro Tem—13.

Members absent—Messrs. Burris, Johnson, Klair, Powell—4.

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

The following Bill was reported favorably by the majority of the respective committee as follows: **SB 143**, by Finance.

Mr. Cabbage made timely remarks relative to the passing of U. S. Senator Arthur H. Vandenburg of Michigan.

On motion of Mr. Cabbage the Senate recessed until 2:30 p.m.

Senate met at expiration of recess at 4:55 p.m., Lt. Gov. Bayard presiding.

Messrs. Johnson, Klair, Burris, asked to be marked present.

The following Bills were reported favorably (unless otherwise indicated), by the majority of the respective committees as follows: **SS 1** for **377** (on its merits), **SB 392**, **SB 314**, **SB 276**, **SB 238**, **HB 62**, **HB 190**, **HB 336**, **SB 401**, **HB 97**, by Finance; **SS 1** for **SB 272**, by Revised Statutes; **SB 375**, by Education; **SB 362**, by Public Lands; **HB 281** (on its merits), **HB 341**, **HB 282**, by 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:

HB 374—"An Act to Amend Chapter 364, Volume 47, Laws of Delaware, Entitled 'An Act Providing a Method for the Appropriation and Allocation of Funds for the Maintenance, Support and Operation of the Free Public Schools of the State; and Granting to the Permanent Budget Commission and the State Board of Education Certain Powers and Authority to Regulate the Distribution of the Funds Appropriated,' Regarding the Number of Teachers to Be Allocated to the School Districts, and to Make the Appropriations Necessary to Carry Out the Intent of Said Amendment."

HB 378—"An Act Authorizing, Empowering and Directing the Levy Court of New Castle County to Refund Certain Over-payments of Taxes, in Connection with a Special Assessment Against Certain Lands for the Construction of Roads in Delaire, Brandywine Hundred, New Castle County, Delaware."

The Chair presented the following Bills and Resolutions, which were given first and second readings, the second by title only, and referred to committees as follows: **HS 1** for **HB 473**, **HB 342**, **HB 374**, **HB 306**, **HB 286**, to Finance; **HB**

381, to Agriculture; **HB 421**, **HB 443**, to Miscellaneous; **HCR 6**, to Rules; **HB 132**, to Buildings and Highways; **HB 290**, to Judiciary; **HB 232**, to Elections; **HB 217**, **HB 378**, to Claims.

The following Substitute Bill with title the same as the Original Bill was introduced, given first and second readings by title only, and referred to committee as follows: **SS 1** for **SB 120**, by Longbotham; to Municipal Corporations.

On motion of Mr. Cannon, **SB 400**—"An Act to Require All Present and Future Officers and Employees of the State of Delaware or Any Political Subdivision Thereof to Take an Oath to Support and Defend the Constitution of the United States and the Constitution of the State of Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Barnard, Bengier, Crossley, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Reilly, Webb, Mr. President Pro Tem—12.

Nays—None.

Absent—Messrs. Burris, Cabbage, Longbotham, Powell, Steen—5.

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

On motion of Mr. Handsberry, **SB 358**—"An Act Appropriating the Sum of Two Thousand Dollars to the Delaware Commission of Shell Fisheries as Reimbursement for Money Expended for Part Payment of the Salary of Dr. L. Eugene Cronin, Marine Biologist," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Barnard, Bengier, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Reilly, Webb, Mr. President Pro Tem—13.

Nays—None.

Absent—Messrs. Burris, Longbotham, Powell, Steen—4.

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

On motion of Mr. Handsberry, **SS 1** for **SB 251**—"An Act Authorizing, Empowering and Directing the Motor Vehicle Commissioner of the State of Delaware to Discontinue Requiring the Use of Engine Numbers on the Engines of Commercial Motor Vehicles for Identification 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. Barnard, Bengier, Crossley, Cabbage,

Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Nays—None.

Absent—Messrs. Burris, Longbotham, Powell—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. Crossley, **SS 1** for **SB 284**—"An Act to Amend Chapter 10 of the Revised Code of Delaware, 1935, as Amended by Chapter 181, Volume 47, Laws of Delaware, 1949, with Reference to the Legislative Journals, by Altering the Printing 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. Barnard, Benger, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Burris, Powell—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. Crossley, **SB 397**—"An Act to Amend Chapter 65 of the Revised Code of the State of Delaware of 1935 Relating to Corporations," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Barnard, Benger, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Burris, Powell—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.

Request that the following be restored was granted to Member as follows: **SB 326**, Peeney.

On motion of Mr. Cannon the Senate adjourned until 11 a.m., Thurs., April 26, 1951.

73RD LEGISLATIVE DAY

Senate met pursuant to adjournment at 11 a.m., Thurs., April 26, 1951, Pres. Pro Tem R. A. Cannon presiding.

Prayer by the Chaplain, Rev. Spry: As we bow in Thy presence Father, make us conscious of our inability to carry on unaided by Thee.

Surely, Thou hast been our help in ages past, and hence our hope for days to come. As the springtime calls unto the tree, and calls out from the tree the wonderful powers within it, wilt Thou awaken and strengthen the gifts or talents within us, that we may live daily as in Thy presence.

Bless Thou this Senate, by being unto our Chairman, and the President Pro Tem., their leader and guide.

Create within the heart and mind of each member, the noble virtues that will be evidenced in—pity where pity is needed; patience where patience is required; gentleness and forbearance where such will encourage; and courage that will lead us to stand for the rights, the dignities, and the honor of our fellowmen.

And lest we forget—we would now ask Thee to look in pity upon the dear little babe, that was overtaken by illness during the week-end.

May Thy choicest blessing and benediction rest upon the home, a home of this circle, and upon every loved one. And Thy name shall have the praise forever. Amen!

Members present—Messrs. Barnard, Bengier, Cabbage, Dolby, Handsberry, Pedrick, Peeney, Reilly, Webb, Mr. Pres. Pro Tem—10.

Members absent—Messrs. Burris, Crossley, Johnson, Klair, Longbotham, Powell, Steen—7.

The Secretary proceeded to read the Journal of the previous Session when Mr. Peeney 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 Bills:

HS 1 for HB 146—"An Act to Appropriate Moneys to Certain Hospitals in the State of Delaware."

HB 417—"An Act Appropriating Certain Moneys to Laura L. Livergood in Payment of the Claim of Said Laura L. Livergood Against the State of Delaware."

HS 1 for HB 471—"An Act to Amend Chapter 274, Volume 45, Laws of Delaware, as Amended by Chapter 193, Volume 46; Laws of Delaware, in Respect to the Acquisition by the State Highway Department of Any Ferry or Ferries in Operation Across the Delaware River."

Requests that the following be stricken from the Calendar were granted to Members as follows: **SB 167**, Handsberry; **SB 402**, Cabbage.

The President announced he was about to sign: **HB 65**, **HB 88**, **HB 140**, **HB 141**, **HB 158**, **HB 188**, **HB 241**, **HB 405**.

The Chair presented the following House Bills, which were given first and second readings and referred to committees as shown: **HS 1 for HB 471**, to Finance; **HB 417**; to Claims; **HS 1 for HB 146**, to Finance.

On motion of Mr. Peeney the Senate recessed until 1:45 p.m.

Senate met at expiration of recess at 2 p.m., Lt. Gov. Bayard presiding.

Messrs. Steen, Johnson, Crossley, Longbotham, Klair, Burris, Powell asked to be marked present.

Mr. Peeney moved that Senate Rule 36 be suspended for the balance of this Legislative Day. Motion prevailed.

Mr. Cannon moved that Senate Rule 22 be suspended for the special consideration of **HS 1** for **HB 473**. Motion prevailed.

The following Bills were reported favorably by the majority of the respective committees as follows: **HS 1** for **HB 473**, by Finance; **HB 340**, by Municipal Corporations.

On motion of Mr. Cannon, **HS 1** for **HB 473**—"An Act to Amend Chapter 275, Volume 45, Laws of Delaware Entitled 'An Act to Amend Chapter 166 of the Revised Code of Delaware, 1935, to Authorize and Empower the State Highway Department to Issue Revenue Bonds to Defray the Cost of Construction of a Crossing Over the Delaware River,' as Amended by Chapter 192, Volume 46, Laws of Delaware, by Increasing the Aggregate Amount of Bonds That May Be Issued Thereunder," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Bengier, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Steen, Webb, Mr. President Pro Tem—13.

Nays—None.

Absent—Messrs. Barnard, Burris, Powell, Reilly—4.

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

On motion of Mr. Cannon the Senate recessed until call of the Chair.

Senate met at expiration of recess at 3:15 p.m.

JOINT SESSION

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

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

The Chair invited the Speaker of the House and the President Pro Tem to come to the Rostrum. Invitations accepted.

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

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

Mr. Cabbage requested the privilege of the floor for Col. Ennalls Berl and Mr. Howard Ferguson to explain certain Bills now on the Senate Calendar and relative to Reorganization of State Government.

Mr. Peeney expressed thanks to Mr. Ferguson for his explanation of the Bills in question.

Mr. Peeney moved that the Joint Secretaries compare their respective Journals. Motion prevailed.

Mr. George T. Bierlin, Chief Clerk of the House, informed the Chair that the Joint Secretaries had compared their Journals and found them to agree.

Mr. Peeney moved that the Joint Session be dissolved and that the two Houses convene in their separate Chambers. Motion prevailed.

On motion of Mr. Webb, **SB 368**—"An Act to Amend Chapter 212, Volume 44, Laws of Delaware, 1943, as Amended, Relating to the State Soil Conservation Commission by Changing the Composition of Said Commission," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Benger, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Steen, Webb, Mr. President Pro Tem—13.

Nays—None.

Absent—Messrs. Barnard, Burris, Powell, Reilly—4.

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

On motion of Mr. Cannon, **HB 62**—"An Act Appropriating Money to the Woods Haven School for Girls," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Benger, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Steen, Webb, Mr. President Pro Tem—13.

Nays—None.

Absent—Messrs. Barnard, Burris, Powell, Reilly—4.

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

On motion of Mr. Longbotham, **SB 273**—"An Act Authorizing, Empowering and Directing the State Park Commission of Delaware to Acquire and Maintain a Public Park Site at Big Stone Beach, in Kent County, and to Improve the Same, and Making an Appropriation Therefor," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Benger, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Nays—None.

Absent—Messrs. Barnard, Burris, Powell—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. Pedrick, **SB 276**—"An Act Directing the State Highway Department of the State of Delaware to Repair the Dykes Along the Delaware River Between New Castle and Deemer's Beach 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. Benger, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Barnard, Powell—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. Cannon, **SS 1** for **SB 272**—"An Act to Amend 1136, Sec. 1. of Chapter 42, Revised Code of Delaware, 1935, Relative to Notaries Public and Commissioners of Deeds, as Amended by Chapter 100, Volume 41, Laws of Delaware, 1937, and Chapter 97, Volume 43, Laws of Delaware, 1941, by Providing for Additional Notaries Public," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Cannon, the substitute was adopted in lieu of the original.

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

Yeas—Messrs. Benger, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—Mr. Longbotham—1.

Absent—Mr. Barnard—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 Dr. Benger, **SB 348**—"An Act to Amend Chapter 37 of the Revised Code of Delaware, 1935, as Amended, Relating to the State Board of Accountancy by Changing the Tenure of the Board, Who May Practice as a Certified Public Accountant, the Requirements for a Certificate and

with Reference to the Ownership of Accountants' Working Papers and Privileged Information," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Pedrick, Peeney, Powell, Reilly, Webb, Mr. President Pro Tem—14.

Nays—Mr. Klair—1.

Absent—Messrs. Longbotham, Steen—2.

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

The President announced he was about to sign: **SB 40, SB 90, SB 137** with **SA 1, SB 196, SCR 16**.

On motion of Mr. Cannon the Senate adjourned until 11 a.m., Fri., April 27, 1951.

74TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 11 a.m., Fri., April 27, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Spry: O Thou, Who art the living God, and the God of the living, the only All-wise, Ever-present, and Almighty God, as we approach Thy Throne, and reflect upon Thy great Majesty, we would join the Psalmist, as he exclaimed: "All Thy works do praise Thee, and Thy praise shall continually be in my mouth."

However we trust that Thou mayest listen more to our unuttered longing, which cannot be expressed, than to our words.

As we approach the closing days of this the 116th Session of the General Assembly of this commonwealth, awaken us to the consciousness that our words, our acts, our deeds, yea! and our decisions, as of this date, are now facts of history.

May the achievements of this session prove a disappointment to Thy foes, and thus surprise and gladden our friends.

We would again ask Thy blessing upon our official family, His Excellency the Governor, and his aides, our Lieutenant-Governor, the President Pro Tem., and their party floor leaders, and each member of the Senate, the learned attorneys and the kind and obliging attaches.

In the Master's Name. Amen!

Members present—Messrs. Barnard, Benger, Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Mr. Pres. Pro Tem—11.

Members absent—Messrs. Burris, Johnson, Powell, Reilly, Steen, Webb—6.

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

The following Resolution was reported favorably by the majority of the respective committee as follows: **HCR 6**, by Rules.

Mr. Cannon moved that Rule 22 be suspended in order that action could be taken on **HCR 6**.

On motion of Mr. Cannon, **HCR 6**—"Relative to General of the Army Douglas MacArthur," was taken up for consideration and read a third time by paragraphs in order to pass the Senate, which on further motion by him was adopted and ordered to the House for concurrence.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 16** with **SA 1**, **SS 1** for **SB 17**, **SB 22**; and that the House had passed and requested the concurrence of the Senate in the following Bill: **HS 1** for **HB 478**—"An Act to Amend Chapter 192, Volume 36, Laws of Delaware, 1929, Being an Act Entitled 'An Act to Reincorporate the Town of Smyrna' by Authorizing the Town of Smyrna to Acquire Such Lands Required for Sewage Disposal Plant, Electrical Sub-Station and for Any Other Purpose Desirable for Any Municipal Services and the Welfare of the Citizens of the Town of Smyrna Without Its Corporate Limits."

On motion of Mr. Cabbage the Senate recessed until 1:30 p.m.

Senate met at expiration of recess at 2:45 p.m.

Messrs. Johnson, Reilly, Burris, Webb, Steen asked to be marked present.

Mr. Cannon moved that Rule 22 be suspended for the purpose of acting on **HS 1** for **HB 471**. Motion prevailed.

Mr. Klair read a clipping from the Wilmington Morning News relative to the firing of Mrs. Miriam Howell of Arden School.

The following Bills were reported favorably (unless otherwise indicated), by the majority of the respective committees as follows: **SS 1** for **SB 379** (on its merits), by Municipal Corporations; **SB 339**, **SB 286**, by Labor; **HB 296** with **HA 1**, by Banking and Insurance; **HB 381**, by Agriculture; **HB 61**, by Temperance; **HS 1** for **HB 471**, by Finance.

On motion of Mr. Cannon, **HS 1** for **HB 471**—"An Act to Amend Chapter 274, Volume 45, Laws of Delaware, as Amended by Chapter 193, Volume 46; Laws of Delaware, in Respect to the Acquisition by the State Highway Department of Any Ferry or Ferries in Operation Across the Delaware River," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Steen, Powell—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.

Request that the following be recommitted was granted to Member as follows: **SB 186**, Peeney.

On motion of Mr. Cabbage, **SB 362**—"An Act with Reference to the Boundaries of This State by Establishing Certain Duties of the State Archivist and Chief Engineer of the State Highway Department with Respect Thereto and by Providing a Penalty for the Destruction or Withholding of Any Boundary Marker," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Longbotham, Powell—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. Burris moved that Section 2 of Rule 14 be suspended for the balance of this Legislative Day. Motion prevailed.

On motion of Mr. Cannon, **SB 392**—"An Act Appropriating the Sum of Ten Thousand Dollars (\$10,000.00) to the State Highway Department for the Purpose of Maintaining and Improving Indian River Inlet Park," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Powell—1.

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

On motion of Mr. Cabbage, **SB 401**—"An Act for the Preservation of Buildings, Sites and Objects of Historic Interest in the State and Providing a Trust Fund for Their Pres-

ervation and Appropriation Therefor," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem
—16.

Nays—None.

Absent—Mr. Powell—1.

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

On motion of Mr. Klair, **HB 340**—"An Act to Amend Chapter 156 of the Revised Code of Delaware, 1935, as Amended, by Repealing Chapter 60, Volume 47, Laws of Delaware, 1949, with Respect to Fees of Public Officers by Providing an Increase in Compensation for Bailiffs in Kent, Sussex and 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem
—16.

Nays—None.

Absent—Mr. Powell—1.

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

On motion of Mr. Klair, **HB 341**—"An Act Authorizing 'The Mayor and Council of the Town of Selbyville' to Borrow Seventy-five Thousand Dollars (\$75,000.00) and to Issue Bonds Therefor for the Purpose of the General Improvement of the Water Plant of 'The Mayor and Council of the Town of Selbyville,' and for the Purpose of Repairing or Replacing Defective or Inadequate Water Lines and Extending the Water Lines Within the Town of Selbyville; Providing for a Referendum Vote to Approve the Issuance of Said Bonds by 'The Mayor and Council of the Town of Selbyville,'" was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem
—16.

Nays—None.

Absent—Mr. Powell—1.

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

Messrs. Cabbage and Burris introduced **SCR 24**—"With Respect to the Death of the Late Arthur H. Vandenberg."

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Reilly, Webb, Mr. Pres. Pro Tem—14.

Nays—None.

Absent—Messrs. Longbotham, Powell, Steen—3.

So the question was decided in the affirmative and **SCR 24** was adopted by the Senate and ordered to the House for concurrence.

On motion of Mr. Cannon, **SB 442**—"An Act Making an Appropriation to the Public Archives Commission for the Compilation and Publication of a History of Delaware's Participation in World War II," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Klair, Powell—2.

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

On motion of Mr. Crossley, **HB 54**—"An Act to Amend an Act Entitled 'An Act to Provide for the Incorporation and Regulation of Cooperative Agricultural Associations Having Capital Stock and Defining Agriculture so as to Include Persons Engaged in Agriculture, Dairying, Livestock Raising, Poultry Raising, Floriculture, Mushroom Growing, Beekeeping, Horticulture, and Other Allied Occupations; and Providing Penalties,' Being Chapter 132, Volume 41, Laws of Delaware, 1937, Relating to Selling, Leasing or Exchanging Property and Assets," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Powell, Handsberry—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. Cannon, **HB 97**—"An Act Making an Appropriation to the State Board of Agriculture for the Vaccination of Calves and Testing of Cattle for Bang's Disease Under the Provisions of Chapter 264, Volume 46, Laws of Delaware, 1947," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Powell, Handsberry—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. Cannon, **HB 190**—"An Act Authorizing the Levy Court of New Castle County to appropriate County Moneys to the Claymont Fire Company, No. 1, for the Maintenance and Operation of a Motor Vehicle and Equipment for the Use of the 'Rescue Squad' in Answering Emergency Calls to Save Human Life," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Webb, Mr. President Pro Tem—14.

Nays—None.

Absent—Messrs. Handsberry, Powell, Steen—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.

Request that the following be stricken from the Calendar was granted to Member as follows: **SB 443**, Burris.

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

The Chair directed the Sergeant-at-Arms to admit the Secretary of State.

Hon. Harris B. McDowell, Jr., Secretary of State being admitted, presented a message from His Excellency, Governor Elbert N. Carvel to the Members of the Senate.

The Governor's message was referred to the Executive Committee.

On motion of Mr. Crossley, **HB 273**—"An Act to Authorize the Levy Court of New Castle to Cancel, Adjust or Abate Certain Suburban Road Liens in Wilmington Manor, New Castle 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Powell, Steen—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. Klair, **HB 281**—"An Act to Amend Chapter 194, Volume 45, Laws of Delaware, Entitled 'An Act to Reincorporate the Town of Milton,' with Respect to the Corporate Limits Thereof," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Barnard, Benger, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Mr. President Pro Tem—12.

Nays—None.

Absent—Messrs. Burris, Powell, Reilly, Steen, Webb—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. Klair, **HB 282**—"An Act to Amend the Charter of the Town of Bethel as Established by Chapter 282, Volume 46, Laws of Delaware in Relation to the Western Boundary of Said Town," was taken up for consideration and read 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Powell—1.

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

On motion of Mr. Cannon, **HB 336**—"An Act Appropriating Money to American Legion, Sussex Post Number 8, in Sussex County, with Which to Operate and Maintain an Ambulance," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham,

Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Powell—1.

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

The following Substitute Bills with titles the same as the Original Bills were introduced, given first and second readings by title only, and referred to committees as follows: **SS 1** for **SB 168**, by Webb, to Finance; **SS 1** for **SB 438**, by Cabbage, to Finance.

On motion of Mr. Cabbage the Senate adjourned until 10 a.m. (E.S.T.), Mon., April 30, 1951.

75TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 10 a.m. (E.S.T.), Mon., April 30, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Rowlensen: O Lord, our Heavenly Father, who by Thy blessed Son has taught us that Thou art Love, we beseech Thee graciously to bless all those who, following his steps, give themselves to the service of their fellowmen. Grant unto them clear vision to perceive those things which in our social order are amiss; give them true judgment, courage, and perseverance to help those to right that suffer wrong and endue them with unfailing love to minister to the poor, the suffering, and the friendless. Make us sensible of our union one with another as thy children, that we may strive wisely to order all things among us according to Thy will; for the sake of Him who laid down His life for us, Thy Son, our Saviour, Jesus Christ.

Most heartily we beseech Thee to grant Thy blessing upon Thy servants, the President of the United States, the Governor of this State, and all others in authority. Imbue them with the spirit of wisdom, goodness, and truth; and so rule their hearts, and bless their endeavors, that law and order, justice and peace may everywhere prevail, to the honor of thy Holy Name through Jesus Christ our Lord. Amen.

Members present—Messrs. Barnard, Benger, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Mr. Pres. Pro Tem—10.

Members absent—Messrs. Burris, Crossley, Powell, Reilly, Steen, Webb, Johnson—7.

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

On motion of Mr. Cabbage the Senate recessed until 2 p.m. Senate met at expiration of recess at 3:25 p.m.

Messrs. Powell, Crossley, Reilly, Johnson, Burris, Webb, Steen asked to be marked present.

The following Bills were reported favorably (unless otherwise indicated), by the majority of the respective committees as follows: **SS 1** for **SB 168**, **SB 403**, **HB 99**, by Finance; **SS 1** for **SB 120**, by Municipal Corporations; **SB 449** (on its merits), **SB 406** (on its merits), **SB 435** (on its merits), **SB 405** (2 on its merits, 2 favorably, 1 unfavorably), **SB 357** (unfavorably), **SB 454**, **SB 427**, by Miscellaneous.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following Bills:

HB 124—"An Act to Amend Chapter 51, Revised Code of Delaware, 1935, Relating to Constables and Providing for Additional Police for New Castle Hundred."

HB 126—"An Act to Amend Chapter 43, Revised Code of Delaware, 1935, Relating to Levy Courts, and Providing for Lighting Streets and/or Highways in Unincorporated Communities or Villages in New Castle County."

HB 181—"An Act Extending the Corporate Limits of the Town of Greenwood and Increasing the Amount Which May Be Raised by Taxation by Said Town."

HB 231—"An Act to Amend Chapter 100 of the Revised Code of Delaware, 1935, by Repealing Certain Parts Thereof and by Providing for the Removal of Obstructions to Places Believed to Be Used for Gambling; Notice to Certain Persons; Creating a Lien for Expenses of Removal; Misdemeanor If Obstructed Within One Year After Removal; Penalties; Fines a Lien; Subsequent Offenses; Jurisdiction."

HB 234—"An Act to Amend Chapter 150 of the Revised Code of Delaware, 1935, Entitled 'Offenses Against Private Property,' Relating to the Issuance of Worthless Checks and Providing a Penalty; Providing for Proceedings Without Indictment by Grand Jury or Trial by Petit Jury; Vesting Jurisdiction in Municipal Court of City of Wilmington, Justices of Peace, Courts of Common Pleas, Proceedings Commenced Prior to Act to Be Unaffected."

HB 238—"An Act Forbidding Any Person Not a Law Enforcement Officer from Representing Himself as a Law Enforcement Officer and Providing a Penalty Therefor."

HB 261—"An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, Relating to Motor Vehicles."

HB 292—"An Act to Amend an Act Entitled 'An Act Authorizing the Council of the Town of Blades to Borrow a Sum of Money Not to Exceed Fifteen Thousand Dollars, (\$15,000.00), and to Issue Bonds Therefor for the Purpose of Installing a Water Plant and the Laying of Water Mains in the Town of Blades and Equipment Therefor' and Providing for the Issuance of One Hundred Thousand (\$100,000.00) Dollars, in Bonds for the Above Purposes."

HB 307—"An Act to Amend Chapter 150 of the Revised

Code of Delaware, 1935, as Amended, Relating to Offenses Against Private Property by Making Receiving Stolen Goods a Misdemeanor in Certain Cases; Providing Penalties; Providing for Proceedings Without Indictment by Grand Jury or Trial by Petit Jury in Certain Cases; Vesting Jurisdiction in the Municipal Court of the City of Wilmington, the Courts of Common Pleas and the Justices of the Peace in Certain Cases; Providing Accused Shall Not Be Entitled to Acquittal Upon Trial for Felony by Proving Offense Misdemeanor but That Jury May Render Verdict of Misdemeanor, Fixing Value of Goods; and Providing No Criminal Proceeding Commenced Prior to the Approval of This Act Shall Be Affected Hereby."

HB 310—"An Act to Amend Chapter 150 of the Revised Code of Delaware, 1935, as Amended, Relating to Malicious Mischief and Providing Penalties Therefor; Providing for Proceedings Without Indictment by Grand Jury or Trial by Petit Jury in Certain Cases; Vesting Jurisdiction in the Municipal Court of the City of Wilmington, the Courts of Common Pleas and the Justices of the Peace in Certain Cases; and Providing No Criminal Proceeding Commenced Prior to the Approval of This Act Shall Be Affected Hereby."

HB 357—"An Act to Amend Chapter 84 of Volume 44 of the Laws of Delaware, 1943, as Amended, Entitled 'An Act to Regulate the Construction, Alteration, Repair, Removal, Demolition, Equipment, Use and Occupancy, Location and Maintenance of Buildings and Structures in the County of New Castle Outside the City of Wilmington for the Protection of the Public Health and Safety and for the Prevention of Fire Hazards; to Provide a Code of Building Regulations; to Create the Office of Building Inspector and Other Helpers and Assistants as May Be Required; and to Provide Penalties for Violations."

HB 384—"An Act to Amend Chapter 123, Volume 45, Laws of Delaware, as Amended, Entitled 'Suburban Community Code,' by Providing for Revisions in the Procedure to Sell Bond Issues; Authorizing to Use Excess Bond Issue Funds to Finance Other Projects in Other Suburban Communities; Suburban Community Contracts to Be Exempt from Limitation of County Contract Laws; and Means of Acquiring and Condemning Adequate Rights-of-Way Where Inadequate Rights-of-Way Exist or Where Rights-of-Way Are in Question."

Mr. Peeney moved that Rule 22 be suspended this Legislative Day. Motion prevailed.

On motion of Mr. Cannon, **HB 61**—"An Act to Amend Chapter 176, Revised Code of Delaware, 1935, as Amended, Entitled 'Alcoholic Liquor, Wines and Beer,' by Repealing All of 6195, Sec. 66, in Relation to Sale of Cider in Northwest Fork, Seaford, and Part of Broad Creek Hundreds," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Absent—Mr. Powell—1.

Nays—None.

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

On motion of Mr. Cannon, **SB 456**—"An Act Providing for the Regulation, Control and Stabilization of Rents in Housing Accommodations Effective with the Termination of Federal Rent Control Legislation; Creating a Temporary State Housing Rent Commission; Its Powers and Duties; and Making an Appropriation Therefor," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

Yeas—Messrs. Crossley, Cubbage, Dolby, Handsberry, Klair, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—10.

Nays—Messrs. Barnard, Benger, Burris, Johnson, Longbotham, Pedrick, Powell—7.

Absent—None.

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

On motion of Mr. Klair, **SB 347**—"An Act Appropriating Money to the Belvidere Volunteer Fire Company, at Belvidere," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—Dr. Benger—1.

Absent—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. Klair, **SB 298**—"An Act Appropriating Money to the Holloway Terrace Volunteer Fire Co., Inc., in New Castle County for the Maintenance and Operation of a

Motor Vehicle and Equipment for the Use of the 'Rescue Squad' in Answering Emergency Calls to Save Human Life," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Powell—1.

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

On motion of Mr. Cabbage, **SB 270**—"An Act Authorizing the Dedication of a Certain Highway and Traffic Interchange as a Part of the Approaches of the Delaware Memorial Bridge," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Barnard, Benger, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Burris—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. Klair, **SB 83**—"An Act Regulating the Installation and Use of Television Receivers or Screens in Motor Vehicles and Providing a Penalty for the Violation Thereof," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Dolby, Klair, Powell, Steen—4.

Nays—Messrs. Barnard, Benger, Crossley, Cabbage, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Reilly, Webb, Mr. President Pro Tem—12.

Absent—Mr. Burris—1.

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

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

On motion of Mr. Johnson, **SB 238**—"An Act to Amend Chapter 43 of the Revised Code of Delaware, 1935, Relative to

Levy Courts, as Amended, Relating to the Authorized Amount That the Levy Court of Sussex County Is Directed to Appropriate to Provide Hospital Treatment and Care of the Indigent Sick," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Longbotham, Webb—2.

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

On motion of Dr. Benger, **SB 301**—"An Act to Provide for a Commission to Study the Need for Offices for Legislators in the General Assembly and to Make a Report Pertaining Thereto to the Next General Assembly," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Klair—1.

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

On motion of Dr. Benger, **SB 317**—"An Act to Provide for a Commission to Study the Need for a Change in the Time of Meeting of Future Sessions of the General Assembly and to Make a Report and Recommendations Pertaining Thereto to the Next Biennial Session of the General Assembly," 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. Barnard, Benger, Burris, Cabbage, Johnson, Klair, Longbotham, Pedrick, Powell, Steen, Webb, Mr. President Pro Tem—12.

Nays—Messrs. Crossley, Dolby, Peeney, Reilly—4.

Absent—Mr. Handsberry—1.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, passed

On motion of Mr. Webb, **SB 291**—"An Act for the Completion, Equipping and Furnishing of Two Partially Finished the Senate and was ordered to the House for concurrence.

Buildings, the Repairs, Remodeling and Refurnishing of One Existing Building, the Enlargement, and Equipment of the Present Kitchen, Enlargement of the Boiler Plant and the Utility Services, and the Construction, Equipping and Furnishing of Employees' Residences at the Delaware State Hospital at Farnhurst; Making an Appropriation Therefor and Authorizing the State of Delaware to Borrow Money and Issue Bonds for the Payment of the Money So Appropriated," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Longbotham, 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.

Request that the following be stricken from the Calendar was granted to Member as follows: **SB 357**, Reilly.

The Chair presented the following Bills, which were given first and second readings by title only, and referred to committees as follows: **HB 124**, **HB 126**, to Revised Statutes; **HB 181**, to Finance; **HB 231**, **HB 234**, **HB 238**, **HB 261**, **HB 307**, **HB 310**, to Judiciary; **HB 292** to Municipal Corporations; **HB 357**, to Miscellaneous; **HB 384**, to Banking and Insurance.

On motion of Mr. Cabbage, the Senate adjourned until 11 a.m. (E.D.T.), Wed., May 2, 1951.

76TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 11 a.m., Wed., May 2, 1951, Pres. Pro Tem R. A. Cannon presiding.

Prayer by the Chaplain, Rev. Bundick: Almighty and eternal God, before the mountains were brought forth or ever thou hadst founded the earth and the world, even from everlasting to everlasting, thou art God. Incline thy thoughts toward us and give us strength for all the responsibilities of life. Guide us in all our tasks and give us faith with which to face them. Exempt us from no problems but grant us wisdom to solve them. May we ever seek to make thy ways our ways, through Jesus Christ our Lord. Amen.

Members present—Messrs. Barnard, Benger, Crossley, Cabbage, Dolby, Handsberry, Klair, Pedrick, Peeney, Powell, Steen, Mr. Pres. Pro Tem—12.

Members absent—Messrs. Burris, Johnson, Longbotham, Reilly, Webb—5.

The Secretary proceeded to read the Journal of the

previous Session when Mr. Cabbage moved that so much be considered the reading of the Journal, and the Journal be approved. Motion prevailed.

On motion of Mr. Cabbage the Senate recessed until 2:30 p.m.

Senate met at expiration of recess at 4:35 p.m., Lt. Gov. Bayard presiding.

Messrs. Johnson, Burris, Reilly, Webb asked to be marked present.

On motion of Mr. Steen, **SB 243**—"An Act Creating a State Board of Electrical Examiners, Providing for the Licensing of Electricians on a State-Wide Basis and Relating Generally to the Licensing of Electricians, the Inspection and Certification of Electrical Work, and to the Conduct of the Electrical Business Generally," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

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

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

Yeas—Messrs. Barnard, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—12.

Nays—Messrs. Benger, Burris, Crossley—3.

Absent—Messrs. Cabbage, Longbotham—2.

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

On motion of Mr. Cannon, **SB 270**—"An Act Authorizing the Dedication of a Certain Highway and Traffic Interchange as a Part of the Approaches of the Delaware Memorial Bridge," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

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

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

Yeas—Messrs. Barnard, Benger, Burris, Crossley, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Cabbage, Longbotham—2.

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

The President announced he was about to sign: **HB 471**, **HS 1** for **HB 473**, **HB 54**, **HB 61**, **HB 62**, **HB 97**, **HB 116**, **HB**

190, HB 273, HB 281, HB 282, HB 336, HB 340, HB 341, HCR 6.

Mr. Dolby, on behalf of the Committee on Passed Bills, reported as approved by the Governor, the following: **SCR 14, SCR 15, SCR 17, SCR 19, SB 7**, approved April 17, 1951; **SB 19, SB 37, SB 56, SB 59, SB 97, SB 107, SB 113, SB 118, SB 136, SB 138, SB 156, SB 214**, approved April 25; **SB 200**, approved April 30, 1951.

The following Bills were reported favorably by the majority of the respective committees as follows: **SB 88, SS 1 for 411, SS 1 for 365**, by Finance; **SB 429**, by Fish, Oysters and Game; **HB 256**, by Buildings and Highways; **HB 292**, by Municipal Corporations; **HB 278, HB 384**, by Banking and Insurance.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 2, SB 15, SB 127, SB 144, SB 154, SCR 6, SCR 23**; and that the House had passed and requested the concurrence of the Senate in the following Bills:

HB 22—"An Act Appropriating Certain Money for the Support and Maintenance of the District Library Commission of the State of Delaware."

HB 111—"An Act to Amend an Act Entitled 'An Act Providing for the Payment of Pension Benefits to Certain State Employees, Fixing Ages of Retirement, Establishing Benefits Payable and the Source of Payments Thereof, Providing for Application for Pensions and the Procedure to Be Followed with Respect Thereto, Providing That Pension Benefits Shall Be Free of Attachment and Non-assignable, and Also Providing for the Reduction of Benefits Under Certain Conditions,' Being Chapter 104, Volume 45, Laws of Delaware, 1944-45, as Amended, with Reference to Computing the Number of Years' Service of Those Who Were Employed by the Respective Levy Courts of This State in the Care and Management and Control of County Roads and Bridges."

HB 222—"An Act to Amend Chapter 100 of the Revised Code of Delaware, 1935, Relating to General Provisions Respecting Police in Reference to Bets and Wagers."

HB 223—"An Act to Amend Chapter 100 of the Revised Code of Delaware, 1935, Relating to General Provisions Respecting Police in Reference to Lotteries."

HB 254—"An Act to Amend Chapter 100 of the Revised Code of Delaware, 1935, by Repealing a Part Thereof, and by Providing for the Offense of Keeping, Maintaining, Visiting, Contributing to Support of Gambling House, Letting or Underletting Therefor; Penalties; Jurisdictions."

HB 264—"An Act to Amend Chapter 100 of the Revised Code of Delaware, 1935, by Altering the Procedure and Evidence Requirements in Offenses Arising Under the Laws Relating to Lotteries, Gambling, and Wagering Contests; by

Removing Objections to Warrants, Indictments or Informations; by Constituting Certain Circumstances Prima Facie Evidence; by Presenting Excusal of Certain Witnesses, and by Giving Such Witnesses Immunity; and by Making Admissible the Reputation of Gambling Houses in Certain Cases."

HB 300—"An Act to Amend Chapter 155 of the Revised Code of Delaware, 1935, as Amended, by Adding New Sections Thereto Providing the Methods by and Circumstances Under Which Searches and Seizures May Be Made, and a Procedure to Protect the Victim of an Unlawful Search or Seizure; Prohibiting Searches Not Made Pursuant to Statute; Permitting Searches Without a Warrant for a Person Hotly Pursued; Permitting Searches Without a Warrant Where Necessary as an Incident to a Lawful Arrest; Providing a Procedure to Obtain Search Warrant; and Form of Complaint and Warrant; Enumerating Things for Which Search Warrant May Be Obtained; Enumerating the Circumstances Under Which Articles or Things May Be Seized; Providing a Remedy for an Invalid Seizure; Providing for the Disposition of Property Seized."

HB 301—"An Act to Amend Chapter 155 of the Revised Code of Delaware, 1935, as Amended, by Providing for the Uniform Arrest Act, an Act Concerning Arrests by Peace Officers, Providing for the Questioning and Detention of Suspects, Searching Suspects for Weapons, the Force Permissible in Making and Resisting Arrest, Arrest Without a Warrant, the Use of Summons Instead of Arrest, the Release and Detention of Persons Arrested and the Identification of Witnesses, Prescribing Penalties, and Making Uniform the Law Relating Thereto."

HB 303—"An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, as Amended, to Provide for the Regulation of Trackless Trolley Coach Operators."

HB 373—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Fish, Oysters and Game' in Reference to the Residence of the Collector of Oyster Revenue."

HB 452—"An Act Appropriating Certain Monies to the Library Commission for the State of Delaware for the Operation and Maintenance of a Book-Mobile, and for the Salary of an Operator-Librarian Thereof."

Mr. Cannon moved that Rule 22 be suspended for the purpose of considering **SS 1** for **SB 365**. Motion prevailed.

On motion of Mr. Cannon, **SB 365**—"An Act Making Appropriation for a State Emergency Fund for Certain Emergencies and Conditions Not Otherwise Provided for, for the Respective Years of the Biennium July 1, 1951 to June 30, 1953, and Prescribing Limitations Upon Use Thereof and the Powers and Duties of the Permanent Budget Commission in Relation Thereto," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

On motion of Mr. Cannon, the substitute was adopted in lieu of the original.

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

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

Yeas—Messrs. Crossley, Dolby, Handsberry, Johnson, Klair, Pedrick, Reilly, Steen, Mr. President Pro Tem—9.

Nays—Messrs. Barnard, Benger, Burris, Peeney, Powell—5.

Absent—Messrs. Cabbage, Longbotham, Webb—3.

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

On motion of Mr. Peeney, **SB 92**—"An Act to Amend Chapter 237, Volume 46, Laws of Delaware, Entitled 'An Act Providing for the Payment of Pension Benefits to Certain Employees of the Mayor and Council of Wilmington, Fixing Ages of Retirement, Establishing Benefits Payable and the Source of Payment Thereof, Providing for Applications for Pensions and the Procedure to Be Followed with Respect Thereto, Providing That Pension Benefits Shall Be Free of Attachment and Liability for State and Local Income Taxes and Nonassignable, and Also Providing for the Reduction of Benefits Under Certain Conditions," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Barnard, Benger, Burris, Crossley, Dolby, Handsberry, Johnson, Pedrick, Peeney, Powell, Reilly Steen, Mr. President Pro Tem—13.

Nays—None.

Absent—Messrs. Cabbage, Klair, Longbotham, Webb—4.

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

Mr. Klair announced that there would be a meeting of the Municipal Corporations Committee tomorrow to hear a delegation on Newark Town Bills.

On motion of Mr. Cannon the Senate adjourned until 11 a.m., Thurs., May 3, 1951.

77TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 11 a.m., Thurs., May 3, 1951, Pres. Pro Tem R. A. Cannon, presiding.

Prayer by the Chaplain, Rev. Rowlensen: Father in heaven, we are conscious that our supreme need is thy presence and approval in all our endeavors. Increase our faith in thee and in thy purpose of good for mankind. And enable us

to tune our wills into harmony with thine. We are grateful to thee for leading our fathers in founding this Republic in the hearts of men for the common good, and those whose wisdom and courage and sacrifice have preserved and made it a power in the world. We are grateful for these our representative men of this our General Assembly. Give them wisdom and understanding and may their work be a marked degree of success in the building of a better world for the tomorrow. Listen:

We only see a little of God's love,
 A few rich treasures from his mighty store;
 But, oh, out there beyond, beyond our life's horizon
 There's more—there's more.
 In Jesus' Name we pray, Amen.

Members present—Messrs. Barnard, Benger, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Mr. Pres. Pro Tem—10.

Members absent—Messrs. Burris, Crossley, Johnson, Powell, Reilly, Steen, Webb—7.

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

The following Bills were reported favorably (unless otherwise indicated), by the majority of the respective committees as follows: **SB 419** (on its merits), **SB 455** (on its merits), **SB 396** (on its merits), **SB 399** (on its merits), **SB 271** (on its merits), **SB 310**, **SS 1** for **SB 152**, **SS** for **SB 437** **SB 447**, by Revised Statutes; **HB 421**, by Miscellaneous; **HB 217**, by Claims.

On motion of Mr. Cabbage the Senate recessed until 2 p.m.

Senate met at expiration of recess at 3:00 p.m.; Lt. Gov. Bayard presiding.

Messrs. Burris, Crossley, Johnson, Webb, Steen, Powell, Reilly asked to be marked present.

Mr. Cabbage moved that Senate Rules 36 and 22 be suspended for the duration of this Legislative Day.

Request that the following be recommitted was granted to Member as follows: **SB 243** with **SA 1**, Cannon.

Mr. Harry R. Jackson of the U.C.C. was granted the privilege of the floor to discuss **SS 1** for **SB 152**.

On motion of Mr. Cabbage, **SB 152**—"An Act to Amend Chapter 258, Volume 41, Laws of Delaware, 1937, as Amended, Known as the 'Unemployment Compensation Law,'" was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

On motion of Mr. Cabbage, the substitute was adopted in lieu of the original.

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

Yeas—Messrs. Crossley, Cabbage, Dolby, Handsberry,

Johnson, Klair, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—12.

Nays—Messrs. Barnard, Benger, Burris, Longbotham, Pedrick—5.

Absent—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. Burris, **SB 403**—"An Act Making an Appropriation to the State Board of Education for the Use by the Ellendale Public School No. 125 in Sussex County, State of Delaware, to Purchase New Equipment for the School Cafeteria," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Webb—1.

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

On motion of Mr. Cannon, **SB 411**—"An Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for Said Purposes; Authorizing the Financing of Such Enlargement and Improvement by the Issuance of Bonds and Bond Anticipation Notes of the State and by Contributions from Certain School Districts, and the City of Wilmington; Defining School Districts; Authorizing the Issuance of Bonds of Certain School Districts, and the City of Wilmington for the Purpose of Raising Money to Make Such Contributions; and Creating a State School Building Program Board and Local School Building Commissions," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Cannon, the substitute was adopted in lieu of the original.

Mr. Cannon introduced **SA 1** and **2**, which were read and on his further motion adopted.

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

Yeas—Messrs. Barnard, Benger, Burris, Crossley, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—Mr. Cabbage—1.

Absent—None.

So the question was decided in the affirmative, and the Bill with Amendments having received the required constitutional

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

On motion of Mr. Cabbage, **HB 421**—"An Act Authorizing and Directing the State Treasurer of the State of Delaware to Transfer to the Commissioners of Lewes, a Municipal Corporation of the State of Delaware, the Sum of \$62,046.80 Constituting the Amount Awarded by the District Court of the United States of America, in and for the District of Delaware, from the Condemnation of 1010.8 Acres, More or Less, of Land Situate in Sussex County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Powell, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—None.

Not Voting—Messrs. Klair, Reilly—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. Steen, **SB 143**—"An Act Authorizing the Board of School Trustees of John M. Clayton School District No. 97, in Sussex County, to Improve the Water System of Said School, Including the Construction of a Water Main Between Said School and the Water Distribution System of the Town of Frankford and Contracting with Said Town for the Furnishing of Water Thereto; Appropriating Certain Monies Towards the Cost of Said Improvements; and Authorizing the Said Board of School Trustees to Enter into Agreement with Certain Third Persons for the Obtaining of Water Service Through Such Water Main," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Klair—1.

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

The following Substitute Bill with title the same as the original was introduced, given first and second readings by title only, and referred to committee as follows: **SS 1** for **SB 439**, by Powell, to Buildings and Highways.

On motion of Mr. Cannon the Senate recessed until call of the Chair.

Senate met at expiration of recess at 5:35 p.m.

Mr. Crossley introduced the following Resolution, which on further motion by him was adopted: **SR 49**—"Relative to Payment on Account for Collecting Data, Compiling, Editing and Publishing the Daily Calendar for the State Senate."

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

To the Sussex Countian, Georgetown, Delaware, Three Thousand Three Hundred and Seventeen Dollars and Sixty Cents (\$3,317.60), being part payment on account for above.

Mr. Cabbage introduced **SJR 4**, which on further motion by him was adopted and ordered to the House for concurrence: **SJR 4**—"Memorializing the Congress of the United States on Rent Control."

On motion of Mr. Reilly, **HB 217**—"An Act Authorizing and Directing the State Treasurer to Pay to Dr. William T. Chipman the Sum of Six Thousand Nine Hundred Eighty-five Dollars and Nineteen Cents for Salary and Traveling Expenses Incident to the Office as a Member of the Industrial Accident Board from January 11, 1949 to December 31, 1950, 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Powell—1.

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

On motion of Mr. Klair, **SB 65**—"An Act to Amend Chapter 82 of the Revised Code of Delaware, 1935, Entitled, 'Weights and Measures,' in Respect of the Size and Weight of Loaves of Bread," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham,

Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Powell—1.

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

Request that the following be stricken from the Calendar was granted to Member as follows: **SB 104, SB 105, SB 304, SB 384, SS 1 for SB 385, SB 386, SB 387, SB 390, Longbotham.**

Mr. Cannon moved that all Bills be given their third and final reading by title only. Motion prevailed.

On motion of Mr. Klair, **SB 88**—"An Act to Make Appropriation to the University of Delaware for a Reading Clinic," 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. Barnard, Bengener, Burris, Crossley, Dolby, Handsberry, Johnson, Klair, Longbotham, Reilly, Steen, Webb, Mr. President Pro Tem—13.

Nays—Messrs. Cabbage, Pedrick, Peeney—3.

Absent—Mr. Powell—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. Webb, **SB 168**—"An Act Appropriating Certain Money to the University of Delaware for Constructing and Equipping Two or More Dormitory Buildings on the University Campus," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

On motion of Mr. Webb, the substitute was adopted in lieu of the original.

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

Yeas — Messrs. Barnard, Bengener, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Powell—1.

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

On motion of Mr. Longbotham, **SB 120**—"An Act to Amend Chapter 162, Volume 37, Laws of Delaware, 1931, Entitled 'An Act Changing the Name of "The Town of Milford" to "The City of Milford" and Establishing a Charter Therefor,' " was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

On motion of Mr. Longbotham the substitute was adopted in lieu of the original.

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Absent—Mr. Powell—1.

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. Longbotham, **SB 203**—"An Act to Amend Chapter 43, Revised Code of Delaware, 1935, as Amended, Entitled 'Levy Courts,' by Increasing the Amount Charged in the Treatment and Care of Indigent Sick in Kent County," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—Mr. Handsberry—1.

Absent—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. Longbotham, **HB 108**—"An Act to Amend an Act Entitled 'An Act Changing the Name of "The Town of Milford" to "The City of Milford" and Establishing a Charter Therefor' by Providing an Increase in the Limit of Taxation," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—17.

Nays—None.

Absent—None.

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

On motion of Mr. Crossley, **SB 266**—"An Act to Amend Chapter 118 of the Revised Code of Delaware, 1935, as Amended, Relative to the Orphans' Court by Disempowering the Vice-Chancellor to Appoint a Guardian for Minors in Vacation, at

Chambers," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Longbotham, Handsberry—2.

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

On motion of Mr. Steen, **SB 280**—"An Act to Amend an Act Entitled 'An Act to Reincorporate the Town of Frankford' Being Chapter 144, Volume 41, Laws of Delaware, by Providing That the Fees of Each Member of the Police Force Shall Be the Same as Those of a County Constable for Like Services; and Providing That Each Member of the Police Force Shall Be Vested, Within the Town Limits and Within One Mile Outside of Said Limits with All the Powers and Authority of Any Constable of Sussex County and in the Case of Pursuit of an Offender Their Power and Authority Shall Be Without Territorial Limitation," 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. Barnard, Crossley, Dolby, Johnson, Longbotham, Peeney, Powell, Reilly, Steen, Webb—10.

Nays—Messrs. Benger, Burris, Klair, Pedrick, Mr. President Pro Tem—5.

Absent—Mr. Handsberry—1.

Not Voting—Mr. Cabbage—1.

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

Mr. Peeney moved that Sec. 2 of Rule 14 be suspended for the duration of this Legislative Day. Motion prevailed.

Mr. Cabbage introduced **SCR 25**, which on further motion by him was adopted and ordered to the House for concurrence: **SCR 25**—"Appropriating Money to Reimburse the Secretary of the State, Multigraph Department, for Certain Monies Expended for Certain Labor and Supplies Needed, Furnished to and Used by the Senate and House of Representatives of the 116th General Assembly."

The following Substitute Bill with title the same as the Original Bill was introduced, given first and second readings by title only, and referred to committee as follows: **SS 1** for **SB 439**, by Webb, to Finance.

On motion of Mr. Cabbage the Senate recessed until 7:30 p.m.

Senate met at expiration of recess at 8:35 p.m.

On motion of Mr. Cannon, **SB 204**—"An Act Empowering the State Highway Department to Designate Certain Highways as Express Highways; Defining an 'Express Highway'; Authorizing the Acquisition of Property Rights in Connection Therewith; and Regulating the Same," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

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

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

Yeas—Messrs. Crossley, Dolby—2.

Nays—Messrs. Barnard, Bengner, Burris, Cabbage, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Absent—Mr. Handsberry—1.

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

Requests that the following be stricken from the Calendar were granted to Members as follows: **SB 36, SB 141, SB 213, SB 388**, Klair; **SB 119, SB 130, SB 321**, Webb.

Request that the following be recommitted was granted to Member as follows: **SB 280**, Klair.

On motion of Mr. Cannon, **SB 314**—"An Act Making an Appropriation to the State Board of Welfare and to the Old Age Welfare Commission, Jointly, for the Purchase, Repair and Furnishing of Buildings in Wilmington, for the Purchase of Land and the Erection of a Suitable Building in Georgetown and for the Repair of the Building in Dover Now Used by the State Board of Welfare for the Joint Use of Both Agencies as Administrative Offices," 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. Barnard, Bengner, Crossley, Cabbage, Dolby, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Mr. President Pro Tem—12.

Nays—Messrs. Burris, Powell, Steen, Webb—4.

Absent—Mr. Handsberry—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. Webb, **SB 399**—"An Act to Amend Articles 1 and 3 of Chapter 76 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Insane' by Striking Out the Word 'Insane' Wherever Used in Said Article and by Substituting in Lieu Thereof the Words 'Mentally Ill,' Definition of

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

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

Yeas—Messrs. Barnard, Burris, Crossley, Dolby, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—13.

Nays—Messrs. Benger, Cabbage, Longbotham—3.

Absent—Mr. Handsberry—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. Cannon, **SB 418**—"An Act to Amend Chapter 12, Revised Code of Delaware, 1935, as Amended, Relating to the Salaries of State Officers by Establishing a Salary Schedule for Certain State Employees," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

Yeas—Messrs. Crossley, Dolby, Klair, Peeney, Reilly—5

Nays—Messrs. Barnard, Benger, Burris, Cabbage, Johnson, Longbotham, Pedrick, Powell, Steen, Webb, Mr. President Pro Tem—11.

Absent—Mr. Handsberry—1.

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

On motion of Mr. Crossley, **SB 427**—"An Act Establishing a Uniform Procedure for the Condemnation of Property Under the Power of Eminent Domain, and for the Determination of Just Compensation in Such Cases," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—Mr. Powell—1.

Absent—Mr. Handsberry—1.

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

On motion of Mr. Cabbage, **SB 435**—"An Act to Create a Delaware Commission on Children and Youth," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Handsberry—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. Cannon moved that Section 2 of Rule 3 be suspended for the balance of this day.

On motion of Mr. Klair, **SB 459**—"An Act Governing Clearances on Railroads with Reference to Side and Overhead Structures on Parallel and Yard Tracks," 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. Benger, Johnson, Pedrick, Peeney, Reilly, Webb, Mr. President Pro Tem—7.

Nays—Messrs. Barnard, Burris, Crossley, Dolby, Klair, Longbotham, Powell, Steen—8.

Not Voting—Mr. Cabbage—1.

Absent—Mr. Handsberry—1.

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

Mr. Klair changed his vote from yea to nay for the purpose of reconsideration.

On motion of Mr. Cabbage, **SB 437**—"An Act Providing for Joint Action by the States of Delaware, New Jersey, and New York and the Commonwealth of Pennsylvania in Developing, Utilizing, Controlling, and Conserving the Water Resources of the Delaware River Basin in Order to Assure an Adequate Water Supply; Authorizing the Governor, for These Purposes to Enter into a Compact with the States of New Jersey and New York and the Commonwealth of Pennsylvania and to Apply on Behalf of the State of Delaware to the Congress of the United States for Its Consent Thereto; Creating the Delaware River Basin Water Commission and Specifying the Powers and Duties Thereof, Including the Power to Finance Projects by the Issuance of Bonds; Providing for the Appointment on Behalf of the State of Delaware of the Members of the Said Commission; Requiring the Commission to Prepare and Report Plans and Specifications for Specific Projects; Requiring Certain Prior Approvals by the Legislatures of

the Compacting States," was taken up for consideration and read by title and enacting clause in order to pass the Senate.

On motion of Mr. Cubbage, the substitute was adopted in lieu of the original.

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

Yeas—Messrs. Barnard, Benger, Crossley, Cubbage, Dolby, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Nays—None.

Absent—Mr. Handsberry—1.

Not Voting—Messrs. Burris, Powell—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. Peeney, **SB 339**—"An Act to Amend Chapter 90 of the Revised Code of Delaware, 1935, as Amended, Relating to Child Labor," 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. Barnard, Benger, Burris, Crossley, Cubbage, Dolby, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Steen, Webb, Mr. President Pro Tem—15.

Nays—Mr. Reilly—1.

Absent—Mr. Handsberry—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.

Requests that the following be stricken from the Calendar were granted to Members as follows: **SB 48**, Reilly; **SB 440**, Webb.

The following Substitute Bill with title the same as the Original Bill was introduced, given first and second readings by title only, and referred to committee as follows: **SS 2** for **SB 420**, by Cannon; to Finance.

Mr. Cannon moved that **SS 1** for **SB 411** be reconsidered and recommitted. Motion prevailed.

On motion of Mr. Cannon the Senate adjourned until 11 a.m., Fri., May 4, 1951.

78TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 11 a.m., Fri., May 4, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Rowlensen: Almighty and eternal God, Thou hast made us in Thine own image and endowed us with powers which, if rightly used, have infinite possibilities for good. Suffer us not to be so caught up in the pur-

suit of the things which perish that we forget that which is eternal. Guide us in the diligent use of our talents that we may prove worthy stewards of Thy grace. In a day when lawlessness is rampant and our national security is threatened, make us alert to every opportunity to restore confidence in government and promote harmony and good will among men. Give us height of wisdom, depth of understanding, and breadth of compassion, and enable us to submerge all lesser loyalties in the interest of the common good. Through Jesus Christ, our Lord. Amen.

Members present—Messrs. Benger, Crossley, Cubbage, Dolby, Handsberry, Longbotham, Peeney, Webb, Mr. Pres. Pro Tem—9.

Members absent—Messrs. Barnard, Burris, Johnson, Klair, Pedrick, Powell, Reilly, Steen—8.

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

On motion of Mr. Cubbage the Senate recessed until call of the Chair.

Senate met at expiration of recess at 3:05 p.m.

Messrs. Steen, Pedrick, Reilly, Johnson, Burris, Barnard, Powell, Klair asked to be marked present.

Mr. Cannon moved that Senate Rule 22 be suspended for the balance of this Legislative Day. Motion prevailed.

The President announced he was about to sign: **SB 2, SB 15, SB 16** with **SA 1, SS 1** for **SB 17, SB 22, SB 127, SB 144, SB 154, SCR 6, SCR 23.**

Request that the following be stricken from the Calendar was granted to Member as follows: **SB 264**, Cannon.

Request that the following be recommitted was granted to Member as follows: **SB 418, SB 204**, restored, Cannon.

On motion of Mr. Cannon, **SB 230**—"An Act to Create a Department of Administrative Services; to Create and Include in Such Department a Personnel Board; to Assign Functions, Powers, and Duties to Such Department and to the Personnel Board; to Authorize the Department to Establish Central Services for Other Departments of Such Character as May Be Required and to Make Charges for Such Services; to Establish, in the Department of Administrative Services, a System of Centralized Purchasing for the State and a System of Property Control; to Establish Facilities for Optional Central Services in Personnel Administration; to Provide for the Promulgation of Personnel Rules; to Designate the Department of Administrative Services as the Agency to Administer the Merit System of Personnel Administration Heretofore Established by Administrative Action; to Abolish the State Police Pension Board, Created by Chapter 262, Volume 41, Laws of Delaware, 1937, as Amended, the Disability Commission, Created by Section

4A of Chapter 104, Volume 45, Laws of Delaware, 1944-45, the Office of Custodian of the State House, Created by Section 1 of Chapter 4, Revised Code of Delaware, 1935, the Public Archives Commission Created by Chapter 36, Revised Code of Delaware, 1935, as Amended, the Lewes Memorial Commission, Created by Chapter 178, Revised Code of Delaware, 1935, the Delaware Day Commission Created by Chapter 203, Volume 42, Laws of Delaware, 1939, and to Transfer Their Functions, Powers, Authority, Duties, and Responsibilities to the Department of Administrative Services; to Repeal Section 7 of Chapter 104, Volume 45, Laws of Delaware, 1944-45, Creating an Arbitration Committee, Section 5, of Chapter 4, Revised Code of Delaware, 1935, Relating to Duties of the State Treasurer as to State Buildings, Sections 2, 8, 9, and 11 of Chapter 5, Revised Code of Delaware, 1935, Relating to the State Library, Section 1 of Chapter 178, Revised Code of Delaware, 1935, Relating to the Lewes Memorial Commission, Section 17 of Chapter 14, Revised Code of Delaware, 1935, as Amended, Relating to Appointment of a Telephone Operator; to Provide for Appointment of the State Librarian by the Director of Administrative Services Instead of by the Governor; to Transfer from the Secretary of State to the Department of Administrative Services the Authority and Responsibility for the Contracts for Legislative Printing and for the Statutory Distribution of Journals, Laws, and Judicial Reports; to Repeal All Acts and Parts of Acts Inconsistent with the Provisions of This Act to the Extent of Such Inconsistency," 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. Crossley, Dolby, Handsberry, Klair, Reilly, Steen, Webb—7.

Nays—Messrs. Benger, Burris, Cabbage, Johnson, Longbotham, Pedrick, Peeney, Mr. President Pro Tem—8.

Absent—Messrs. Barnard, Powell—2.

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

Mr. Cannon announced that he was changing his vote to nay for the purpose of reconsideration.

On motion of Mr. Cannon, **SB 233**—"An Act to Create a Department of Labor and to Include Therein a Board of Employment Security; to Consolidate in Such Department the Functions, Powers, Authority, Duties, and Responsibilities of the Labor Commission of Delaware, the Industrial Accident Board, the Unemployment Compensation Commission of Delaware, the Advisory Council to the Unemployment Compensation Commission of Delaware, and the Advisory Council to the Delaware State Employment Service; to Abolish the Labor Commission of Delaware Established by Chapter 38 of the

Revised Code of Delaware, 1935; to Abolish the Industrial Accident Board Established by Chapter 175 of the Revised Code of Delaware, 1935, as Amended; to Abolish the Unemployment Compensation Commission of Delaware Established by Chapter 258, Volume 41, Laws of Delaware, 1937, as Amended; to Repeal Sections 119, and 121, Chapter 70 of the Revised Code of Delaware, 1935, as Amended Relating to the Delaware State Employment Service; to Amend Section 12, Chapter 258, Volume 41, Laws of Delaware, 1937, as Amended, Designating a State Agency in Compliance with the Federal Wagner-Peyser Act; to Amend Section 11, Chapter 258, Volume 41, Laws of Delaware, 1937, as Amended, Relating to the Unemployment Compensation Commission and Its Advisory Council; and to Provide for the Repeal of All Acts and Parts of Acts Inconsistent with This Act," 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. Crossley, Cabbage, Dolby, Handsberry, Klair, Reilly, Steen, Webb, Mr. President Pro Tem—9.

Nays—Messrs. Benger, Burris, Johnson, Longbotham, Pedrick, Peeney—6.

Absent—Messrs. Barnard, Powell—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. Cannon, **SB 237**—"An Act to Make the Terms of Office of State Officials, and of Members of State Boards, and Commissions Appointed for Specified Terms Expire in the Month of February of the Same Year in Which They Would Otherwise Expire," 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. Crossley, Dolby, Handsberry, Klair, Reilly, Steen—6.

Nays—Messrs. Benger, Burris, Cabbage, Johnson, Longbotham, Pedrick, Peeney, Webb, Mr. President Pro Tem—9.

Absent—Messrs. Barnard, Powell—2.

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

Mr. Cannon announced that he had changed his vote to nay for the purpose of reconsideration.

Mr. Klair moved that all Bills be read by number only this Legislative Day. Motion prevailed.

On motion of Mr. Cabbage, **SB 253**—"An Act to Assign Duties to the Secretary of State in the Supervision and Co-

ordination of Departments; and to Authorize the Governor to Delegate Authority to the Secretary of State," 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. Crossley, Dolby, Handsberry, Klair, Reilly, Steen, Mr. President Pro Tem—7.

Nays—Messrs. Benger, Burris, Cubbage, Johnson, Longbotham, Pedrick, Peeney, Webb—8.

Absent—Messrs. Barnard, Powell—2.

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

The Chief Clerk of the House informed the Senate that the House had concurred in **SCR 24**; and that the House had passed and requested the concurrence of the Senate in the following Bills:

HB 112—"An Act to Amend an Act Entitled 'An Act Providing for the Payment of Pension Benefits to Certain State Employees, Fixing Ages of Retirement, Establishing Benefits Payable and the Source of Payments Thereof, Providing for Applications for Pensions and the Procedure to Be Followed with Respect Thereto, Providing That Pension Benefits Shall Be Free of Attachment and Nonassignable, and Also Providing for the Reduction of Benefits Under Certain Conditions,' Being Chapter 104, Volume 45, Laws of Delaware, 1944-45, as Amended, with Respect to Amount of Pension Benefits Payment."

HS for HB 209—"An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, to Permit the Issuance, Suspension or Revocation of Restricted Operator's or Chauffeur's Licenses."

On motion of Mr. Klair, **SB 255**—"An Act to Create a Department of Military Affairs and to Amend Sections 5, 37, 38, 46, and 47, Chapter 8, of the Revised Code of Delaware, 1935, Relating to Public Arms and Defense," 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. Crossley, Dolby, Handsberry, Klair, Reilly, Steen, Mr. President Pro Tem—7.

Nays—Messrs. Barnard, Benger, Cubbage, Johnson, Longbotham, Pedrick, Peeney, Webb—8.

Absent—Mr. Powell—1.

Not Voting—Mr. Burris—1.

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

On motion of Mr. Cabbage the Senate recessed for 15 minutes.

Senate met at expiration of recess at 3:45 p.m.

The following Bills were reported favorably by the majority of the respective committees as follows: **SB 432** (on its merits), **SS 1** for **SB 310**, **SS 1** for **SB 181**, **SB 328**, by Revised Statutes; **SS 1** for **SB 439** (on its merits), **HB 181** (on its merits), **SS 2** for **SB 420**, by Finance.

On motion of Mr. Cannon, **SS 2** for **SB 420**—"An Act to Appropriate Funds to the State Board of Education for Capital Replacement in the School Buildings of the State of Delaware," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

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

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—17.

Nays—None.

Absent—None.

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

On motion of Mr. Klair, **SB 459**—"An Act Governing Clearances on Railroads with Reference to Side and Overhead Structures on Parallel and Yard Tracks," 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. Benger, Crossley, Cabbage, Handsberry, Klair, Pedrick, Peeney, Reilly, Mr. President Pro Tem—9.

Nays—Messrs. Barnard, Burris, Dolby, Johnson, Longbotham, Powell, Steen—7.

Absent—None.

Not Voting—Mr. Webb—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 Sergeant-at-Arms announced the Secretary of State.

The Chair directed the Sergeant-at-Arms to admit the Secretary of State.

The Secretary of State, Hon. Harris B. McDowell, Jr., being admitted presented to the Senate a message from His Excellency Gov. Elbert N. Carvel.

May 4, 1951

MESSAGE FROM THE GOVERNOR

To the Honorable
The Senate of the 116th General Assembly
Dover, Delaware

Members:

I am returning to you Senate Bill No. 208 from which I have withheld my approval for the following reasons:

1. This Bill would encourage State employees to use their privately-owned automobiles instead of State-owned vehicles. It costs the State less than five cents per mile to operate its automobiles. The State pays mileage to its employees when they use their privately-owned vehicles at the rate of seven cents per mile for the first two hundred miles driven each month and six cents per mile thereafter. Thus, the shift to privately-owned cars would result in a substantial increase in the cost of travel to the State.

2. The affixing of three-inch lettering at three different places on the car when it is first acquired, and the removal when it is disposed of, would involve a substantial sum, variously estimated to cost the State between ten thousand (\$10,000.00) and twenty-five thousand (\$25,000.00) dollars per year.

3. The use of State cars would be forbidden except for actual official use. This would prevent certain employees from taking vehicles to their homes to have available in the event of emergencies which often occur in the State Highway Department. The prohibition of allowing employees to drive their cars home in certain cases would necessitate the construction of central garages at various locations to house these vehicles, which would involve an additional expense to the State.

4. Agencies performing social and health service which requires confidential treatment, particularly that dealing with children where there is sensitiveness to the stigma of being cared for by public welfare agencies, would be advertising the status of our less fortunate children. Similarly, subjects of care by the State Board of Health and the Delaware State Hospital at Farnhurst who are suffering from mental and social diseases, would be constantly inflicted by the embarrassment of their position (and their innocent families would suffer even more) by having the presence of a public health nurse or a case worker prominently advertised during each visit.

5. Agencies such as Ferris School, Kruse School and Woods Haven School which endeavor to improve and rehabilitate wayward children, would be handicapped in their efforts to apprehend runaways. Ferris School now catches many more of their runaways than the State Police because these escapees do not spot their cars so readily.

6. Although I am in full agreement with the purposes of this Bill, that State cars should not be used for personal or private purposes, I believe that this Bill will not serve to effectively bring about this aim. Instead, it would drastically hamper operations of many departments, be costly to administer and be highly embarrassing to many of our citizens.

Cordially,
(Signed) Elbert N. Carvel
Governor

On motion of Mr. Dolby, **SS 1** for **SB 310**—"An Act to Amend Chapter 51, Revised Code of Delaware, 1935, with Reference to the Appointment of Constables in New Castle County," 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. Crossley, Cabbage, Dolby, Handsberry, Klair, Reilly, Webb, Mr. President Pro Tem—8.

Nays—Messrs. Barnard, Bengel, Burris, Johnson, Longbotham, Pedrick, Peeney, Powell, Steen—9.

Absent—None.

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

On motion of Mr. Reilly, **SB 396**—"An Act to Amend Chapter 133 of the Revised Code of Delaware, 1935, Relating to Exemption of Wages from Mesne Attachment Process and Execution Attachment Process Under Certain Conditions by Providing for Attachment of Wages in New Castle County for Taxes Owing the State of Delaware," 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. Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Webb, Mr. President Pro Tem—12.

Nays—Messrs. Barnard, Bengel, Burris, Longbotham, Steen—5.

Absent—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. Cabbage, **SB 455**—"An Act to Amend Chapter 102 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Boundaries' by Requiring Every Person Selling Timber Land or Standing Timber for Cutting to Cause to Be Plainly Marked and Established by a Competent Surveyor or Surveyors the Boundary Lines of the Tract Sold or Upon

Which the Timber Sold for Cutting Stands; and Providing Certain Exceptions," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Reilly, Webb, Mr. President—14.

Nays—Messrs. Klair, Powell, Steen—3.

Absent—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. Cabbage, **SB 353**—"An Act to Amend Chapter 150 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Offenses Against Private Property' by Increasing the Penalty for Wrongfully Felling, Cutting, or Injuring Any Tree or Sapling of Another and the Damages Recoverable Therefor," 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. Cabbage, Klair, Reilly, Mr. President Pro Tem—4.

Nays—Messrs. Barnard, Benger, Burris, Crossley, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Powell, Steen, Webb—13.

Absent—None.

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

Mr. Cannon introduced **SCR 26**, which on further motion by him was adopted and ordered to the House for concurrence: **SCR 26**—"Permitting the Introduction of New Bills."

On motion of Mr. Cabbage, **SS 1** for **SB 181**—"An Act to Amend Chapter 6 of the Revised Code of the State of Delaware, 1935, in Relation to Motor Fuel Taxes by Limiting the Time Within Which Claims for Refunds Can Be Made," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Mr. President Pro Tem—14.

Nays—None.

Absent—Messrs. Longbotham, Steen, Webb—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 Substitute Bill with title the same as the Original Bill was introduced, given first and second readings by title only, and referred to committee as follows: **SS 1** for **SB 398**, by Webb, to Revised Statutes.

On motion of Mr. Crossley the Senate recessed until 7 p.m.

Senate met at expiration of recess at 9 p.m.

On motion of Mr. Cabbage the Senate recessed until call of the Chair.

The Chair announced that it was to be understood that the call of the Chair would be at 11 a.m., Mon., May 7.

Senate met at expiration of recess on Mon., May 7, at 12 noon, Lt. Gov. Bayard presiding.

On motion of Mr. Klair, **HB 154**—"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 an Allowance of a Fixed Sum of Money for Attendance at Each Regularly Called Meeting of the Town Council," 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. Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—12.

Nays—None.

Absent—Messrs. Barnard, Benger, Burris, Johnson, Powell—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. Crossley, **HB 215**—"An Act Authorizing the Levy Court of Sussex County to Make Available to the Board of Soil District Supervisors of the Soil Conservation District of Sussex County Certain Funds for the Employment of a Manager of Operations," 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. Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—12.

Nays—None.

Absent—Messrs. Barnard, Benger, Burris, Johnson, Powell—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. Dolby, **HB 296** with **HA 1**—"An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935,

Entitled 'Motor Vehicles,' as Amended, in Reference to Regulation Relative to School Busses by Providing for Insurance Coverage," 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. Crossley, Cubbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—12.

Nays—None.

Absent—Messrs. Barnard, Benger, Burris, Johnson, Powell—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.

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:

HS 1 for HB 58—"An Act to Amend Chapter 226 of Volume 46, Laws of Delaware, 1947, Entitled, 'An Act to Amend Chapter 39 of the Revised Code of Delaware, 1935, as Amended, Relating to the Amount of Assistance Paid to Dependent Children by the State Board of Welfare,' by Revising the Maximum Amounts Payable to Dependent Children by the State Board of Welfare."

HB 63—"An Act to Amend Chapter 6, Revised Code of Delaware, 1935, as Amended by Chapter 11, Volume 43, Laws of Delaware, 1941, in Relation to the Exemptions from the Tax on Motor Fuel and Refunds of Tax Paid on Such Motor Fuel."

HS 1 for HB 68—"An Act Making an Appropriation for the Equipping of a New School for Negroes in New Castle County, for Additional Professional Staff, and for Operation Costs for Said School, for the Year Beginning July 1, 1952."

HB 309—"An Act to Amend Chapter 67 of the Revised Code of Delaware, 1935, as Amended, Relating to the Municipal Court for the City of Wilmington to Permit the Fixing of Bail Binding Witnesses for Their Appearance in Cases Involving the Commission of Felonies."

HB 351—"An Act to Amend Chapter 43, of the Revised Code of Delaware, 1935, as Amended, by Further Defining the Powers and Duties, Direction, Management and Control of the Business and Finances of New Castle County by the Levy Court of New Castle County."

HB 352—"An Act to Amend Chapter 104, Volume 45, Laws of Delaware, as Amended, Known as 'The Delaware State Employees' Benefit Act,' by Adding to the Definition of 'Covered Employment' the Positions of Secretaries of the Office of the Attorney General of the State of Delaware."

HB 362—"An Act Making an Additional Appropriation to the Auditor of Accounts of the State of Delaware for Meeting Legal Requirement of Requisition, Purchasing and Auditing

for the Fiscal Year Ending June 30, A. D. 1952, and for the Fiscal Year Ending June 30, A. D. 1953."

HB 386—"An Act Authorizing and Directing the State Highway Department to Erect and Construct a Spill Dam at the Easterly End of Griffith Lake."

HB 393—"An Act to Amend Chapter 364, Volume 47, Laws of Delaware, Entitled 'An Act Providing a Method for the Appropriation and Allocation of Funds for the Maintenance, Support and Operation of the Free Public Schools of the State; and Granting to the Permanent Budget Commission and the State Board of Education Certain Powers and Authority to Regulate the Distribution of Funds Appropriated,' to Further Define the Term 'Unit of Pupils.'"

HB 394—"An Act to Amend Chapter 71 of the Revised Code of Delaware, 1935, as Amended by Chapter 358, Volume 47, Laws of Delaware, 1949, Relating to the Procedure for the Termination of Contracts of Professional School Employees, by Providing for Notice to Employee and a Right of Appeal to the State Board of Education."

HB 398—"An Act Making Unlawful the Transportation of Certain Meat Scrap and Animal Waste Except in Enclosed Vehicles; Violation a Misdemeanor; Penalties."

HB 425—"An Act to Amend the Charter of the Town of Laurel as Established by Chapter 164, Volume 29, Laws of Delaware, Entitled 'An Act to Reincorporate the Town of Laurel' in Reference to Elections."

HB 450—"An Act to Amend and Clarify the Charter of the Town of Laurel as Established by Chapter 164, Volume 29, Laws of Delaware, and as Amended, in Reference to the Beginning of the Terms of Office of the Mayor and Councilmen."

HB 451—"An Act to Amend the Charter of the Town of Laurel as Established by Chapter 164, Volume 29, Laws of Delaware, in Reference to the Manner of Nominating Candidates."

HS 1 for HB 479—"An Act Authorizing 'The Town of Smyrna' to Borrow Not in Excess of Two Hundred and Fifty Thousand Dollars (\$250,000.00) and to Issue Bonds Therefor for the Purpose of Establishing a Sewage Disposal Plant and of Extension and Improvement of the Water and Sewer Systems, the Electrical Distribution System and the Streets of the Town of Smyrna."

HS 1 for HB 75—"An Act to Authorize 'The Commissioners of Bellefonte,' a Municipal Corporation of the State of Delaware, to Provide Improvements of a General and Public Nature Within 'The Commissioners of Bellefonte'; to Finance Said Improvements Out of the General Revenues or by Means of Bond Issues; to Hold Referendums for the Approval of Said Improvements When Financed by Means of Bond Issues; to Provide for the Issuance of Said Bonds and the Terms and Conditions Thereof; to Create Special Funds from the Proceeds

of Said Bond Issues; to Provide for the Collection, by Taxation or Special Assessment, of Funds to Pay the Interest on Said Bonds and Funds Necessary to Create a Sinking Fund for the Redemption of Said Bonds; to Levy and Collect Special Assessments Against the Properties Benefited and Other Taxes; to Adopt Rules and Regulations with Reference to the Aforesaid Improvements and to Prescribe Fines and Penalties for the Violation of Such Rules and Regulations; to Accept Grants and/or Loans from Other Agencies with Reference to the Aforesaid Improvements and to Provide for the Repayment of Said Loans; to Provide for the Exercise of the Power of Eminent Domain in Connection with Said Improvements."

HS 1 for HB 128—"An Act to Amend Chapter 43, Revised Code of Delaware, 1935, as Amended, Entitled 'Levy Courts' by Providing for a Limit of the Total Tax Rate in New Castle County."

HB 163—"An Act to Amend Chapter 104, Volume 45, Laws of Delaware, as Amended, Known as 'The Delaware State Employees' Benefit Act,' by Adding to the Definition of 'Covered Employment' the Positions of Librarian of the Judges' Library of New Castle County and of the Secretaries of the State Judges."

HB 230—"An Act Prescribing the Days on Which Public Offices Shall Open and on Which Public Officials and Employees Shall Work in Sussex County."

HS 1 for HB 237—"An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, as Amended, Relating to Registration of Motor Vehicles."

HB 245—"An Act to Amend Chapter 83 of Volume 45, Laws of Delaware, 1945, with Respect to the Amount and Continuance of Aid to the Needy Blind."

HB 284—"An Act Authorizing the Levy Court of Kent County to Appropriate County Monies to the Leipsic Volunteer Fire Company for the Maintenance of an Ambulance."

HB 285—"An Act Appropriating Money to the Delaware Commission for the Blind for the Maintenance and Operation of Sunnybrook, a Nursery School for Blind Children."

Mr. Cannon introduced the following Resolution, which on further motion by him was adopted: **SR 50**—"Requesting Return of Senate Substitute No. 1 for Senate Bill No. 411 with Senate Amendment No. 1 and Senate Amendment No. 2 from the House of Representatives of the 116th General Assembly of the State of Delaware."

BE IT RESOLVED by the Senate of the 116th General Assembly of the State of Delaware, that the House of Representatives of the 116th General Assembly of the State of Delaware be, and the same is hereby requested to return to the Senate for reconsideration Senate Substitute No. 1 for Senate Bill No. 411, together with Senate Amendment No. 1 and Senate Amendment No. 2.

On motion of Mr. Crossley, **HB 381**—"An Act to Amend

Chapter 23 of the Revised Code of Delaware, 1935, Relating to Distribution of Forest Trees by the State Forestry Department," 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. Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—12.

Nays—None.

Absent—Messrs. Barnard, Benger, Burris, Johnson, Powell—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. Klair—**HB 448**—"An Act to Amend an Act Entitled 'An Act to Establish a Board of Water and Light Commissioners for the City of New Castle' Chapter 121, Volume 32, Laws of Delaware, by Extending to Three Miles Beyond the Corporate Boundaries of the City of New Castle the Territory in Which the Mayor and Council of New Castle, Acting Through the Board of Water and Light Commissioners of New Castle May Supply Water," 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. Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—12.

Nays—None.

Absent—Messrs. Barnard, Benger, Burris, Johnson, Powell—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. Crossley, **HB 256**—"An Act to Amend Chapter 55 of the Revised Code of Delaware, 1935, Entitled 'Roads and Bridges' Requiring Certain New Roads Intended to Be Dedicated to Public Use to Be Constructed to Conform to Specifications of the State Highway Department; Violation a Misdemeanor; Jurisdiction; Penalties; State Highway Department Authorized to Make and Publish Rules and Regulations in Conformity Herewith," 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. Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—12.

Nays—None.

Absent—Messrs. Barnard, Benger, Burris, Johnson, Powell—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. Klair, **HB 292**—"An Act to Amend an Act Entitled 'An Act Authorizing the Council of the Town of Blades to Borrow a Sum of Money Not to Exceed Fifteen Thousand Dollars, (\$15,000.00) and to Issue Bonds Therefor for the Purpose of Installing a Water Plant and the Laying of Water Mains in the Town of Blades and Equipment Therefor' and Providing for the Issuance of One Hundred Thousand Dollars (\$100,000.00) in Bonds for the Above Purposes," 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. Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—12.

Nays—None.

Absent—Messrs. Barnard, Benger, Burris, Johnson, Powell—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. Dolby, **HB 278**—"An Act to Amend Chapter 143 of the Revised Code of Delaware, 1935, Entitled 'Insolvency' in Reference to the Amount of and Approval of the Bond of Assignee or Assignees in Voluntary Assignment for Benefit of Credit," was taken up for consideration and read 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. Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—12.

Nays—None.

Absent—Messrs. Barnard, Benger, Burris, Johnson, Powell—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.

Mr. Peeney moved that House Bills be read in by number and title only. Motion prevailed.

On motion of Mr. Dolby, **HB 384**—"An Act to Amend Chapter 123, Volume 45, Laws of Delaware, as Amended, Entitled 'Suburban Community Code,' by Providing for Revisions in the Procedure to Sell Bond Issues; Authorizing to Use Excess Bond Issue Funds to Finance Other Projects in Other

Suburban Communities; Suburban Community Contracts to Be Exempt from Limitation of County Contract Laws; and Means of Acquiring and Condemning Adequate Rights-of-Way Where Inadequate Rights-of-Way Exist or Where Rights-of-Way Are in Question," 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. Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—12.

Nays—None.

Absent—Messrs. Barnard, Benger, Burris, Johnson, Powell—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.

The following Bills were reported favorably by the majority of the respective committees as follows: **HB 277**, **HB 194**, by Miscellaneous; **HB 168**, by Revised Statutes.

Mr. Cabbage moved that committee reports be read by number only. Motion prevailed.

On motion of Mr. Peeney, **SS 1** for **SB 379**—"An Act Appropriating Money to the State Board of Corrections for the Operation of the State Correctional System," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

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

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

Yeas—Messrs. Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—12.

Nays—None.

Absent—Messrs. Barnard, Benger, Burris, Johnson, Powell—5.

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

On motion of Mr. Cabbage, **HB 194**—"An Act to Prohibit the Operation of a Boat in Silver Lake in New Castle County, by a Motor of More Than Five (5) Horsepower," 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. Crossley, Cabbage, Dolby, Handsberry,

Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—12.

Nays—None.

Absent—Messrs. Barnard, Benger, Burris, Johnson, Powell—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.

Requests that the following be stricken from the Calendar were granted to Members as follows: **SB 408**, Pedrick; **SB 286**, Peeney.

On motion of Mr. Peeney, **SB 227**—"An Act to Amend Chapter 65 of the Revised Code of the State of Delaware Relating to Corporations to Provide for the Consolidation or Merger of Non-Stock Corporations, Whether Organized for Profit or Not for Profit, with Stock Corporations," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

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

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

Yeas—Messrs. Crossley, Cabbage, Dolby, Handsberry, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—11.

Nays—Mr. Klair—1.

Absent—Messrs. Barnard, Benger, Burris, Johnson, Powell—5.

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

The following Substitute Bill with title the same as the Original Bill was introduced, given first and second readings by title only, and referred to committee as follows: **SS 1** for **SB 376**, by Handsberry; to Finance.

On motion of Mr. Cabbage the Senate recessed until call of the Chair.

Senate met at expiration of recess at 2:30 p.m., Lt. Gov. Bayard presiding.

The Chair presented the following Bills, which were given first and second readings and referred to Committees as follows: **HS 1** for **HB 209**, to Miscellaneous; **HB 22**, to Finance; **HB 111**, to Revised Statutes; **HB 222**, **HB 223**, **HB 254**, **HB 264**, **HB 300** **HB 301**, to Judiciary; **HB 303**, to Revised Statutes; **HB 452**, to Finance; **HB 373**, to Fish, Oysters and Game; **HS** for **HB 478**, **HS** for **HB 479**, **HB 450**, **HB 451**, **HB 425**, to Municipal Corporations; **HB 394**, to Education; **HB 398**, to Public Health; **HB 393**, to Education; **HB 386**, to Finance; **HB 352**, to Revised Statutes; **HB 362**, **HB 285**, to Finance; **HB 351**, to Revised Statutes; **HB 309**, to Judiciary; **HB 230**, to Miscellaneous; **HB 284**, to Finance; **HS 1** for **HB 75** to

Municipal Corporations; **HS 1** for **HB 68**, to Finance; **HB 163**, to Revised Statutes; **HS 1** for **HB 128**, **HS 1** for **HB 58**, to Finance; **HB 63**, **HS 1** for **HB 237**, to Revised Statutes; **HB 245**, to Public Health.

On motion of Mr. Cannon the Senate recessed until call of the Chair.

Senate met at expiration of recess at 6:00 p.m., Lt. Gov. Bayard presiding

On motion of Mr. Handsberry, **SB 432**—"An Act to Amend an Act Entitled 'An Act to Create and Establish a Public Service Commission and Prescribing Its Powers and Duties, and to Provide for the Regulation and Control of Public Service Corporations and Public Utilities and Making Appropriations Therefor,' Being Chapter 254, Volume 47, Laws of Delaware, by Changing and Enlarging the Powers of the Commission in Employment of Personnel: by Prescribing Certain Qualifications for Commissioners and Personnel; by Fixing the Number of Commissioners Who Shall Constitute a Quorum; by Providing That Investigations, Inquiries and Hearings May Be Held Before the Commission, or Before Any Member Thereof or an Examiner Designated by It; by Empowering the Commission to Make or Hold Joint Investigations or Hearings with Regulatory Bodies of Other States or of the United States; by Redefining Railroad Utilities; by Removing Steam Boat Companies from the Provisions of Section 3 (k) of the Act; by Empowering the Commission to Prescribe Insurance Requirements for Certain Motor Carriers and Fixing the Minimum Requirements Therefor; by Empowering the Commission to Require Public Utilities to Give Notice of Certain Accidents and to File Annual and Other Reports; by Enlarging the Powers of the Commission to Prescribe Systems of Accounts and Records and to Regulate the Keeping of the Same; by Empowering the Commission to Fix Rates or Depreciation and Regulate Depreciation Accounts; by Providing for Access to and the Inspection and Examination of Books, Accounts, Records, Property and Facilities of Public Utilities and Requiring Public Utilities to Furnish Certain Information and Records to the Commission; by Requiring Books, Accounts and Records of Public Utilities to Be Kept in This State Except in Certain Instances; by Prohibiting Changes in Existing Rates of Public Utilities Except Upon Certain Notice to the Commission and Changing the Time for Making Certain Refunds from Thirty to Ninety Days; by Empowering the Commission to Fix Temporary Rates in Certain Cases; by Providing That the Burden of Proof in Rate Proceedings Shall Be Upon the Public Utility; by Requiring Approval of the Commission for Assumption of Liability of Other Persons or Corporations by Any Public Utility, and Removing the Time Limit of Fifteen Days Within Which the Commission May Approve or Disapprove Certain Proposed Mergers, Mortgages, Transfers, Issues of Securities or Assumption of Liabilities; by Re-

quiring Certificates of Public Convenience and Necessity in Certain Cases; by Empowering Any Member or Examiner of the Commission to Sign Subpoenas, Administer Oaths and Examine Witnesses; by Changing the Procedure for Taking Depositions; by Requiring Public Utilities to Designate Resident Agents for Service of Process; by Providing for the Service of Orders of the Commission and Empowering the Commission to Fix the Effective Date of Its Orders; and by Providing for Appeals from Final Orders of the Commission by Any Public Utility, or Any Original Party or Intervenor Affected by Such Orders," was taken up for consideration and read a third time by number only in order to pass the Senate.

Mr. Handsberry introduced **SA 1** and asked for a roll call on the amendment.

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

Yeas—Messrs. Crossley, Dolby, Handsberry, Klair, Reilly, Steen, Mr. President Pro Tem—7.

Nays—Messrs. Barnard, Benger, Burris, Cabbage, Johnson, Longbotham, Pedrick, Peeney, Powell—9.

Absent—Mr. Webb—1.

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

Mr. Handsberry moved that action on **SB 432** be deferred. Motion prevailed.

The following Bills were reported favorably by the majority of the respective committees as follows: **HS 1** for **HB 58**, by Finance; **HB 443**, **HB 288**, by Miscellaneous; **HB 126**, **HB 138**, by Revised Statutes; **HB 378**, by Claims; **HB 310**, **HB 261**, **HB 234**, **HB 307**, **HB 295**, by Judiciary.

On motion of Mr. Peeney, **HB 181**—"An Act Extending the Corporate Limits of the Town of Greenwood and Increasing the Amount Which May Be Raised by Taxation by Said Town," was taken up for consideration and read a third time by number only in order to pass the Senate.

Mr. Steen introduced **SA 1** to **HB 181** and asked for a roll call.

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

Yeas—Messrs. Barnard, Crossley, Klair, Steen—4.

Nays—Messrs. Benger, Burris, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Powell, Reilly, Mr. Pres. Pro Tem—11.

Not Voting—Mr. Cabbage—1.

Absent—Mr. Webb—1.

So the question was decided in the negative and the Amendment 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham,

Pedrick, Peeney, Powell, Reilly, Steen, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Webb—1.

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

On motion of Mr. Cabbage the Senate recessed until 8:15 p.m.

Senate met at expiration of recess at 8:45 p.m.

The following Substitute Bill with title the same as the Original Bill was introduced, given first and second readings by title only, and referred to committee as follows: **SS 1** for **SB 433**, by Crossley; to Public Health.

Mr. Cabbage introduced **SR 51**—"With Regard to the Birthday Anniversary of E. Sherman Webb."

WHEREAS, Senator E. Sherman Webb of the Town of Odessa, a member of the Senate of the 116th General Assembly of the State of Delaware, has on this 7th day of May, A. D. 1951 attained the full age of Sixty-two years from the day of his birth; and

WHEREAS, the members of the 116th General Assembly of the State of Delaware desire to join on this happy occasion to extend to him their most sincere congratulations and best wishes for many more birthdays; therefore,

BE IT RESOLVED, that the Senate of the 116th General Assembly of the State of Delaware unanimously do hereby extend unto Senator E. Sherman Webb, their heartfelt congratulations upon this, the occasion of his 62nd birthday; and, further,

BE IT RESOLVED, that a copy of this Resolution be forwarded to Senator and Mrs. E. Sherman Webb.

Mr. Cabbage moved the adoption of **SR 51** and asked for a roll call:

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

Yeas—Messrs. Benger, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Mr. President Pro Tem—13.

Nays—None.

Not Voting—Mr. Webb—1.

Absent—Messrs. Barnard, Burris, Longbotham—3.

So the question was decided in the affirmative and the Resolution was adopted.

On motion of Mr. Cabbage, **HB 138**—"An Act to Amend an Act Entitled 'An Act to Amend Chapter 43 of the Revised Code of Delaware, 1935, by Striking Out and Repealing All of 1194, Sec. 48, Thereof and Inserting in Lieu Thereof a New Section to Be Styled 1194. Sec. 48, Said New Section Directing the Levy Court of Kent County to Appropriate Certain Money to the Kent County Volunteer Firemen's Association for Dis-

tribution Equally Among Member Companies," 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. Benger, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Nays—None.

Absent—Messrs. Barnard, Burris, Longbotham—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. Webb introduced the following Resolution, which on further motion by him was adopted: **SR 52**—"Requesting Return of Senate Bill No. 291 from the House of Representatives of the 116th General Assembly of the State of Delaware."

BE IT RESOLVED by the Senate of the 116th General Assembly of the State of Delaware, that the House of Representatives of the 116th General Assembly of the State of Delaware be, and the same is hereby requested to return to the Senate for reconsideration Senate Bill No. 291.

The following Bill was reported favorably by the majority of the respective committee as follows: **HB 145**.

Mr. Cannon introduced **SCR 27**, which on further motion by him was adopted and ordered to the House for concurrence: **SCR 27**—"Appropriating Money to Reimburse Harris B. McDowell, Jr., 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 116th General Assembly."

On motion of Mr. Cabbage, **HB 126**—"An Act to Amend Chapter 43, Revised Code of Delaware, 1935, Relating to Levy Courts, and Providing for Lighting Street and/or Highways in Unincorporated Communities or Villages in New Castle County," 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. Benger, Burris, Crossley, Cabbage, Dolby, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Barnard, Handsberry—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.

Request that the following be recommitted was granted to Member as follows: **SB 227** with **SA 1**, Klair.

On motion of Mr. Peeney, **SB 227** with **SA 1**—"An Act to Amend Chapter 65 of the Revised Code of the State of Dela-

ware Relating to Corporations to Provide for the Consolidation or Merger of Non-Stock Corporations, Whether Organized for Profit or Not for Profit, with Stock Corporations," 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. Bengel, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Barnard—1.

So the question was decided in the affirmative, and the Bill with Amendment 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 concurred in **SR 50**, and returned the Resolution with **SS 1** for **SB 411** with **SA 1** and **2** to the Senate.

On motion of Mr. Cubbage, **HB 288**—"An Act to Amend Chapter 123, of Volume 45, Laws of Delaware, as Amended, Being the Suburban Community Code, with Respect to Petitions to Levy Court for Street Improvement and Time for Filing Such Petitions," 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. Bengel, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Webb, Mr. President Pro Tem—14.

Nays—None.

Absent—Messrs. Barnard, Longbotham, Steen—3.

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

On motion of Mr. Cubbage, **HB 443**—"An Act to Protect the Health and Safety of the Civilian Population During an Emergency Period," 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. Bengel, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Barnard, Steen—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. Peeney, **SB 311**—"An Act to Amend Chapter 241 of Volume 45 Laws of Delaware, Being an Act Creating a Family Court for New Castle County, by Providing That in Appeals from Orders of the Family Court, Any Judge of the Superior Court in and for New Castle County May Re-hear the Case, and That the Judge Re-hearing the Case May Waive Surety for Costs in the Case of Indigent Persons," 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. Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Barnard, 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. Cabbage, **HB 168**—"An Act to Amend Chapter 143 of the Revised Code of Delaware, 1935, Entitled 'Insolvency' in Reference to Filing of Accounts by Assignees or Trustees in Voluntary Assignments for Benefit of Creditors," 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. Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Barnard, Longbotham—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, **HB 261**—"An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, Relating to Motor Vehicles," 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. Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Barnard, Longbotham—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. Cabbage, **HB 277**—"An Act to Author-

ize the Recorder of Deeds in and for New Castle County to Procure a New Press and Seal of Office," was taken up for consideration and read a third time by 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. Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Barnard, Longbotham—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, **HB 378**—"An Act Authorizing, Empowering and Directing The Levy Court of New Castle County to Refund Certain Overpayments of Taxes, in Connection with a Special Assessment Against Certain Lands for the Construction of Roads in Delaire, Brandywine Hundred, New Castle County, Delaware," 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. Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Barnard, Longbotham—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 328**—"An Act to Amend Article 2, Chapter 160 Known as the 'Housing Authority Law' by Providing for the Extension of the Area of Operations of the Housing Authority by the State Board of Housing," 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. Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—13.

Nays—Messrs. Benger, Klair—2.

Absent—Messrs. Barnard, Longbotham—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. Cannon, **HS 1** for **HB 58**—"An Act to Amend Chapter 226 of Volume 46, Laws of Delaware, 1947, Entitled, 'An Act to Amend Chapter 39 of the Revised Code of

Delaware, 1935, as Amended, Relating to the Amount of Assistance Paid to Dependent Children by the State Board of Welfare,' by Revising the Maximum Amounts Payable to Dependent Children by the State Board of Welfare," 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. Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Barnard, Longbotham—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. Peeney, **HB 66**—"An Act Directing the State Highway Department to Install a Drainage Ditch Line Adjacent to the School Ground of the Greenwood School No. 91 and Appropriating Money Therefor," 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. Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Nays—Mr. Klair—1.

Absent—Messrs. Barnard, Longbotham—2.

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

The following Substitute Bill with title the same as the Original Bill was introduced, given first and second readings by title only, and referred to committee as follows: **SS 1** for **SB 416**, by Cannon; to Finance.

On motion of Mr. Cabbage the Senate recessed until call of the Chair.

Senate met at expiration of recess at 10 p.m.

Mr. Cabbage moved that Section 2 of Rule 3 be suspended. Motion prevailed.

On motion of Mr. Cannon the Senate recessed until call of the Chair.

Senate met at expiration of recess at 10:30 p.m.

The following Bills were reported favorably by the majority of the respective committees as follows: **HB 284**, by Finance; **HB 398**, by Public Health.

The following Bills were introduced, given first and second reading, the second by title only, and referred to committee as follows: **SS 1** for **SB 344**, by Powell, to Buildings and

Highways; **SS 1** for **SB 413**, **SS 1** for **SB 172**, by Cannon, to Finance.

On motion of Mr. Cannon, **HB 284**—"An Act Authorizing the Levy Court of Kent County to Appropriate County Monies to the Leipsic Volunteer Fire Company for the Maintenance of an Ambulance," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Nays—None.

Absent—Messrs. Pedrick, Peeney, Johnson—3.

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

On motion of Mr. Webb, **HB 398**—"An Act Making Unlawful the Transportation of Certain Meat Scrap and Animal Waste Except in Enclosed Vehicles; Violation a Misdemeanor; Penalties," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Powell, Reilly, Webb, Mr. President Pro Tem—13.

Nays—Mr. Steen—1.

Absent—Messrs. Johnson, Pedrick, Peeney—3.

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

The following Bills were reported favorably by the majority of the respective committees as follows: **SS 1** for **SB 344**, by Buildings and Highways; **HB 425**, **HB 450**, **HB 451**, **HS 1** for **HB 75**, by Municipal Corporations.

On motion of Mr. Powell, **SS 1** for **SB 344**—"An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, Entitled 'Motor Vehicles,' as Amended, by Providing for the Issuance of Special License Plates to the Owners of Motor Vehicles Who Operate Amateur Radio Stations," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Pedrick, Peeney—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. Klair, **HS 1** for **HB 75**—"An Act to Authorize 'The Commissioners of Bellefonte' a Municipal Corporation of the State of Delaware, to Provide Improvements of a General and Public Nature Within 'The Commissioners of Bellefonte'; to Finance Said Improvements Out of the General Revenues or by Means of Bond Issues; to Hold Referendums for the Approval of Said Improvements When Financed by Means of Bond Issues; to Provide for the Issuance of Said Bonds and the Terms and Conditions Thereof; to Create Special Funds from the Proceeds of Said Bond Issues; to Provide for the Collection, by Taxation or Special Assessment, of Funds to Pay the Interest on Said Bonds and Funds Necessary to Create a Sinking Fund for the Redemption of Said Bonds; to Levy and Collect Special Assessments Against the Properties Benefited and Other Taxes; to Adopt Rules and Regulations with Reference to the Aforesaid Improvements and to Prescribe Fines and Penalties for the Violation of Such Rules and Regulations; to Accept Grants and/or Loans from Other Agencies with Reference to the Aforesaid Improvements and to Provide for the Repayment of Said Loans; to Provide for the Exercise of the Power of Eminent Domain in Connection with Said Improvements," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Powell, Reilly, Steen, Mr. President Pro Tem—14.

Nays—Mr. Webb—1.

Absent—Messrs. Pedrick, Peeney—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. Klair, **HB 450**—"An Act to Amend and Clarify the Charter of the Town of Laurel as Established by Chapter 164, Volume 29, Laws of Delaware, and as Amended, in Reference to the Beginning of the Terms of Office of the Mayor and Councilmen," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Pedrick, Peeney—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. Klair, **HB 425**—"An Act to Amend the Charter of the Town of Laurel as Established by Chapter 164, Volume 29, Laws of Delaware, Entitled 'An Act to Reincorporate the Town of Laurel,' in Reference to Elections," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Pedrick, Peeney—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. Cabbage the Senate recessed until call of the Chair.

Senate met at expiration of recess at 10:51 p.m.

On motion of Mr. Klair, **HB 451**—"An Act to Amend the Charter of the Town of Laurel as Established by Chapter 164, Volume 29, Laws of Delaware, in Reference to the Manner of Nominating Candidates," 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. Barnard, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Nays—Dr. Benger—1.

Absent—Messrs. Pedrick, Peeney—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. Cabbage, the Senate recessed until call of the Chair.

Senate met at expiration of recess at 11:50 a.m., Tues., May 8, 1951.

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, which was presented by the Chair, given first and second readings by title only, and referred to committee: **HCR 7**—"Permitting the Introduction of New Bills."

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, given first and second readings by title only, and referred to committees:

HB 73 with **HA 1**—"An Act to Amend Chapter 153, Sec. 4, Revised Code of Delaware, 1935, as Amended, by Chapter 238 of Volume 43, Laws of Delaware, by Changing the Hours When Attendance at Moving Pictures and Other Worldly Activities in Incorporated Cities and Towns Is Permitted on Sunday," to Miscellaneous.

HB 85—"An Act to Amend Chapter 44, Revised Code of Delaware, 1935, by Exempting from Assessment and Taxation Property of Corporations Organized for the Purpose of Carrying on 'Grange' Work," to Agriculture.

HB 149—"An Act to Amend Chapter 169 of the Revised Code of Delaware, 1935, Entitled 'Court of Common Pleas for New Castle County,' with Reference to the Duties and Powers of the Clerk of Said Court, and Providing for the Appointment of a Deputy Clerk to Act in the Absence of the Clerk," to Judiciary.

HS 1 for **HB 210**—"An Act to Amend Chapter 152 of the Revised Code of Delaware, 1935, Relating to Registering a False Complaint to Police Officers and Providing a Penalty Therefor," to Judiciary.

HS 1 for **HB 211**—"An Act to Amend Paragraph 4058, Section 163, Chapter 100 of the Revised Code of Delaware, 1935, by Providing a Change in the Penalties for Violations of Said Act," to Judiciary.

HB 311—"An Act to Amend Chapter 150 of the Revised Code of Delaware, 1935, as Amended, Relating to False Statements to Procure Benefit, Making, Using or Adopting, and Penalties; Providing for Proceedings Without Indictment by Grand Jury or Trial by Petit Jury in Certain Cases; Vesting Jurisdiction in the Municipal Court of the City of Wilmington, the Court of Common Pleas and the Justices of the Peace in Certain Cases; and Providing No Criminal Proceeding Commenced Prior to the Approval of This Act Shall Be Affected Hereby," to Judiciary.

HB 321—"An Act to Amend Chapter 155, Vol. 28, Laws of Delaware, 1935, as Amended, Entitled 'An Act to Incorporate the Town of Blades,' with Reference to the Election, Removal and Salary of Officers," to Municipal Corporations.

HB 365—"An Act to Amend Chapter 25, Revised Code of Delaware, 1935, Relating to 'Department of Health' by Providing That an Undertaker May File a Certificate of Death with the Local Registrar in the Hundred Where the Death Occurred or with the Local Registrar in the Hundred in Which He Resides," to Revised Statutes.

HB 376 with **HA 1**—"An Act Granting the Levy Court of New Castle County Authority to Adopt Zoning Regulations," to Miscellaneous.

HB 166—"An Act to Amend Chapter 131 of the Revised

Code of Delaware, 1935, as Amended, Concerning the Deficiency in Number of Jurors," to Judiciary.

HB 283—"An Act Establishing a Uniform Drainage Law for the State of Delaware by Providing the Procedure for the Establishment of and Defining the Powers, Duties and Organization of County Boards of Ditch Commissioners and Tax Ditches, by Providing for the Levy and Collection of Ditch Taxes, the Transfer of Ditches in Kent County by the State Highway Department to Tax Ditches, the Employment of a State Drainage Engineer by the State Soil Conservation Commission and for the Election of Ditch Managers, by Enumerating the Powers, Duties and Obligations of the State Soil Conservation Commission, the County Soil Conservation Districts in Each County, the Resident Associate Judge of Each County, the Superior Court in Each County, the County Assessors, the County Treasurer and Receiver of Taxes of Each County, the State Highway Department, the State Drainage Engineer, and Land Owners in Respect Thereto and by Providing an Annual Appropriation Therefor," to Agriculture.

HB 324—"An Act Authorizing the Mayor and Council of Wilmington to Delegate the Duties of Issuing All Mercantile, Business, Professional, Auctioneer, Dog, Etc., Licenses and of Collecting the Fees Therefore in the City of Wilmington to the Collector of Taxes and License Fees of the Said City," to Judiciary.

HB 367—"An Act to Amend Chapter 90 of the Revised Code of Delaware, 1935, Entitled: 'Employers and Employees,' Relative to the Names and Addresses of Sub-Contractors, Their Qualifications, Substitution Thereof, and Penalties for Failure to Utilize the Same," to Miscellaneous.

HB 397—"An Act Amending Chapter 6 of the Revised Code of Delaware, 1935, Entitled: 'State Revenue,' in Respect of the Penalty for Failure of Any Distributor of Motor Fuel to Report or Pay Taxes Promptly," to Revised Statutes.

HB 409—"An Act to Amend Chapter 158 of Volume 36 of the Laws of Delaware, Entitled 'An Act Changing the Name of "The Town of Dover" to the "City of Dover" and Establishing a Charter Thereof,' by Changing the Date of the Lien of Taxes Assessed by Said City," to Municipal Corporations.

HB 413—"An Act to Amend Chapter 6 of the Revised Code of Delaware, 1935, Entitled 'State Revenue' as Amended Relating to Coin Operated Amusement and Musical Machines," to Revised Statutes.

HB 423—"An Act to Repeal Chapter 157, Volume 47, Laws of Delaware, 1949, Entitled 'An Act to Amend Chapter 79 of the Revised Code of Delaware, 1935, Relating to Mortgages on Chattels and Crops Providing for Mortgages on Chattels of Any Kind Including Livestock, Poultry, Farm Machinery, Farm Equipment and Crops Grown, Growing or to Be Grown; Providing for the Filing, Docketing and Indexing Thereof in Recorders' Offices and the Effect Thereof;

Prescribing Fees, Regulating Assignment, Release, Satisfaction and Extension of the Liens of Such Mortgages, Prescribing Methods of Foreclosures, Defining Defaults and Violations and Fixing Penalties and Repealing Articles 2, 10, and 11 of the Said Chapter," to Revised Statutes.

HB 426—"An Act Authorizing Mayor and Council of Laurel to Provide by Ordinance for the Connection or Properties in the Town of Laurel with the Water and Sewer Mains of the Town, and for the Collection of the Costs, Expenses and Penalties for Non-Compliance, and for the Establishment of Liens Against Said Properties," to Municipal Corporations.

HB 427—"An Act to Amend the Charter of the Town of Laurel as Established by Chapter 164, Volume 29, Laws of Delaware, and as Amended by Chapter 65, Volume 47, Laws of Delaware, in Reference to Members-at-Large of the Town Council," to Municipal Corporations.

HB 428—"An Act to Amend the Charter of the Town of Laurel as Established by Chapter 164, Volume 29, Laws of Delaware, and as Amended, in Reference to the Laying Out and Vacation of Streets, and the Condemnation of Lands Therefor," to Municipal Corporations.

HB 441—"An Act to Authorize the Recorder of Deeds in and for Kent County to Make New Indices for Mortgages," to Miscellaneous.

HS 1 for HB 474—"An Act to Amend Chapter 71 of the Revised Code of Delaware, 1935, Entitled 'Free Public Schools' as Amended, in Relation to the Payment of Salaries of Teachers, Principals or Superintendents of Public Schools in the State of Delaware," to Revised Statutes.

HS 1 for HB 480—"An Act to Authorize Levy Courts to Issue Bonds for the Purpose of Installing Fire Hydrants Together with Adequate Water Mains in Suburban Communities Under Certain Conditions; Providing for Time and Manner of Elections in Connection Therewith; Defining 'Suburban Communities'; Providing for Petition Requesting Fire Hydrants; Directing Levy Courts and County Engineers to Perform Certain Duties in Connection with Surveys, Plots, Holding of Elections; Providing for Assessments Against Properties Enjoying Fire Protection as a Result of Installation; the Manner of Determining the Amount Thereof, and Collection of Same; Providing for the Determination of Cost of the Improvements; Providing the Amount, Maturity, Interest Rate and Forms of Bonds to Be Issued by the Levy Courts; Providing for the Sale of Bonds and the Disposition and the Use of the Proceeds Thereof; Providing for Awarding of Contracts and Approval of Payments Thereunder; Providing for Record to Be Kept of Assessments; Making Assessments Special Liens, and Providing for Notice Thereof; Authorizing Collector of Taxes to Collect Delinquent Assessments; Providing for Retirement of Bonds and Payment of Interest Thereon; Providing for Disposition of Surplus Funds; Authorizing Levy Courts to Adopt

Procedure in Respect to Cancelling Bonds; Providing That the Full Faith and Credit of the Counties Shall Be Pledged to Insure Payment of Bonds; and Providing That All Existing Acts in Conflict with This Act Shall Be Repealed," to Finance.

HS 1 for **HB 494**—"An Act to Amend Chapter 158 of Volume 36 of The Laws of Delaware, Entitled 'An Act Changing the Name of "The Town of Dover" to "The City of Dover" and Establishing a Charter Therefor,' by Authorizing the Said City to Borrow a Certain Sum of Money for Emergency Capital Expenditures upon Resolution of the City Council," to Municipal Corporations.

The Chief Clerk of the House informed the Senate that the House had concurred in **SR 52**, and returned the Resolution with **SB 291** to the Senate.

Dr. Bengler moved that House Bills be read in by number only. Motion prevailed.

The Chair presented **HCR 7**.

Mr. Peeney moved that so much be considered the reading of the Resolution.

Mr. Cabbage asked that the Resolution be read in its entirety.

Mr. Peeney withdrew his motion and Mr. Cabbage's request was granted.

Mr. Peeney moved the adoption of **HCR 7**. Motion prevailed and **HCR 7** was ordered returned to the House.

Mr. Handsberry stated that there would be a hearing on **SB 432** in the Republican Caucus Room at 2:00 p.m.

Mr. Handsberry moved that **SA 1** to **SB 432** be reconsidered. Motion prevailed.

On motion of Mr. Cabbage the Senate recessed until 2 p.m.

Senate met at expiration of recess at 9:05 p.m.

The following Substitute Bills with titles the same as the Original Bills were introduced, given first and second readings by title only, and referred to committees as follows: **SS 1** for **SB 183**, by Steen, to Finance; **SS 1** for **SB 95**, by Cabbage, to Finance.

On motion of Mr. Cannon, **SS 1** for **SB 170**—"An Act to Amend Chapter 166 of the Revised Code of Delaware, 1935, as Amended, Relating to the State Highway Department, the Appointment of a Chief Engineer and a Secretary and Authorizing the State Highway Department to Fix the Salaries of the Chief Engineer and the Secretary," 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. Crossley, Cabbage, Dolby, Handsberry, Klair, Reilly, Steen, Webb, Mr. President Pro Tem—9.

Nays—Messrs. Bengler, Burris, Johnson, Longbotham, Pedrick, Peeney, Powell—7.

Absent—Mr. Barnard—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. Cannon introduced **SCR 28**—"Extending Greetings to the Honorable Harry S. Truman, President of the United States of America upon His Birthday Anniversary."

Mr. Cannon moved the adoption of **SCR 28**, and asked for a roll call.

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

Yeas—Messrs. Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—Dr. Benger—1.

Absent—Mr. Barnard—1.

So the question was decided in the affirmative, and the Resolution was adopted by the Senate and ordered to the House for concurrence.

The following Bills and Resolutions were reported favorably (unless otherwise indicated), by the majority of the respective committees as follows: **SS 1** for **SB 416** (on its merits), **SS 1** for **SB 183**, **SS 1** for **SB 413**, **SS 1** for **SB 172**, **SS 1** for **SB 95**, by Finance; **SJR 4**, by Rules; **SB 367**, by Fish, Oysters and Game; **HB 365** (on its merits), **HB 351** (on its merits), **HS 1** for **HB 237**, **HB 163**, **HB 1**, by Revised Statutes.

On motion of Mr. Reilly, **SB 449**—"An Act Directing the State Treasurer to Remit Any Fine Collected by the State upon a Conviction Which Was Later Set Aside by a Higher Court upon a Certiorari," 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. Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Barnard.

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 **SS 1** for **SB 183**—"An Act Making an Appropriation to Delaware Commission for the Feeble-Minded to Provide for the Erection and Equipment of Certain Buildings in Connection with the State Institution for Feeble-Minded at Delaware Colony," 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. Benger, Burris, Crossley, Cabbage, Dolby,

Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Barnard.

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. Crossley, **SB 447**—"An Act to Amend Chapter 166, Revised Code of Delaware, 1935, as Amended, Relating to the State Highway Department by Deleting the Provision That Members of Said Department May Not Be Members of Any Political Committee," 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. Crossley, Cabbage, Dolby, Handsberry, Klair, Reilly, Steen, Webb, Mr. President Pro Tem—9.

Nays—Messrs. Benger, Burris, Johnson, Longbotham, Pedrick, Peeney, Powell—7.

Absent—Mr. Barnard—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. Cabbage, **SJR 4**—"Memorializing the Congress of the United States on Rent Control," 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. Crossley, Cabbage, Dolby, Handsberry, Klair, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—10.

Nays—Messrs. Barnard, Benger, Burris, Johnson, Longbotham, Pedrick, Powell—7.

Absent—None.

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

On motion of Mr. Cabbage, **SS 1 for SB 95**—"An Act to Appropriate Funds for the Education and/or Training of and Transportation for Handicapped Children in the State of Delaware," was taken up for consideration and read 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. Barnard, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—Dr. Benger—1.

Absent—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. Cannon, **SS 1** for **SB 416**—"An Act Making an Appropriation to the State Office of Civil Defense for the Purpose of Purchasing and Acquiring Extensive Civil Defense Equipment," was taken up for consideration and read 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—17.

Nays—None.

Absent—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. Webb, **SB 367**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended Entitled 'Fish, Oysters and Game,' Regarding Restricted Experimental, Propagating and Shooting Preserves, in New Castle County, and the Authority of the Board with Respect Thereto, with Respect to Extending the Season Thereof Under Certain Conditions," 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. Barnard, Benger, Burris, Crossley, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—Messrs. Cabbage, Powell—2.

Absent—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.

Requests that the following be stricken from the Calendar were granted to Members as follows: **SB 331**, Handsberry; **SB 77**, Cabbage.

On motion of Mr. Cabbage, **HS 1** for **HB 237**—"An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, as Amended, Relating to Registration of Motor Vehicles," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham,

Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—17.

Nays—None.

Absent—None.

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

On motion of Mr. Cabbage, **HB 163**—"An Act to Amend Chapter 104, Volume 45, Laws of Delaware, as Amended, Known as 'The Delaware State Employees Benefit Act,' by Adding to the Definition of 'Covered Employment' the Positions of Librarian of the Judges Library of New Castle County and of the Secretaries of the State Judges," 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. Barnard, Bengel, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Peeney, Reilly, Webb, Mr. President Pro Tem—13.

Nays—Messrs. Burris, Powell, Steen—3.

Absent—Mr. Pedrick—1.

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

Mr. Crossley moved that the Printer be notified to print a Calendar showing actions up to and including this hour, 10 p.m. Motion prevailed.

On motion of Mr. Powell the Senate recessed until call of the Chair.

Senate met at expiration of recess at 10:20 p.m., Pres. Pro Tem Cannon presiding.

On motion of Mr. Cabbage, **HB 365**—"An Act to Amend Chapter 25, Revised Code of Delaware, 1935, Relating to 'Department of Health' by Providing That an Undertaker May File a Certificate of Death with the Local Registrar in the Hundred Where the Death Occurred or with the Local Registrar in the Hundred in Which He Resides," 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. Barnard, Bengel, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Burris, Longbotham—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. Cabbage, **HB 351**—"An Act to Amend

Chapter 43, of the Revised Code of Delaware, 1935, as Amended, by Further Defining the Powers and Duties, Direction, Management and Control of the Business and Finances of New Castle County by the Levy Court of New Castle County," 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. Barnard, Bengier, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Longbotham—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. Peeney the Senate recessed until call of the Chair.

Senate met at expiration of recess at 11 p.m.

The following Substitute Bill with title the same as the Original Bill was introduced, given first and second readings by title only, and referred to committee as follows: **SS 2** for **SB 411**, by Cannon; to Finance.

Mr. Webb moved that the Senate be in recess for five minutes.

Mr. Cabbage asked for a roll call.

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

Yeas—Messrs. Handsberry, Klair, Steen, Webb, Mr. Pres. Pro Tem—5.

Nays—Messrs. Barnard, Bengier, Burris, Crossley, Cabbage, Dolby, Johnson, Longbotham, Pedrick, Powell, Reilly—11.

Absent—Mr. Peeney—1.

So the question was decided in the negative, and Mr. Webb's motion to recess for five minutes was lost.

On motion of Mr. Cabbage, **HB 1**—"An Act Agreeing to the Proposed Amendment to Section 25 of Article II of the Constitution of the State of Delaware Relating to Zoning," 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. Barnard, Bengier, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Powell, Reilly, Mr. President Pro Tem—13.

Nays—Messrs. Klair, Steen, Webb—3.

Absent—Mr. Peeney—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. Cabbage the Senate recessed until call of the Chair.

Senate met at expiration of recess at 3:30 p.m., May 9, 1951.

The following Substitute Bill with title the same as the Original Bill was introduced, given first and second readings by title only, and referred to committees as follows: **SS 1** for **SB 291**, by Webb, to Finance.

The following Bills were reported favorably (unless otherwise indicated), by the majority of the respective committees as follows: **SB 381**, **SS 2** for **SB 411**, **SS 1** for **SB 291**, **SS 1** for **SB 376**, by Finance; **SS 1** for **SB 398** (on its merits), by Revised Statutes; **HB 409**, **HS 1** for **HB 494**, by Municipal Corporations.

Request that the following be stricken from the Calendar was granted to Member as follows: **SB 100**, Handsberry.

Request that the following be restored was granted to Member as follows: **SS 1** for **SB 310**, Steen.

The President announced he was about to sign: **HS 1** for **HB 58**, **HS 1** for **HB 75**, **HB 126**, **HB 138**, **HB 154**, **HB 168**, **HB 181**, **HB 194**, **HB 215**, **HB 256**, **HB 261**, **HB 277**, **HB 278**, **HB 284**, **HB 288**, **HB 292**, **HB 296** with **HA 1**, **HB 378**, **HB 381**, **HB 384**, **HB 425**, **HB 398**, **HB 443**, **HB 448**, **HB 450**, **HB 451**, **HCR 7**, **HB 1**, **HB 108**, **HB 217**.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 6**, **SB 8**, **SB 106**, **SB 109**, **SB 111**, **SB 123**, **SB 128**, **SB 210**, **SB 211**, **SB 222**, **SB 338**.

On motion of Mr. Cannon, **SB 369**—"An Act Amending Chapter 110 of the Revised Code of Delaware, 1935, as Amended, Relative to the Supreme Court and to Provide for the Expense Thereof," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

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

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

Yeas—Messrs. Barnard, Bengner, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Burris, Longbotham—2.

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

On motion of Mr. Cannon, **SB 381**—"An Act Amending Chapter 12 of the Revised Code of the State of Delaware, 1935, Entitled: 'Salaries of State Officers,' in Respect of the Salaries and Compensation of the Judiciary," 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. Barnard, Benger, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—17.

Nays—None.

Absent—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. Cannon, **SS 2** for **SB 411**—"An Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for Said Purposes; Authorizing the Financing of Such Enlargement and Improvement by the Issuance of Bonds and Bond Anticipation Notes of the State and by Contributions from Certain School Districts, and the City of Wilmington; Defining School Districts; Authorizing the Issuance of Bonds of Certain School Districts, and the City of Wilmington for the Purpose of Raising Money to Make Such Contributions; and Creating a State School Building Program Board and Local School Building Commissions," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

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

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—17.

Nays—None.

Absent—None.

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

On motion of Mr. Webb, **SS 1** for **SB 291**—"An Act for the Completion, Equipping and Furnishing of Two Partially Finished Buildings, the Repairs, Remodeling and Refurnishing of One Existing Building, the Enlargement, and Equipping of the Present Kitchen, Enlargement of the Boiler Plant and the Utility Services, and the Construction, Equipping and Furnishing of Employees Residences at the Delaware State Hospital at Farnhurst; Making an Appropriation Therefor and Authorizing the State of Delaware to Borrow Money and Issue Bonds for the Payment of the Money so Appropriated," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—17.

Nays—None.

Absent—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. Reilly, **SB 236**—"An Act to Designate the Director of the Legislative Reference Bureau as Secretary of the Delaware Commission on Interstate Cooperation," 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. Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Barnard—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.

Request that the following be stricken from the Calendar was granted to Member as follows: **SB 67, SB 76, SB 188, Longbotham.**

On motion of Mr. Cabbage the Senate recessed until call of the Chair:

Senate met at expiration of recess at 8:50 p.m., Lt. Gov. Bayard presiding.

On motion of Mr. Cannon the Senate adjourned until 1 p.m., Thurs., May 10, 1951.

79TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 9:45 p.m., Thurs., May 10, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Spry: O Lord, our God! As we approach Thy Throne, as our altar of prayer, may we close behind us the door of this busy, rushing, and confused world about us, that we may the better hear or at least, catch the echo of Thy Voice bidding us forward into duty, or calling us to halt, should Thou perceive that we are about to take the wrong step, or make the wrong decision.

Knowing Thee, as a prayer hearing and a prayer answer-

ing God, we again lift our voice unto Thee, in behalf of this Senate.

Arm Thou each member with the breastplate of righteousness, and the shield of truth; that the responsibilities resting upon them may be safeguarded and preserved.

May we never be satisfied merely by being better than the bad, but may we ever be found striving, through Thy strength and guidance, to be equal to the best, in every way, in every place, and at all times.

And Thy Name shall have the praise forever. Amen.

Members present—Messrs. Crossley, Cabbage, Dolby, Johnson, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. Pres. Pro Tem—11.

Members absent—Messrs. Barnard, Bengier, Burris, Klair, Handsberry, Powell—6.

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

Mr. Peeney moved that Section 2, Rule 3 be suspended.

Messrs. Klair, Handsberry, Burris asked to be marked present.

Mr. Cabbage moved that Rule 22 be suspended.

Mr. Peeney moved that Committee reports be read by number only. Motion prevailed.

Mr. Cannon moved that all Bills be given their third and final reading by title only. Motion prevailed.

The following Bills were reported favorably (unless otherwise indicated), by the majority of the respective committees as follows: **HA 1** to **HB 73**, by Miscellaneous; **HB 74** (on its merits), **HB 80** (1 favorably, 2 unfavorably, 2 on its merits), **HB 124** (on its merits), **HB 129**, **HB 63**, by Revised Statutes; **HB 22**, by Finance.

Mr. Crossley introduced the following Resolution, which on further motion by him was adopted: **SR 53**—"Authorizing Payment of Miscellaneous Printing Expenses for the Present Session of the Senate."

Be It Resolved by the Senate of the 116th General Assembly of the State of Delaware that the following amount, be and the same is hereby appropriated for the miscellaneous printing expenses of the Senate of the 116th General Assembly of the State of Delaware, the same being expense incurred in connection with the present session thereof, viz.:

To Butlers, Inc.—Altering plate and printing 500

business cards for John M. Longbotham.....\$31.75

The President announced he was about to sign: **SB 6**, **SB 8**, **SB 106**, **SB 109**, **SB 111**, **SB 123**, **SB 128**, **SB 210**, **SB 211**, **SB 222**, **SB 338**, and **SCR 24**.

On motion of Mr. Cannon, **HB 22**—"An Act Appropriating Certain Money for the Support and Maintenance of the District Library Commissions of the State of Delaware," 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. Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—13.

Nays—None.

Absent—Messrs. Barnard, Benger, Powell—3.

Not Voting—Mr. Burris—1.

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

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 53, SB 70, SB 72, SB 81, SB 98, SB 129, SB 132, SB 140, SB 165, SB 166, SB 182, SB 197, SB 219, SB 221, SB 258, SB 269, SB 275, SB 305, SB 309, SB 329, SB 342, SB 352, SS 1 for SB 354, SB 359, SB 434, and SCR 28.**

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 71, SB 74, SB 85, SB 87 with SA 1, SB 102, SB 110, SB 112, SS 1 for SB 120, SB 163;** and that the House had passed and requested the concurrence of the Senate in the following Bill, which was presented by the Chair, given first and second readings by title only, and referred to committee as follows: **HB 47**—"An Act to Amend an Act Entitled 'An Act Appropriating Certain Monies to Provide a Pension Fund for Retired and Disabled Public School Teachers of Delaware,' Being Chapter 106, Volume 45, Laws of Delaware, 1944-45, as Amended, by Increasing the Payments," to Revised Statutes.

On motion of Mr. Cabbage, **HB 74**—"An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, Entitled 'Motor Vehicles,' as Amended, Relating to the Giving of Proof of Financial Responsibility and Security by Owners and Operators of Motor Vehicles and to Make Uniform the Law with Reference Thereto, and Prescribing Penalties for Any Violations," 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. Barnard, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Nays—Mr. Burris—1.

Absent—Messrs. Benger, Powell—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. Cabbage, **HB 80**—"An Act to Amend Chapter 165, Revised Code of Delaware, 1935, as Amended, in Respect of Officers Authorized to Make Arrests for Violations

of the Motor Vehicle and Traffic Laws upon View and Without a Warrant," 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. Barnard, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Benger, Powell—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. Cubbage, **HB 124**—"An Act to Amend Chapter 51, Revised Code of Delaware, 1935, Relating to Constables and Providing for Additional Police for New Castle Hundred," 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. Barnard, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Nays—Mr. Burris—1.

Absent—Messrs. Benger, Powell—2.

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

The following Bills were reported favorably by the majority of the respective committee as follows: **HB 112** with **HA 1**, **HB 47**, by Revised Statutes.

On motion of Mr. Cubbage, **HB 129**—"An Act Authorizing, Empowering and Directing the Levy Court of New Castle County to Refund Certain Overpayments of Taxes, in Connection with a Special Assessment Against Certain Lands for the Construction of a Road in Brandywine Hundred, New Castle County, Delaware, Known as Hillside Road," 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. Barnard, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Benger, Powell—2.

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

Mr. Powell asked to be marked present.

On motion of Mr. Cubbage, **HB 112** with **HA 1**—"An Act

to Amend an Act Entitled 'An Act Providing for the Payment of Pension Benefits to Certain State Employees, Fixing Ages of Retirement, Establishing Benefits Payable and the Source of Payments Thereof, Providing for Applications for Pensions and the Procedure to Be Followed with Respect Thereto, Providing That Pension Benefits Shall Be Free of Attachment and Nonassignable, and Also Providing for the Reduction of Benefits Under Certain Conditions,' Being Chapter 104, Volume 45, Laws of Delaware, 1944-45, as Amended, with Respect to Amount of Pension Benefits Payment," 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. Barnard, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Dr. Benger—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.

Messrs. Barnard and Powell asked to be marked present.

On motion of Mr. Webb, **HB 145**—"An Act Authorizing the Levy Court of New Castle County to Appropriate Moneys for the Relief of the Indigent Sick Resident in New Castle County," was taken up for consideration and read a third time by title and enacting clause in order to pass the House.

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

Yeas—Messrs. Barnard, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—Mr. Burris—1.

Absent—Dr. Benger—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. Cannon, **SS 1** for **SB 172**—"An Act Authorizing the State of Delaware to Borrow Three Million Five Hundred Thousand Dollars (\$3,500,000) and Issue Bonds Therefor, to Provide a Highway Improvement Program, for the Purpose of Acquiring Lands and Rights-of-Way and Constructing and Reconstructing Roads, Highways, Bridges, and Improvements Incidental Thereto, and Providing the Form of the Bonds and Coupons as Well as the Procedure for the Sale Thereof, Providing for the Payment of Principal and Interest of Said Bonds, and Appropriating the Sum Received Therefrom to the State Highway Department," 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. Barnard, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Dr. Bengner—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. Cannon the Senate recessed until call of the Chair.

Senate met at expiration of recess at 10:35, Lt. Gov. Bayard presiding.

On motion of Mr. Cabbage, **HB 47** was taken up for consideration and read a third time by title only in order to pass the Senate.

Mr. Klair moved that action be deferred and asked for roll call.

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

Yeas—Messrs. Burris, Cabbage, Handsberry, Johnson, Klair, Longbotham, Pedrick, Powell, Steen, Mr. Pres. Pro Tem—10.

Nays—Messrs. Barnard, Crossley, Dolby, Peeney, Reilly, Webb—6.

Absent—Dr. Bengner—1.

So the question was decided in the affirmative and action was deferred on **HB 47**.

Mr. Burris introduced the following Resolution, which on further motion by him was adopted: **SR 54**—"In Respect of Section 1 of Rule 14 of the Rules of the Senate."

BE IT RESOLVED, by the Senate of the 116th General Assembly that in respect of the first fifteen (15) matters as to which yeas and nays are ordered by the presiding officer of the Senate from and after the adoption of this Resolution, the names of the Senators, including the name of the President Pro Tempore, shall be called alphabetically.

On motion of Mr. Cannon the Senate recessed until call of the Chair.

Senate met at expiration of recess at 2:40 p.m., Fri., May 11, 1951, Lt. Gov. Bayard presiding.

Dr. Bengner asked to be marked present.

The following Bills were reported favorably (unless otherwise indicated), by the majority of the respective committees as follows: **HB 203**, **HS 1** for **HB 209**, by Miscellaneous; **HB 85**, (on its merits), by Agriculture; **HB 164**, **HB 238**, **HS 1** for **HB 211**, **HB 222**, **HB 166**, **HB 231**, **HS 1** for **HB 210**, by Judiciary.

On motion of Mr. Johnson, **SB 146**—"An Act to Amend the Charter of the City of Rehoboth Beach as Established by

Chapter 161, Volume 41, Laws of Delaware, and as Amended, Relating to the Scrap Sewer Assessment of the City," 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. Bengier, Cannon, Crossley, Cabbage, Dolby, Johnson, Longbotham, Pedrick, Peeney, Powell, Reilly Steen, Webb, Barnard—14.

Nays—None.

Absent—Messrs. Burris, Handsberry, Klair—3.

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

On motion of Mr. Johnson, **SB 147**—"An Act to Amend the Charter of the City of Rehoboth Beach as Established by Chapter 161, Volume 41, Laws of Delaware, in Relation to the Time of Levying Annual Taxes," 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. Barnard, Bengier, Cannon, Crossley, Cabbage, Dolby, Johnson, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—14.

Nays—None.

Absent—Messrs. Burris, Klair, Handsberry—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, **HB 164**—"An Act to Amend Chapter 131 of the Revised Code of Delaware, 1935, as Amended, with Respect to Deficiency in the Number of Jurors," 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. Barnard, Bengier, Cannon, Crossley, Cabbage, Dolby, Johnson, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb—13.

Nays—None.

Messrs. Burris, Handsberry, Powell, Klair—4.

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

On motion of Mr. Cabbage, **HB 203**—"An Act Authorizing, Empowering and Directing the Levy Court of New Castle County to Refund Certain Monies in Connection with the Sale of Certain Lots in Brandywine Hundred, New Castle County, State of Delaware," 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. Barnard, Bengier, Cannon, Crossley, Cubbage, Dolby, Johnson, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—14.

Nays—None.

Absent—Messrs. Burris, Klair, Handsberry—3.

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

On motion of Mr. Reilly, **HS 1** for **HB 210**—"An Act to Amend Chapter 152 of the Revised Code of Delaware, 1935, Relating to Registering a False Complaint to Police Officers and Providing a Penalty Therefor," 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. Barnard, Bengier, Burris, Cannon, Crossley, Cubbage, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—16.

Nays—None.

Absent—Mr. Klair—1.

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

On motion of Mr. Reilly, **HS 1** for **HB 211**—"An Act to Amend Paragraph 4058, Section 163, Chapter 100 of the Revised Code of Delaware, 1935, by Providing a Change in the Penalties for Violations of Said Act," 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. Barnard, Bengier, Burris, Cannon, Crossley, Cubbage, Dolby, Handsberry, Johnson, Pedrick, Peeney, Powell, Reilly, Steen, Webb—15.

Nays—Mr. Klair—1.

Absent—Mr. Longbotham—1.

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

On motion of Mr. Reilly, **HB 222**—"An Act to Amend Chapter 100 of the Revised Code of Delaware, 1935, Relating to General Provisions Respecting Police in Reference to Bets and Wagers," 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. Barnard, Bengier, Burris, Cannon, Crossley, Cabbage, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—16.

Nays—Mr. Klair—1.

Absent—None.

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

On motion of Mr. Reilly, **HB 231**—"An Act to Amend Chapter 100 of the Revised Code of Delaware, 1935, by Repealing Certain Parts Thereof and by Providing for the Removal of Obstructions to Places Believed to Be Used for Gambling; Notice to Certain Persons; Creating a Lien for Expenses of Removal; Misdemeanor if Obstructed Within One Year After Removal; Penalties; Fines a Lien; Subsequent Offenses; Jurisdiction," 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. Barnard, Bengier, Burris, Cannon, Crossley, Cabbage, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—16.

Nays—Mr. Klair—1.

Absent—None.

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

On motion of Mr. Handsberry, **HB 234**—"An Act to Amend Chapter 150 of the Revised Code of Delaware, 1935, Entitled 'Offenses Against Private Property,' Relating to the Issuance of Worthless Checks and Providing a Penalty; Providing for Proceedings Without Indictment by Grand Jury or Trial by Petit Jury; Vesting Jurisdiction in Municipal Court of City of Wilmington, Justices of Peace, Courts of Common Pleas, Proceedings Commenced Prior to Act to Be Unaffected," 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. Barnard, Bengier, Burris, Cannon, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—17.

Nays—None.

Absent—None.

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

On motion of Mr. Reilly, **HB 238**—"An Act Forbidding Any Person Not a Law Enforcement Officer from Representing Himself as a Law Enforcement Officer and Providing a

Penalty Therefor," 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. Barnard, Benger, Burris, Cannon, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—17.

Nays—None.

Absent—None.

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

On motion of Mr. Reilly, **HB 166**—"An Act to Amend Chapter 131 of the Revised Code of Delaware, 1935, as Amended, Concerning the Deficiency in Number of Jurors," 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. Barnard, Benger, Burris, Cannon, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—17.

Nays—None.

Absent—None.

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

On motion of Mr. Klair, **HB 99**—"An Act Appropriating Money to the State Park Commission of Delaware for the Acquisition and the Purchase of the Property in New Castle County Formerly Known as 'Brandywine Springs Park,' and Authorizing the Development and Maintenance of the Property So to Be Acquired as a Public Recreational Area," 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. Barnard, Benger, Burris, Cannon, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—17.

Nays—None.

Absent—None.

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

Mr. Dolby, on behalf of the Committee on Passed Bills, reported as approved by the Governor, the following: **SCR 16, SB 40, SB 90**, approved May 1, 1951; **SB 2, SB 15, SB 127, SB 144, SB 154, SCR 6, SCR 23**, approved May 7, 1951.

On motion of Mr. Cabbage, **HS 1** for **HB 209**—"An Act to

Amend Chapter 165 of the Revised Code of Delaware, 1935, to Permit the Issuance, Suspension or Revocation of Restricted Operator's or Chauffeur's Licenses," 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. Barnard, Benger, Burris, Cannon, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen—16.

Nays—None.

Absent—Mr. Webb—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. Cabbage, **HB 73** with **HA 1**—"An Act to Amend Chapter 153, Sec. 4. Revised Code of Delaware, 1935, as Amended by Chapter 238 of Volume 43, Laws of Delaware, by Changing the Hours When Attendance at Moving Pictures and Other Wordly Activities in Incorporated Cities and Towns Is Permitted on Sunday," 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. Barnard, Benger, Cabbage, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen—11.

Nays—Messrs. Burris, Cannon, Crossley, Dolby, Handsberry, Webb—6.

Absent—None.

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

Mr. Burris moved that the provisions of **SR 54** be rescinded and asked for Roll Call.

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

Yeas—Messrs. Barnard, Benger, Burris, Cannon, Crossley, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick—11.

Nays—Messrs. Cabbage, Peeney, Powell, Reilly, Steen, Webb—6.

So the question was decided in the affirmative, and the motion to rescind the provisions of **SR 54** was adopted.

On motion of Mr. Cannon the Senate recessed until call of the Chair.

Senate met at expiration of recess at 5:45 p.m., Lt. Gov. Bayard presiding.

On motion of Mr. Longbotham the Senate recessed until call of the Chair.

Senate met at expiration of recess at 5:50 p.m., Lt. Gov. Bayard presiding.

Mr. Cannon read a letter directed to Hon. H. Albert Young, Attorney General, State of Delaware, and asked permission of the Senate to mail said letter. Permission granted.

Copy of letter as follows:

May 11, 1951

Honorable H. Albert Young, Attorney General
State of Delaware
County Building
Wilmington, Delaware

My dear Sir:

At the direction of the Senate of the 116th General Assembly of the State of Delaware, I hand to you herewith a copy of House Bill No. 286, which has passed the House of Representatives and is now before the Senate for its consideration.

You will appreciate the fact that it is a duty and a responsibility of the General Assembly to enact into legislation only those measures which are within the confines and limitations of the Constitution of the State of Delaware and the Constitution of the United States of America, and whenever any measure before us is apparently open to question in respect of its constitutionality we believe it to be our duty to endeavor to resolve that question before final action is taken.

In respect of the enclosed Bill, we have been advised by the attorneys for the Senate that, in their opinion, there is grave and serious doubt as to the constitutionality thereof. However, they have taken the position, and we believe rightly so, that neither House of the General Assembly should rely solely upon the opinion of counsel retained by either House in respect of a matter of constitutionality. Rather, before final action is taken the matter of constitutionality should be referred to the constitutional attorney for the State and its several branches and agencies, who is the Attorney General.

Wherefore, it is the request of the Senate that, you as Attorney General of the State of Delaware give us a formal opinion in respect of the constitutionality of the enclosed measure at your earliest convenience.

Respectfully yours,
R. Allen Cannon
President Pro Tempore

On motion of Mr. Cannon the Senate recessed until call of the Chair.

The Chair announced the call of the Chair would be Mon., May 14, at 12 noon.

Senate met at expiration of recess at 8:25 p.m., Mon., May 14, 1951, Lt. Gov. Bayard presiding.

The Chief Clerk of the House informed the Senate that

the House had concurred in **SB 38**, **SS 1** for **SB 152**, **SB 153**, **SB 160**, **SB 164**, **SS 1** for **SB 168**, **SB 189**, **SB 193**, **SB 198**, **SB 203**, **SB 212**, **SB 215**, **SB 217**, **SB 218**, **SB 220**, **SB 226**, **SB 236**, **SB 259**, **SB 248** with **HA 1**; and that the House had passed and requested the concurrence of the Senate in the following Bills, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

HB 117—"An Act Providing That No State Agency Furnishing Relief or Assistance to Any Ill or Needy Persons in This State Shall in Any Manner Charge the Real Estate of Such Persons Receiving Relief or Assistance with the Cost of Such Relief or Assistance So Furnished," to Miscellaneous.

HB 137—"An Act Assenting to the Provision of the Act of Congress Entitled, 'An Act to Provide That the United States Shall Aid the State in Fish Restoration and Management Projects, and for Other Purposes,' Approved August 9, 1950, by Authorizing the Board of Game and Fish Commissioners to Engage in Fish Restoration and Management Projects as Outlined in Said Act," to Fish, Oysters and Game.

HB 142—"An Act to Amend Chapter 74, Revised Code of Delaware, 1935, as Amended, Entitled, 'Fish, Oysters and Game,' with Respect to the Length of Rock Fish Lawful to Catch and Take," to Fish, Oysters and Game.

HB 143—"An Act to Amend an Act Entitled, 'An Act to Provide That the Receipts and Moneys of the State Be Deposited in and Disbursed from One General Fund on and After July 1, 1949 and Making Exceptions of Certain Receipts and Moneys Therefrom,' Being Chapter 77, Volume 42, Laws of Delaware, 1939, as Amended, with Respect to the Use of Funds Collected by the Board of Game and Fish Commissioners of the State of Delaware from Hunting, Fishing and Trapping License Fees," to Fish, Oysters and Game.

HS 1 for **HB 147**—"An Act to Appropriate Certain Moneys to the State Park Commission for the Protection of Historic Fort Delaware from Vandals and for Making Pea Patch Island a State Park," to Finance.

HB 177—"An Act to Appropriate the Sum of One Thousand Nine Hundred Sixty Dollars and Thirty-Nine Cents to United Petroleum Corp., a Corporation of the State of Delaware, to Reimburse It for Penalty and Interest Paid to the State of Delaware on Motor Fuel Tax," to Claims.

HB 206—"An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, as Amended, Requiring Motor Vehicles to Stop at Highways," to Buildings and Highways.

HB 224—"An Act to Amend Chapter 150 of the Revised Code of Delaware, 1935, Relating to Offenses Against Private Property by Providing for Different Degrees of Larceny and Providing Penalties Therefor; Providing for Proceedings Without Indictment by Grand Jury or Trial by Petit Jury in Certain Cases; Vesting Jurisdiction in the Municipal Court of the

City of Wilmington, the Courts of Common Pleas and the Justices of the Peace in Certain Cases; Providing Accused Shall Not Be Entitled to Acquittal Upon Trial for Felony by Proving Offense Misdemeanor But That Jury May Render Verdict of Misdemeanor; Fixing Value of Things Being the Subject of Larceny; and Providing No Criminal Proceeding Commenced Prior to the Approval of This Act Shall Be Affected Hereby," to Judiciary.

The President announced he was about to sign: **SB 53, SB 70, SB 71, SB 72, SB 74, SB 81, SB 85, SB 98, SB 102, SB 110, SB 112, SS 1 for SB 120, SB 129, SB 132, SB 140, SB 163, SB 165, SB 166, SB 182, SB 197, SB 219, SB 221, SB 258, SB 269, SB 275, SB 305, SB 309, SB 329, SB 342, SB 352, SS 1 for SB 354, SB 359, SB 434, SCR 28 and SA 1 for SB 87.**

The following Resolution was introduced, given first and second reading, the second by title only, and referred to committee as follows: **SJR 5**—"Appropriating Monies to Pay Certain Claims Relating to the Expenses of the Supreme Court," to Finance.

The following Substitute Bill with title the same as the Original Bill was introduced, given first and second readings by title only, and referred to committee as follows: **SS 1 for SB 243**, to Miscellaneous.

Messrs. Webb and Pedrick introduced **SCR 29**—"In Respect of a New Castle Tercentenary Session of the Members and Officers of the General Assembly of the State of Delaware."

On further motion of Mr. Webb, the Senate adopted **SCR 29** and ordered it to the House for concurrence.

Request that the following be stricken from the Calendar was granted to Member as follows: **SB 25, SB 55, SB 63, SB 422**, Klair.

On motion of Mr. Cannon the Senate recessed for 10 minutes.

Senate met at expiration of recess at 9:17 p.m., Lt. Gov. Bayard presiding.

The following Bills and Resolutions were reported favorably (unless otherwise indicated), by the majority of the respective committees as follows: **SS 1 for SB 243** (on its merits), **HB 117**, by Miscellaneous; **HB 143** (on its merits), **HB 137**, (on its merits), **HB 142**, by Fish, Oysters and Game; **HB 224**, by Judiciary, **HB 177**, by Claims; **SJR 5, HB 285, HS for HB 147**, by Finance; **HB 206**, by Buildings and Highways.

On motion of Mr. Webb, **HB 137**—"An Act Assenting to the Provision of the Act of Congress Entitled, 'An Act to Provide That the United States Shall Aid the State in Fish Restoration and Management Projects, and for Other Purposes,' Approved August 9, 1950, by Authorizing the Board of Game and Fish Commissioners to Engage in Fish Restoration and Management Projects as Outlined in Said Act," was taken up

for consideration and read 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. Benger, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Nays—None.

Absent—Messrs. Barnard, Burris, Longbotham—3.

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

On motion of Mr. Webb, **HB 142**—"An Act to Amend Chapter 74, Revised Code of Delaware, 1935, as Amended, Entitled, 'Fish, Oysters and Game,' with Respect to the Length of Rock Fish Lawful to Catch and Take," 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. Benger, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—13.

Nays—Mr. Powell—1.

Absent—Messrs. Barnard, Burris, Longbotham—3.

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

On motion of Mr. Webb, **HB 143**—"An Act to Amend an Act Entitled, 'An Act to Provide That the Receipts and Moneys of the State Be Deposited in and Disbursed from One General Fund on and After July 1, 1949 and Making Exceptions of Certain Receipts and Moneys Therefrom,' Being Chapter 77, Volume 42, Laws of Delaware, 1939, as Amended, with Respect to the Use of Funds Collected by the Board of Game and Fish Commissioners of the State of Delaware from Hunting, Fishing and Trapping License Fees," 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. Benger, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Nays—None.

Absent—Messrs. Barnard, Burris, Longbotham—3.

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

On motion of Mr. Cannon, **HS 1** for **HB 147**—"An Act to Appropriate Certain Moneys to the State Park Commission for

the Protection of Historic Fort Delaware from Vandals and for Making Pea Patch Island a State Park," 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. Benger, Crossley, Cubbage, Dolby, Handberry, Johnson, Klair, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—13.

Nays—Mr. Powell—1.

Absent—Messrs. Barnard, Burris, Longbotham—3.

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

On motion of Mr. Reilly, **HB 177**—"An Act to appropriate the Sum of One Thousand Nine Hundred Sixty Dollars and Thirty-nine Cents to United Petroleum Corp., a Corporation of the State of Delaware, to Reimburse It for Penalty and Interest Paid to the State of Delaware on Motor Fuel Tax," 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. Benger, Crossley, Cubbage, Dolby, Handberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Nays—None.

Absent—Messrs. Barnard, Burris, Longbotham—3.

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

On motion of Mr. Crossley, **HB 206**—"An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, as Amended, Requiring Motor Vehicles to Stop at Highways," 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. Benger, Crossley, Cubbage, Dolby, Handberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Nays—None.

Absent—Messrs. Barnard, Burris, Longbotham—3.

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

On motion of Mr. Reilly, **HB 224**—"An Act to Amend Chapter 150 of the Revised Code of Delaware, 1935, Relating to Offenses Against Private Property by Providing for Different Degrees of Larceny and Providing Penalties Therefor; Providing for Proceedings Without Indictment by Grand Jury or

Trial by Petit Jury in Certain Cases; Vesting Jurisdiction in the Municipal Court of the City of Wilmington, the Courts of Common Pleas and the Justices of the Peace in Certain Cases; Providing Accused Shall Not Be Entitled to Acquittal upon Trial for Felony by Proving Offense Misdemeanor But That Jury May Render Verdict of Misdemeanor; Fixing Value of Things Being the Subject of Larceny; and Providing No Criminal Proceeding Commenced Prior to the Approval of This Act Shall Be Affected Hereby," 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. Benger, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Reilly, Webb, Mr. President Pro Tem—12.

Nays—Messrs. Powell, Steen—2.

Absent—Messrs. Barnard, Burris, Longbotham—3.

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

On motion of Mr. Reilly, **HB 295**—"An Act to Amend Chapter 70 of the Revised Code of Delaware, 1935, to Provide for Temporary Commitment of Girls to Woods Haven School for Girls," 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. Benger, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Nays—None.

Absent—Messrs. Barnard, Burris, Longbotham—3.

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

On motion of Mr. Cabbage, **HB 117**—"An Act Providing That No State Agency Furnishing Relief or Assistance to Any Ill or Needy Persons in This State Shall in Any Manner Charge the Real Estate of Such Persons Receiving Relief or Assistance with the Cost of Such Relief or Assistance so Furnished," 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. Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—Dr. Benger—1.

Absent—Mr. Barnard—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. Cannon, **HB 285**—"An Act Appropriating Money to the Delaware Commission for the Blind for the Maintenance and Operation of Sunnybrook a Nursery School for Blind Children," 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. Bengier, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None

Absent—Mr. Barnard—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. Cabbage, **SJR 5**—"Appropriating Monies to Pay Certain Claims Relating to the Expenses of the Supreme Court," 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. Bengier, Burris, Crossley, Cabbage, Dolby, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Barnard, Handsberry—2.

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

The Chair presented **HA 1** to **SB 248**.

On motion of Mr. Cabbage the Senate adopted **HA 1** to **SB 248**.

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. Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—12.

Nays—Messrs. Bengier, Powell—2.

Absent—Messrs. Barnard, Burris, Longbotham—3.

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

On motion of Mr. Cannon the Senate adjourned until Wed., May 16, 10 a.m.

80TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 10:30 a.m., Wed., May 16, 1951, Pres. Pro Tem R. A. Cannon presiding.

Prayer by the Chaplain, Rev. Bundick: Our Heavenly Father, we thank Thee for the privilege we have of living, and of loving God. To know Thee is Life, to serve Thee is freedom, and to praise Thee should be our greatest joy. Thou art the unchanging Light of life and the unfailing source of strength.

We pray that these servants of the people shall seek Thee in childlike faith. In the name of Jesus may their sins be forgiven, their affection purified, their wills controlled, and their work blessed. Help each one to follow in the footsteps of Jesus and to live useful and worthy lives. In the name of Christ we pray. Amen.

Members present—Messrs. Barnard, Benger, Burris, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Reilly, Webb, Mr. Pres. Pro Tem—13.

Members absent—Messrs. Crossley, Johnson, Powell, Steen—4.

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

Without objection, the Chair declared a recess until 1:30 p.m.

Senate met at expiration of recess at 11:08 a.m.

Messrs. Steen, Powell, Johnson, Crossley asked to be marked present.

On motion of Mr. Cabbage the Senate recessed until call of the Chair.

Senate met at expiration of recess at 11:35 a.m.

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

The Chair directed the Sergeant-at-Arms to admit the Secretary of State.

The Secretary of State, Hon. Harris B. McDowell, Jr., being admitted presented to the Senate a message from His Excellency, Gov. Elbert N. Carvel.

The Chair directed the Secretary, Mr. Willard D. Boyce, to read the message from the Governor.

The Chair directed the message to the Executive Committee.

The Chair declared a recess until 1:30 p.m.

Senate met at expiration of recess at 2:30 p.m., Lt. Gov. Bayard presiding.

The President announced he is about to sign: **HB 22, HB 73 with A 1, HB 74, HB 80, HB 86 with SA 1, HB 99, HB 112 with A 1, HB 124, HB 129, HB 145, HB 163, HB 164, HB 166, HB 203, HB 209 with Sub. 1, HB 210 with Sub. 1, HB 211 with**

Sub 1, HB 222, HB 231, HB 234, HB 237 with Sub 1, HB 238, HB 351, HB 365.

Mr. Cannon presented a letter from Hon. H. Albert Young, Attorney General, State of Delaware, as follows:

May 14, 1951

Hon. R. Allen Cannon
State Senate
Dover, Delaware

Dear Senator Cannon:

This is in reply to your request under date of May 11, 1951, for my opinion in reference to House Bill No. 286 entitled:

"An Act to amend an Act entitled 'An Act to Protect the Public against Misleading Advertisements pertaining to the Sale of Motor Fuels at Retail by Regulating the Method of Retail Sale of Motor Fuels, and Providing Penalties for Violations,' being Chapter 70, Volume 42, Laws of Delaware, by Providing for the Prohibition of the Substitution or Adulteration of Petroleum Products, and Establishing Uniform Regulations with Respect to the Size and Location of Signs indicating the Sale Price per Gallon of Motor Fuel."

If this Act is designed to promote the general welfare of the people of this State by protecting the public from the evils brought about by misleading and unrestricted advertising by regulating the erection and maintenance of signs at or near the highways of this State in furtherance of such purpose and by preventing the erection and maintenance of display signs which would likely constitute motor vehicle hazards, it comes within the police power of the State and would, therefore, be constitutional.

Where such legislation is designed to promote the public safety, convenience and welfare of the inhabitants of this State, the police power to regulate misleading advertisements confers ample authority to enact and enforce reasonable and non-discriminatory regulations respecting the erection and maintenance of signs used for advertising purposes and placed at or near the highways.

If in the opinion of the members of the Senate this proposed Bill, which has already passed the House, is designed to curb the existing evils arising from misleading and unrestricted advertising and, at the same time, is intended to remove unnecessary distractions at or near the highways which would likely constitute motor vehicle hazards, it is my opinion that the members of the Senate should consider this Bill on its merits and for the purposes for which it was intended as an amendment to the existing law on this very subject. The only substantial difference between this proposed amendment and the law which has been on our books since 1939 is the regulation covering the size and location of the display advertising signs.

If as a protection to the general public in the opinion and judgment of the members of the Senate this proposed legislation has any merit, you should consider it on that basis alone. The modern trend of legal authorities holds legislation of this character constitutional. The police power is one of the least limitable of governmental powers and in its operation often cuts down property rights. However, in a case as here, where there exists a strong presumption that the Bill, if enacted into law, would be constitutional, the legislators should bear in mind the merits of the Bill, the evils it is designed to curb, and whether its purpose is to protect and promote the general welfare. The ultimate question of its being a constitutional law, as in the case of every Bill enacted by the General Assembly, may thereafter be adjudicated by the proper tribunal of this State. In this connection, I should like to say that if the members of your body should fail to act on this proposed legislation, though you consider it to be one of considerable merit and value to the citizens of the State of Delaware, the ultimate question of its validity as interpreted by the courts of this State could never be judicially determined. It is only after legislation becomes law that in a test case before the proper court the matter of whether such law is constitutional or not is finally determined.

If in your opinion the Bill is a laudable one and for the benefit of the people of this State, in view of the foregoing and of the strong presumption of constitutionality, you are justified in considering House Bill No. 286 on its merits.

Very truly yours,

(Signed) H. Albert Young
Attorney General

The President announced he was about to sign: **SB 202, SB 212, SB 215, SB 217, SB 218, SB 220, SB 226, HB 236, SB 189, SB 193, SB 198, SB 259, SB 152 with SS 1, SB 153, SB 168 with SS 1, SB 164, SB 38, SB 160.**

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 205**—"An Act to Amend Chapter 237, Volume 46, Laws of Delaware, Entitled 'An Act Providing for the Payment of Pension Benefits to Certain Employees of the Mayor and Council of Wilmington, Fixing Ages of Retirement, Establishing Benefits Payable and the Source of Payment Thereof, Providing for Applications for Pensions and the Procedure to Be Followed with Respect Thereto, Providing That Pension Benefits Shall Be Free of Attachment and Liability for State and Local Income Taxes and Non-assignable and Also Providing for the Reduction of Benefits Under Certain Conditions," to Revised Statutes.

Mr. Cannon moved that Rule 22 be suspended for the balance of this Legislative Day. Motion prevailed.

Mr. Cannon moved that Sec. 2 of Rule 3 be suspended. Motion prevailed.

Mr. Cannon moved that all Committee Reports be read by number only this Legislative Day. Motion prevailed.

Mr. Cannon moved that all Substitute Bills be read by title only for the first and second readings. Motion prevailed.

The following Bills were reported favorably (unless otherwise indicated), by the majority of the respective committees as follows: **HB 290**, by Judiciary; **HB 428**, **HS 1** for **HB 479**, **HB 321**, **HB 427**, **HB 426**, **HS 1** for **HB 478**, by Municipal Corporations; **HB 303** (on its merits), **HB 352** (on its merits), **HB 259**, **HB 397**, by Revised Statutes; **HB 357** (on its merits), **HB 367**, **HB 441**, by Miscellaneous; **HS 1** for **HB 128**, by Finance; **SB 333**, by Public Health.

Mr. Cabbage asked that the following letter be made a part of the Journal.

Law Offices
MAX TERRY
300 South State Street
Dover, Delaware

May 8, 1951

Houston Wilson, Esq.
Attorney for Senate
Legislative Hall
Dover, Del.

Dear Houston:

The Levy Court considered the matter concerning the mortgage held against the property owned by the Lions Club in Smyrna and they have no objection to its being satisfied.

Very truly yours,
(Signed) Max Terry

On motion of Mr. Cabbage, **HB 120**—"An Act Authorizing and Directing the Levy Court Commissioners of Kent County to Satisfy a Mortgage upon the Lands of the Lions Club of Smyrna, Delaware," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem
—16.

Nays—None.

Absent—Mr. Johnson—1.

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

On motion of Mr. Cannon, **HS 1** for **HB 128**—"An Act to Amend Chapter 43, Revised Code of Delaware, 1935, as Amended, Entitled 'Levy Courts' by Providing for a Limit of the Total Tax Rate in New Castle County," was taken up for consideration and read by number a third time in order to pass the Senate.

Mr. Webb introduced **SA 1** to **HS 1** for **HB 128** and asked for a Roll Call.

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

Yeas—Messrs. Burris, Crossley, Cabbage, Dolby, Handsberry, Steen, Webb—7.

Nays—Messrs. Barnard, Benger, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly; Mr. Pres. Pro Tem—9.

Absent—Mr. Johnson—1.

So the question was decided in the negative, and the Amendment 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Mr. President Pro Tem—15.

Nays—Mr. Webb—1.

Absent—Mr. Johnson—1.

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

On motion of Mr. Cabbage, **HB 259**—"An Act to Amend Chapter 44 of the Revised Code of Delaware Entitled 'Valuation and Assessment of Property,' by Amending Section One Thereof," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Johnson—1.

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

Mr. Crossley requested that **HB 283** be given its third and final reading and placed on passage.

Mr. Cabbage asked that action be deferred and called for Roll Call.

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

Yeas—Messrs. Barnard, Burris, Crossley, Cabbage, Handsberry, Longbotham, Powell, Steen—8.

Nays—Messrs. Benger, Dolby, Klair, Pedrick, Peeney, Reilly, Mr. Pres. Pro Tem—7.

Absent—Messrs. Johnson, Webb—2.

So the question was decided in the affirmative and action was deferred on **HB 283**.

On motion of Mr. Reilly, **HB 290**—"An Act to Amend Chapter 151, Volume 47, Laws of Delaware, the Short Title of Which Is the 'Uniform Contribution Among Tortfeasors Act,'" 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Johnson, Webb—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. Cabbage, **HB 303**—"An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, as Amended, to Provide for the Regulation of Trackless Trolley Coach Operators," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Johnson, Webb—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. Klair, **HB 321**—"An Act to Amend Chapter 155, Vol. 28, Laws of Delaware, 1935, as Amended, Entitled 'An Act to Incorporate the Town of Blades,' with Reference to the Election, Removal and Salary of Officers," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Mr. President Pro Tem—14.

Nays—None.

Absent—Messrs. Johnson, Longbotham, Webb—3.

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

On motion of Mr. Cabbage, **HB 352**—"An Act to Amend Chapter 104, Volume 45, Laws of Delaware, as Amended, Known as 'The Delaware State Employees Benefit Act,' by Adding to the Definition of 'Covered Employment' the Positions of Secretaries of the Office of the Attorney General of the State of Delaware," 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. Barnard, Benger, Burris, Crossley, Cabbage Dolby, Handsberry, Klair, Pedrick, Peeney, Powell, Reilly, Mr. President Pro Tem—13.

Nays—None.

Absent—Messrs. Johnson, Longbotham, Steen, Webb—4.

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

On motion of Mr. Cabbage, **HB 367**—"An Act to Amend Chapter 90 of the Revised Code of Delaware, 1935, Entitled: 'Employers and Employees,' Relative to the Names and Addresses of Sub-Contractors, Their Qualifications, Substitution Thereof, and Penalties for Failure to Utilize the Same," 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. Barnard, Crossley, Cabbage, Dolby, Handsberry, Pedrick, Peeney, Reilly, Mr. President Pro Tem—9.

Nays—Messrs. Benger, Burris, Powell—3.

Absent—Messrs. Johnson, Klair, Longbotham, Steen, Webb—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.

(Mr. Peeney requested that the Sergeants-at-Arms notify the absent Senators that their presence was required. The Chair so ordered.)

On motion of Mr. Cabbage, **HB 397**—"An Act Amending Chapter 6 of the Revised Code of Delaware, 1935, Entitled: 'State Revenue,' in Respect of the Penalty for Failure of Any Distributor of Motor Fuel to Report or Pay Taxes Promptly," 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. Barnard, Benger, Burris, Crossley,

Cubbage, Dolby, Handsberry, Pedrick, Peeney, Powell, Reilly, Steen, Mr. President Pro Tem—13.

Nays—Mr. Webb—1.

Absent—Messrs. Johnson, Klair, Longbotham—3.

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

On motion of Mr. Cubbage, **HB 413**—"An Act to Amend Chapter 6 of the Revised Code of Delaware, 1935, Entitled 'State Revenue' as Amended, Relating to Coin Operated Amusement and Musical Machines," 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. Barnard, Benger, Burris, Crossley, Cubbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Johnson—1.

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

On motion of Mr. Klair, **HB 426**—"An Act Authorizing Mayor and Council of Laurel to Provide by Ordinance for the Connection of Properties in the Town of Laurel with the Water and Sewer Mains of the Town, and for the Collection of the Costs, Expenses and Penalties for Non-Compliance, and for the Establishment of Liens Against Said Properties," 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. Barnard, Benger, Crossley, Cubbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Mr. President Pro Tem—14.

Nays—Mr. Webb—1.

Absent—Messrs. Burris, Johnson—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. Klair, **HB 427**—"An Act to Amend the Charter of the Town of Laurel as Established by Chapter 164, Volume 29, Laws of Delaware, and as Amended by Chapter 65, Volume 47, Laws of Delaware, in Reference to Members-at-Large of the Town Council," 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. Barnard, Benger, Crossley, Cabbage, Dolby, Handsberry, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Nays—None.

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

Absent—Messrs. Burris, Johnson, Longbotham—3.

On motion of Mr. Klair, **HB 428**—“An Act to Amend the Charter of the Town of Laurel as Established by Chapter 164, Volume 29, Laws of Delaware, and as Amended, in Reference to the Laying Out and Vacation of Streets, and the Condemnation of Lands Therefor,” 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. Barnard, Benger, Crossley, Cabbage, Dolby, Handsberry, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Nays—None.

Absent—Messrs. Burris, Johnson, Longbotham—3.

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

On motion of Mr. Cabbage, **HB 441**—“An Act to Authorize the Recorder of Deeds in and for Kent County to Make New Indices for Mortgages,” 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Johnson, Longbotham—2.

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

Mr. Klair requested that **HS 1** for **HB 478** be given its third and final reading and placed on passage.

Mr. Barnard introduced **SA 1** to **HS 1** for **HB 478**.

Mr. Peeney suggested that Rep. Collins from the House be asked to come to the Senate to explain the Amendment.

Mr. Barnard moved that action be deferred on **SA 1** to **HS 1** for **HB 478**. Motion prevailed.

Mr. Crossley introduced the following Resolution, which on further motion by him was adopted: **SR 55**—“Relative to Payment on Account for Collecting Data, Compiling, Editing and Publishing the Daily Calendar for the State Senate.

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

To The Sussex Countian, Georgetown, Delaware, Two Thousand Two Hundred Ninety-six Dollars and Eighty Cents (\$2,296.80), being part payment on account for above.

On motion of Mr. Klair, **HS 1** for **HB 479**—"An Act Authorizing 'The Town of Smyrna' to Borrow Not in Excess of Two Hundred and Fifty Thousand Dollars (\$250,000.00) and to Issue Bonds Therefor for the Purpose of Establishing a Sewage Disposal Plant and of Extension and Improvement of the Water and Sewer Systems, the Electrical Distribution System and the Streets of the Town of Smyrna," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem —16.

Nays—None.

Absent—Mr. Johnson—1.

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

On motion of Mr. Cannon, **HS 1** for **HB 480**—"An Act to Authorize Levy Courts to Issue Bonds for the Purpose of Installing Fire Hydrants Together with Adequate Water Mains in Suburban Communities Under Certain Conditions; Providing for Time and Manner of Elections in Connection Therewith; Defining 'Suburban Communities'; Providing for Petition Requesting Fire Hydrants; Directing Levy Courts and County Engineers to Perform Certain Duties in Connection with Surveys, Plots, Holding of Elections; Providing for Assessments Against Properties Enjoying Fire Protection as a Result of Installation; the Manner of Determining the Amount Thereof, and Collection of Same; Providing for the Determination of Cost of the Improvements; Providing the Amount, Maturity, Interest Rate and Forms of Bonds to Be Issued by the Levy Courts; Providing for the Sale of Bonds and the Disposition and the Use of the Proceeds Thereof; Providing for Awarding of Contracts and Approval of Payments Thereunder; Providing for Record to Be Kept of Assessments; Making Assessments Special Liens, and Providing for Notice Thereof; Authorizing Collector of Taxes to Collect Delinquent Assessments; Providing for Retirement of Bonds and Payment of

Interest Thereon; Providing for Disposition of Surplus Funds; Authorizing Levy Courts to Adopt Procedure in Respect to Cancelling Bonds; Providing That the Full Faith and Credit of the Counties Shall Be Pledged to Insure Payment of Bonds; and Providing That All Existing Acts in Conflict with This Act Shall Be Repealed," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Johnson, Webb—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. Klair, **HS 1** for **HB 494**—"An Act to Amend Chapter 158 of Volume 36 of the Laws of Delaware, Entitled 'An Act Changing the Name of "The Town of Dover" to "The City of Dover" and Establishing a Charter Therefor,' by Authorizing the Said City to Borrow a Certain Sum of Money for Emergency Capital Expenditures Upon Resolution of the City Council," 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. Barnard, Benger, Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Burris, Johnson—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. Webb, **SB 333**—"An Act to Promote the Public Health and Safety by Providing for Examination and Registration of Those Who Desire to Engage in the Occupation of Beauty Culture; Defining Beauty Culture, and Regulating Beauty Culture Shops, Schools, Students, Apprentices, Teachers, and Beauticians; Providing for Appeals to Certain Courts by Applicants and Licensees; and Providing Penalties," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

Mr. Barnard introduced **SA 1**, which was read and on his further motion withdrawn.

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

Yeas—Messrs. Handsberry, Steen, Webb—3.

Nays—Messrs. Barnard, Benger, Burris, Crossley, Cubbage, Dolby, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Mr. President Pro Tem—13.

Absent—Mr. Johnson—1.

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

Mr. Klair changed his vote from yea to nay for the purpose of reconsideration.

On motion of Mr. Klair, **HB 409**—"An Act to Amend Chapter 158 of Volume 36 of the Laws of Delaware, Entitled 'An Act Changing the Name of "The Town of Dover" to "The City of Dover," and Establishing a Charter Therefor,' by Changing the Date of the Lien of Taxes Assessed by Said City," 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. Barnard, Benger, Burris, Crossley, Cubbage, Dolby, Handsberry, Klair, Pedrick, Peeney, Powell, Reilly, Mr. President Pro Tem—13.

Nays—None.

Absent—Messrs. Johnson, Longbotham, Steen, Webb—4.

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

On motion of Mr. Cannon, **HB 67**—"An Act to Appropriate Funds to the State Board of Education for the Education and/or Training of and Transportation for Handicapped Children in the State of Delaware," was taken up for consideration and read a third time by number in order to pass the Senate.

Mr. Peeney, with Mr. Cannon as co-sponsor, introduced **SA 1** to **HB 67**, and asked for a Roll Call.

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

Yeas—Messrs. Barnard, Crossley, Cubbage, Dolby, Handsberry, Longbotham, Pedrick, Peeney, Reilly, Mr. Pres. Pro Tem—10.

Nays—Messrs. Benger, Burris, Klair, Powell—4.

Absent—Messrs. Johnson, Steen, Webb—3.

So the question was decided in the affirmative, and the Senate adopted **SA 1** to **HB 67**.

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. Barnard, Benger, Burris, Crossley, Cubbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Mr. President Pro Tem—14.

Nays—None.

Absent—Messrs. Johnson, Steen, Webb—3.

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

On motion of Mr. Peeney, **SB 315**—"An Act to Revise and Consolidate the Statutes Relating to the City of Wilmington, Providing the Eligibility to Appointment and for Holding Office as a Member of Any Board or Commission of the Mayor and Council of Wilmington," 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. Barnard, Benger; Burris, Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Johnson, Webb—2.

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

On motion of Mr. Handsberry, **SB 432**—"An Act to Amend an Act Entitled 'An Act to Create and Establish a Public Service Commission and Prescribing Its Powers and Duties, and to Provide for the Regulation and Control of Public Service Corporations and Public Utilities and Making Appropriations Therefor,' Being Chapter 254, Volume 47, Laws of Delaware, by Changing and Enlarging the Powers of the Commission in Employment of Personnel; by Prescribing Certain Qualifications for Commissioners and Personnel; by Fixing the Number of Commissioners Who Shall Constitute a Quorum; by Providing That Investigations, Inquiries and Hearings May Be Held Before the Commission, or Before Any Member Thereof or an Examiner Designated by It; by Empowering the Commission to Make or Hold Joint Investigations or Hearings with Regulatory Bodies of Other States or of the United States; by Redefining Railroad Utilities; by Removing Steam Boat Companies from the Provisions of Section 3 (k) of the Act; by Empowering the Commission to Prescribe Insurance Requirements for Certain Motor Carriers and Fixing the Minimum Requirements Therefor; by Empowering the Commission to Require Public Utilities to Give Notice of Certain Accidents and to File Annual and Other Reports; by Enlarging the Powers of the Commission to Prescribe Systems of Accounts and Records and to Regulate the Keeping of the Same; by Empowering the Commission to Fix Rates or Depreciation and Regulate Depreciation Accounts; by Providing for Access to and the Inspection and Examination of Books, Accounts, Records, Property and Facilities of Public Utilities and Requiring Public

Utilities to Furnish Certain Information and Records to the Commission; by Requiring Books, Accounts and Records of Public Utilities to Be Kept in This State Except in Certain Instances; by Prohibiting Changes in Existing Rates of Public Utilities Except upon Certain Notice to the Commission and Changing the Time for Making Certain Refunds from Thirty to Ninety Days; by Empowering the Commission to Fix Temporary Rates in Certain Cases; by Providing That the Burden of Proof in Rate Proceedings Shall Be upon the Public Utility; by Requiring Approval of the Commission for Assumption of Liabilities of Other Persons or Corporations by Any Public Utility, and Removing the Time Limit of Fifteen Days Within Which the Commission May Approve or Disapprove Certain Proposed Mergers, Mortgages, Transfers, Issues of Securities or Assumption of Liabilities; by Requiring Certificates of Public Convenience and Necessity in Certain Cases; by Empowering Any Member or Examiner of the Commission to Sign Subpoenas, Administer Oaths and Examine Witnesses; by Changing the Procedure for Taking Depositions; by Requiring Public Utilities to Designate Resident Agents for Service of Process; by Providing for the Service of Orders of the Commission and Empowering the Commission to Fix the Effective Date of Its Orders; and by Providing for Appeals from Final Orders of the Commission by Any Public Utility, or Any Original Party or Intervenor Affected by Such Orders," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

Mr. Handsberry 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. Benger, Crossley, Dolby, Handsberry, Peeney, Reilly, Steen, Mr. President Pro Tem—8.

Nays—Messrs. Barnard, Burris, Cabbage, Klair, Longbotham, Pedrick, Powell—7.

Absent—Messrs. Johnson, Webb—2.

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

On motion of Mr. Burris, **SB 429**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Relating to Fish, Oysters and Game, by Providing for the Season Within Which Muskrats May Be Caught and Killed in Kent and Sussex Counties," 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. Barnard, Benger, Burris, Crossley,

Cubbage, Dolby, Klair, Longbotham, Pedrick, Powell, Reilly, Steen, Mr. President Pro Tem—13.

Nays—Messrs. Handsberry, Peeney—2.

Absent—Messrs. Johnson, Webb—2.

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

On motion of Mr. Cubbage, **HB 357**—"An Act to Amend Chapter 84 of Volume 44 of the Laws of Delaware, 1943, as Amended, Entitled 'An Act to Regulate the Construction, Alteration, Repair, Removal, Demolition, Equipment, Use and Occupancy, Location and Maintenance of Buildings and Structures in the County of New Castle Outside the City of Wilmington for the Protection of the Public Health and Safety and for the Prevention of Fire Hazards; to Provide a Code of Building Regulations; to Create the Office of Building Inspector and Other Helpers and Assistants as May Be Required; and to Provide Penalties for Violations,'" 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. Benger, Crossley, Cubbage, Pedrick, Peeney, Powell, Reilly—7.

Nays—Messrs. Barnard, Dolby, Handsberry, Klair, Steen, Mr. President Pro Tem—6.

Absent—Messrs. Johnson, Longbotham, Webb—3.

Not Voting—Mr. Burris—1.

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

On motion of Mr. Cubbage the Senate recessed until call of the Chair.

Senate met at expiration of recess at 9:15 p.m., Pres. Pro Tem Cannon presiding.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 358, SB 361, SB 362, SB 366, SB 378** with **HA 1, SB 380, SB 391, SB 395, SB 396, SB 397, SB 400, SB 414, SB 421, SB 424, SB 427** with **SA 1, SS 1** for **SB 437, SB 442, SB 449, SB 450, SB 451, and SCR 20**; and that the House had passed and requested the concurrence of the Senate in the following Bills, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

HS 1 for **HB 312**—"An Act Appropriating Certain Money to the University of Delaware for Constructing and Equipping a Building for the School of Education and the School of Home Economics on the University Campus," to Finance.

HB 315—"An Act to Amend Chapter 6 of the Revised Code of Delaware, 1935, as Amended, Relating to Income Tax by Defining the Word 'Taxable' to Exclude Single Persons

Whose Gross Income Is Less Than \$1,000.00 During the Income Year and Married Couples Whose Combined Gross Income Is Less than \$2,000.00 During the Income Year," to Finance.

HB 316—"An Act to Amend Chapter 170 of the Revised Code of Delaware, 1935, as Amended, Entitled: 'Court of Common Pleas, Kent County,' in Respect of the Compensation of the Clerk or Other Officer or Officers of Said Court," to Finance.

HB 353—"An Act to Amend Chapter 21 of the Revised Code of Delaware, 1935, as Amended, Entitled 'State Board of Agriculture' with Reference to Bonds of Milk Dealers or Handlers," to Agriculture.

HB 368—"An Act to Amend Chapter 6 of the Revised Code of Delaware, 1935, as Amended Entitled 'State Revenue' by Including Dealers in Live Stock Within Certain Exemptions," to Revised Statutes.

HB 377—"An Act to Amend Chapter 77 of the Revised Code of Delaware Entitled 'General Provisions Respecting Trade' as Amended in Relation to Contracts for Public Improvements," to Revised Statutes.

HB 437—"An Act to Amend Chapter 65 of the Revised Code of Delaware, 1935, Relating to Corporations, by Providing an Increase in Certain Fees Collected by the Secretary of State," to Finance.

HS 1 for HB 456—"An Act Changing the Name of 'The Town of Newark' to 'City of Newark' and Establishing a Charter Therefor," to Municipal Corporations.

HB 534—"An Act to Amend Chapter 158 of Volume 36 of the Laws of Delaware, Entitled 'An Act Changing the Name of "The Town of Dover" to "The City of Dover" and Establishing a Charter Therefor, by Increasing the Amount of Money to Be Raised by Taxation for General Purposes," to Municipal Corporations.

HB 535—"An Act to Further Amend Chapter 192, Volume 36, Laws of Delaware, Entitled 'An Act to Reincorporate the Town of Smyrna,' as Amended, by Providing for the Holding of a Special Election to Fill Any Vacancy in the Office of the Mayor of the Town of Smyrna and Providing the Qualifications and for the Nomination of Candidates and the Time, place and Manner of Holding Such Special Election," to Municipal Corporations.

HB 537—"An Act Authorizing the City of Dover to Borrow a Sum of Money Not Exceeding Two Million Dollars (\$2,000,000.00) and to Issue Bonds Therefor for the Purpose of General Improvements to the City of Dover, Including the Streets and Public Buildings and the Water, Electrical, and Sewer Facilities Thereof," to Municipal Corporations.

The Chair declared a recess for 15 minutes.

Senate met at expiration of recess at 9:45 p.m., Pres. Pro Tem Cannon presiding.

On motion of Mr. Cannon, **HB 315**—"An Act to Amend Chapter 6 of the Revised Code of Delaware, 1935, as Amended, Relating to Income Tax by Defining the Word 'Taxable' to Exclude Single Persons Whose Gross Income Is Less Than \$1,000.00 During the Income Year and Married Couples Whose Combined Gross Income Is Less Than \$2,000.00 During the Income Year," 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. Benger, Burris, Crossley, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Reilly, Webb, Mr. President Pro Tem—12.

Nays—None.

Absent—Messrs. Barnard, Cabbage, Johnson, Powell, Steen—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. Cannon, **HB 316**—"An Act to Amend Chapter 170 of the Revised Code of Delaware, 1935, as Amended, Entitled: 'Court of Common Pleas, Kent County,' in Respect of the Compensation of the Clerk or Other Officer or Officers of Said Court", 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. Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Reilly, Webb, Mr. President Pro Tem—13.

Nays—None.

Absent—Messrs. Barnard, Johnson, Powell, Steen—4.

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

On motion of Mr. Cannon, **HS 1** for **HB 312**—"An Act Appropriating Certain Money to the University of Delaware for Constructing and Equipping a Building for the School of Education and the School of Home Economics on the University Campus," 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. Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Mr. President Pro Tem—13.

Nays—None.

Absent—Messrs. Barnard, Johnson, Powell, Webb—4.

So the question was decided in the affirmative, and the Bill

having received the required constitutional majority, passed the Senate and was returned to the House.

The following Bills and Resolutions were reported favorably by the majority of the respective committees as follows: **HB 353, HB 283**, by Agriculture; **HB 437** (on its merits), **HB 316** (on its merits), **HB 315, HS 1** for **HB 312, HB 67, HS 1** for **HB 480**, by Finance; **HB 368** (on its merits), **HB 377** (on its merits), **HB 413**, by Revised Statutes; **HB 534, HB 537, HB 535, HS 1** for **HB 456**, by Municipal Corporations.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 238, SB 266, SB 274, SB 287, SB 292, SB 293, SB 296, SB 311, SB 314** with **HA 1, SB 330, SB 334, SB 339, SB 343, SB 347, SS 1** for **SB 349** with **HA 1**.

On motion of Mr. Cabbage the Senate recessed until call of the Chair.

Senate met at expiration of recess at 9 p.m., May 17, 1951, Lt. Gov. Bayard presiding.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 146, SB 147, SB 335, SB 336, SB 337, SS 1** for **SB 379** as Amended by **SA 1, SB 381, SB 431, SB 435, SB 452, SB 453, SB 93** with **HA 1, SCR 21, SCR 25, SCR 27**; and that **SB 260** was lost in the House.

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

HB 38—"An Act Appropriating Certain Money to the University of Delaware for the Purpose of Establishing Scholarships at the University of Delaware; Providing for the Appointment of a Scholarship Committee and Providing That the Scholarships Be Awarded to Students Desirous of Entering the Teaching Profession," to Finance.

HB 442—"An Act to Provide for the Supervision, Repair and Control of Damage to the Beach by Erosion or Otherwise of State Park Lands in Sussex County by the State Park Commission of Delaware," to Finance.

HB 439—"An Act to Amend Chapter 6, Revised Code of Delaware, 1935, Relating to State Revenue as Amended, by Increasing the Rates of Franchise Taxes Paid by Corporations and by Increasing the Maximum and Minimum Amounts of Franchise Taxes That May Be Paid by Corporations," to Finance.

HB 532—"An Act Proposing an Amendment to Article IV of the Constitution of the State of Delaware Relating to the Supreme Court and the Authorization of Writs of Error in Favor of the State in Certain Cases," to Judiciary.

The following Substitute Bills with titles the same as the Original Bills were introduced, given first and second readings by title only, and referred to committees as follows: **SS 1** for

SB 394, SS 1 for SB 412, by Cannon, to Finance; **SS 1 for SB 346**, by Webb, to Fish, Oysters and Game.

Request that the following be recommitted was granted to Member as follows: **SB 432**, Longbotham.

The Chair presented **HA 1 to SB 93**.

On motion of Mr. Cubbage, the Senate adopted **HA 1 to SB 93**.

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. Benger, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Nays—None.

Absent—Messrs. Barnard, Burris, Powell—3.

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

The Chair presented **HA 1 to SS 1 for SB 349**.

On motion of Mr. Cubbage, the Senate adopted **HA 1 to SS 1 for SB 349**.

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. Benger, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Barnard, Powell—2.

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

The Chair presented **HA 1 to SB 378**.

Mr. Peeney moved that **HA 1 to SB 378** be not concurred in, and asked for a roll call.

Dr. Benger asked if a vote of yea meant for the amendment or against it.

The Chair informed Dr. Benger that the motion was to defeat the Amendment, hence a yea vote would mean against.

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

Yeas—Messrs. Benger, Burris, Crossley, Cubbage, Dolby, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. Pres. Pro Tem—15.

Nays—None.

Absent—Messrs. Barnard, Handsberry—2.

So the question was decided in the affirmative, and the Senate did not concur in **HA 1 to SB 378**.

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

Yeas—Messrs. Benger, Burris, Crossley, Cubbage, Dolby,

Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Nays—None.

Absent—Messrs. Barnard, Handsbery, Longbotham—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 Chief Clerk of the House informed the Senate that the House had passed **HCR 8**—"Permitting Introduction of New Bills," which was given first and second readings by title only and on further motion of Mr. Cannon was adopted by the Senate and ordered returned to the House.

The Chair presented **HA 1** to **SB 314**.

On motion of Mr. Cabbage, the Senate adopted **HA 1** to **SB 314**.

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. Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Pedrick, Peeney, Powell, Steen, Webb, Mr. President Pro Tem—13.

Nays—None.

Absent—Messrs. Barnard, Klair, Longbotham, Reilly—4.

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

The Chief Clerk of the House informed the Senate that the House had concurred in the passage of **SB 369** with **SA 1** and **HA 1**.

The Chair presented **HA 1** to **SB 369** with **SA 1**.

On motion of Mr. Cabbage, the Senate adopted **HA 1** to **SB 369** with **SA 1**.

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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Johnson, Pedrick, Peeney, Powell, Webb, Mr. President Pro Tem—12.

Nays—None.

Absent—Messrs. Handsberry, Klair, Longbotham, Reilly, Steen—5.

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

On motion of Mr. Cannon, **HB 437**—"An Act to Amend Chapter 65 of the Revised Code of Delaware, 1935, Relating to Corporations, by Providing an Increase in Certain Fees Collected by the Secretary of State," 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. Barnard, Benger, Crossley, Cabbage, Dolby, Johnson, Pedrick, Peeney, Powell, Steen, Webb, Mr. President Pro Tem—12.

Nays—None.

Absent—Messrs. Burris, Handsberry, Klair, Longbotham, Reilly—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.

The following Bills were reported favorably by the majority of the respective committees as follows: **HB 205**, by Revised Statutes; **SS 1** for **SB 346**, by Fish, Oysters and Game.

The following Bills were introduced, given first and second reading, the second by title only, and referred to committee as follows: **SB 461**, by Webb and Pedrick, to Finance; **SB 462**, by Steen and Johnson, to Revised Statutes; **SB 463**, by Peeney, to Private Corporations, **SB 464**, by Peeney, to Finance; **SB 465**, by Cannon, to Municipal Corporations; **SB 466**, by Cabbage, to Miscellaneous; **SB 467**, by Cabbage, to Miscellaneous.

The President announced he was about to sign: **SB 238**, **SB 248**, **SB 266**, **SB 274**, **SB 287**, **SB 292**, **SB 293**, **SB 296**, **SB 311**, **SB 330**, **SB 334**, **SB 339**, **SB 343**, **SB 347**, **SB 451**, **SB 380**, **SB 450**, **SB 442**, **SB 449**, **SB 424**, **SB 400**, **SB 421**, **SB 366**, **SB 414**, **SB 395**, **SB 396**, **SB 362**, **SB 361**, **SB 358**, **SB 391**, **SB 397**, **SB 437**, **SCR 20**.

On motion of Mr. Peeney the Senate recessed until call of the Chair.

Senate met at expiration of recess at 11:45 p.m.

Mr. Cabbage moved that Senate be in recess until 10:00 a.m., Tues., May 22, 1951.

Senate met at expiration of recess at 3:45 p.m., Lt. Gov. Bayard, presiding.

The President announced he was about to sign: **HB 117**, **HB 120**, **HB 137**, **HB 142**, **HB 143**, **HS 1** for **HB 147**, **HB 177**, **HB 206**, **HB 224**, **HB 259**, **HB 285**, **HB 290**, **HB 295**, **HB 303**, **HB 312** as substituted, **HB 315**, **HB 316**, **HB 321**, **HB 352**, **HB 367**, **HB 397**, **HB 409**, **HB 413**, **HB 426**, **HB 427**, **HB 428**, **HB 441**, **HS 1** for **HB 479**, **HS 1** for **HB 480**, **HS 1** for **HB 494**, **HS 1** for **HB 128**, **HB 437**, **SB 146**, **SB 147**, **SB 335**, **SB 336**, **SB 337**, **SB 381**, **SB 427** as amended, **SB 431**, **SB 435**, **SB 452**, **SB 453**, **SCR 21**, **SCR 25**, **SCR 27**, **SB 93** as amended, **SB 369** as amended, **SS 1** to **SB 349** as amended, **SB 314** as amended.

Mr. Cannon introduced the following Resolution, which on further motion by him was adopted: **SR 56**—"Requesting Return of House Bill No. 67 as Amended by Senate Amendment No. 1 from the House of Representatives of the 116th General Assembly of the State of Delaware."

BE IT RESOLVED by the Senate of the 116th General Assembly of the State of Delaware, that the House of Representatives of the 116th General Assembly of the State of Dela-

ware be, and the same is hereby requested to return to the Senate for reconsideration House Bill No. 67 as amended by Senate Amendment No. 1.

Mr. Cannon introduced the following Resolution, which on further motion by him was adopted: **SR 57**—"Requesting Return of House Bill No. 437 from the House of Representatives of the 116th General Assembly of the State of Delaware."

BE IT RESOLVED by the Senate of the 116th General Assembly of the State of Delaware, that the House of Representatives of the 116th General Assembly of the State of Delaware be, and the same is hereby requested to return to the Senate for reconsideration House Bill 437.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 80** as amended with **SA 1** as amended with **HA 1, SS 1** for **SB 183, SB 227** with **SA 1, SS 1** for **SB 291, SB 415** with **HA 1, SB 417, SCR 29** and **SB 401** with **HA 1**; and that the House had passed and requested the concurrence of the Senate in the following Bills and Resolutions, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

HB 100—"An Act to Amend Chapter 78 of the Revised Code of Delaware, 1935, as Amended, by Making the Day of the Week Known as Saturday a Holiday for All Elected and Appointed Officials of the State of Delaware and Its Employees (Except the Members of the State Highway Police Department)," to Revised Statutes.

HB 110—"An Act to Amend Chapter 34, Revised Code of Delaware, 1935, Entitled 'The Library Commission for the State of Delaware,' in Relation to Establishment and Appointment of Commission, Organization, Duties and Powers; Providing for Establishment of Free Public Libraries and District Library Commission," to Revised Statutes.

HB 185—"An Act Directing the State Highway Department to Clean the Drainage Ditch in Sussex County Running from Clendaniel's Pond to the North Side of the School Grounds of Ellendale School No. 125 and Appropriating Money Therefor," to Finance.

HB 187—"An Act Submitting the State of Delaware, Its Geographical Subdivisions, Agents, Officers and Servants to the Jurisdiction of the Courts, in Order to Permit Litigation to Determine Ownership of the Fund Paid to the State of Delaware by the United States of America Representing the Proceeds from the Condemnation of the Fort Miles Reservation, Near Lewes, in Sussex County," to Judiciary.

HB 214 with **HA 1**—"An Act for the Construction, Equipping and Furnishing of a Physician's Residence at Edgewood Sanatorium and for the Remodeling and Refurnishing of and Additions to Several Old Buildings at Brandywine and Edgewood Sanitoria as well as for the Extension of the Water Supply and Sewage Treatment Plant Serving Both These Sanitoria; Making an Appropriation Therefor and Authorizing the State

of Delaware to Borrow Money and Issue Bonds for the Money so Appropriated," to Finance.

HCR 9—"Appropriation for Postage Stamps and Other Supplies for the 116th General Assembly," to Finance.

HR 55—"Requesting Return of Senate Bill No. 123 from the Senate of the 116th General Assembly of the State of Delaware,"

HB 287—"An Act Appropriating Money to the State Board of Health for Services to Crippled Children," to Finance.

HS 1 for HB 515—"An Act to Amend Chapter 65 of the Revised Code of Delaware, 1935, Relating to Corporations by Providing That Foreign Corporations Must File an Annual Report with the Secretary of State, by Providing Penalty for Failure to Do So, and by Providing an Increase in the Fee for Foreign Corporations Doing Business in This State," to Finance.

HS 1 for HB 481—"An Act to Amend Chapter 43 of the Revised Code of Delaware, 1935, as Amended, Relating to the Debt Limitations Applicable to the Levy Court of New Castle County," to Finance.

HB 539—"An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, in Reference to the Right of Appeal from a Conviction in Violation of Provisions in Chapter 165, and Providing That an Appeal Shall Operate as a Stay and as a Waiver of the Right to Certiorari," to Judiciary.

HB 540—"An Act to Amend Chapter 157, Volume 47, Laws of Delaware, 1949, Entitled 'An Act to Amend Chapter 79 of the Revised Code of Delaware, 1935, Relating to Mortgages on Chattels and Crops; Providing for Mortgages on Chattels of Any Kind Including Livestock, Poultry, Farm Machinery, Farm Equipment and Crops Grown, Growing or to Be Grown; Providing for the Filing, Docketing and Indexing Thereof in Recorders' Offices and the Effect Thereof; Prescribing Fees, Regulating Assignment, Release, Satisfaction and Extension of the Liens of Such Mortgages; Prescribing Methods of Foreclosures, Defining Defaults and Violations and Fixing Penalties, and Repealing Articles 2, 10 and 11 of the Said Chapter," to Revised Statutes.

HS 1 for HB 262—"An Act to Amend Chapter 78 of the Revised Code of Delaware, 1935, as Amended, by Making the Day of the Week Known as Saturday a Holiday for the Employees of the Motor Vehicle Department of the State of Delaware," to Revised Statutes.

HB 272 with HA 1—"An Act to Amend Chapter 52 of the Revised Code of Delaware, 1935, as Amended, Relating to 'County Offices' by Changing the Times That the Offices of the Respective Prothonotaries, Clerks of the Peace, Clerks of the Orphans' Court, Registers of Wills, Recorders and Sheriffs Shall Be Kept Open," to Revised Statutes.

HB 317—"An Act to Amend Chapter 116 of the Revised Code of Delaware, 1935, as Amended, Entitled: 'Juvenile De-

linquents and Probations,' in Respect of the Compensation of the Probation Officer for the Court of General Sessions in Kent County and the Probation Officers of the Juvenile Court for Kent and Sussex Counties," to Finance.

HB 359—"An Act to Authorize the Levy Court of New Castle County to Provide for the Purchase, Acquisition, Construction, Reconstruction, Operation and Maintenance of an Incineration Plant; to Authorize the Purchase or Acquisition of Land and Interests Herein in Connection Therewith; to Authorize the Exercise of the Power of Eminent Domain in Connection Therewith; to Authorize the Issuance of Bonds for the Financing Thereof," to Finance.

HB 360—"An Act to Regulate the Collection and Disposal of Garbage, Trash and Other Refuse Within the Limits of New Castle County," to Public Health.

HB 361—"An Act to Amend Chapter 43 of the Revised Code of Delaware, 1935, as Amended, by Authorizing the Levy Court of New Castle County to Regulate the Dumping of Garbage, Rubbish, Ashes and Other Waste Material Within the County," to Public Health.

HS 1 for SS 2 for SB 420 with SA 1—"An Act to Appropriate Funds to the State Board of Education for Capital Replacement in the School Buildings of the State of Delaware," to Education.

HS 1 for HB 509 with HA 1—"An Act to Amend Chapter 10 of the Revised Code of Delaware, 1935, as Amended by Chapter 181, Volume 47, Laws of Delaware, 1949, with Reference to the Legislative Journals, by Altering the Printing Requirements," to Printing and Supplies.

On motion of Mr. Peeney, **SB 312**—"An Act to Amend Chapter 118 of the Revised Code of Delaware, 1935, as Amended, Relative to the Orphans' Court by Providing That Upon Proper Petition the Orphans' Court or Any Judge Thereof Shall Have Jurisdiction to Hear Causes Relating to Adjudging Aged or Mentally Infirm or Physically Incapacitated Persons to Be Unable to Care for Their Property and Shall Have Authority to Appoint a Guardian for the Property of Such Persons to Be Governed by the Provisions of Law Relating to the Management of the Estates of Infants Under Guardianship, and Depriving Such Persons of the Right of Contract with Respect to the Property Which Is the Subject Matter of Such Guardianship, During the Pendency Thereof," 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. Barnard, Bengener, Crossley, Cabbage, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—Mr. Klair—1.

Absent—Mr. Burris—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. Peeney, **SB 463**—"An Act to Amend Chapter 65 of the Revised Code of Delaware, 1935, as Amended, Relating to Corporations," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

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

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—17.

Nays—None.

Absent—None.

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

On motion of Mr. Cannon, **SS 1** for **SB 394**—"An Act Authorizing the State of Delaware to Borrow a Certain Sum of Money for Sundry Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds Therefor," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

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

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—17.

Nays—None.

Absent—None.

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

Mr. Peeney called up **SS 1** for **SB 115**, **SS 1** for **SB 116**, and **SS 1** for **SB 117**, in their order and on his further motion action was deferred in each case.

On motion of Mr. Cabbage, **SB 466**—"An Act Providing That the State of Delaware May Enter into a Compact with Any Other State for Mutual Helpfulness in Meeting Any Civil Defense Emergency or Disaster," 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. Barnard, Benger, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—17.

Nays—None.

Absent—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 462**—"An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, as Amended, Relating to the Revocation of Licenses and Issuance of a New Restricted License After Revocation," 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. Barnard, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—Messrs. Benger, Burris—2.

Absent—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. Peeney, **SB 464**—"An Act to Further Amend Chapter 67, Revised Code of Delaware, 1935, in Reference to the Compensation of the Superintendent of the Public Building Commission for the City of Wilmington and New Castle," 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. Barnard, Benger, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Mr. President Pro Tem—14.

Nays—Messrs. Burris, Webb—2.

Absent—Mr. Steen—1.

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

Mr. Peeney called up **HB 376**, and on his further motion action was deferred.

On motion of Mr. Benger, **SB 325**—"An Act to Amend Chapter 241, Volume 45, Laws of Delaware, as Amended, Entitled 'An Act Creating a Family Court for New Castle County,' by Changing the Composition of the Court by Providing for Two Full Time Judges with Equal Authority Instead of a Judge and an Associate Judge; by Providing for the Appoint-

ment, Powers, Duties, Qualifications and Salaries of the Judges; by Eliminating a Stated Salary, and by Providing Additional Duties for the Clerk; by Increasing the Limits of the Total Budget of the Court; by Prohibiting the Criminal Prosecution of Children," 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. Barnard, Benger, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Mr. President Pro Tem—15.

Nays—Messrs. Burris, Webb—2.

Absent—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. Handsberry requested that **SB 432** with **SA 1** be placed on passage and stated that the Bill with Amendment had been given its third and final reading previously.

Mr. Peeney moved that Senate be in recess for 15 minutes. Motion prevailed.

Senate met at expiration of recess at 5:30 p.m., Lt. Gov. Bayard presiding.

Mr. Handsberry moved to defer action on **SB 432** with **SA 1**. Motion prevailed.

On motion of Mr. Peeney, **HB 376** with **HA 1** was taken up for consideration and read a third time by number only in order to pass the Senate.

Mr. Klair introduced **SA 1** to **HB 376** with **HA 1** and asked for a roll call.

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

Yeas—Messrs. Burris, Crossley, Cabbage, Dolby, Handsberry, Klair, Reilly, Steen, Webb—9.

Nays—Messrs. Barnard, Benger, Johnson, Longbotham, Pedrick, Peeney, Powell, Mr. Pres. Pro Tem—8.

So the question was decided in the affirmative and the Amendment was 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Mr. President Pro Tem—14.

Nays—Messr. Klair, Webb—2.

Absent—None.

Not Voting—Mr. Cabbage.

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