

Mr. McAllister moved that **SB 182**—"An Act to Amend Chapter 55, Title 14 of the Delaware Code by Establishing a Program for Financial Aid to Needy Students at the University of Delaware Who are Delaware Residents and Appropriating Funds Therefore," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. English, Shockley, Snowden, West—4.

SB 182 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. McAllister moved that **SB 135**—"An Act to Appropriate Funds to the University of Delaware for the Purpose of Establishing Scholarships at the University of Delaware to be Awarded to Students Desirous of Entering the Teachers Profession," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. English, Shockley, Snowden—3.

SB 135 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Quigley moved that **HB 239**—"An Act to Appropriate Funds to the School Boards for the Maintenance and Improvement of Public School Buildings of the State," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. English, Shockley, Snowden—3.

HB 239 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Pryor moved that **HB 247**—"An Act Appropriating Money to the United Spanish War Veterans Department of Delaware," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. English, Shockley, Snowden—3.

HB 247 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Wolf moved that **HB 206**—"An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Clarifying the Provisions for the Fiscal Year and the Tax Year," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. English, Shockley, Snowden—3.

HB 206 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Alexander moved that **SB 48**—"An Act Authorizing and Directing the State Highway Department to Study and Construct a System of Flood Control in the City of New Castle and Appropriate Funds Therefor," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. English, Livingston, Shockley, Snowden—4.

SB 48 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Wolf moved that **HB 205**—"An Act to Amend An Act Entitled 'An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Authorizing the Imposition of a Mercantile License Fee," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. English, Livingston, Shockley, Snowden—4.

HB 205 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Quigley acted as Temporary Speaker during the absence of Mr. Mayhew.

Mr. Speaker appointed Messrs. Massey and Spicer to escort the Governor to the Chamber.

The Governor was admitted and escorted to the Rostrum.

On motion of Mr. Eskridge, the House adjourned until Friday, May 3, 1957, at 1:00 P. M.

68TH LEGISLATIVE DAY

House met pursuant to adjournment at 2:05 P. M., on May 3, 1957.

Prayer by the Chaplain, Rev. Donohoe.

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

Members absent—Messrs. Alexander, Clark, Kaufman, Shockley, Snowden—5.

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

Communications were presented by Mr. Speaker Mayhew.

The following bills were reported out of committee as favorably, unless otherwise stated: **SB 77** with **SA 1** and **SB 150**, from Elections, 2 favorable, 2 on merits; **HB 304**, **HB 305** and **HB 306**, from Municipal Corporations, and **HB 132**, from Private Corporations.

Mr. Eskridge introduced the following resolution, which on further motion by him, was adopted: **HR 73**—"In Reference to the Resignation of a Attorney's Clerk and the Election of a Successor for the House of Representatives."

BE IT RESOLVED, by the House of Representatives of the 119th General Assembly that the resignation of Edward G. Lank as an Attorney's Clerk of said House of Representatives, effective May 3, 1957, is accepted and the said Edward G. Lank is hereby relieved of duties from the said office as of the close of the legislative day on May 3, 1957; and

BE IT FURTHER RESOLVED, by the House of Representatives of the 119th General Assembly that Esther Willin is hereby elected to serve as Attorney's Clerk of the House of Representatives beginning May 6, 1957, at the pleasure of the House.

Mr. Massey introduced the following resolution, which further motion by him was adopted: **HR 74**—"Authorizing the Payment of Certain Expenses for Telephone Service and Bill Backers for the House of Representatives."

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

The State Register, Laurel, Delaware,
for supply 1000 bill backers \$48.50

The Diamond State Telephone Company, 124 South
State Street, Dover, Delaware, for local service
and equipment and calls on telephone numbered
Dover 7854, covering the period from February 15,
1957 to and including April 10, 1957..... \$35.06

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

SB 228—"An Act to Amend Chapter 82, Title 9, Delaware Code Entitled "Boards of Assessment" by Excepting the Levy Court of Sussex County from Filling Vacancies or Removing Members of the Sussex County Board of Assessment," to Miscellaneous.

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

HB 311—"An Act to Amend Chapter 117, Volume 40, Laws of Delaware, Being Entitled "An Act Establishing a Wilmington Park Trust Fund Commission" by Amending Sections 3, 4 and 6 Thereof," by Lawson; to Municipal Corporations.

HB 312—"An Act Appropriating Funds to the State Highway Department for a Picnic Area at Oak Orchard," by Walls, Spicer and Mills; to Public Buildings and Highways.

Mr. Massey introduced the following resolution, which on further motion by him, was adopted: **HR 75**—"Authorizing the Payment of Certain Expenses for Typewriter Rental and Repair Service and Supplies."

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

The Delaware State News Corporation, North Street, Dover, Delaware, for supplying 11,150 Backers and 5 Roll Call Books	\$268.00
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The Royal Typewriter Company, Wilmington, Delaware, for rental of two typewriters, #5068953 and #5070188	30.00
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International Business Machines Corporation, Wilmington, Delaware, for repairs to one I. B. M. typewriter #538062	35.00
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Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 100** and **HB 226**.

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

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, May 3, 1957

To the House of Representatives of the State of Delaware:

This will advise that on May 3, 1957, I approved the following legislation:

House Bill No. 7—An Act Appropriating Money to the Veterans of Foreign Wars, Department of Delaware.

House Bill No. 9—An Act Appropriating Moneys for Education and Training of Children of Veterans of World War I, World War II and Korean Conflict Who Died While in the Service of the Army, Navy, Marine Corps, Air Forces or Coast Guard of the United States or Who Died from Disease, Wounds or Disabilities Resulting from Such Service.

House Bill No. 10—An Act Appropriating Money to the American Legion, Department of Delaware.

House Bill No. 11—An Act Appropriating Money to the Disabled American Veterans of Delaware.

House Bill No. 18—An Act Appropriating Money to Certain Fire Companies in the State of Delaware Which Maintain and Operate a Rescue Truck.

House Bill No. 21—An Act Appropriating Money to the Veterans of Foreign Wars, Department of Delaware, for the Furnishing of Services to Veterans and Their Dependents.

House Bill No. 82—An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pension Plan, by Changing the Conditions Under Which the Surviving Spouse of a Deceased Employee May be Eligible for Payments.

House Bill No. 166—An Act to Amend Title 29, Delaware Code, Entitled "State Government" to Permit the Waiver of Pension Benefits."

House Bill No. 177—An Act to Provide for the Completion of the Construction, Equipping and Furnishing of Buildings Under Construction at the State Hospital at Farnhurst and Making an Appropriation Therefor.

House Bill No. 179—An Act to Amend Title 20, Delaware Code, Entitled "Military and Civil Defense" to Provide Pensions for Paraplegic Veterans and Appropriating Funds.

House Bill No. 191—An Act to Amend Chapter 3, Title 11, Delaware Code, Relating to Abandonment of Living Creatures; Penalties.

House Bill No. 201—An Act to Amend the Charter of the Town of Woodside in Kent County by Increasing the Amount That Can be Raised Each Year by Taxes.

Respectfully submitted,

J. CALEB BOGGS, Governor

Mr. Tribbitt moved that **SB 165**—"An Act to Amend Title 21, Delaware Code, Entitled "Motor Vehicles" in Respect to Certain Second Offenses," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Alexander, Clark, Kaufman, Shockley, Snowden, West—6.

SB 165 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Quigley moved that **HB 202**—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" in Respect to the Powers of the State Treasurer," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Alexander, Clark, Kaufman, Shockley, Snowden, Spicer, West—7.

HB 202 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Quigley moved that **SB 49** with **SA 1**—"An Act Appropriating Money to the State Highway Department for Maintenance, Repairs and Reconstruction of Certain Streets and Roads," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill as Amended pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Alexander, Clark, Kaufman, Shockley, Snowden, West—6.

SB 49 with **SA 1** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Tribbitt moved that **HB 225**—"An Act Directing the State Highway Department to Fill and Resurface Route 441 and a Portion of Route 424, Near Odessa, New Castle County, Delaware, be taken up for consideration and read for the third time in order to pass the House.

After the reading and discussion, Mr. Wolf moved for a deferment of the bill. Mr. Speaker ordered a roll call. The roll call revealed 12 yeas, 17 nays, and 6 absent, and so the motion was lost, and the roll call ordered on the bill.

YEAS—Messrs. Betts, Cain, English, Eskridge, Hussey, King, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Simpler, Tribbitt, Walls, Mr. Speaker Mayhew—16.

NAYS—Messrs. Appleford, Bartleson, Carpenter, Ehinger, Keller, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Snedeker, Spicer, Wolf—13.

ABSENT—Messrs. Alexander, Clark, Kaufman, Shockley, Snowden, West—6.

Messrs. Livingston, Mills and Tribbitt changed their vote from yea to nay for the purpose of reconsideration.

HB 225 not having received the constitutional majority, was lost in the House.

On motion of Mr. Tribbitt, **HB 225** was restored to the calendar.

On motion of Mr. Walls, the rules were suspended for the purpose of handing in a committee report. **HB 312**, from Public Buildings and Highways, 4 favorable.

Mr. McAllister introduced the following resolution, which on further motion by him, was adopted: **HR 76**—"Expressing the Sympathy of the House on the Illness of Representative Paul E. Shockley."

WHEREAS, it has come to the attention of the House of the 119th General Assembly of the State of Delaware that Representative Paul E. Shockley has been confined due to an unexpected illness, and

WHEREAS, all the members of the House of the 119th General Assembly of the State of Delaware desire to express and extend their regret and sympathy unto Representative Paul E. Shockley, NOW THEREFORE

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

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journal of the House of the 119th General Assembly of the State of Delaware and a copy be forwarded to Representative Paul E. Shockley, and a further copy be delivered to the Press.

Mr. Quigley and Mrs. Manning introduced the following resolution, which on further motion by Mr. Quigley was adopted: **HR 77**—"Relative to the Death of U. S. Senator Joseph R. McCarthy."

WHEREAS, the House of Representatives has learned with regret of the passing of U. S. Senator Joseph R. McCarthy, of the State of Wisconsin; and

WHEREAS, Senator Joseph R. McCarthy served his native State of Wisconsin and his country faithfully and diligently as a U. S. Senator; and

WHEREAS, Senator McCarthy became internationally known for his strong interest in the security of this country and his expression of patriotism; and

WHEREAS, the members of this House desire to express in this public manner their own feelings and sense of loss which is felt throughout the whole country; NOW THEREFORE

BE IT RESOLVED, by the House of Representatives of the 119th General Assembly of the State of Delaware that the members wish to give expression to the regret they experienced at the passing of U. S. Senator Joseph R. McCarthy; and

BE IT FURTHER RESOLVED, that the family of the deceased has the full sympathy of the members of the House of Representatives of the 119th General Assembly of the State of Delaware, which is extended by sending a copy of this resolution to the members of the immediate family; and

BE IT FURTHER RESOLVED, that the text of this resolution be made a part of the Journal of the proceedings of the House of Representatives of the 119th General Assembly of the State of Delaware, and that a copy of this resolution be sent to the presiding officer of the Senate of the United States.

On motion of Mr. Quigley, the House adjourned until Monday, May 6, 1957, at 1:00 P. M.

69TH LEGISLATIVE DAY

House met pursuant to adjournment at 1:45 P. M., on May 6, 1957.

Prayer by the Chaplain, Rev. Donohoe.

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

Members absent—Messrs. Alexander, Carpenter, Kaufman—3.

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

The following bills were reported out of committee as favorably, unless otherwise stated: **HB 285**, from Military Affairs, 3 favorable, 2 on merits; **HB 54**, from Revised Statutes; **HB 264**, from Education; **HB 272**, from Education, 2 favorable, 2 on merits; **HB 283**, from Education, 3 favorable, 1 on merits; **HB 289**, from Insurance and Banking; **HB 26**, from Appropriations, 4 favorable, 1 on merits; **HB 301**, from Appropriations, 4 favorable, 1 on merits; **HB 278**, **HB 300** and **HB 302**, from Appropriations.

Mr. English introduced the following resolution, which on further motion by him, was adopted: **HR 78**—"Authorizing Payment on Account to Attaches and Employees of the House of Representatives."

BE IT RESOLVED, by the House of Representatives of the 119th General Assembly, that the State Treasurer be and he hereby is authorized and directed to pay to any attache or employee, who has been duly appointed by Resolution of the House of Representatives, upon the order of the Speaker and Chief Clerk of the House, the sum of One Hundred Dollars (\$100.00) to any one person, on account of services to the present Session of the House of Representatives. Any such sums so paid shall be charged against the salary of the individual attache or employee to whom such sum or sums are paid, and shall be a part of the expenses of this Session of the House of Representatives.

The following attache was sworn in by Mr. Speaker:

OATH OF EMPLOYEES

The State of Delaware, County of Kent, ss.

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

ESTHER WILLIN

Sworn and subscribed to this 6th day of May, A. D. 1957.

H. E. MAYHEW

Speaker of the House of Representatives

The Secretary of the Senate informed the House that the Senate had concurred in **HB 117**, and that the Senate had passed and requested the concurrence of the House in the following bills, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

SB 179—"An Act to Amend Chapter 31, Title 24 Relating to the Requirements for Certificates of Undertakers," to Miscellaneous.

SB 213—"An Act to Amend the Charter of the City of Rehoboth Beach as Established by Chapter 161, Volume 41, Laws of Delaware, as Amended by Increasing the Amount of Taxes That May be Raised for Municipal Purposes," to Municipal Corporations.

SB 224—"An Act to Amend Chapter 62, Title 9, Delaware Code Relating to "Sussex County Indigent Sick Fund," to Public Health.

Mr. Walls moved that **HB 312**—"An Act Appropriating Funds to the State Highway Department for a Picnic Area at Oak Orchard," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—Mr. Bartleson—1.

NOT VOTING—Mr. Wolf—1.

ABSENT — Messrs. Alexander, Carpenter, Kaufman, Simpler—4.

HB 312 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Tribbitt moved that **HB 252**—"An Act to Amend Chapter 11, Title 16, Delaware Code Relating to the Definition of Sanatoria, Rest Homes, Nursing Homes, Boarding Homes and Related Institutions," be taken up for consideration and read for the third time in order to pass the House.

On request of Mr. Tribbitt, Dr. Hudson of the State Board of Health, explained the bill.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Alexander, Carpenter, Kaufman—3.

HB 252 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Clark moved that **HB 162**—"An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety" in Respect to Tuberculosis," be taken up for consideration and read for the third time in order to pass the House.

On request of Mr. Clark, Mr. Hudson of the State Board of Health, explained the bill.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—Messrs. McAllister, Mills, Shockley, West—4.

ABSENT—Messrs. Alexander, Carpenter, Kaufman—3.

PRESENT—Mr. Tribbitt—1.

HB 162 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Eskridge moved that **HB 304**—"An Act to Amend Chapter 184, Volume 43, Laws of Delaware, Entitled "An Act Changing the Name of 'The Town of Seaford' to 'The City of Seaford' and Establishing a Charter Therefor" by Changing the Period Covered by the Annual Audit," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT — Messrs. Alexander, Carpenter, Kaufman, Richards, Snowden, Walls—6.

HB 304 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Eskridge moved that **HB 305**—"An Act to Amend Chapter 184, Volume 43, Laws of Delaware, Entitled "An Act Changing the Name of 'The Town of Seaford' to 'The City of Seaford' and Establishing a Charter Therefor" by Increasing the Annual Salary of the Mayor and Councilmen," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT — Messrs. Alexander, Carpenter, Kaufman, Quigley, Richards, Walls—6.

HB 305 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Eskridge moved that **HB 306**—"An Act Extending the Corporate Limits of the City of Seaford," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Keller, King, Lambert, Lawson, Livingston, Massey, McAllister, Mills, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, West, Wolf, Mr. Speaker Mayhew—29.

YEAS—None.

ABSENT — Messrs. Alexander, Carpenter, Kaufman, (Mrs.) Manning, Quigley, Walls—6.

HB 306 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 313—"An Act to Appropriate Money to the Hockessin Volunteer Fire Company for Operating and Maintaining an Ambulance," by Manning; to Appropriations.

HB 314—"An Act to Amend Chapter 3, Title 30, Delaware Code by Increasing the Maximum Salaries Payable to Appointees of the Tax Commission," by Hussey; to Miscellaneous.

HB 315—"An Act Appropriating Funds to the State Board of Education for Allocation to School Districts When New Units are Opened," by Snowden and Quigley; to Education.

HB 316—"An Act Making Appropriations for Certain Contingencies, for the Respective Years of the Biennium July 1, 1957 to June 30, 1959, and Prescribing Limitations Upon Use Thereof and the Powers and Duties of Budget Commission in Relation Thereto," by Shockley; to Appropriations.

HB 317—"An Act to Amend Chapter 11, Title 30, Delaware Code Relating to Income Taxes by Exempting Certain Non-Residents from the Application Thereof," by Shockley; to Revenue and Taxation.

HB 318—"An Act Appropriating Funds to the State Park Commission for Development and Maintenance of Brandywine Springs Park," by Manning and Shockley; to Appropriations.

HS 1 for **HB 54** was introduced by Mr. West and referred to the Committee on Revised Statutes.

HB 194 was stricken from the calendar on request of Mr. Shockley.

Mr. Shockley moved that **HB 217**—"An Act to Appropriate Money to the State Tax Department," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Alexander, Betts, Carpenter, Clark, Kaufman, King, Massey, Richards—8.

PRESENT—Mr. West—1.

HB 217 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

HA 1 to HB 268 was stricken on request of Mr. Shockley.

HB 276 was stricken from the calendar on request of Mr. McAllister.

Mr. Speaker announced that he was about to sign: **SB 182, SB 135 and SB 48.**

On request of Mr. Quigley, the House adjourned until Tuesday, May 7, 1957, at 1:00 P. M., when a Skeleton Session would be held and a regular session on Wednesday, May 8, 1957, at 1:00 P. M.

70TH LEGISLATIVE DAY

House met pursuant to adjournment at 1:10 P. M., on May 7, 1957.

The Lord's Prayer was repeated.

Member present—Messrs. English and McAllister and Mr. Speaker Mayhew—3.

Members absent—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf—32.

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

There being no quorum present, Mr. McAllister moved that the House adjourn until Wednesday, May 8, 1957, at 1:00 P. M. Motion prevailed.

71ST LEGISLATIVE DAY

House met pursuant to adjournment at 2:15 P. M., on May 8, 1957.

Prayer by the Chaplain, Rev. Donohoe.

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

Members absent—Messrs. Alexander, Carpenter, Spicer, Wolf—4.

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

Communications were presented by Mr. Mayhew.

The following bills were reported out of committees as favorably, unless otherwise stated: **HS 1** for **HB 54**, from Revised Statutes, 4 favorable, 1 on merits; **HB 138** and **HB 263**, from Miscellaneous; **HB 273** and **HB 297**, from Miscellaneous, 4 favorable, 1 on merits; **HB 213**, from Manufacturers and Commerce; **SB 204**, from Education, 2 favorable, 3 on merits.

Mr. Speaker announced that he was about to sign: **HB 117**.

On motion of Mr. West, **HB 54** was recommitted. On further motion by Mr. West, **HB 54** was stricken from the calendar.

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

SB 123—"An Act to Amend Title 12, Delaware Code, Entitled "Decedents Estates and Fiduciary Relations" in Respect to Guardian and Ward," to Insurance and Banking.

Mr. Shockley moved that **SB 88**—"An Act to Appropriate Funds to the State Highway Department for the Use of the Motor Vehicle Division for the Fiscal Year Ending June 30, 1957," be taken up for further consideration.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—Messrs. Appleford, Ehinger, Kaufman, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden—11.

NOT VOTING—Messrs. Bartleson and Keller—2.

ABSENT—Messrs. Alexander, Carpenter, Spicer, Wolf—4.

SB 88 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Shockley moved that **SB 93**—"An Act Making an Appropriation to the State Soil Conservation Commission for the Purchase of Heavy Earth-Moving Machinery and Other Equipment Needed in the Soil Conservation Work of the State, Making Provision for the Repayment Thereof, and Designating the Boards of Soil District Supervisors to Oversee the Use of Said Equipment and Machinery," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt, Walls, West, Mr. Speaker Mayhew—30.

NAYS—Mrs. Manning—1.

ABSENT—Messrs. Alexander, Carpenter, Spicer, Wolf—4.

SB 93 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Shockley moved that **HB 221**—"An Act to Amend Chapter 1, Title 4, Delaware Code, Relating to the Sale of Alcoholic Liquors by Importers," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—Messrs. Snowden and West—2.

NOT VOTING—Mr. Keller—1.

ABSENT—Messrs. Alexander, Carpenter, Spicer, Wolf—4.

HB 221 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, May 8, 1957

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

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

May 6, 1957—Senate Bill 89—An Act to Amend Chapter 65, Title 11, Delaware Code, Entitled "Prisons and Prisoners" to Give Police Powers to Certain Employees of the State Board of Corrections.

May 6, 1957—Senate Bill 90—An Act to Amend Title 29, Delaware Code, Entitled "State Government" in Respect to State Pensions for Employees of the State Board of Corrections.

May 6, 1957—House Bill 100—An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety" to Authorize State Board of Health to Regulate Food Handlers in Schools.

May 6, 1957—House Bill 226—An Act Appropriating Funds to the Secretary of State for Microfilming State Records Under His Jurisdiction.

May 8, 1957—Senate Bill 48—An Act Authorizing and Directing the State Highway Department to Study and Construct a System of Flood Control in the City of New Castle and Appropriate Funds Therefor.

May 8, 1957—Senate Bill 135—An Act to Appropriate Funds to the University of Delaware for the Purpose of Establishing Scholarships at the University of Delaware to be Awarded to Students Desirous of Entering the Teaching Profession.

May 8, 1957—Senate Bill 182—An Act to Amend Chapter 55, Title 14 of the Delaware Code by Establishing a Program for Financial Aid to Needy Students at the University of Delaware Who are Delaware Residents and Appropriating Funds Therefore.

Respectfully submitted,

J. CALEB BOGGS, Governor

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 117**.

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

HB 319—"An Act to Add to Title 15 of the Delaware Code a New Chapter 20 Providing for Registration of Voters Who Because of Sickness or Physical Disability are Unable to Apply in Person at the Designated Place for Registration and Making the Other Chapters of Title 15 Apply Insofar as Pertinent to Registration Under This New Chapter 20, and to Amend Sections 2302 and 2303 of Chapter 23 of Title 15 of the Delaware Code to Make Certain Penalties Apply to Violations of New Chapter 20 of Title 15," by Manning; to Elections.

HB 320—"An Act to Amend Chapter 27, Title 18 of the Delaware Code by Providing for a Special Tax on Certain Gross Premiums of Insurance Companies, the Distribution Thereof, and Requiring Certain Police Departments or Bureaus to Make Certain Registrations With the State Treasurer," by Hussey and Snedeker; to Insurance and Banking.

On motion of Mr. Quigley, the House adjourned until Thursday, May 9, 1957, at 1:00 P. M.

72ND LEGISLATIVE DAY

House met pursuant to adjournment at 3:00 P. M., on May 9, 1957.

The Lord's Prayer was repeated.

Members present—Messrs. Eskridge, King, McAllister, Mills, Mr. Speaker Mayhew—5.

Members absent—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Hussey, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf—30.

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

There not being a quorum present, Mr. McAllister moved the House adjourn until Friday, May 10, 1957, at 1:00 P. M. Motion prevailed.

73RD LEGISLATIVE DAY

House met pursuant to adjournment at 1:50 P. M., on May 10, 1957.

Prayer by the Chaplain, Rev. Donohoe.

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

Members absent—Messrs. Alexander and Wolf—2.

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

Communications were presented and read from the Honorable Sam Rayburn of the United States House of Representatives and from the Honorable John J. Williams of the United States Senate.

Mr. Speaker announced that he was about to sign: **SB 49** with **SA 1** and **SB 165**.

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

HB 321—"An Act to Amend Chapter 162, Volume 37, Laws of Delaware Entitled "An Act Changing the Name of 'The Town of Milford' to 'The City of Milford' and Establishing a Charter Therefor", Relating to the Powers, Duties and

Jurisdiction of the Alderman and Fines, Terms of Imprisonment for Violation of Ordinance or Law," by Mayhew; to Municipal Corporations.

HB 322—"An Act to Amend Title 17, Delaware Code, Entitled "Highways", to Authorize the State Highway Department to Perform Work to Prevent and Repair Damage from Beach Erosion, to Confer Upon It Jurisdiction Over Improvements and Structures, to Authorize the Issuance of Bonds to Finance the Cost of Construction and Maintenance of Necessary Facilities, and to Provide Penalties for the Unauthorized Alteration Thereof," by Mayhew et al; to Appropriations.

HB 323—"An Act to Amend Title 14, Delaware Code, Entitled "Education" in Respect to Use of Tax Revenues," by Appleford, Ehinger and Massey; to Education.

HB 324—"An Act Making an Appropriation to the State Board of Vocational Education for the Training of Volunteer Firemen and Expenses Connected Therewith," by Simpler and Cain; to Appropriations.

Mr. Appleford moved that **HB 272**—"An Act to Amend Title 14, Delaware Code Entitled "Education" in Respect to Changing of Special School District Boundaries," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—Mr. Lawson—1.

NOT VOTING—Mr. Snowden—1.

ABSENT—Messrs. Alexander, Livingston, Wolf—3.

HB 272 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The Secretary of the Senate informed the House that the Senate had passed and requested the concurrence of the House in the following joint resolution, which was presented by the Chair, and given it first and second readings by title only:

SJR 5—"Expressing Appreciation to the Cape May County Chamber of Commerce for Their Hospitality."

On request of Mr. Snedeker, the rules were suspended in order to take up **SJR 5** for action.

Mr. Snedeker moved that **SJR 5**—"Expressing Appreciation to the Cape May County Chamber of Commerce for Their Hospitality," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Resolution pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Alexander, Livingston, Richards, Wolf—4.

SJR 5 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. West moved **HS 1** for **HB 54**—"An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety" by Creating an Air Pollution Authority, Prescribing Its Powers and Duties, Providing Penalties and Appropriating Funds," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS — Messrs. Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Hussey, Kaufman, Keller, King, Lambert, Lawson, (Mrs.) Manning, McAllister, Mills, Proyer, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Walls, West, Mr. Speaker Mayhew—27.

NAYS—Mr. Shockley—1.

NOT VOTING—Mr. Eskridge—1.

ABSENT—Messrs. Alexander, Livingston, Wolf—3.

PRESENT—Messrs. Massey, Quigley, Tribbitt—3.

HS 1 for **HB 54** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Shockley moved that **SB 204**—"An Act Authorizing the Levy Court of Kent County to Appropriate a Certain Sum to the Mid-Del Association for Retarded Children for Operational Expenses," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Alexander, Livingston, Wolf—3.

SB 204 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Quigley moved that **HB 204**—"An Act to Amend Chapter 39, Title 10, Delaware Code, Entitled "Pleading and Practice" by Permitting a Civil Action Against the Parents of Children Who Maliciously Destroy or Damage Property," be taken up for further consideration.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS — Messrs. Appleford, Bartleson, Betts, Cain, Carpenter, Clark, English, Eskridge, Hussey, Keller, King, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Simpler, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—22.

NAYS—Messrs. Ehinger, Kaufman, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Snedeker, Snowden, West—10.

ABSENT—Messrs. Alexander, Livingston, Wolf—3.

HB 204 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Ehinger moved that **HB 263**—"An Act to Amend Title 14, Chapter 71, Delaware Code Relating to Free Public Libraries," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—Mr. Cain—1.

ABSENT — Messrs. Alexander, Livingston, Shockley, West, Wolf—5.

PRESENT—Mr. Betts—1.

HB 263 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Walls moved that **HB 106**—"An Act to Amend Chapter 65, Title 29, Delaware Code by Requiring Certain Persons, Firms or Corporations Receiving Appropriations from the State to File a Financial Report," be taken up for consideration and read for the third time in order to pass the House.

Mr. Walls introduced **HA 1** to **HB 106** and on further motion by him, the amendment was adopted.

On the question, "Shall the Bill as Amended pass the House?" the roll call revealed:

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

NAYS—Messrs. Appleford, Bartleson, Carpenter, Ehinger, Kaufman, Keller, Lawson, (Mrs.) Manning, Richards, Snedeker, Snowden—11.

ABSENT—Messrs. Alexander, Livingston, West, Wolf—4.

HB 106 with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

HB 313 was stricken from the calendar on request of Mrs. Manning.

On motion of Mr. Shockley, **HB 283** was given the third and final reading in order to pass the House. **HA 1** to **HB 283** was introduced by Mr. Shockley, and on further motion by him was adopted. On motion of Mr. Shockley, action was deferred on **HB 283** with **HA 1**.

Mr. Speaker announced that he was about to sign: **SB 88** and **SB 93**.

On motion of Mr. Quigley, the House adjourned until Monday, May 13, 1957, at 1:00 P. M.

74TH LEGISLATIVE DAY

House met pursuant to adjournment at 2:10 P. M., on May 13, 1957.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Bartleson, Betts, Cain, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lamber, Lawson, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, Wolf, Mr. Speaker Mayhew—29.

Members absent—Messrs. Alexander, Appleford, Carpenter, Clark, Livingston, West—6.

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

Communications were presented by Mr. Mayhew and Mr. Eskridge.

The following bills were reported out of committees as favorably, unless otherwise specified: **HB 321**, from Municipal Corporations; **HB 262**, from Private Corporations; **HB 320**, from Insurance and Banking, 2 favorable, 2 on merits; **SB 195**, from Education; **SB 113**, from Fish, Oysters and Game, 3 favorable, 2 on merits; **SB 123**, from Insurance and Banking.

On motion of Mr. Quigley, Mr. Speaker would have authority on Tuesday, May 14, 1957, to remove bills from the Committees on Public Buildings and Highways and Revenue and Taxation, and place them in another committee, if the chairman of those committees was not present.

Mr. English introduced the following resolution, which on further motion by him was adopted: **HR 79**—"Authorizing Payment on Account to James F. Sylvester, an Attache of the House of Representatives."

BE IT RESOLVED, by the House of Representatives of the 119th General Assembly, that the State Treasurer is authorized and directed to pay to James F. Sylvester, who was duly appointed by Resolution of the House of Representatives, upon the order of the Speaker and Chief Clerk of the House, the sum of One Hundred Dollars (\$100.00), on account of services to the present Session of the House of Representatives. This sum shall be charged against the salary of James F. Sylvester, and shall be a part of the expenses of this Session of the House of Representatives.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 183** and **HB 184**, and that the Senate had passed and requested the concurrence of the House in the following bills, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

SB 159—"An Act Amending Title 24, of the Delaware Code, Creating a State Board of Electrical Examiners, and to Prescribe Regulations for Reduction of Fire Hazards and for Protection of Life and Property," to Revised Statutes.

SB 167—"An Act to Amend Chapter 196, Vol. 22, Laws of Del., 1901, Entitled "An Act to Authorize the Commissioners of Lewes to Appoint a Board of Public Works for the Town of Lewes, Which Shall Establish, Control and Regulate an Electric Light Plant, Water Works and a Sewer System for Said Town; Prescribing the Powers and Duties of Said Board and Providing for the Election of their Successors", by Granting to Qualified Leaseholders the Right to Vote in the Election of Members of the Said Board of Public Works," to Municipal Corporations.

Mr. Ehinger moved that **HB 91**—"An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety" in Regard to the Composition of the State Board of Health," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Bartleson, Ehinger, English, Kaufman, Keller, Lambert, Lawson, (Mrs.) Manning, Massey, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Wolf—16.

NAYS—Messrs. Betts, Cain, Eskridge, Hussey, King, Mills, McAllister, Pryor, Shockley, Walls—10.

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

ABSENT — Messrs. Alexander, Appleford, Carpenter, Clark, Livingston, Quigley, West—7.

Messrs. Ehinger, Lawson and Snowden changed their vote from yea to nay for the purpose of reconsideration.

HB 91 not having received the constitutional majority, was lost in the House.

Mr. Speaker announced that he was about to sign: **HB 183** and **HB 184**.

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

HB 325—"An Act to Amend Chapter 37, Title 12, Delaware Code, by Empowering the Court of Chancery to Authorize Charitable Contributions Under Certain Circumstances by Trustees for Mentally Ill Persons," by Hussey and Snowden; to Judiciary.

HB 326—"An Act to Amend Chapter 192, Volume 36, Laws of Delaware Entitled "An Act to Reincorporate the Town of Smyrna", and Relating to the Taxing Powers of the Town of Smyrna," by King; to Municipal Corporations.

HB 327—"An Act to Amend Chapter 4, Title 7, Delaware Code Relating to the Prohibition of Sales of Alcoholic Liquors at Certain Times," by Shockley; to Temperance.

On motion of Mr. Shockley, the House adjourned until Tuesday, May 14, 1957, at 1:00 P. M.

75TH LEGISLATIVE DAY

House met pursuant to adjournment at 1:55 P. M., on May 14, 1957.

Prayer by the Chaplain, Rev. Donohoe.

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

Members absent—Messrs. Alexander, Carpenter, Kaufman, Keller—4.

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

Communications were presented by Messrs. Mayhew and West.

Mr. Speaker appointed Mr. Walls as Temporary Chairman of the Public Buildings and Highways Committee and assigned all bills in the Committee on Revenue and Taxation to the Public Buildings and Highways Committee. •

The following bills were reported out of the respective committees as favorably, unless otherwise specified: **SB 148**, from Private Corporations; **SB 201**, from Miscellaneous, 3 favorable, 1 on merits; **SB 103** with **SA 1**, from Miscellaneous;

HB 311, from Municipal Corporations, 4 favorable, 1 on merits; **HB 135**, from Public Buildings and Highways; **HB 253** and **HB 254**, from Revenue and Taxation; **HB 275**, from Revenue and Taxation, 3 favorable, 1 on merits; **HB 317**, from Revenue and Taxation, 3 favorable, 1 unfavorable; **SB 36** and **SB 57**, from Public Buildings and Highways, and **HB 309**, from Judiciary, 3 favorable.

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 184** and **HB 183**.

The Secretary of the Senate informed the House that the Senate had concurred in: **HB 53**.

Mr. Hussey moved that **SB 40**—"An Act to Amend Chapter 13 Title 15 of the Delaware Code Relating to Registration of Voters," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT — Messrs. Alexander, Carpenter, Kaufman, Keller, Livingston, Snedeker, Spicer, Tribbitt, West—9.

SB 40 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Hussey moved that **SB 77** with **SA 1**—"An Act to Amend Chapter 31, Title 15 of the Delaware Code, Relating to Primary Elections, by providing for Changes in the Procedure for Holding Primary Elections," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill as Amended pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT — Messrs. Alexander, Carpenter, Kaufman, Keller, West—5.

SB 77 with **SA 1** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Hussey moved that **SB 70**—"An Act to Amend Title 15, Chapter 71, Delaware Code, Relating to Special Elections, by Changing the Number of Days Elapsing Between Receipt

of the Writ and Holding the Special Election," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT — Messrs. Alexander, Carpenter, Kaufman, Keller, West—5.

SB 70 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Tribbitt moved that **HB 297**—"An Act to Amend Chapter 63, Title 29, Delaware Code Relating to the General Powers and Duties of the Budget Commission," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT — Messrs. Alexander, Carpenter, Kaufman, Keller, Snedeker, West—6.

HB 297 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Ehinger, **HB 91** was restored to the calendar.

Mr. Speaker announced that he was about to sign: **SB 204** and **SJR 5**.

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

HB 328—"An Act to Amend Chapter 550, Volume 50, Laws of Delaware, Relative to State Pensions of Members of the General Assembly; and Appropriating Funds," by Richards, Ehinger, Walls and English; to Miscellaneous.

HB 329—"An Act to Amend Title 29, Delaware Code Entitled "State Government" to Raise the Salary of the Director of the Development Department," by Ehinger and Shockley; to Miscellaneous.

HB 330—"An Act to Amend An Act Entitled "An Act Amending, Revising and Consolidating the Charter of the Town of Georgetown", Being Chapter 166, Volume 43, Laws of Delaware, as Amended, by Increasing the Authority of

Council to Award Contracts Without Competitive Bidding; Authorizing Mortgaging of Municipal Property; Changing the Fiscal and Budget Year; Changing the Time of the Annual Audit and the Qualifications of the Auditors; Eliminating the Office of Tax Collector and Transferring His Powers and Duties to the Treasurer and Requiring the Treasurer to Collect Sewer Rentals; Authorizing Suits for Delinquent Taxes in the Court of Common Pleas; Authorizing the Assessment and Collection of Taxes on Telegraph, Telephone and Power Poles and Equipment and Prescribing the Procedure Therefor; Increasing the Limitation Upon the Bonded Indebtedness; Defining the Authority of Town Police Within One Mile of the Town Limits; Adopting the Motor Vehicle Code and Increasing the Authority of the Alderman to Fix Fines, Penalties and Terms of Imprisonment; and, Revising the Procedure for Initiating the Paving, Curbing and Guttering of Streets and Sidewalks," by Spicer; to Municipal Corporations.

HB 331—"An Act to Amend Title 7, Delaware Code, Entitled "Conservation" in Respect to Funds Received by the Board of Game and Fish Commissioners from Rental or Facilities and Rental or Sale of Certain Commission Publications, Equipment or Products," by Walls and English; to Fish, Oysters and Game.

HB 332—"An Act to Amend Title 14, Section 771, Delaware Code Relating to Rabbit Hunting," by Walls and English; to Fish, Oysters and Game.

HB 333—"An Act to Amend Title 30, Delaware Code Entitled "State Taxes" to Give Non-Residents Limited Income Tax Relief," by Wolf; to Miscellaneous.

HB 334—"An Act Appropriating Funds to the State Highway Department for a Public Park and Recreational Area at Ingram Pond," by West and Walls; to Appropriations.

HS 1 for HB 198—"An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety" in Regard to Burial, Removal, Cremation or Other Disposition of Dead Bodies," by Clark; to Public Health.

HS 1 for HB 308—"An Act to Amend Chapter 39, Title 12, Delaware Code, Relating to Guardian and Ward," by Tribbitt; to Judiciary.

Mr. Snowden moved that **HB 278**—"An Act to Appropriate to the Board of Public Education in Wilmington \$175,000 for the Purpose of Purchasing Land Upon Which an Elementary School is to be Constructed and to Provide for Return Thereof," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor,

Quigley, Reed, Richards, Shockley, Simpler, Snowden, Spicer, Walls, Wolf, Mr. Speaker Mayhew—28.

NAYS—None.

ABSENT — Messrs. Alexander, Carpenter, Kaufman, Keller, Snedeker, Tribbitt, West—7.

HB 278 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Shockley moved that **HB 133**—"An Act Appropriating Funds to the State Board of Trustees of the Delaware State Hospital at Farnhurst, Delaware, to Build, Equip and Furnish a Wing for the Medical Center at the Hospital for the Mentally Retarded at Stockley, Delaware," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT — Messrs. Alexander, Carpenter, Kaufman, Keller, Snedeker, West—6.

HB 133 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Shockley moved that **HB 285**—"An Act Appropriating Funds to the Adjutant General of Delaware for Uniforms for National Guard Officers," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT — Messrs. Alexander, Carpenter, Kaufman, Keller, Snedeker—5.

HB 285 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. McAllister moved that **SB 195**—"An Act to Amend Title 14, Delaware Code, Entitled "Education" Relating to the Board of Trustees of Delaware State College," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

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

ABSENT — Messrs. Alexander, Carpenter, Kaufman, Keller—4.

PRESENT—Mr. Spicer—1.

SB 195 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The following bills were reported out of the Appropriations Committee: **HB 287**, favorably; **HB 291**, favorably; **HB 318**, 3 favorable, 1 on merits; **SB 124**, 2 favorable, 2 on merits; **SB 200**, 2 favorable, 2 on merits; **SB 225**, 2 favorable, 1 on merits.

Mr. Hussey moved that **HB 321** be given the third and final reading in order to pass the House. On further motion by him, action was deferred for a correction in the title.

Mr. Hussey moved that **SS 1** for **SB 78** be given the third and final reading in order to pass the House. On further motion by him, action was deferred.

On motion of Mr. Quigley, the House adjourned until Wednesday, May 15, 1957, at 2:00 P. M.

76TH LEGISLATIVE DAY

House met pursuant to adjournment at 2:40 P. M., on May 15, 1957.

Prayer by the Chaplain, Rev. Donohoe.

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

Members absent—Messrs. Alexander, Carpenter, Kaufman, West, Wolf—5.

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

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

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, May 14, 1957

To the House of Representatives of the State of Delaware:

This will advise you that on May 14, 1957, I approved the following legislation:

Senate Bill No. 49 with S. A. #1—An Act Appropriating Money to the State Highway Department for Maintenance, Repairs and Reconstruction of Certain Streets and Roads.

Senate Bill No. 88—An Act to Appropriate Funds to the State Highway Department for the Use of the Motor Vehicle Division for the Fiscal Year Ending June 30, 1957.

Senate Bill No. 93—An Act Making an Appropriation to the State Soil Conservation Commission for the Purchase of Heavy Earth-Moving Machinery and Other Equipment Needed in the Soil Conservation Work of the State, Making Provision for the Repayment Thereof, and Designating the Boards of Soil District Supervisors to Oversee the Use of Said Equipment and Machinery.

Senate Bill No. 165—An Act to Amend Title 21, Delaware Code, Entitled "Motor Vehicles" in Respect to Certain Second Offenses.

House Bill No. 117—An Act to Amend Chapter 65, Title 11, Delaware Code, Entitled "Prisons and Prisoners" in Respect to Surplus Products.

Respectfully submitted,

J. CALEB BOGGS, Governor

Communications were presented by Mr. Mayhew.

The following bills were reported out of committees as favorably, unless otherwise stated: **HB 186**, from Public Buildings and Highways, 2 favorable, 1 on merits; **HB 310**, from Private Corporations, 4 favorable, 1 on merits; **HB 57** and **HB 153**, from Revenue and Taxation; **HS 1** for **HB 308**, from Judiciary; **SB 87** and **SB 188**, from Judiciary, 2 favorable, 1 on merits, and **HB 229** and **HB 266**, from Miscellaneous.

Mr. Quigley introduced the following resolution, which on further motion by him, was adopted: **HR 80**—"Conveying the Congratulations and Good Wishes of the House of Representatives to the Honorable J. Caleb Boggs, Governor of the State of Delaware, on His Birthday."

WHEREAS, the members of the House of Representatives of the 119th General Assembly, have learned that today, May 15, 1957, marks the 48th birthday of the Honorable J. Caleb Boggs, Governor of our beloved State of Delaware; and

WHEREAS, the members of the House of Representatives of the 119th General Assembly regard it as an honor and pleasure to express their congratulations to him on this day; and

WHEREAS, the members of the House of Representatives believe they speak for the citizens of the State of Delaware in this conveyance of good wishes and respects to the Chief Executive with whom we are associated in the operation of the government of our State; NOW THEREFORE,

BE IT RESOLVED, by the House of Representatives of the 119th General Assembly of the State of Delaware, in regular session met, that the best wishes for the Governor's good health, happiness and success are hereby conveyed to our Governor, the Honorable J. Caleb Boggs, on his 48th birthday; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be entered on the Journal of the House, a copy delivered to the press and a copy thereof be sent to Governor Boggs.

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

SB 60—"An Act to Amend Chapter 43, Title 21, Delaware Code, Relating to Equipment and Construction of Vehicles," to Public Buildings and Highways.

SB 212—"An Act to Appropriate Money to the State Highway Department for the Purpose of Repairing and Replacing the Boardwalk at Rehoboth Beach," to Public Buildings and Highways.

SB 239—"An Act to Amend Title 21, Delaware Code Relating to Fees Paid by the Department of Motor Vehicles for the Return of Number Plates," to Miscellaneous.

Mr. Lawson moved that **HB 114**—"An Act to Amend Chapter 237, Volume 46, Laws of Delaware, as Amended, Entitled "City of Wilmington Employees' Retirement Act," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Snedeker, Snowden, Spicer, Walls, Mr. Speaker Mayhew—24.

NAYS—None.

ABSENT — Messrs. Alexander, Carpenter, Kaufman, Keller, King, Richards, Shockley, Simpler, Tribbitt, West, Wolf—11.

HB 114 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Eskridge moved that **SB 201**—"An Act to Amend Chapters 41 and 92, Title 9, Delaware Code Relating to the Payment of Salaries of Kent County Employees," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Snedeker, Snowden, Spicer, Mr. Speaker Mayhew—23.

NAYS—None.

ABSENT — Messrs. Alexander, Carpenter, Kaufman, Keller, King, Richards, Shockley, Simpler, Tribbitt, Walls, West, Wolf—12.

SB 201 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Appleford moved that **HB 138**—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" by Increasing the Compensation of the Custodian, and Appropriating Funds," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Appleford, Bartleson, Ehinger, Keller, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer—13.

NAYS—Messrs. Cain, Betts, Clark, English, King, Livingston, McAllister, Mills, Pryor, Quigley, Walls—11.

NOT VOTING—Messrs. Eskridge, Massey, Tribbitt and Mr. Speaker Mayhew—4.

ABSENT — Messrs. Alexander, Carpenter, Kaufman, Shockley, West, Wolf—6.

PRESENT—Mr. Hussey—1.

Messrs. Appleford, Keller and Snowden changed their vote from yea to nay for the purpose of reconsideration.

HB 138 not having received the constitutional majority, was lost in the House.

On motion of Mr. Appleford, **HB 138** was restored to the calendar.

On motion of Mr. Pryor, **HB 105** was stricken from the calendar.

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

HB 335—"An Act to Amend Title 14, Delaware Code, Entitled "Education" Relative to School Boards Elections; Local School Taxes; Local School Bonds," by McAllister and Snowden; to Education.

HB 336—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" in Regard to State Pensions," by Lawson and Eskridge; to Miscellaneous.

HB 337—"An Act to Amend Chapter 135, Volume 29, Laws of Delaware, in Respect to Curbstone Markets in the City of Wilmington," by Lawson and Snowden; to Revised Statutes.

HB 338—"An Act to Authorize the State of Delaware to Borrow a Certain Sum of Money to Provide for Highway Improvements and for Buildings Under the Jurisdiction of the State Highway Departments by Acquiring Lands and Rights-of-Way, Constructing and Reconstructing Highways, Bridges, by Providing Buildings and Improvements Incidental Thereto and to Issue Bonds and Notes Therefor and Appropriating Funds," by Pryor; to Appropriations.

HB 339—"An Act to Amend the Delaware Code by Increasing the Salaries of Certain County Officers in New Castle County," by Hussey; to Revised Statutes.

HB 340—"An Act to Amend Title 17, Delaware Code Relating to Dedication of New Roads to the Public," by Tribbitt; to Public Buildings and Highways.

HB 341—"An Act to Amend Chapter 162, Volume 37, Laws of Delaware Entitled "An Act Changing the Name of 'The Town of Milford' to 'The City of Milford' and Establishing a Charter Therefor", Relating to the Powers, Duties and Jurisdiction of the Alderman and Fines, Terms of Imprisonment for Violation of Ordinance or Law," by Mayhew; to Municipal Corporations.

HB 342—"An Act Providing for the Acquisition of Lands in Connection With Certain Ponds and Appropriating Moneys to the State Highway Department for the Construction of Dams and Other Improvements," by Walls et al; to Public Buildings and Highways.

HB 343—"An Act Appropriating Money to Alber H. Alexander and Helen P. Alexander in Payment of a Claim Against the State of Delaware," by Quigley; to Claims.

HB 344—"An Act to Amend Chapter 50, Title 15, Delaware Code Relating to the Use of Voting Machines in Elections," by Quigley; to Elections.

Mr. Snowden moved that **HB 240** be given the third and final reading in order to pass the House. On motion of Mr. Quigley, action was deferred on **HB 240**.

Mr. Spicer moved that **HB 208**—"An Act to Amend Chapter 16, Title 10, Delaware Code Relating to the Court of Common Pleas for Sussex County," be taken up for consideration and read for the third time in order to pass the House.

HA 1 to **HB 208** was introduced by Mr. Spicer and on further motion by him, the amendment was adopted.

On the question, "Shall the Bill as Amended pass the House?" the roll call revealed:

YEAS—Messrs. Appleford, Bartleson, Clark, Ehinger, Eskridge, Keller, King, Lawson, (Mrs.) Manning, McAllister, Mills, Quigley, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Walls—19.

NAYS—Messrs. Betts, Cain, English, Hussey, Livingston, Pryor—6.

NOT VOTING—Messrs. Massey and Tribbitt—2.

ABSENT — Messrs. Alexander, Carpenter, Kaufman, Lambert, Shockley, West, Wolf—7.

PRESENT—Mr. Speaker Mayhew—1.

HB 208 with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Appleford moved that **HB 275**—"An Act to Amend Title 30, Delaware Code Entitled "State Taxes" to Repeal the Special Tax Privileges as to Certain Occupations," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS — Messrs. Appleford, Bartleson, Clark, Ehinger, Keller, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer—14.

NAYS—Messrs. Betts, English, Eskridge, Hussey, King, Livingston, McAllister, Mills, Pryor, Quigley, Tribbitt, Walls, Mr. Speaker Mayhew—13.

NOT VOTING—Messrs. Cain and Massey—2.

ABSENT — Messrs. Alexander, Carpenter, Kaufman, Shockley, West, Wolf—6.

HB 275 not having received the constitutional majority, was lost in the House.

Mr. Spicer moved that **HB 81**—"An Act to Amend Chapter 80, Title 9, Delaware Code, Relating to the County Tax Rates," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Appleford, Bartleson, Ehinger, Keller, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer—13.

NAYS—Messrs. Betts, Cain, Clark, English, Eskridge, Livingston, McAlliser, Mills, Pryor, Quigley, Tribbitt, Walls, Mr. Speaker Mayhew—13.

NOT VOTING—Mr. Shockley—1.

ABSENT — Messrs. Alexander, Carpenter, Kaufman, West, Wolf—5.

PRESENT—Messrs. Hussey, King, Massey—3.

Messrs. Keller and Spicer changed their vote from yea to nay for the purpose of reconsideration.

HB 81 not having received the constitutional majority, was lost in the House.

Mr. Spicer moved that **HB 81** be restored to the calendar.

Roll call revealed:

YEAS—Messrs. Appleford, Bartleson, Ehinger, Keller, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer—13.

NAYS—Messrs. Betts, Cain, Clark, English, Eskridge, Hussey, King, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, Mr. Speaker Mayhew—17.

ABSENT — Messrs. Alexander, Carpenter, Kaufman, West, Wolf—5.

The motion to restore **HB 81** to the calendar was lost.

Mr. Ehinger moved that **HB 91**—"An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety" in Regard to the Composition of the State Board of Health," be taken up for further consideration in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT — Messrs. Alexander, Carpenter, Kaufman, Massey, West, Wolf—6.

HB 91 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Hussey, **HB 321** was stricken from the calendar.

Mr. Speaker announced that he was about to sign: **HB 53**.

The following bills were reported out of the Appropriations Committee as follows: **HB 279** and **HB 292**, favorably; **HB 307** and **HB 322**, 4 favorable, 1 on merits.

On motion of Mr. Quigley, the House adjourned until Thursday, May 16, 1957, at 1:00 P. M.

77TH LEGISLATIVE DAY

House met pursuant to adjournment at 2:15 P. M., on May 16, 1957.

Mr. Quigley acted as Temporary Speaker.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Alexander, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAl-

lister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—28.

Members absent—Messrs. Appleford, Carpenter, Hussey, Massey, Snowden, West, Wolf—7.

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

The Secretary of the Senate informed the House that the Senate had concurred in **HB 127** and **HB 147**, but had not concurred in **HB 23**, and that the Senate had passed and requested the concurrence of the House in the following bills, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

SB 217—"An Act to Amend Chapter 43, Title 21, Delaware Code Relating to Equipment and Construction of Vehicles by Providing for a New Sub Chapter Thereto Entitled "Brake Fluids," to Public Buildings and Highways.

SB 257—"An Act to Amend Title 15 of the Delaware Code by Transferring the Obligation to Pay Certain Registration and Election Expenses from the Counties and the City of Wilmington to the State of Delaware and Providing an Appropriation Therefore for the Next Biennium," to Elections.

The following bills were reported out of the Miscellaneous Committee as favorably: **HB 83**, **HB 328** and **SB 110**.

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

HB 345—"An Act Making a Supplementary Appropriation to the State Board of Health for the Two Fiscal Years Ending June 30, 1958 and June 30, 1959," by Clark and Ehinger; to Appropriations.

HB 346—"An Act to Amend Title 29, Section 5501, Delaware Code Relating to the Definition of a Covered Employment for the State Employees Pension Plan," by King; to Miscellaneous.

HB 347—"An Act to Amend Chapter 39, Title 7, Providing for an Annual Appropriation to the State Soil Conservation Commission for the Use of the Board of Soil District Supervisors of the Soil Conservation District of New Castle County," by Pryor and Tribbitt; to Appropriations.

HB 348—"An Act Appropriating Money to Eber H. Alexander and Helen P. Alexander in Payment of a Claim Against the State of Delaware," by Quigley; to Claims.

Mrs. Manning moved that **HB 318**—"An Act Appropriating Funds to the State Park Commission for Development and Maintenance of Brandywine Springs Park," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Bartleson, Betts, Cain, Clark, Ehinger, Eskridge, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Mr. Speaker Mayhew—25.

NAYS—Messrs. Alexander and English—2.

ABSENT — Messrs. Appleford, Carpenter, Hussey, Massey, Snowden, Walls, West, Wolf—8.

HB 318 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Tribbitt moved that **HB 216**—"An Act to Amend Chapter 1, Title 12, Delaware Code Relating to Wills," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT — Messrs. Appleford, Carpenter, Hussey, Massey, Snowden, Walls, West, Wolf—8.

HB 216 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Lawson moved that **HB 180**—"An Act to Amend Chapter 79, Title 3, Delaware Code, by Providing for the Appointment of Special Constables," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS — Messrs. Bartleson, Ehinger, Kaufman, Keller, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Shockley, Simpler, Snedeker, Spicer—13.

NAYS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, King, Livingston, McAllister, Mills, Pryor, Quigley, Tribbitt, Mr. Speaker Mayhew—14.

ABSENT — Messrs. Appleford, Carpenter, Hussey, Massey, Snowden, Walls, West, Wolf—8.

HB 180 not having received the constitutional majority, was lost in the House.

Mr. Tribbitt moved that **HB 213**—"An Act to Amend Title 6, Delaware Code Relating to Commerce and Trade," be taken up for consideration and read for the third time in order to pass the House.

HA 1 to **HB 213** was introduced by Mr. Tribbitt and on further motion by him, the amendment was adopted.

On the question, "Shall the Bill as Amended pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, King, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Shockley, Spicer, Tribbitt, Mr. Speaker Mayhew—16.

NAYS—Messrs. Bartleson, Ehinger, Kaufman, Keller, Lambert, Lawson, Quigley, Reed, Richards, Snedeker—10.

ABSENT — Messrs. Appleford, Carpenter, Hussey, Massey, Simpler, Snowden, Walls, West, Wolf—9.

Messrs. King, Livingston and Tribbitt changed their vote from yea to nay for the purpose of reconsideration.

HB 213 with **HA 1** not having received the constitutional majority, was lost in the House.

Mr. Lawson moved that **HB 192**—"An Act to Amend Chapter 3, Title 11, Delaware Code by Changing the Penalties in Reference to Cruelty to Animals," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Bartleson, Ehinger, Kaufman, Keller, Lambert, Lawson, (Mrs.) Manning, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Spicer—14.

NAYS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, King, Livingston, Mills, McAllister, Quigley, Mr. Speaker Mayhew—12.

NOT VOTING—Mr. Tribbitt—1.

ABSENT — Messrs. Appleford, Carpenter, Hussey, Massey, Snowden, Walls, West, Wolf—8.

HB 192 not having received the constitutional majority, was lost in the House.

Mr. Shockley moved that **HB 253**—"An Act to Amend Chapter 11, Title 30, Delaware Code, by Increasing the Minimum Amount of Income Tax Payable at Which the Tax May be Paid in Installments," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Bartleson, Betts, Cain, Clark, Ehinger, Eskridge, Kaufman, Keller, King, Lambert, Lawson, (Mrs.) Manning, McAllister, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Mr. Speaker Mayhew—23.

NAYS—Messrs. English, Livingston, Mills, Quigley—4.

ABSENT — Messrs. Appleford, Carpenter, Hussey, Massey, Snowden, Walls, West, Wolf—8.

HB 253 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Quigley, **HB 343** was stricken from the calendar.

Mr. Speaker announced that he was about to sign: **HB 147, HB 127, SB 77** with **SA 1, SB 40, SB 201, SB 195** and **SB 70**.

Mr. Shockley requested that **SB 36** be given the third and final reading in order to pass the House. On further motion of Mr. Shockley, action was deferred on the bill.

On motion of Mr. Quigley, the House adjourned until Friday, May 17, 1957, at 2:30 P. M.

78TH LEGISLATIVE DAY

House met pursuant to adjournment at 3:35 P. M., on May 17, 1957.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Appleford, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, Lambert, Livingston, (Mrs.) Manning, Massey, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—25.

Members absent—Messrs. Alexander, Bartleson, Carpenter, King, Lawson, McAllister, Mills, Pryor, Snowden, Wolf—10.

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

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 147, HB 127, HB 53**.

HB 341 was reported out of the Committee on Municipal Corporations as favorably; **HB 274** was reported out of the Committee on Public Health as 2 favorable, 1 on merits, 1 unfavorable.

On motion of Mr. Tribbitt, **HB 213** was restored to the calendar.

Mr. English introduced the following resolution, which on further motion by him, was adopted: **HR 81**—"Authorizing the Payment of Certain Expenses of the House of Representatives for Telephone Service, Repair Service to Typewriters and Equipment."

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

The Diamond State Telephone Company, 124 South State Street, Dover, Delaware, for local service and equipment and calls on telephone numbered Dover 5711, Extensions 222, 223, 224, 228, covering the period from March 11, 1957 to and including April 10, 1957..... \$30.35

International Business Machines Corporation, 909 Delaware Avenue, Wilmington 99, Delaware, for repair service on IBM Electric Typewriter Nos. 044988, 064535, 538062 and 063247 on April 23, 1957..... \$18.28

Royal Typewriter Company, Inc., 203 Philadelphia Pike, Wilmington, Delaware, for repairs to Royal Typewriter No. HHP15-497687 on April 9, 1957..... \$4.00

Remington Rand Company, 465 Washington Street, Buffalo 3, New York, for repairs to Remington Line-a-time \$5.20

Mr. Hussey moved that **HB 87**—"An Act to Amend Chapter 29, Title 30, Delaware Code, Entitled "Merchants' License Tax" in Respect to the Tax Paid by Persons Buying, Selling or Shipping Fuel Oil," be taken up for consideration and read for the third time in order to pass the House.

HA 1 to **HB 87** was introduced by Mr. Richards. On motion of Mr. Quigley, the amendment was adopted.

On the question, "Shall the Bill as Amended pass the House?" the roll call revealed:

YEAS—Messrs. Betts, Cain, Clark, Eskridge, Hussey, Livingston, Massey, Quigley, Shockley, Tribbitt, Walls, Mr. Speaker Mayhew—12.

NAYS—Messrs. Appleford, Ehinger, Kaufman, Keller, Lambert, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Spicer—11.

NOT VOTING—Mr. West—1.

ABSENT — Messrs. Alexander, Bartleson, Carpenter, English, King, Lawson, McAllister, Mills, Pryor, Snowden, Wolf—11.

Messrs. Eskridge, Hussey, Quigley and Mr. Speaker Mayhew changed their vote from yea to nay for the purpose of reconsideration.

HB 87 with **HA 1** not having received the constitutional majority, was lost in the House.

Mr. Quigley moved that **HB 302**—"An Act Making a Supplementary Appropriation to State Board of Trustees of Delaware State Hospital at Farnhurst for the Purpose of Paying Its Share of a Sewage Treatment Plant," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Appleford, Betts, Cain, Clark, Ehinger, Eskridge, Hussey, Kaufman, Keller, Lambert, Livingston, (Mrs.) Manning, Massey, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Walls,, Mr. Speaker Mayhew—23.

NAYS—None.

ABSENT — Messrs. Alexander, Bartleson, Carpenter, English, King, Lawson, McAllister, Mills, Pryor, Snowden, Wolf—11.

PRESENT—Mr. West—1.

HB 302 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 349—"An Act Proposing an Amendment to Section 2 of Article 2 of the Constitution of the State of Delaware in Regard to the Term of Office of Members of the House of Representatives," by Keller; to Revised Statutes.

HB 350—"An Act to Completely Revise, Recodify and Amend Title II, Delaware Code in Relation to Sentencing, Probation, Parole and a Pardon of Adult Offenders; Creating a State Probation and Parole Commission, a State Department of Probation and Parole Services and a Probation and Parole Advisory Board; Procedures With Respect to Executive Clemency; Appropriating Funds and Repealing Contrary Provisions," by Shockley, Hussey, Spicer, Ehinger, Snedeker, Walls and Manning; to Judiciary.

HB 351—"An Act Making a Supplementary Appropriation for Expenses of the Water Pollution Commission for the Fiscal Years Ending June 30, 1958 and June 30, 1959," by Spicer, Eskridge, Shockley, Appleford, Snedeker, Ehinger and Quigley; to Appropriations.

On motion of Mr. Quigley, the House adjourned until Monday, May 20, 1957, at 1:00 P. M.

79TH LEGISLATIVE DAY

House met pursuant to adjournment at 2:10 P. M., on May 20, 1957.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—34.

Member absent—Mr. Snowden—1.

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

Mr. Mayhew presented a communication from Mrs. Joseph McCarthy in reference to **HR 77**.

Mr. Mayhew presented a communication from Governor Boggs in reference to **HR 80**.

The following bills were reported out of committees as being favorably: **HB 330** and **HB 326**, from Municipal Corporations; **HB 325**, from Judiciary; **HB 346**, from Miscellaneous, and **HB 89** and **HS 1** for **HB 211**, from Revenue and Taxation.

Mr. Quigley introduced the following resolution, which on further motion by him, was adopted: **HR 82**—"Expressing the Best Wishes of the House of Representatives of the 119th General Assembly to Mr. Frank Shoemaker on His Birthday."

WHEREAS, the members of the House of Representatives of the 119th General Assembly wish to express their sincere best wishes to Mr. Frank Shoemaker, the reading clerk of the House, on his birthday, NOW THEREFORE,

BE IT RESOLVED by the House of Representatives of the 119th General Assembly of the State of Delaware that the best wishes of its members for the good health, happiness and success is hereby extended to Mr. Frank Shoemaker, reading clerk of the House, on his birthday, and

BE IT FURTHER RESOLVED that a copy of this Resolution be entered on the Journal of the House, and a copy be given to Mr. Frank Shoemaker.

Mr. Quigley moved that **HB 300**—"An Act Appropriating Funds to the Supreme Court of the State of Delaware," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—34.

NAYS—None.

ABSENT—Mr. Snowden—1.

HB 300 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mrs. Manning moved that **HB 310**—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Hyde Park Civic Association, Inc., from Assessment and Taxation," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Snowden and West—2.

HB 310 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Bartleson moved that **HB 307**—"An Act to appropriate \$9,000 to the State Highway Department for the Purpose of Constructing a Concrete Sidewalk Along the West Side of Shipley Road Between Faulk Road and the Springer Junior High School in New Castle County," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

NOT VOTING—Mr. West—1.

ABSENT—Mr. Snowden—1.

HB 307 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Eskridge moved that **SB 110**—"An Act Proposing an Amendment to the Constitution of the State of Delaware Relating to the Time and Frequency of Sessions of the General Assembly," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—34.

NAYS—None.

ABSENT—Mr. Snowden—1.

SB 110 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mrs. Manning moved that **HB 187**—"An Act Proposing an Amendment to Section 2, Article 5, of the Constitution of the State of Delaware, Relating to Qualifications for Voting," be taken up for further consideration in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Appleford, Ehinger, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Spicer, Wolf—9.

NAYS—Messrs. Alexander, Bartleson, Betts, Cain, Carpenter, Clark, English, Eskridge, Hussey, Kaufman, King, Lambert, Lawson, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—24.

ABSENT—Messrs. Keller and Snowden—2.

HB 187 not having received the constitutional majority, was lost in the House.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 133**, and that the Senate had passed and requested the concurrence of the House in the following bills, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

SB 12—"An Act to Amend Subchapter V, Entitled "Controlled-Access Highways", of Chapter 3, Title 17 of the Delaware Code, as Added Thereto by Chapter (H-718), Vol. 51, Laws of Del., to Facilitate the Establishment of Privately-Owned Competitive Commercial Enterprises for Serving Motorists on Service Roads, Parallel to Controlled-Access Highways," to Public Buildings and Highways.

SB 252—"An Act to Amend Chapter 19, Title 10, Delaware Code, Relating to Law Libraries, and to Provide for a State Law Library in Kent County Corresponding to Law Libraries in the Other Counties and to Appropriate Funds," to Judiciary.

SB 118—"An Act to Amend Chapter 11, Title 30, Delaware Code Relating to Income Tax," to Revenue and Taxation.

SB 169—"An Act to Amend Chapter 81, Title 10, of the Delaware Code, Relating to Limitations of Actions," to Judiciary.

SB 210—"An Act to Appropriate \$7500 to the State Highway Department for the Purpose of Constructing a Concrete Sidewalk Along the East Side of the duPont Highway Opposite the Minquadale School in New Castle County," to Public Buildings and Highways.

SB 232—"An Act Authorizing the State Board of Health to Provide Poliomyelitis Immunization and Making an Appropriation Therefor," to Public Health.

SB 246—"An Act to Amend Chapter 184, Volume 43, Laws of Delaware, Entitled "An Act Changing the Name of 'The Town of Seaford' to 'The City of Seaford', and Establishing a Charter Therefor", by Shortening the Hours That the Polls Must be Kept Open at the Annual Municipal Election if There is No Contest," to Municipal Corporations.

SB 247—"An Act to Amend Chapter 184, Volume 43, Laws of Delaware Entitled "An Act Changing the Name of 'The Town of Seaford' to 'The City of Seaford' and Establishing a Charter Therefor", by Changing the Months of the Fiscal year," to Municipal Corporations.

SB 255—"An Act to Amend the Delaware Code, by Abolishing the State Library and to Authorize the Transfer of Material, Office Equipment and Supplies to Other State Agencies, and to Abolish the Office of State Librarian and Transfer the Duties Connected Therewith," to Miscellaneous.

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

HB 352—"An Act to Amend Title 31, Delaware Code, Entitled "Welfare" by Providing for the Establishment of Delaware Commission for Exceptional Children; Appropriations," by Shockley, Cain, Betts, Manning and Eskridge; to Education.

HB 353—"An Act to Amend Title 30, Delaware Code, Entitled "State Taxes" to Repeal the Special Tax Privileges as to Certain Occupations," by Appleford; to Revised Statutes.

HB 354—"An Act to Amend Chapter 3, Title 14, Delaware Code Relating to School Board Elections," by McAllister; to Education.

HB 355—"An Act to Amend Chapter 1, Title 14, Delaware Code Relating to the Transfer of Pupils from One School District to Another," by McAllister and Mills; to Education.

Mr. Tribbitt introduced the following resolution, which on further motion by him, was adopted: **HR 83**—"In Reference to the Resignation of a Attorney's Clerk in the House of Representatives."

BE IT RESOLVED, by the House of Representatives of the 119th General Assembly that the resignation of Ellis Sartin as a Attorney's Clerk of said House of Representatives, effective May 20, 1957, is accepted and the said Ellis Sartin is hereby relieved of duties from the said office as of the close of the legislative day on May 20, 1957.

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

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

Dover, May 20, 1957

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

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

May 14, 1957—House Bill No. 183—An Act to Amend the Charter of the City of Dover, Chapter 158, Volume 36, Laws of Delaware, by Providing for the Borrowing of Money and Issuance of Notes in Anticipation of an Authorized Bond Issue.

May 14, 1957—House Bill No. 184—An Act to Amend the Charter of the City of Dover, Chapter 158, Volume 36, Laws of Delaware, by Revising the Method of Hearing Appeals from the General Assessment.

May 16, 1957—Senate Bill No. 204—An Act Authorizing the Levy Court of Kent County to Appropriate a Certain Sum to the Mid-Del Association for Retarded Children for Operational Expenses.

May 17, 1957—House Bill No. 127—An Act to Amend Chapter 464, Volume 50, Laws of Delaware, in Regard to Mental Health Training and Research.

May 17, 1957—House Bill No. 147—An Act Appropriating Funds to the State Board of Corrections to Buy Land Adjacent to the Kent County Correctional Institution.

Respectfully submitted,

J. CALEB BOGGS, Governor

Mr. Quigley moved that **HB 341**—"An Act to Amend Chapter 162, Volume 37, Laws of Delaware Entitled "An Act Changing the Name of 'The Town of Milford' to 'The City of Milford' and Establishing a Charter Therefor," Relating to the Powers, Duties and Jurisdiction of the Alderman and Fines, Terms of Imprisonment for Violation of Ordinance or Law," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT — Messrs. Carpenter, Keller, Snowden, Wolf—4.

HB 341 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Tribbitt moved that **HB 225**—"An Act Directing the State Highway Department to Fill and Resurface Route 441 and a Portion of Route 424, Near Odessa, New Castle County Delaware," be taken up for further consideration in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—Messrs. Appleford and Reed—2.

ABSENT—Messrs. Carpenter, Keller, Lambert, Snowden, Wolf—5.

HB 225 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Quigley moved that **HB 58**—"An Act Amending the Charter of the City of New Castle by Placing the Appointment and Operation of Police Constables Under the Jurisdiction of the City Council, by Requiring the Mayor to be a Bona Fide Owner of Property Within the City Limits and to Give the Mayor Authority to Prescribe the Same Punishment for Criminal Violations as May be Prescribed by Justices of the Peace," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Bartleson, Carpenter, Hussey, Keller, Lawson, Snowden, Wolf—7.

HB 58 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Spicer moved that **HB 269**—"An Act to Amend Title 10, Delaware Code Entitled "Courts and Judicial Procedure" in Respect to a Constable at Large for Sussex County," be taken up for consideration read for the third time in order to pass the House.

After the reading, Mr. Spicer introduced **HA 1** to **HB 269**. After the reading of the Amendment, the roll was called for the adoption of the Amendment, as follows:

YEAS—Messrs. Appleford, Ehinger, Kaufman, Lambert, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Spicer—10.

NAYS—Messrs. Betts, Cain, Clark, English, Eskridge, King, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—17.

ABSENT — Messrs. Alexander, Bartleson, Carpenter, Hussey, Keller, Lawson, Snowden, Wolf—8.

HA 1 to **HB 269** not having received the constitutional majority, was lost in the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Appleford, Ehinger, Kaufman, Lambert, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Spicer—10.

NAYS—Messrs. Betts, Cain, Clark, English, Eskridge, King, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—17.

ABSENT — Messrs. Alexander, Bartleson, Carpenter, Hussey, Keller, Lawson, Snowden, Wolf—8.

HB 269 not having received the constitutional majority, was lost in the House.

Mr. Speaker announced that he was about to sign: **SB 110** and **HB 133**.

On motion of Mr. Quigley, the House adjourned until Tuesday, May 21, 1957, at 1:00 P. M.

80TH LEGISLATIVE DAY

House met pursuant to adjournment at 2:15 P. M., on May 21, 1957.

Prayer by the Chaplain, Rev. Donohoe.

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

Members absent—Messrs. Clark, Hussey, Kaufman—3.

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

The following bills were reported out of committees as favorably, unless otherwise stated: **SB 246** and **SB 247**, from Municipal Corporations; **SB 149**, from Miscellaneous; **SB 255**, from Miscellaneous, 2 favorable, 1 on merits; **HB 323** and **HB 355**, from Education; **SB 12**, from Public Buildings and Highways; **HB 203**, from Judiciary, 2 favorable, 1 on merits, and **SB 252**, from Judiciary.

On request of Mr. Keller, **HB 282** was stricken from the calendar.

Mrs. Manning requested that **HS 1** for **HB 211** be given the third and final reading in order to pass the House. On motion of Mr. Quigley, action was deferred.

Mr. King moved that **HB 326**—"An Act to Amend Chapter 192, Volume 36, Laws of Delaware, Entitled "An Act to Reincorporate the Town of Smyrna", and Relating to the Taxing Powers of the Town of Smyrna," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Betts, Cain, English, Eskridge, King, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, West, Mr. Speaker Mayhew—16.

NAYS—Messrs. Appleford, Carpenter, Lambert, Lawson, Reed, Richards, Snedeker—7.

ABSENT—Messrs. Bartleson, Clark, Ehinger, Hussey, Kaufman, Keller, Walls—7.

PRESENT—Mrs. Manning, Messrs. Simpler, Snowden, Spicer, Wolf—5.

Messrs. Eskridge and King changed their vote from yea to nay for the purpose of reconsideration.

HB 326 not having received the constitutional majority, was lost in the House.

Mr. Quigley moved that **HB 301**—"An Act Appropriating Funds to the State Board of Corrections to Provide Visiting Rooms at Kent and Sussex Correctional Institutions, and Additional Visiting Facilities at New Castle Correctional Institution," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Bartleson, Clark, English, Hussey, Kaufman, Walls—6.

HB 301 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Quigley moved that **HB 322**—"An Act to Amend Title 17, Delaware Code, Entitled "Highways", to Authorize the State Highway Department to Perform Work to Prevent and Repair Damage from Beach Erosion, to Confer Upon It Jurisdiction Over Improvements and Structures, to Authorize the Issuance of Bonds to Finance the Cost of Construction and Maintenance of Necessary Facilities, and to Provide Penalties for the Unauthorized Alteration Thereof," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—Mr. West—1.

ABSENT—Messrs. Clark, Hussey, Kaufman, Walls—4.

HB 322 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. King moved that **HB 346**—"An Act to Amend Title 29, Section 5501, Delaware Code Relating to the Definition of a Covered Employment for the State Employees Pension Plan," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT — Messrs. Clark, Hussey, Kaufman, Lambert, Livingston—5.

HB 346 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 133**.

On motion of Mr. King, **HB 326** was restored to the calendar.

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

HB 356—"An Act to Amend Title 19, Delaware Code, Creating a State Commission Against Discrimination in Employment and Otherwise of Persons Because of Race, Creed, Color or National Origin," by Livingston; to Revised Statutes.

HB 357—"An Act Proposing an Amendment in the Constitution of the State of Delaware by Inserting at the End Thereof an Article Providing for Municipal Home Rule," by Lawson, Spicer, Richards, Shockley, King and Eskridge; to Revised Statutes.

HB 358—"An Act to Amend Title 28, Delaware Code, by Providing for Civil Rights, Protecting the Public Welfare Entitling All Persons to the Full and Equal Accommodations, Facilities, Advantages and Privileges of Places of Public Accommodations, Resort, Amusement or Entertainment, and Making It Unlawful to Refuse the Same to Any Person on Account of Race, Creed, Color or National Origin or to Publish Any Communication to the Effect That the Same Shall be Refused on Account of Race, Creed, Color or National Origin, and Providing Criminal Penalties and Civil Damages for the Violation Thereof, and Repealing Section 1501, Title 24, and Section 902, Title 28, and Section 703, Title 26, Delaware Code, Insofar as Said Sections are Inconsistent Herewith," by Livingston; to Revised Statutes.

HB 359—"An Act to Amend the Charter of the Town of Magnolia, Chapter 568, Volume 17, Laws of Delaware, by Authorizing the Council to Extend the Boundaries of Said Town to Include Certain Territories After a Special Election of the Qualified Voters and Real Estate Owners of the Territory Proposed to be Annexed," by Simpler; to Municipal Corporations.

HB 360—"An Act Making an Appropriation to the State Board of Education for the Payment of Pensions to Retired and Disabled Teachers Over and Above the Present Appropriation Available to the State Board of Education for This Purpose," by Shockley; to Appropriations.

Mr. English introduced the following resolution, which on further motion by him, was adopted: **HR 84**—"Authorizing Payment on Account to Attaches and Employees of the House of Representatives."

BE IT RESOLVED, by the House of Representatives of the 119th General Assembly, that the State Treasurer be and she hereby is authorized and directed to pay to any attache or employee, who has been duly appointed by Resolution of the House of Representatives, upon the order of the Speaker and Chief Clerk of the House, the sum of One Hundred Dollars (\$100.00) to any one person, on account of services to the present Session of the House of Representatives. Any such sums so paid shall be charged against the salary of the individual attache or employee to whom such sum or sums are paid, and shall be a part of the expenses of this Session of the House of Representatives.

Mr. Snowden moved that **HB 357** be moved from the Revised Statutes Committee to the Municipal Corporations Committee.

The roll call revealed:

YEAS—Messrs. Appleford, Bartleson, Carpenter, Ehinger, Keller, Lawson, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Wolf—14.

NAYS—Messrs. Alexander, Betts, Cain, English, Eskridge, King, Livingston, Massey, Mills, McAllister, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—17.

ABSENT—Messrs. Clark, Hussey, Kaufman, Lambert—4.

HB 357 stayed in the Committee on Revised Statutes.

Mr. Speaker announced that he was about to sign: **SB 74** with **HA 1**, **SB 71** with **HA 1** and **SB 72** with **HA 1**.

On motion of Mr. Quigley, the House adjourned until Wednesday, May 22, 1957, at 1:00 P. M.

81ST LEGISLATIVE DAY

House met pursuant to adjournment at 2:10 P. M., on May 22, 1957.

Prayer by the Chaplain, Rev. Donohoe.

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

Members absent—Messrs. Alexander, Carpenter, Mills, Shockley, Wolf—5.

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

The following bills were reported out of committees as favorably, unless otherwise stated: **HB 348**, from Claims, 2 favorable, 2 on merits; **HB 107** and **HB 265**, from Education, 3 favorable, 1 on merits; **HB 293**, from Education; **HB 296**, from Education, 3 favorable, 1 on merits; **HB 315**, from Education, 2 favorable, 2 on merits; **SB 257**, from Elections; **SB 127**, from Judiciary, 2 favorable, 1 unfavorable, 1 on merits, and **HB 357**, from Revised Statutes.

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

HB 361—"An Act to Provide a Survivor's Pension for Helen L. Fenimore, a Widow Whose Husband Died Eleven Months and Fourteen Days Before Becoming Eligible for a State Pension," by Walls; to Claims.

HB 362—"An Act to Permit the State Highway Department to Use Unexpended Funds from an Appropriation Made in Chapter 428, 49 Laws of Delaware, for Erecting Dikes Along the Delaware River Adjacent to New Castle County Road No. 422, at or Near Augustine Beach; Additional Appropriation," by Tribbitt; to Public Buildings and Highways.

HB 363—"An Act to Amend Title 17, Delaware Code, Entitled Highways, to Authorize the State Highway Department or Its Agents, to Enter Upon Beaches or Shoreline Areas to Perform Work, Prevent and Repair Damage from Beach Erosion: to Provide Penalties for Hindering or Delaying Work, Damage Prevention and Damage Repair: and to Confer Jurisdiction of Violations Upon Justices of the Peace," by Mayhew, Walls and Reed; to Public Buildings and Highways.

HB 364—"An Act to Amend Section 716, Title 7, Delaware Code Relating to Possession of Game," by Clark; to Fish, Oysters and Game.

Mr. Cain introduced the following resolution, which on further motion by him, was adopted: **HR 85**—"In Reference to the Resignation of a Cloak Room Attendant in the House of Representatives."

BE IT RESOLVED, by the House of Representatives of the 119th General Assembly that the resignation of John Holloway as a Cloak Room Attendant of said House of Representatives, effective May 14, 1957, is accepted and the said John Holloway is hereby relieved of duties from the said office as of the close of the legislative day on May 14, 1957.

Mr. Bartleson moved that **HB 135**—"An Act to Require the State Highway Department to Install a Traffic Light Control for the Talleyville Fire Company, Inc., at Talleyville, New Castle County, Delaware," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Alexander, Carpenter, Mills, Shockley, Wolf—5.

HB 135 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. King moved that **SB 246**—"An Act to Amend Chapter 184, Volume 43, Laws of Delaware, Entitled "An Act Changing the Name of the 'Town of Seaford' to the 'City of Seaford', and Establishing a Charter Therefor", by Shortening the Hours That the Polls Must be Kept Open at the Annual Municipal Election If There is No Contest," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Betts, Cain, Clark, English, Eskridge, Hussey, King, Livingston, Massey, McAllister, Pryor, Richards, Simpler, Tribbitt, Walls, West, Mr. Speaker Mayhew—17.

NAYS—Messrs. Lambert and Spicer—2.

NOT VOTING—Messrs. Bartleson and Keller—2.

ABSENT—Messrs. Alexander, Carpenter, Mills, Shockley, Wolf—5.

PRESENT—Messrs. Appleford, Ehinger, Kaufman, Lawson, (Mrs.) Manning, Quigley, Reed, Snedeker, Snowden—9.

Messrs. Eskridge, King and West changed their vote from yea to nay for the purpose of reconsideration.

SB 246 not having received the constitutional majority, was lost in the House.

On motion of Mr. Eskridge, **SB 246** was restored to the calendar.

Mr. Quigley came to the Rostrum, at the request of Mr. Speaker Mayhew, to act as Temporary Speaker.

Mr. Massey introduced the following resolution, which on further motion by him, was adopted: **HR 86**—"Authorizing the Payment of Certain Expenses of the House of Representatives for Printing."

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

Elder Printing Service, 410 Reed St., Dover, Delaware, for printing as follows:

9000 Name Cards	\$331.20
35 Identification Cards	10.00
70 Identification Cards	20.00
7750 Letterheads	68.82
7750 Envelopes	56.43
2000 Letterheads	11.68
2000 Envelopes	10.08
12 Receipt Books	15.00
	<hr/>
	\$523.20

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

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

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

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

May 20, 1957—Senate Bill No. 195—An Act to Amend Title 14, Delaware Code, Entitled "Education" Relating to the Board of Trustees of Delaware State College.

May 22, 1957—Senate Bill No. 70—An Act to Amend Title 15, Chapter 71, Delaware Code, Relating to Special Elections, by Changing the Number of Days Elapsing Between Receipt of the Writ and Holding the Special Election.

May 22, 1957—Senate Bill No. 71 with H. A. No. 1—An Act to Amend Chapter 83 Title 9 of the Delaware Code Relating to Valuation and Assessment of Property.

May 22, 1957—Senate Bill No. 72 with H. A. No. 1—An Act to Amend Chapter 1, Title 8, Delaware Code Relating to General Corporation Law.

May 22, 1957—Senate Bill No. 74 with H. A. No. 1—An Act to Amend Chapter 5, Title 8 of the Delaware Code Relating to Corporation Franchise Tax.

May 22, 1957—Senate Bill No. 201—An Act to Amend Chapters 41 and 92, Title 9, Delaware Code Relating to the Payment of Salaries of Kent County Employees.

May 22, 1957—House Bill No. 133—An Act Appropriating Funds to the State Board of Trustees of the Delaware State Hospital at Farnhurst, Delaware, to Build, Equip and Furnish a Wing for the Medical Center at the Hospital for the Mentally Retarded at Stockley, Delaware.

Respectfully submitted,

J. CALEB BOGGS, Governor

The Secretary of the Senate informed the House that the Senate had concurred in **HS 1** for **HB 15, HB 70, HB 75, HB 112, HB 200, HB 202, HB 205, HB 206, HB 237, HB 304, HB 305, HB 306**, and that the Senate had passed and requested the concurrence of the House in the following bills and resolution, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

SJR 6—"Urging the Federal Communications Commission to Revise Certain Regulations Concerning Radio-Telephone," to Federal Relations.

SB 100—"An Act to Repeal Section 2712 of Title 10 of the the Delaware Code Entitled "Deputies; Appointment by Certain Constables; Duties," to Revised Statutes.

SB 122—"An Act to Amend Chapter 27, Title 10 of the Delaware Code, Relating to Constables," to Revised Statutes.

SB 137—"An Act to Authorize the Levy Court of Kent County to Refund Overpayments of Taxes Paid to the County; Conditions," to Revenue and Taxation.

SB 139—"An Act to Amend Chapter 27, Title 10 of the Delaware Code Relating to Constables," to Judiciary.

SB 154—"An Act to Amend Chapter 51, Title 11, Delaware Code, Relating to the Appointment of Counsel for Indigent Material Witnesses," to Judiciary.

SB 162—"An Act to Amend Chapter 212, Volume 25, Laws of Delaware 1909, Entitled, "An Act to Incorporate the Town of Bethany Beach and Give It Authority to Issue Bonds" by Providing for an Increase in Fines and Penalties for the Violations of a Town Ordinance and by Increasing the Jurisdiction of the Town Alderman in That Respect," to Municipal Corporations.

SB 164—"An Act to Amend Chapter 212, Volume 25, Laws of Delaware, 1909, Entitled "An Act to Incorporate the Town of Bethany Beach and Give It Authority to Issue Bonds",

as Amended by Providing for an Increase in the Amount to be Raised by Taxation," to Municipal Corporations.

SB 174—"An Act to Amend Chapter 1, Title 22 Relating to the Qualifications of Voters in Municipal Elections and Referendums," to Municipal Corporations.

SB 185—"An Act Appropriating Money to the State Highway Department for the Purpose of Covering Up Trash Dumping Areas in the State," to Public Buildings and Highways.

SB 233—"An Act to Appropriate \$23,500 to the State Highway Department to be Used for the Purpose of Dredging Out the "Old Inlet" of the Broadkilm River," to Appropriations.

SB 251—"An Act to Appropriate Certain Funds to the Milton Consolidated School for the Purpose of Filling, Grading and Seeding 2½ Acres Around the School Property," to Education.

SB 259—"An Act Proposing an Amendment to the Constitution of the State of Delaware to Increase the Annual Salaries of the Members of the General Assembly," to Revised Statutes.

SB 261—"An Act to Amend Chapter 3, Title 11, Delaware Code, Relating to Lotteries, Gambling and Betting," to Revised Statutes.

SB 272—"An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pension Plan, Credit for Other Employment," to Education.

SB 278—"An Act to Amend Title 18, Delaware Code Relating to the Insurance Commissioner," to Insurance and Banking.

SB 279—"An Act to Amend the Charter of the Town of Delmar, Chapter 182, Volume 45, Laws of Delaware, Relative to Sewer Rentals," to Municipal Corporations.

Mr. Appleford moved that **HB 323**—"An Act to Amend Title 14, Delaware Code, Entitled "Education" in Respect to Use of Tax Revenues," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Alexander, Carpenter, Mills, Shockley, Wolf, Mr. Speaker Mayhew—6.

HB 323 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Ehinger moved that **HB 328**—"An Act to Amend Chapter 550, Volume 50, Laws of Delaware, Relative to State Pensions of Members of the General Assembly; and Appropriating Funds," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Appleford, Bartleson, Ehinger, Kaufman, Keller, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Walls—15.

NAYS — Messrs. Betts, Cain, Clark, Eskridge, King, McAllister, Pryor, Quigley, West—9.

NOT VOTING—Mr. Tribbitt—1.

ABSENT—Messrs. Alexander, Carpenter, Mills, Shockley, Wolf, Mr. Speaker Mayhew—6.

PRESENT—Messrs. English, Hussey, Livingston, Massey—4.

Messrs. Ehinger, Lawson and Snowden changed their vote from yea to nay for the purpose of reconsideration.

HB 328 not having received the constitutional majority, was lost in the House.

On motion of Mr. Ehinger, **HB 328** was restored to the calendar.

On motion of Mr. Eskridge, the House adjourned until Thursday, May 23, 1957, at 11:00 A. M., in a skeleton session, and a regular session on Friday, May 24, 1957, at 1:00 P. M.

82ND LEGISLATIVE DAY

House met pursuant to adjournment at 11:00 A. M., on May 23, 1957.

The Lord's Prayer was repeated.

Members present—Messrs. Clark, Eskridge, King, Massey, Mr. Speaker Mayhew—5.

Members absent—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Ehinger, English, Hussey, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf—30.

There not being a quorum present, Mr. Eskridge moved that the House adjourn until Friday, May 24, 1957, at 1:00 P. M. Motion prevailed.

83RD LEGISLATIVE DAY

House met pursuant to adjournment at 1:40 P. M., on May 24, 1957.

Prayer by Mr. Leon Donovan.

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

Members absent — Messrs. Carpenter, Keller, Massey, Pryor—4.

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

A communication was presented by Mr. Mayhew in reference to **HB 249** and **HB 250**.

On request of Mr. Snowden, the communication was made a part of the Journal, as follows:

DELAWARE ASSOCIATION FOR RETARDED CHILDREN, INC.

Wilmington, Delaware, May 23, 1957

Honorable Harry E. Mayhew, Speaker of the House
Legislative Hall, Dover, Delaware

Dear Mr. Mayhew:

On May 17th I wrote to you and Representative Paul E. Shockley requesting a public hearing on House Bills 249 and 250. A few days later I was talking to Representative Shockley and he suggested action be deferred for a few days because of the oncoming introduction of a bill to create a commission for exceptional children i. e. House Bill 352.

After giving the matter careful consideration the Board of Directors of the Delaware Association for Retarded Children would like to renew its original request for a public hearing on House Bills 249 and 250. In light of the fact that the Legislature hopes to adjourn in Mid-June we would hope that such hearing might be scheduled as an early date, preferable early in the first week of June if that is feasible.

When a date is set we would appreciate as much advance notice as possible so that we may be adequately prepared.

Sincerely,

JAMES W. WILLIAMS
Legislative Chairman Delaware
Association for Retarded Children

HB 113 was reported out of the Committee on Miscellaneous as favorably; **HB 364** was reported out of the Committee on Fish, Oysters and Game as favorably.

HB 296 was given the third and final reading on request of Mr. McAllister. **HA 1** to **HB 296** was introduced by Mr. McAllister and on further motion by him was adopted. **HA 2** to **H. B 296** with **HA 1** was introduced by Mr. Lambert. Action on **HB 296** with **HA 1** and proposed **HA 2** was deferred on motion of Mr. Quigley.

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

SS 1 for **SB 163**—"An Act to Amend Chapter 212, Volume 25, Laws of Delaware, 1909 Entitled "An Act to Incorporate the Town of Bethany Beach and Give It Authority to Issue Bonds," by Providing for an Increase in Fines and Penalties for the Violations of a Town Ordinance," to Municipal Corporations.

SS 1 for **SB 243** with **SA 1**—"An Act to Amend Chapter 1, Title 17, Delaware Code by Authorizing the State Highway Department to Reimburse Public Utilities for the Cost of Relocating Facilities Required by Road Improvements, Where the State Receives Federal Funds," to Public Buildings and Highways.

SCR 23—"Providing for Adjournment of the Senate and House Until Monday, June 3, 1957."

On motion of Mr. Quigley, the rules were suspended in order to give **SCR 23** the third and final reading. On further motion of Mr. Quigley, **SCR 23** was adopted by voice vote, and ordered returned to the Senate.

Mr. Speaker announced that he was about to sign: **HS 1** for **HB 15, HB 70, HB 75, HB 112, HB 200, HB 202, HB 205, HB 206, HB 237, HB 304, HB 305** and **HB 306**.

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 305, HB 306, HB 304, HB 206, HB 237, HB 202, HB 205, HB 75, HB 112, HB 200, HB 70**.

Mr. Hussey moved that **HB 325**—"An Act to Amend Chapter 37, Title 12, Delaware Code, by Empowering the Court of Chancery to Authorize Charitable Contributions Under Certain Circumstances by Trustees for Mentally Ill Persons," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Carpenter, Keller, Massey, Pryor—4.

PRESENT—Mr. West—1.

HB 325 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Richards moved that **HB 328**—"An Act to Amend Chapter 550, Volume 50, Laws of Delaware, Relative to State Pensions of Members of the General Assembly; and Appropriating Funds," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Ehinger, English, Eskridge, Hussey, Kaufman, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, Wolf, Mr. Speaker Mayer—27.

NAYS—Messrs. Betts, Cain, Clark, West—4.

ABSENT—Messrs. Carpenter, Keller, Massey, Pryor—4.

HB 328 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Tribbitt moved that **HS 1** for **HB 308**—"An Act to Amend Chapter 39, Title 12, Delaware Code Relating to Guardian and Ward," be taken up for consideration and read for the third time in order to pass the House.

HA 1 to **HS 1** for **HB 308** was introduced by Mr. Tribbitt and on further motion by him, was adopted.

On the question, "Shall the Bill as Amended, pass the House?" the roll call revealed:

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

NAYS—Mr. West—1.

ABSENT—Messrs. Carpenter, Keller, Massey, Pryor—4.

HS 1 for **HB 308** with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Shockley moved that **HB 89**—"An Act to Amend Chapter 96, Title 9, Delaware Code, Entitled "Recorders" in Regard to the Fees of the Recorder in New Castle County," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, Eskridge, Hussey, Kaufman, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister,

Mills, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, Wolf, Mr. Speaker Mayhew—29.

NAYS—Mr. West—1.

ABSENT—Messrs. Carpenter, Keller, Massey, Pryor—4.

PRESENT—Mr. English—1.

HB 89 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Shockley moved that **SB 36**—"An Act Authorizing the Levy Court of New Castle County to Sell to the Highest Bidder a Parcel of Land in Mill Creek Hundred, New Castle County," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Alexander, Carpenter, Keller, Massey, Pryor, Walls—6.

SB 36 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 76**, **HB 318**, **HB 33**, **HB 263**, **HB 272**, **HB 297**, and that the Senate had passed and requested the concurrence of the House in the following bills: **SB 5**, **SS 1** for **SB 14**, **SB 102**, **SB 144**, **SB 146** with **SA 1**, **SB 157**, **SB 198**, **SB 203**, **SB 238**, **SB 274**, **SB 236**.

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

HB 365—"An Act to Amend Chapter 21, Title 19, Delaware Code Relating to Workmen's Compensation by Providing for an Increase in Salary to the Secretary of the Industrial Accident Board; Appropriations," by Tribbitt and Snowden; to Miscellaneous.

HB 366—"An Act to Increase the Compensation of the State Auditor, Insurance Commissioner, and Treasurer and Certain Other Officers and Appropriating Funds," by Tribbitt; to Miscellaneous.

HB 367—"An Act to Amend "An Act to Reincorporate the Town of Middletown" and Relating to the Duties and Powers of the Alderman, and the Jail of Said Town," by Tribbitt; to Municipal Corporations.

On motion of Mr. Quigley, the House adjourned until Monday, June 3, 1957, at 1:00 P. M., in accordance with **SCR 23**.

84TH LEGISLATIVE DAY

House met pursuant to adjournment at 1:50 P. M., on June 3, 1957.

Prayer by the Chaplain, Rev. Donohoe.

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

Members absent—Messrs. Alexander and Carpenter—2.

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

A communication was presented by Mrs. Manning, pertaining to **HB 211**.

Mrs. Manning moved that **HB 211** be taken up for further consideration. Mr. Quigley moved that **HB 211** be tabled.

Roll call revealed:

YEAS—Messrs. Betts, Cain, Clark, English, Eskridge, Hussey, King, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—17.

NAYS—Messrs. Appleford, Bartleson, Ehinger, Kaufman, Keller, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Wolf—15.

ABSENT—Messrs. Alexander, Carpenter, Livingston—3.

The motion prevailed and **HB 211** was tabled.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 74**, **HB 181**, **HB 207**, **HB 216**, **HB 228**, and **HB 270** as amended by **SA 1**, and that the Senate had passed and requested the concurrence of the House in the following bills and resolution: **SCR 24**, **SB 168**, **SB 220**, **SB 287**.

The following bills were reported out of committees as favorably, unless otherwise stated: **SB 251**, from Education, 2 favorable, 1 on merits; **HB 268**, **HB 298**, **HB 316**, **HB 338**, from Appropriations, and **HB 271**, from Appropriations, 4 on merits, 1 favorable.

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

HB 368—"An Act to Appropriate Funds to the Department of Public Welfare for Salaries and Other Administrative Expenses," by Hussey et al; to Appropriations.

HB 369—"An Act to Amend Chapter 119, Volume 28, Laws of Delaware, as Amended, Entitled "An Act Providing for the Collection of Taxes for the City of Wilmington by Increasing the Salary of the Collectors of Taxes for the City

of Wilmington and Providing a Salary for the Clerks in the Office of the Said Collector," by Hussey; to Municipal Corporations.

HB 370—"An Act to Amend Chapter 17, Title 14, Delaware Code Relating to State Appropriations to School Districts Whose Schools are Attended by Pupils Not Residing Within the District," by Tribbitt and McAllister; to Education.

Mr. Ehinger moved that **HB 274** be taken up for further consideration. Mr. Quigley moved that **HB 274** be tabled.

Roll call revealed:

YEAS — Messrs. Betts, Cain, Hussey, Massey, Mills, Pryor, Quigley, West, Mr. Speaker Mayhew—9.

NAYS — Messrs. Appleford, Bartleson, Clark, Ehinger, Eskridge, Kaufman, Keller, King, Lambert, Lawson, (Mrs.) Manning, McAllister, Reed, Richards, Shockley, Simpler, Snedeker, Spicer, Snowden, Tribbitt, Walls, Wolf—22.

NOT VOTING—Messrs. English and Livingston—2.

ABSENT—Messrs. Alexander and Carpenter—2.

The motion was lost. On motion of Mr. Snowden, action was deferred on **HB 274**.

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HS 1** for **HB 15**.

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

GOVERNOR'S MESSAGE STATE OF DELAWARE EXECUTIVE DEPARTMENT

Dover, June 3, 1957

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

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

May 22, 1957—Senate Bill No. 40—An Act to Amend Chapter 13, Title 15 of the Delaware Code Relating to Registration of Voters.

May 22, 1957—Senate Bill No. 77 with S. A. #1—An Act to Amend Chapter 31, Title 15 of the Delaware Code, Relating to Primary Elections, by Providing for Changes in the Procedure for Holding Primary Elections.

May 27, 1957—House Substitute No. 1 for House Bill No. 15—An Act to Appropriate Moneys to Certain Hospitals in the State of Delaware.

May 27, 1957—House Bill No. 70—An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Edgemoor Terrace Civic Association, Incorporated, from Assessment and Taxation.

May 27, 1957—House Bill No. 75—An Act Appropriating Money to Certain Fire Companies in the State of Delaware.

May 27, 1957—House Bill No. 112—An Act Making an Appropriation to the Lewes Chamber of Commerce for the Celebration of the Anniversary of Lewes.

May 27, 1957—House Bill No. 202—An Act to Amend Title 29, Delaware Code, Entitled "State Government" in Respect to the Powers of the State Treasurer.

May 27, 1957—House Bill No. 205—An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Authorizing the Imposition of a Mercantile License Fee.

May 27, 1957—House Bill No. 206—An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Clarifying the Provisions for the Fiscal Year and the Tax Year.

May 27, 1957—House Bill No. 237—An Act Appropriating Funds to the American Legion and American Legion Auxiliary for Expenses to be Incurred in Connection With the Holding of Boy's State and Girl's State.

May 27, 1957—House Bill No. 304—An Act to Amend Chapter 184, Volume 43, Laws of Delaware, Entitled "An Act Changing the Name of 'The Town of Seaford' to 'The City of Seaford' and Establishing a Charter Therefor" by Changing the Period Covered by the Annual Audit.

May 27, 1957—House Bill No. 305—An Act to Amend Chapter 184, Volume 43, Laws of Delaware, Entitled "An Act Changing the Name of 'The Town of Seaford' to 'The City of Seaford' and Establishing a Charter Therefor", by Increasing the Annual Salary of the Mayor and Councilmen.

May 27, 1957—House Bill No. 306—An Act Extending the Corporate Limits of the City of Seaford.

Respectfully submitted,

J. CALEB BOGGS, Governor

Mr. Speaker announced that he was about to sign: **HB 33, HB 74, HB 76, HB 181, HB 207, HB 216, HB 228, HB 263, HB 272, HB 297, HB 318 and SB 36.**

On motion of Mr. Quigley, the House adjourned until Wednesday, June 5, 1957, at 1:00 P. M.

85TH LEGISLATIVE DAY

House met pursuant to adjournment at 2:25 P. M., on June 5, 1957.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—34.

Member absent—Mr. Carpenter—1.

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

The following bills were reported out of committees as favorably, unless otherwise stated: **HB 365**, from Miscellaneous; **HB 359** and **SB 279**, from Municipal Corporations; **HB 154**, from Judiciary, 2 favorable, 3 on merits; **HB 284**, from Education, 2 favorable, 2 on merits; **HB 290**, **HB 294**, **HB 370** and **SB 272**, from Education; **SB 278**, from Insurance and Banking; **SS 1** for **SB 243**, **HB 340** and **HB 362**, from Public Buildings and Highways, and **HB 361**, from Claims, 4 favorable, 1 on merits.

On motion of Mr. Snowden, **HB 265** was recommitted. On further motion by him, **HB 265** was stricken from the calendar.

Mr. Cain introduced the following resolution, which on further motion by him was adopted: **HR 87**—"In Reference to the Resignation of a House Messenger and the Election of a Successor for the House of Representatives."

BE IT RESOLVED, by the House of Representatives of the 119th General Assembly that the resignation of Hyland Webb as a House Messenger of said House of Representatives, effective May 31, 1957, is accepted and the said Hyland Webb is hereby relieved of duties from the said office as of the close of the legislative day on May 31, 1957; and

BE IT FURTHER RESOLVED, by the House of Representatives of the 119th General Assembly that Elwood R. Wright is hereby elected to serve as Messenger of the House of Representatives beginning June 3, 1957, at the pleasure of the House.

Mrs. Manning moved that **HB 293**—"An Act to Amend Title 14, Delaware Code Entitled "Education" by Providing for Maternity Leave for Professional Employees of the Public School System," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Appleford, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, King, Lambert, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Walls, West, Wolf, Mr. Speaker Mayhew—29.

NAYS—Messrs. Bartleson, Lawson, Mrs. Manning—3.

ABSENT—Messrs. Carpenter, Keller, Tribbitt—3.

HB 293 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Eskridge moved that **SB 246**—"An Act to Amend Chapter 184, Volume 43, Laws of Delaware, Entitled "An Act Changing the Name of the 'Town of Seaford' to the 'City of Seaford', and Establishing a Charter Therefor", by Shortening the Hours That the Polls Must be Kept Open at the Annual Municipal Election If There Is No Contest," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—Messrs. Appleford, Bartleson, Ehinger, Kaufman, Keller, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Snedeker, Spicer—12.

ABSENT—Messrs. Carpenter, Snowden, Tribbitt, Wolf—4.

Messrs. Eskridge, Livingston, Mills and Quigley changed their vote from yea to nay for the purpose of reconsideration.

SB 246 not having received the constitutional majority, was lost in the House.

On motion of Mr. Eskridge, **SB 246** was restored to the calendar.

Mr. McAllister moved that **HB 355** be taken up for consideration and given the third and final reading. **HA 1** to **HB 355** was introduced by Mr. McAllister and on further motion by him was adopted. On motion of Mr. Lambert, action was deferred on **HB 355** with **HA 1**.

Mr. Clark introduced the following resolution, which on further motion by him, was adopted: **HR 88**—"In Reference to the Resignation of a Door Tender and the Election of a Successor for the House of Representatives."

BE IT RESOLVED, by the House of Representatives of the 119th General Assembly that the resignation of Thomas M. Gooding as a Door Tender of said House of Representatives,

effective May 31, 1957, is accepted and the said Thomas M. Gooding is hereby relieved of duties from the said office as of the close of the legislative day on May 31, 1957; and

BE IT FURTHER RESOLVED, by the House of Representatives of the 119th General Assembly that James Rowlinson is hereby elected to serve as Door Tender of the House of Representatives beginning June 3, 1957, at the pleasure of the House.

Mr. Walls moved that **HB 292**—"An Act to Appropriate Funds to the Delaware Geological Commission for the River Master Program and Salinity Tests," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, Hussey, Kaufman, Weller, King, Lawson, (Mrs.) Manning, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Walls, Wolf—24.

NAYS—Messrs. Lambert and Mills—2.

NOT VOTING — Messrs. English, Eskridge, Massey, McAllister, Tribbitt, Mr. Speaker Mayhew—6.

ABSENT—Mr. Carpenter—1.

PRESENT—Messrs. Livingston and West—2.

HB 292 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Alexander moved that **HB 71**—"An Act Making an Appropriation to the State Board of Agriculture for the Vaccination of Calves and Testing of Cattle for Bang's Disease," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—34.

NAYS—None.

ABSENT—Mr. Carpenter—1.

HB 71 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. McAllister moved that **HB 296** with **HA 1** and proposed **HA 2**—"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 Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions," be taken up for further consideration.

On motion of Mr. Snowden, **HA 2** was adopted.

HA 3 was introduced by Mr. Snedeker and on further motion by him was adopted.

On the question, "Shall the Bill as Amended pass the House?" the roll call revealed:

YEAS—Messrs. Appleford, Bartleson, Clark, Ehinger, Hussey, Kaufman, Keller, Lambert, Lawson, (Mrs.) Manning, McAllister, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Wolf—19.

NAYS—Messrs. English and West—2.

NOT VOTING — Messrs. Betts, Eskridge, Livingston, Massey, Mills, Tribbitt, Mr. Speaker Mayhew—7.

ABSENT—Messrs. Alexander, Carpenter, Walls—3.

PRESENT—Messrs. Cain, King, Pryor, Quigley—4.

Messrs. Ehinger, Lawson, Shockley, Snedeker and Snowden changed their vote from yea to nay for the purpose of reconsideration.

HB 296 with **HA 1**, **HA 2** and **HA 3** not having received the constitutional majority, was lost in the House.

On motion of Mr. Snowden, **HB 296** with **HA 1**, **HA 2** and **HA 3** was restored to the calendar.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 310**, and that the Senate had passed and requested the concurrence of the House in the following bill: **SB 276**.

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

SB 168—"An Act to Amend Section 3521, Title 12, Delaware Code Relating to Accounting and Distribution of Trust Funds," to Insurance and Banking.

SB 220—"An Act to Amend Title 12, Delaware Code Relating to Decedents' Estates and Fiduciary Relations," to Judiciary.

SB 287—"An Act to Amend Title 12 of the Delaware Code Relating to Decedents' Estates and Fiduciary Relations," to Judiciary.

SS 1 for **SB 14**—"An Act to Amend Chapter 1, Title 5, Delaware Code, Relating to the State Bank Commissioner," to Insurance and Banking.

SB 102—"An Act to Appropriate Money to the Supreme Court of the State of Delaware for the Purpose of Printing and Indexing the Transcripts of Debates and Proceedings of the Constitutional Convention of 1897," to Judiciary.

SB 146 with SA 1—"An Act to Amend Title 3, Delaware Code, Entitled "Agriculture" by Providing for the Regulation of Sales of Livestock and Swine," to Agriculture.

SB 144—"An Act to Appropriate Funds to the State Board of Health for the Purpose of Carrying Out the Provisions of Chapter 79, Title 16 of the Delaware Code Entitled "Basic Plumbing Principles" in Kent County," to Public Health.

SB 274—"An Act to Amend Chapter 21, Title 24, Delaware Code, Relating to Optometry, by Providing Injunctive Relief in the Court of Chancery Against Violation of the Provisions of Said Chapter," to Public Health.

SB 236—"An Act to Amend Chapter 9, Title 10, Delaware Code Entitled "Family Court for New Castle County" by Redefining Qualifications and Duties of the Director and Duties of the Judge Acting Jointly; Providing for Representation by Counsel of a Prosecuting Witness; and Amending the Law With Respect to Appeals and Reviews," to Judiciary.

SCR 24—"Appropriating Money to the State Librarian to Cover Cost of Legislative Supplies."

On motion of Mr. Eskridge, the rules were suspended in order to take action on **SCR 24**.

Mr. Quigley moved that **SCR 24**—"Appropriating Money to the State Librarian to Cover Cost of Legislative Supplies," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Resolution pass the House?" the roll call revealed:

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

NAYS—Mr. Betts—1.

ABSENT — Messrs. Carpenter, Hussey, Mills, Quigley, Shockley, Snowden—6.

SCR 24 having received the constitutional majority, passed the House and was ordered returned to the Senate.

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

HB 371—"An Act to Amend Title 14, Delaware Code Relating to Qualified Voters for Elections Regarding Levy of School Taxes and Local School Bonds," by McAllister; to Education.

HB 372—"An Act to Amend Chapter 66, Title 16, Delaware Code Entitled "State Fire Marshal" by Creating a State Fire Prevention Commission," by King, Massey and Appleford; to Miscellaneous.

HB 373—"An Act Amending Title 9, Delaware Code, Entitled "Counties" Relative to the Indigent Sick of Kent County and Appropriating Funds," by King and Ehinger; to Public Health.

HB 374—"An Act to Amend Chapter 9, Title 10, Delaware Code Relating to the Disposition and Commitment of Delinquent Children by the Family Court," by Quigley; to Judiciary.

HB 375—"An Act Appropriating Money to the State Soil Conservation Commission for the Drainage of Tax Ditches in Sussex County," by West and Walls; to Appropriations.

On motion of Mr. McAllister, **HB 354** was stricken from the Calendar.

Mr. Pryor introduced the following resolution, which on further motion by him, was adopted: **HR 89**—"In Reference to the Election of an Attorney's Clerk in the House of Representatives."

BE IT RESOLVED, by the House of Representatives of the 119th General Assembly that Temple Heinold is hereby elected to serve as Attorney's Clerk of the House of Representatives beginning June 3, 1957, at the pleasure of the House.

The Chair administered the oath of office to the following: Elwood R. Wright, Messenger; James Rowlinson, Door Tender, and Temple Heinold, Attorney's Clerk, using the following form:

ILLUSTRATION OF OATH OF EMPLOYEES

The State of Delaware, County of Kent, ss.

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

ELWOOD R. WRIGHT

Sworn and subscribed to this 5th day of June, A. D. 1957.

H. E. MAYHEW

Speaker of the House of Representatives

Mr. English introduced the following resolution, which on further motion by him, was adopted: **HR 90**—"Authorizing Payment on Account to Attaches and Employees of the House of Representatives."

BE IT RESOLVED, by the House of Representatives of the 119th General Assembly, that the State Treasurer be and she hereby is authorized and directed to pay to any attache or employee, who, has been duly appointed by Resolution of the House of Representatives, upon the order of the Speaker and Chief Clerk of the House, the sum of One Hundred Dollars

(\$100.00) to any one person, on account of services to the present Session of the House of Representatives. Any such sums so paid shall be charged against the salary of the individual attache or employee to whom such sum or sums are paid, and shall be a part of the expenses of this Session of the House of Representatives.

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 33, HB 74, HB 76, HB 181, HB 207, HB 216, HB 228, HB 263, HB 272, HB 297, HB 318.**

Mr. Eskridge moved that **SB 255**—"An Act to Amend the Delaware Code, by Abolishing the State Library and to Authorize the Transfer of Material, Office Equipment and Supplies to Other State Agencies, and to Abolish the Office of State Librarian and Transfer the Duties Connected Therewith," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Cain, Clark, Eskridge, Hussey, King, Livingston, Massey, Pryor, Tribbitt, Walls, Mr. Speaker Mayhew—12.

NAYS—Messrs. Appleford, Bartleson, Kaufman, Lambert, Lawson, McAllister, Mills, Reed, Snedeker, Snowden, Spicer—11.

NOT VOTING—Messrs. Betts, Ehinger, English, Keller, Richards, Shockley, Simpler, Wolf—8.

ABSENT—Messrs. Carpenter, Quigley, West—3.

PRESENT—Mrs. Manning—1.

Messrs. Eskridge, King and Tribbitt changed their vote from yea to nay for the purpose of reconsideration.

SB 255 not having received the constitutional majority, was lost in the House.

Mr. Ehinger moved that **HB 26**—"An Act Appropriating Funds for the Construction of a Building for the Use of the State Board of Health to Include Offices, a Bacteriological Laboratory, and Clinical Facilities on Grounds Now Owned by the State in Dover, and for the Furnishing and Equipping of Such Building and Incidental Expenses," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Hussey, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Swonden, Spicer, Tribbitt, Walls, Wolf, Mr. Speaker Mayhew—28.

NAYS—Messrs. Eskridge, Mills, West—3.

ABSENT—Messrs. Alexander, Carpenter, King, Quigley—4.

HB 26 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Shockley moved that **SB 57**—"An Act to Amend Chapter 23, Title 9, Delaware Code Relating to Sanitary Sewer Districts in New Castle County," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Alexander, Carpenter, Quigley, West—4.

SB 57 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Eskridge, **SB 255** was restored to the calendar.

Mr. Tribbitt moved that **HB 213** be taken up for further consideration. After discussion on the bill, Mr. Tribbitt moved that action be deferred.

On motion of Mr. Quigley, the House adjourned until Thursday, June 6, 1957, at 1:00 P. M.

86TH LEGISLATIVE DAY

House met pursuant to adjournment at 2:00 P. M., on June 6, 1957.

Prayer by the Chaplain, Rev. Donohoe.

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

Members absent—Messrs. Carpenter, Hussey, Wolf—3.

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

The following bills were reported out of committees as favorably, unless otherwise stated: **HB 367**, from Municipal Corporations; **HB 371**, from Education; **SS 1** for **SB 14**, from Insurance and Banking; **HB 331**, from Fish, Oysters and Game; **HB 334**, from Appropriations, 3 favorable, 1 on merits, and **HB 360**, **HB 375** and **SB 229**, from Appropriations.

Mr. Massey introduced the following resolution, which on further motion by him, was adopted: **HR 91**—"Relative to the Payment on Account for Collecting Data, Compiling, Editing and Publishing the Weekly Calendar for the House of Representatives of the 119th General Assembly of the State of Delaware."

BE IT RESOLVED by the House of Representatives of the 119th General Assembly of the State of Delaware that the sum of One Thousand Three Hundred and Forty Dollars (\$1,340.00) is hereby appropriated out of the moneys of the State Treasury, not otherwise appropriated, for payment to The Elder Printing Service, of Dover, Delaware, for collecting data, compiling, editing and publishing the weekly calendar for the House of Representatives of the State of Delaware, from May 6, 1957 through June 3, 1957, said calendar being necessary to the business of the House and the expense thereof being a necessary expense connectd with this Session.

Mr. McAllister moved that **HB 355**—"An Act to Amend Chapter 1, Title 14, Delaware Code Relating to the Transfer of Pupils from One School District to Another," be taken up for further consideration.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Carpenter, Hussey, Wolf—3.

HB 355 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Eskridge moved that **SB 255**—"An Act to Amend the Delaware Code, by Abolishing the State Library and to Authorize the Transfer of Material, Office Equipment and Supplies to Other State Agencies, and to Abolish the Office of State Librarian and Transfer the Duties Connected Therewith," be taken up for further consideration.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—Messrs. Lambert, Snedeker, Spicer—3.

NOT VOTING—Messrs. Appleford, Bartleson, Ehinger, Kaufman, Keller, Lawson, (Mrs.) Manning, Reed, Richards, Simple, Snowden—11.

ABSENT—Messrs. Carpenter, Hussey, Wolf—3.

SB 255 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Tribbitt moved that **SB 252**—"An Act to Amend Chapter 19, Title 10, Delaware Code, Relating to Law Libraries, and to Provide for a State Law Library in Kent County Corresponding to Law Libraries in the Other Counties and to Appropriate Funds," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Appleford, Betts, Cain, Clark, Ehinger, English, Eskridge, King, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Richards, Shockley, Simpler, Snowden, Tribbitt, Walls, West, Mr. Speaker Mayhew—25.

NAYS—Messrs. Kaufman, Keller, Lambert, Reed, Snedeker, Spicer—6.

NOT VOTING—Mr. Bartleson—1.

ABSENT—Messrs. Carpenter, Hussey, Wolf—3.

SB 252 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Shockley moved that **HB 271**—"An Act to Appropriate Certain Funds to the State Highway Department for the Purpose of Increasing Salaries of State Police Employees," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS — Messrs. Alexander, Clark, English, Kaufman, Keller, King, Lambert, Livingston, (Mrs.) Manning, Mills, Pryor, Quigley, Reed, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—20.

NAYS — Messrs. Appleford, Bartleson, Betts, Ehinger, Eskridge, Lawson, Massey, McAllister, Snowden, West—10.

NOT VOTING—Messrs. Cain and Richards—2.

ABSENT—Messrs. Carpenter, Hussey, Wolf—3.

HB 271 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 48**, **HB 114**, **HB 162**, **HB 224**, and that the Senate had passed and requested the concurrence of the House in the following bills, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

SB 98 with **SA 2**—"An Act to Amend Title 7, Delaware Code, Entitled "Conservation" for a Water Resources Commission; Define Its Powers and Duties, Provide for Hearings and Appeals, Provide Penalties and Appropriate Funds," to Agriculture.

SB 248—"An Act to Amend Chapter 237, Volume 46, Laws of Delaware as Amended, Entitled "City of Wilmington Employees' Retirement Act," to Labor.

SB 249—"An Act to Amend Title 9, Delaware Code, Entitled "Counties" in Respect to Employees Pensions in New Castle County," to Labor.

SB 260—"An Act to Provide That Any Unused Funds Appropriated for Maintenance and Construction to the State Highway Department in the Budget Appropriation Act for the Biennium Ending June 30, 1959 Shall be Credited by the State Treasurer for the Use of the State Highway Department for the Purpose for Which They Were Originally Appropriated," to Public Buildings and Highways.

SB 298—"An Act to Appropriate Funds to the Board of Game and Fish Commissioners for the Fiscal Year Ending June 30, 1957," to Appropriations.

SB 5—"An Act Relating to the Interstate Compact on Mental Health," to Public Health.

SB 157—"An Act Appropriating Money to the Mayor and Council of Wilmington for Use in Maintenance of Fire Apparatus and Equipment in Wilmington," to Appropriations.

SB 198—"An Act to Amend Chapter 15, Title 13, Delaware Code by Removing New Castle County from the Original Territorial Jurisdiction of the Superior Court With Respect to Distribution, Care and Maintenance of Children in an Action for Annulment of Marriage or Divorce," to Judiciary.

SB 203—"An Act to Amend Title 13, Delaware Code by Removing New Castle County from the Original Territorial Jurisdiction of the Superior Court With Respect to the Charge and Custody of Minor Children Whose Parents Live in a State of Separation Without Being Divorced," to Judiciary.

SB 238 with SA 1—"An Act to Amend Part VI, Title 29, Delaware Code, by Adding a New Chapter 75 Thereto Entitled "General Provisions for State Agencies," to Miscellaneous.

SB 276—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" by Creating a State Agency for Surplus Property, and Prescribing Its Powers and Duties," to Appropriations.

SA 1 to HB 270 was presented by the Chair, and on motion of Mr. Walls, was adopted. Mr. Speaker ordered a roll call on **HB 270 with SA 1**—"An Act to Amend Part II, Title 7, Delaware Code, Entitled "Shellfish" by Consolidating the Delaware Commission of Shell Fisheries and the Collector of Oyster Revenue and Generally Revising the Provisions Pertaining to Shellfish."

On the question, "Shall the Bill as Amended pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey,

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

NAYS—None.

ABSENT—Messrs. Carpenter, Hussey, Wolf—3.

HB 270 with **SA 1** having received the constitutional majority, passed the House.

Mr. Speaker announced that he was about to sign: **SCR 24**, **SB 57** and **HB 310**.

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

HB 376—"An Act Providing for the Acquisition of Public Documents by the Public Archives Commission," by Eskridge; to Miscellaneous.

HB 377—"An Act to Amend Chapter 81, Title 9 of the Delaware Code by Providing for the Valuation and Assessment of House Trailers Under Certain Circumstances," by Mills and Quigley; to Miscellaneous.

HB 378—"An Act to Amend Title 19, Delaware Code Entitled "Labor" to Add a Wage Payment and Collection Law: and to Provide Penalties," by Shockley and Snowden; to Labor.

HB 379—"An Act to Amend Chapters 21 and 23, Title 19, of the Delaware Code Relating to Workmen's Compensation," by Shockley and Snowden; to Labor.

HB 380—"An Act to Amend Chapter 277, Volume 49, Laws of Delaware Entitled "An Act to Reincorporate the Town of Laurel" by Increasing the Annual Salary of the Mayor and Councilmen," by McAllister; to Municipal Corporations.

HB 381—"An Act to Appropriate \$2410 to the State Highway Department for the Purpose of Improving the Entrance and Parking Lot at the Sussex County Correctional Institution," by West; to Appropriations.

HB 382—"An Act to Amend Chapter 1, Title 10, of the Delaware Code Relating to the Time for Taking Appeals to the Supreme Court," by Tribbitt; to Judiciary.

HJR 4—"Memorializing the Congress of the United States to Consider Returning to the Operation and Control of the State of Delaware the Branch Canal Located at Delaware City, New Castle County, Delaware," by Snedeker and Quigley; to Miscellaneous.

On motion of Mr. Eskridge, the rules were suspended for the purpose of a committee report. **HJR 4** was reported from the Miscellaneous Committee as favorably. On motion of Mr. Quigley, the rules were suspended for the purpose of action on **HJR 4**.

Mr. Quigley moved that **HJR 4**—"Memorializing the Congress of the United States to Consider Returning to the Operation and Control of the State of Delaware the Branch Canal

Located at Delaware City, New Castle County, Delaware," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Resolution pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Carpenter, Hussey, Wolf—3.

HJR 4 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Alexander moved that **SS 1** for **SB 243** with **SA 1**—"An Act to Amend Chapter 1, Title 17, Delaware Code by Authorizing the State Highway Department to Reimburse Public Utilities for the Cost of Relocating Facilities Required by Road Improvements, Where the State Receives Federal Funds," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill as Amended pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, King, Lawson, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Snedeker, Snowden, Tribbitt, Walls, West, Mr. Speaker Mayhew—23.

NAYS—Messrs. Appleford, Kaufman, Keller, Lambert, (Mrs.) Manning, Reed, Richards, Simpler—8.

NOT VOTING—Mr. Spicer—1.

ABSENT—Messrs. Carpenter, Hussey, Wolf—3.

SS 1 for **SB 243** with **SA 1** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Shockley moved that **HB 268**—"An Act Making Appropriations for the Expenses of the State Government for Each of the Two Fiscal Years Ending June 30, 1958 and June 30, 1959," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Carpenter, Hussey, Wolf—3.

HB 268 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Shockley moved that **HB 316**—"An Act Making Appropriations for Certain Contingencies, for the Respective Years of the Biennium July 1, 1957 to June 30, 1959, and Prescribing Limitations Upon Use Thereof and the Powers and Duties of Budget Commission in Relation Thereto," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—Messrs. Appleford, Bartleson, Ehinger, Kaufman, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer—13.

ABSENT—Messrs. Carpenter, Hussey, Wolf—3.

HB 316 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Ehinger moved that **HB 132**—"An Act Appropriating Funds for the Purchase of Land and for Landscaping East of Legislative Hall, Dover," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Appleford, Bartleson, Clark, Ehinger, English, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Pryor, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Walls, Mr. Speaker Mayhew—23.

NAYS—Messrs. Alexander, Mills, Quigley, Shockley—4.

NOT VOTING—Mr. Betts—1.

ABSENT—Messrs. Carpenter, Eskridge, Hussey, Wolf—4.

PRESENT—Messrs. Cain, Tribbitt, West—3.

HB 132 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Lawson moved that **HB 57**—"An Act to Amend Chapter 119, Volume 28, Laws of Delaware, as Amended, Providing for the Collection of Taxes for the City of Wilmington by Increasing the Penalty for Late Payment of Such Taxes, and Accelerating the Date of Delinquency Thereof," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Appleford, Bartleson, Clark, Ehinger, English, Kaufman, Keller, Lambert, Lawson, (Mrs.) Manning, Massey, Reed, Richards, Simpler, Snedeker, Snowden, Spicer—17.

NAYS—Messrs. Alexander, Betts, Cain, Livingston, Mills, Quigley, Shockley, Tribbitt, Walls, West—10.

NOT VOTING—Messrs. Eskridge, King, McAllister, Pryor, Mr. Speaker Mayhew—5.

ABSENT—Messrs. Carpenter, Hussey, Wolf—3.

Messrs. Lawson and Snowden changed their vote from yea to nay for the purpose of reconsideration.

HB 57 not having received the constitutional majority, was lost in the House.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 261**, **HB 285**, and that the Senate had passed and requested the concurrence of the House in the following bills: **SB 39** and **SB 91**.

Mr. English introduced the following resolution, which on further motion by him, was adopted: **HR 92**—"Authorizing the Payment of Certain Expenses of the House of Representatives for Telephone Service."

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

The Diamond State Telephone Company, 124 South State Street, Dover, Delaware, for local service and equipment and calls on telephone numbered Dover 5711, Extensions 222, 223, 224, 228, covering the period from April 11, 1957 to and including May 10, 1957..... \$30.21

The Diamond State Telephone Company, 124 South State Street, Dover, Delaware, for local service and equipment and calls on telephone numbered Dover 7854 and 8541, covering the period from April 11, 1957 to and including May 10, 1957..... \$25.47

Mr. Speaker announced that he was about to sign: **SB 255**, **SB 252**, **HB 48**, **HB 114**, **HB 162** and **HB 224**.

On motion of Mr. Quigley, the House adjourned until Friday, June 7, 1957, at 1:00 P. M.

87TH LEGISLATIVE DAY

House met pursuant to adjournment at 2:05 P. M., on June 7, 1957.

Prayer by the Chaplain, Rev. Donohoe.

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

Members absent—Messrs. Alexander, Bartleson, Carpenter, Wolf—4.

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

The following bills were reported out of committees as favorably, unless otherwise stated: **HB 344**, from Elections; **HB 336** and **HB 376**, from Miscellaneous; **SB 168**, from Insurance and Banking; **HB 380**, from Municipal Corporations; **SB 248** and **SB 249**, from Labor, 4 favorable, 1 on merits, and **HB 280**, from Public Health, 2 favorable, 3 on merits.

On motion of Mr. Lawson, **HB 57** was restored to the calendar.

Mr. Appleford moved that **SB 19** be given the third and final reading in order to pass the House. Mr. Quigley moved that **SB 19** be tabled.

The roll call revealed:

YEAS—Messrs. Betts, Cain, Clark, English, Eskridge, Hussey, King, Livingston, Massey, McAllister, Mills, Pryor, Quigley, West, Mr. Speaker Mayhew—15.

NAYS—Messrs. Appleford, Ehinger, Kaufman, Keller, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Walls—14.

ABSENT—Messrs. Alexander, Bartleson, Carpenter, Shockley, Tribbitt, Wolf—6.

The motion prevailed and **SB 19** was tabled.

Mr. Quigley moved that **SB 19** be lifted from the table and returned to committee.

The roll call revealed:

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

NAYS—Messrs. Appleford, Ehinger, Kaufman, Keller, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer—13.

ABSENT—Messrs. Alexander, Bartleson, Carpenter, Wolf—4.

The motion prevailed and **SB 19** was returned to committee.

Mr. Quigley moved that Senate Bills be called up for third and final reading by the chairman of the respective committee, or a petition with 18 signatures.

The roll call revealed:

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

NAYS—Messrs. Appleford, Ehinger, Kaufman, Keller, Lambert, Lawson, (Mrs.) Manning, Reed, Simpler, Snedeker, Snowden, Spicer—12.

ABSENT—Messrs. Alexander, Bartleson, Carpenter, Richards, Wolf—5.

Motion prevailed.

Mr. McAllister moved that **SB 251**—"An Act to Appropriate Certain Funds to the Milton Consolidated School for the Purpose of Filling, Grading and Seeding 2½ Acres Around the School Property," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Betts, Cain, Clark, English, Eskridge, Hussey, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Tribbitt, West, Mr. Speaker Mayhew—15.

NAYS—Messrs. Appleford, Ehinger, Kaufman, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Snedeker, Snowden, Spicer, Walls—12.

ABSENT—Messrs. Alexander, Bartleson, Carpenter, Keller, King, Shockley, Simpler, Wolf—8.

Messrs. English, McAllister, Quigley and West changed their vote from yea to nay for the purpose of reconsideration.

SB 251 not having received the constitutional majority, was lost in the House.

On motion of Mr. Quigley, **SB 251** was restored to the calendar.

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 310**.

Mr. Snowden moved that **HB 107**—"An Act Appropriating Funds for Delaware Participation Under the Southern Regional Education Compact," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Appleford, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister,

Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—30.

NAYS—None.

ABSENT — Messrs. Alexander, Bartleson, Carpenter, West, Wolf—5.

HB 107 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. McAllister moved that **HB 371**—"An Act to Amend Title 14, Delaware Code Relating to Qualified Voters for Elections Regarding Levy of School Taxes and Local School Bonds," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Betts, Cain, Eskridge, King, McAllister, Mills, Quigley, Walls, West—9.

NAYS—Messrs. Appleford, Ehinger, Hussey, Kaufman, Lambert, Lawson, Reed, Richards, Simpler, Snedeker, Snowden, Spicer—12.

NOT VOTING—Messrs. Clark, English, Keller, (Mrs.) Manning, Massey, Pryor, Shockley, Tribbitt, Mr. Speaker Mayhew—9.

ABSENT — Messrs. Alexander, Bartleson, Carpenter, Wolf—4.

PRESENT—Mr. Livingston—1.

HB 371 not having received the constitutional majority, was lost in the House.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 19**, and that the Senate had passed and requested the concurrence of the House in the following bills, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

SB 197—"An Act to Amend Chapter 297, Volume 50, Laws of Delaware Entitled "An Act Providing for a Park Police Pension Fund for Members of the Park Police of the City of Wilmington," by Changing the Pensions Payable Under Said Act and by Providing Additional Benefits for Widows and Dependents of Pension Members," to Municipal Corporations.

SS 1 for **SB 240**—"An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees and Making Appropriation," to Education.

SB 296—"An Act to Amend Chapter 9, Title 13, Delaware Code Relating to Adoption," to Judiciary.

Mr. Hussey moved that **SB 257**—"An Act to Amend Title 15 of the Delaware Code by Transferring the Obligation to Pay Certain Registration and Election Expenses from the Counties and the City of Wilmington to the State of Delaware

and Providing an Appropriation Therefore for the Next Biennium," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS — Messrs. Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, King, Lambert, Lawson, Livingston, Massey, Pryor, Quigley, Shockley, Simpler, Snowden, Spicer, Tribbitt, West, Mr. Speaker Mayhew—21.

NAYS—Messrs. Appleford, Kaufman, (Mrs.) Manning, McAllister, Mills, Reed, Richards, Snedeker, Walls—9.

NOT VOTING—Mr. Keller—1.

ABSENT — Messrs. Alexander, Bartleson, Carpenter, Wolf—4.

SB 257 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Tribbitt introduced the following concurrent resolution: **HCR 9**—"Request to the Governor of the State of Delaware to Return House Bill Number 297 for Reconsideration."

WHEREAS, the House of Representatives desires to give reconsideration to House Bill No. 297; and

BE IT RESOLVED by the House of Representatives of the 119th General Assembly, the Senate concurring therein, that the Governor of the State of Delaware respectfully be requested to return House Bill No. 297 to the House of Representatives for reconsideration by the General Assembly.

On motion of Mr. Quigley, the rules were suspended so that the resolution could be given the third and final reading in order to pass the House. On motion of Mr. Tribbitt, **HCR 9** was adopted by voice vote and ordered to the Senate for concurrence.

Mr. Clark moved that **HB 364**—"An Act to Amend Section 716, Title 7, Delaware Code Relating to Possession of Game," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT — Messrs. Alexander, Bartleson, Carpenter, Wolf—4.

HB 364 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Tribbitt moved that **SB 188**—"An Act to Amend Chapter 11, Title 10 of the Delaware Code Relating to the Appointment and Salaries of the Clerks and Probation Officers of the Juvenile Court of Kent and Sussex Counties," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS — Messrs. Betts, Cain, Clark, Ehinger, English, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Tribbitt, Walls, Mr. Speaker Mayhew—24.

NAYS—Messrs. McAllister and Mills—2.

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

ABSENT — Messrs. Alexander, Bartleson, Carpenter, Eskridge, Wolf—5.

PRESENT—Mr. West—1.

SB 188 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Eskridge moved that **SB 103** with **SA 1**—"An Act to Amend Chapter 161, Volume 50, Laws of Delaware in Respect to the State Forestry Fund," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill as Amended pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT — Messrs. Alexander, Bartleson, Carpenter, Quigley, Tribbitt, Wolf—6.

SB 103 with **SA 1** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Snowden moved that **HB 315**—"An Act Appropriating Funds to the State Board of Education for Allocation to School Districts When New Units are Opened," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT — Messrs. Alexander, Bartleson, Carpenter, Quigley, Tribbitt, Wolf—6.

HB 315 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Reed, **HB 60** was stricken from the calendar.

On motion of Mr. Shockley, **HB 283** was recommitted.

The following concurrent resolution was introduced by Mr. Mayhew and Mr. Ehinger, and assigned to the Miscellaneous Committee: **HCR 10**—"Memorializing the President of the United States and the Congress of the United States to Consider the Repeal or Modification of the Status of Forces Treaty Now in Existence Between This Country and Certain Foreign Countries."

WHEREAS, the members of our armed forces serving abroad, their civilian components and the dependents of each, are now subject to the criminal jurisdiction of more than fifty countries in which they may be on duty, by reason of the NATO Status of Forces Treaty, the Administrative Agreement with Japan, and Executive Agreements with other nations, and

WHEREAS, these agreements penalize our servicemen for foreign service by depriving them of many of the rights granted by our Constitution, which they are sworn to defend, and

WHEREAS, it is impossible for any serviceman accused of transgression in a foreign country to receive a fair and impartial trial because of the varying systems of jurisprudence which make it impossible for him to receive the protection of all of the rights and guarantees which our Constitution gives to every citizen, and because of the prejudice and animosity sometimes existing against our men, and

WHEREAS, legislation has been introduced in both the Senate and the House of Representatives of the United States to direct the President to seek a modification of all such agreements so that the United States may regain exclusive jurisdiction over the members of its armed forces for all purposes, or if such a modification is refused, then to terminate or denounce the agreements according to the terms of each; NOW THEREFORE

BE IT RESOLVED by the House of Representatives of the State of Delaware, the Senate concurring therein, that the 119th General Assembly of the State of Delaware expresses its belief that all United States service personnel stationed abroad should be tried by United States military tribunals under the Uniform Code of Military Justice for any offense committed on foreign soil and respectfully urges the President of the United States, by negotiation, and the Senate and the House of Representatives of the United States by legislation directing such negotiation, to immediately seek a modi-

fication of all existing agreements with foreign nations so that the United States may regain criminal jurisdiction over its armed forces, and failing such modification being secured, to denounce such agreements; and

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted forthwith to the President of the United States, and to the members of the Senate and the member of the House of Representatives of the United States from the State of Delaware, and that a copy be mailed to the Secretary of the Senate and the Clerk of the House of Representatives in Washington.

Mr. English, by request, introduced the following resolution: **HR 93**—"Expressing the Sentiment of the Residents of the Community of Uhlerville as to a Change of Name of the Community."

WHEREAS, it has come to the attention of the House of Representatives of the 119th General Assembly that certain individuals in the community of Uhlerville are dissatisfied with the name of the community, and

WHEREAS, such residents of the community do not consider appropriate the present name by which their community is now known, and

WHEREAS, this community is known for its beauty, natural attractions and atmosphere of Sussex County congeniality; NOW THEREFORE

BE IT RESOLVED by the House of Representatives of the 119th General Assembly that the citizens of Uhlerville consider changing the name of their community from "Uhlerville" to "Green Acres" which name more appropriately describes the community and represents the feelings of the residents as to their desire for the name of their community.

Mr. Quigley moved that **HR 93** be tabled. The roll call revealed:

YEAS—Mr. Keller, Mrs. Manning, Mr. Quigley—3.

NAYS — Messrs. Appleford, Clark, Ehinger, English, Eskridge, King, Lambert, Lawson, Mills, Reed, Richards, Snedeker, Snowden, Spicer, Tribbitt, Walls, West—17.

NOT VOTING—Messrs. Kaufman, Livingston, Massey, Pryor, Shockley, Simpler, Mr. Speaker Mayhew—7.

ABSENT — Messrs. Alexander, Bartleson, Carpenter, Wolf—4.

PRESENT—Messrs. Betts, Cain, Hussey, McAllister—4.

The motion was lost, and **HR 93** was assigned to the Committee on Public Buildings and Highways.

Mr. Pryor moved that **SB 278**—"An Act to Amend Title 18, Delaware Code Relating to the Insurance Commissioner," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Betts, Cain, Clark, English, Eskridge, Hussey, Keller, King, Lawson, Livingston, Massey, Pryor, Shockley, Simpler, Tribbitt, Walls, Mr. Speaker Mayhew—17.

NAYS—Messrs. Kaufman, Lambert, (Mrs.) Manning, McAllister, Mills, Reed, Snedeker, Snowden—8.

NOT VOTING—Messrs. Appleford, Ehinger, Richards, Spicer—4.

ABSENT—Messrs. Alexander, Bartleson, Carpenter, Quigley, Wolf—5.

PRESENT—Mr. West—1.

Messrs. Lawson, Pryor and Tribbitt changed their vote from yea to nay for the purpose of reconsideration.

SB 278 not having received the constitutional majority, was lost in the House.

On motion of Mr. Pryor, SB 278 was restored to the calendar.

Mr. Shockley moved that **HB 31**—"An Act Appropriating Funds to the State Board of Trustees of the Delaware State Hospital at Farnhurst, Delaware, to Build, Equip, and Furnish a Wing for the Central Kitchen at the Hospital for the Mentally Retarded at Stockley, Delaware," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Alexander, Bartleson, Cain, Carpenter, Lawson, Quigley, Wolf—7.

PRESENT—Mr. West—1.

HB 31 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Snowden moved that **HB 264**—"An Act to Amend Title 14, Delaware Code, Entitled "Education" in Respect to Appropriations for Public Education," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Appleford, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister,

Mills, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—30.

NAYS—None.

ABSENT — Messrs. Alexander, Bartleson, Carpenter, Quigley, Wolf—5.

HB 264 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Snowden moved that **HB 266**—"An Act to Amend Title 29, Delaware Code Entitled "State Government" in Respect to Estimates of Expenses by State Agencies," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT — Messrs. Alexander, Bartleson, Carpenter, Spicer, Tribbitt, Wolf—6.

HB 266 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Eskridge moved that **SB 246**—"An Act to Amend Chapter 184, Volume 43, Laws of Delaware, Entitled "An Act Changing the Name of the 'Town of Seaford' to the 'City of Seaford', and Establishing a Charter Therefor", by Shortening the Hours that the Polls Must be Kept Open at the Annual Municipal Election If There is No Contest," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, King, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Walls, West, Mr. Speaker Mayhew—21.

NAYS—Messrs. Lambert, (Mrs.) Manning, Snedeker, Spicer—4.

NOT VOTING — Messrs. Appleford, Lawson, Snowden—3.

ABSENT — Messrs. Alexander, Bartleson, Carpenter, Kaufman, Keller, Tribbitt, Wolf—7.

Messrs. English, Eskridge, Mills and Shockley changed their vote from yea to nay for the purpose of reconsideration.

SB 246 not having received the constitutional majority, was lost in the House.

On motion of Mr. Eskridge, **SB 246** was restored to the calendar.

Mr. Hussey moved that **SB 150**—"An Act to Amend Chapter 17, Title 15, of the Delaware Code Relating to Registration of Voters," be taken up for consideration and read for the third time in order to pass the House.

HA 1 to **SB 150** was introduced by Mrs. Manning and on motion by her was adopted.

On the question, "Shall the Bill as Amended pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT — Messrs. Alexander, Bartleson, Carpenter, Walls, Wolf—5.

SB 150 with **HA 1** having received the constitutional majority, passed the House and was ordered returned to the Senate for concurrence.

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 162**, **HB 48**, **HB 114**, **HB 224**.

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

HS 1 for **HB 283**—"An Act to Amend Chapter 55, Title 14, Delaware Code Relating to Scholarships to Delaware State College," by Shockley; to Education.

HB 383—"An Act to Amend the Delaware Code in Respect to the Tax on House Trailers," by Manning; to Revenue and Taxation.

HB 384—"An Act to Amend Chapter 35, Title 3, Delaware Code Relating to Eggs," by Clark; to Agriculture.

HB 385—"An Act to Amend Chapter 351, Volume 50, Laws of Delaware in Regard to An Act to Appropriate Funds to the Delaware Commission for the Feeble Minded for the Care of Abnormal Infants Until Space is Available at the Delaware Colony, Stockley," by Shockley and Spicer; to Appropriations.

On motion of Mr. Quigley, the House adjourned until Monday, June 10, 1957, at 1:00 P. M.

88TH LEGISLATIVE DAY

House met pursuant to adjournment at 2:25 P. M., on June 10, 1957.

Prayer by the Chaplain, Rev. Donohoe.

Mr. Quigley acted as Speaker in the absence of Mr. Mayhew.

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

Members absent—Messrs. Cain and Massey—2.

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

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

GOVERNOR'S MESSAGE STATE OF DELAWARE EXECUTIVE DEPARTMENT

Dover, June 7, 1957

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

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

June 3, 1957—House Bill No. 181—An Act to Appropriate Funds to the Department of Public Welfare for the Fiscal Year Ending June 30, 1957.

June 5, 1957—House Bill No. 33—An Act to Amend Title 9, Delaware Code, Entitled "Counties" to Increase the Bond Required to the Prothonotary in New Castle County.

June 5, 1957—House Bill No. 74—An Act to Amend Chapter 1, Title 8, Delaware Code, Relating to Corporations.

June 5, 1957—House Bill No. 76—An Act Appropriating Money to American Legion, Sussex Post Number 8, in Sussex County, With Which to Operate and Maintain an Ambulance.

June 5, 1957—House Bill No. 200—An Act to Amend Title 7, Relating to the Muskrat Season.

June 5, 1957—House Bill No. 207—An Act to Amend Chapter 39, Title 11, Delaware Code Relating to the Sentence in Capital Cases in Which the Jury Recommends Mercy.

June 5, 1957—House Bill No. 216—An Act to Amend Chapter 1, Title 12, Delaware Code Relating to Wills.

June 5, 1957—House Bill No. 228—An Act Appropriating Money to the Delaware Society for the Prevention of Cruelty to Animals.

June 5, 1957—House Bill No. 263—An Act to Amend Title 14, Chapter 71, Delaware Code Relating to Free Public Libraries.

June 5, 1957—House Bill No. 318—An Act Appropriating Funds to the State Park Commission for Development and Maintenance of Brandywine Springs Park.

June 6, 1957—Senate Bill No. 36—An Act Authorizing the Levy Court of New Castle County to Sell to the Highest Bidder a Parcel of Land in Mill Creek Hundred, New Castle County.

June 6, 1957—Senate Bill No. 57—An Act to Amend Chapter 23, Title 9, Delaware Code Relating to Sanitary Sewer Districts in New Castle County.

June 6, 1957—House Bill No. 310—An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Hyde Park Civic Association, Inc., from Assessment and Taxation.

June 7, 1957—House Bill No. 272—An Act to Amend Title 14, Delaware Code Entitled "Education" in Respect to Changing of Special School District Boundaries.

Respectfully submitted,

J. CALEB BOGGS, Governor

The Secretary of the Senate informed the House that the House that the Senate had concurred in **HCR 9, HB 251, HB 268** as amended by **SA 1, HB 323**, as amended by **SA 2**, and that the Senate had passed and requested the concurrence of the House in the following bills: **SB 271, SB 302, SB 305** with **SA 1, SB 306, SB 316**.

The following bills were reported out of committee as favorably, unless otherwise stated: **HB 377**, from Miscellaneous, 3 favorable, 2 on merits; **HB 369, SB 164, SB 162** and **SS 1** for **SB 163**, from Municipal Corporations; **SB 197**, from Municipal Corporations, 3 favorable, 1 on merits; **HB 335**, from Education; 3 favorable, 1 on merits; **SB 276**, from Appropriations; **HB 88**, from Revised Statutes, 1 favorable, 1 on merits; **SB 261** and **SB 159**, from Revised Statutes, 3 favorable, 1 on merits; **HB 382, SB 102, SB 169, SB 198, SB 203, SB 220, SB 287** and **SB 296**, from Judiciary, and **HCR 10**, from Miscellaneous.

Mr. Snedeker introduced the following resolution: **HR 94**—"Expressing Thanks to the Delaware River Pilot's Association."

WHEREAS, the Delaware River Pilot's Association very graciously entertained the members of the legislature of the 119th General Assembly at dinner June 3, 1957, and on a boat trip June 4, 1957, and

WHEREAS, the members of the 119th General Assembly desire to express their thanks and appreciation for the kind hospitality extended to them, NOW, THEREFORE

BE IT RESOLVED by the House of Representatives of the 119th General Assembly of the State of Delaware, the Senate concurring therein, that the sincere appreciation of the 119th General Assembly is hereby expressed and the thanks of its members is hereby extended to the Delaware River Pilot's Association for the gracious hospitality shown to them on June 3, and June 4, 1957, and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the secretary of the Delaware River Pilot's Association.

After the reading of the resolution, Mr. Snedeker moved that it be withdrawn. Motion prevailed.

Mr. McAllister moved that **HB 296** as amended—"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 Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions," be taken up for further consideration.

HA 4 was introduced by Mr. Reed and on further motion by him was adopted by voice vote.

On the question, "Shall the Bill as Amended pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, Wolf—31.

NAYS—Mr. West—1.

ABSENT—Messrs. Cain, Massey, Mr. Speaker Mayhew—3.

HB 296 as amended having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Snowden moved that **HB 229**—"An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pension Plan," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.)

Manning, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf—32.

NAYS—None.

ABSENT—Messrs. Cain, Massey, Mr. Speaker Mayhew—3.

HB 229 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Speaker Mayhew returned to the Rostrum.

On motion of Mr. Shockley, the rules were suspended in order to take up **SB 276** for action.

Mr. Shockley moved that **SB 276**—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" by Creating a State Agency for Surplus Property, and Prescribing Its Powers and Duties," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Cain and Massey—2.

PRESENT—Mr. West—1.

SB 276 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Tribbitt moved that **HB 213** with **HA 1**—"An Act to Amend Title 6, Delaware Code Relating to Commerce and Trade," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill as Amended pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Cain and Massey—2.

HB 213 as amended having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 386—"An Act to Amend Title 7, Delaware Code, Entitled "Conservation" Relating to Hunting, Trapping and Fishing Licenses for Aliens," by Quigley; to Fish, Oysters and Game.

HB 387—"An Act Appropriating Money to the Delaware Geological Commission for the Purpose of Collecting Data, Making Studies and Analysis of the Surface Water of the State of Delaware," by Reed and Walls; to Appropriations.

HB 388—"An Act Making an Appropriation to the State Board of Agriculture to Provide for the Control of Brucellosis, Tuberculosis, and Other Contagious Diseases of Animals, Poultry, and Plants, and to Provide for Payment of Cattle Slaughtered as Brucellosis and Tuberculosis Reactors," by Alexander; to Agriculture.

HCR 11—"Re Adjournment. BE IT RESOLVED by the House of Representatives of the 119th General Assembly of the State of Delaware, the Senate concurring therein, that both Houses of the 119th Session of the General Assembly of the State of Delaware shall adjourn at the close of business on Friday, the fourteenth day of June, A. D. 1957, the ninety-second legislative day, until the first Tuesday in January, 1958," by Keller and Lambert; to Miscellaneous.

On motion of Mr. Eskridge, the rules were suspended in order that **HCR 10** could be given the third and final reading in order to pass the House. On further motion by him, **HCR 10** was adopted by voice vote and ordered to the Senate for concurrence.

SA 1 to **HB 268** was read and on motion of Mr. Shockley, was adopted by voice vote.

Mr. Shockley moved that **HB 268** with **SA 1**—"An Act Making Appropriations for the Expenses of the State Government for Each of the Two Fiscal Years Ending June 30, 1958 and June 30, 1959, be taken up for consideration.

On the question, "Shall the Bill as Amended pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Cain and Massey—2.

HB 268 with **SA 1** having received the constitutional majority, passed the House and was returned to the Clerk.

On motion of Mr. Tribbitt, the rules were suspended in order to take up **SB 296** for action.

Mr. Tribbitt moved that **SB 286**—"An Act to Amend Chapter 9, Title 13, Delaware Code Relating to Adoption," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—Messrs. Quigley and West—2.

ABSENT—Messrs. Cain and Massey—2.

SB 296 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Shockley moved that **HB 360**—"An Act Making an Appropriation to the State Board of Education for the Payment of Pensions to Retired and Disabled Teachers Over and Above the Present Appropriation Available to the State Board of Education for This Purpose," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Cain and Massey—2.

HB 360 having received the constitution majority, passed the House and was ordered to the Senate for concurrence.

Mr. Lawson moved that **HB 113**—"An Act to Amend Chapter 17, Title 9, Delaware Code, Relating to Employees Pensions in New Castle County," be taken up for further consideration in order to pass the House.

HA 1 to HB 113 was introduced by Mr. Lawson, and on motion by him was adopted by voice vote.

On the question, "Shall the Bill as Amended pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Cain and Massey—2.

HB 113 as amended having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Speaker announced that he was about to sign: **HCR 9**, **HB 251**, **HB 270**, **SB 103** as amended, **SB 257**, **SB 188** and **SS 1** for **SB 243**.

On motion of Mr. Alexander, **HB 154** was recommitted.

On further motion by him, **HB 154** was stricken from the calendar.

On motion of Mr. Clark, **HB 62** was given the third and final reading. On motion of Mr. Ehinger, action was deferred on **HB 62**.

Mr. English introduced the following resolution, which on further motion by him, was adopted: **HR 95**—"Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 119th General Assembly."

BE IT RESOLVED, by the House of Representatives of the 119th General Assembly of the State of Delaware, that the following amounts are appropriated out of any money in the General Fund of the State Treasury for the payment of certain expenses connected with the present session of the 119th General Assembly of the State of Delaware, up to and including the Ninetieth Legislative Day, which expenses are declared proper and reasonable expenses actually incurred by the respective members of the House of Representatives for traveling expenses, commonly called mileage expenses, in traveling from their respective homes to Dover and returning from Dover to their respective homes in the performance of their duties as members of the House of Representatives, during the present Legislative Session thereof, and the Auditor of Accounts is directed to approve and properly execute warrants for, and the State Treasurer is directed to pay to the respective members of the House of Representatives herein-after named, the respective amounts set opposite their respective names, viz:

Mr. Paul F. Livingston	\$450.00
Mr. James H. Snowden	450.00
Mr. Harry G. Lawson	450.00
Mr. Paul E. Shockley	450.00
Mr. Edward J. Hussey	450.00
Mr. T. Lees Bartleson	468.00
Mr. Harry H. Lambert	432.00
Mrs. Margaret R. Manning	432.00
Mr. Henry H. Wolf	405.00
Mr. James R. Quigley	405.00
Mr. William H. Carpenter	405.00
Mr. Henry E. Snedeker	315.00
Mr. Sherman W. Tribbitt	225.00
Mr. Edgar Alexander	225.00

Mr. Charles R. Pryor	135.00
Mr. Charles C. King	117.00
Mr. H. Clifford Clark	117.00
Mr. Nelson Massey	45.00
Mr. Charles F. Richards	18.00
Mr. Elmer L. Betts	162.00
Mr. Henry B. Appleford	45.00
Mr. Clifford M. Simpler	108.00
Mr. George W. Cain	171.00
Mr. Harry E. Mayhew	180.00
Mr. John Keller	225.00
Mr. Edgar English	297.00
Mr. Norman Eskridge	315.00
Mr. Horace W. Mills	450.00
Mr. Harry G. McAllister	477.00
Mr. Charles P. West	567.00
Mr. Lester M. Kaufman	540.00
Mr. Joseph B. Walls	414.00
Mr. Harvey B. Spicer	360.00
Mr. Arthur R. Reed	378.00

Mr. Walls moved that **HB 361** be given the third and final reading in order to pass the House. On motion of Mr. Quigley, action was deferred.

On motion of Mr. Quigley, the House adjourned until Tuesday, June 11, 1957, at 1:00 P. M.

89TH LEGISLATIVE DAY

House met pursuant to adjournment at 2:25 P. M., on June 11, 1957.

Prayer by the Chaplain, Rev. Donohoe.

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

Members absent—Messrs. Carpenter, Massey, McAllister—3.

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

The Secretary of the Senate informed the House that the Senate had concurred in **HB 252**, and that the Senate had passed and requested the concurrence of the House in the following bills: **SB 184**, **SB 215**, **SB 245**, **SB 250**, **SB 282**, **SB 321**.

A communication was presented by Mr. Mayhew, pursuant to **HB 249**, **HB 250** and **HB 352**.

A public hearing was held on **HB 249, HB 250 and HB 352.**

On motion of Mr. Quigley, the House adjourned until Wednesday, June 12, 1957, at 1:30 P. M.

90TH LEGISLATIVE DAY

House met pursuant to adjournment at 2:20 P. M., on June 12, 1957.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—34.

Member absent—Mr. Hussey—1.

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

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

GOVERNOR'S MESSAGE STATE OF DELAWARE EXECUTIVE DEPARTMENT

Dover, June 11, 1957

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

This will advise that on June 10, 1957, I approved the following legislation:

Senate Bill No. 252—An Act to Amend Chapter 19, Title 10, Delaware Code, Relating to Law Libraries, and to Provide for a State Law Library in Kent County Corresponding to Law Libraries in the Other Counties and to Appropriate Funds.

Senate Bill No. 255—An Act to Amend the Delaware Code, by Abolishing the State Library and to Authorize the Transfer of Material, Office Equipment and Supplies to Other State Agencies, and to Abolish the Office of State Librarian and Transfer the Duties Connected Therewith.

House Bill No. 48—An Act to Amend Title 14, Delaware Code, Entitled "Education" to Provide That the Library Commission for the State of Delaware May Act and Receive Federal Funds Under the "Library Services Act".

House Bill No. 162—An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety" in Respect to Tuberculosis.

House Bill No. 224—An Act Making a Deficiency Appropriation to the Superior Court of the State of Delaware for Salaries and Wages Account.

Respectfully submitted,

J. CALEB BOGGS, Governor

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 270, HB 251, HB 19, HB 285, HB 261 and HCR 9.**

The Secretary of the Senate informed the House that the Senate had concurred in **HS 1** for **HB 54**, and that the Senate had passed and requested the concurrence of the House in the following bills: **SB 214, SB 241** with **SA 1** and **SA 2, SB 295** with **SA 1.**

Mr. Speaker announced that he was about to sign: **HB 268, SB 150** as amended, **SB 276, SB 296** and **HB 252.**

The following bills were reported out of committee as favorably, unless otherwise stated: **HB 332**, from Fish, Oysters and Game; **HB 384** and **HB 388**, from Agriculture; **HS 1** for **HB 154**, from Judiciary, 3 favorable, 2 on merits; **SB 144** and **SB 232**, from Public Health.

The Chair presented the following bill, which was given first and second reading by title only and referred to committee as follows:

SB 324—"An Act to Amend Chapter 40, of the Charter of the City of Wilmington, Being Section 40, Chapter 20, Volume 17, Laws of Delaware, as Heretofore Amended and Referred to as Part of Article 6, 52, Sec. 52, of the Revised Code of Wilmington 1942, as Published by the Authority of the Council of the Mayor and Council of Wilmington, at a Meeting of the Council Held October 19, 1939, and Relating to the Position of City Solicitor," to Appropriations.

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

HB 389—"An Act to Amend Title 7, Section 792, Delaware Code Relating to Deer," by Walls and English; to Fish, Oysters and Game.

HB 390—"An Act to Amend Chapter 17, Title 7, Delaware Code Relating to License Fees and Funds for Payment of Claims," by Walls; to Claims.

HB 391—"An Act to Amend Chapter 43, Title 29, Delaware Code, Relating to the Appointment of Notaries for Service Organizations; Limitations," by Ehinger; to Judiciary.

HB 392—"An Act to Transfer a Certain Tract of Public Land to the Colorado Fuel and Iron Corporation," by Quigley; to Miscellaneous.

HB 393—"An Act Making an Appropriation to the State Board of Education for Driver Education," by Appleford, Ehinger and Manning; to Education.

On motion of Mr. Bartleson, **HB 280** was given the third and final reading. On motion of Mr. Quigley, action was deferred.

Mr. Shockley moved that **SB 248**—"An Act to Amend Chapter 237, Volume 46, Laws of Delaware as Amended, Entitled "City of Wilmington Employees' Retirement Act," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Kaufman, King, Lawson, Livingston, McAllister, Mills, Pryor, Quigley, Reed, Shockley, Simpler, Snowden, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—24.

NAYS—Mr. Lambert, Mrs. Manning, Mr. Wolf—3.

NOT VOTING—Mr. West—1.

ABSENT—Messrs. Hussey and Snedeker—2.

PRESENT — Messrs. Appleford, Carpenter, Keller, Massey, Richards—5.

SB 248 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Shockley moved that **SB 249**—"An Act to Amend Title 9, Delaware Code, Entitled "Counties" in Respect to Employees Pensions in New Castle County," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Hussey and Snedeker—2.

SB 249 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Pryor moved that **SB 278**—"An Act to Amend Title 18, Delaware Code Relating to the Insurance Commissioner," be taken up for further consideration in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Bartleson, Betts, Cain, Carpenter, Clark, English, Eskridge, Keller, King, Lambert, Lawson, Livingston, Massey, McAllister, Mills, Pryor, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—22.

NAYS—Messrs. Appleford, Ehinger, Kaufman, (Mrs.) Manning, Reed, Richards, Simpler, Snowden, Spicer, Wolf—10.

ABSENT—Messrs. Hussey, Quigley, Snedeker—3.

SB 278 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The following bills were reported out of committees as favorably: **HB 259**, from Revenue and Taxation; **HB 267**, **SS 1** for **SB 240**, **HS 1** for **HB 283**, from Education.

On motion of Mr. Lawson, **HB 357** was given the third and final reading in order to pass the House. On further motion by him, action was deferred.

Mr. Quigley moved that the House recess at the call of the Chair. Mr. Speaker Mayhew ordered a roll call on the motion.

The roll call revealed:

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

NAYS—Messrs. Appleford, Bartleson, Carpenter, Ehinger, Kaufman, Keller, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Simpler, Snowden, Spicer, Wolf—15.

ABSENT—Messrs. Hussey and Snedeker—2.

The motion prevailed and the House recessed at 3:15 P. M.

The House was called to order at 4:40 P. M.

Mr. Tribbitt moved that **HB 370**—"An Act to Amend Chapter 17, Title 14, Delaware Code Relating to State Appropriations to School Districts Whose Schools are Attended by Pupils Not Residing Within the District," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—Messrs. Appleford, Bartleson, Carpenter, Ehinger, Kaufman, Keller, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Wolf—16.

ABSENT—Mr. Hussey—1.

HB 370 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Tribbitt moved that **HB 297**—"An Act to Amend Chapter 63, Title 29, Delaware Code Relating to the General Powers and Duties of the Budget Commission," be taken up for further consideration in order to pass the House.

HA 1 to **HB 297** was introduced by Mr. Tribbitt and on further motion by him was adopted.

On the question, "Shall the Bill as Amended pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—34.

NAYS—None.

ABSENT—Mr. Hussey—1.

HB 297 with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 394—"An Act to Amend Title 21, Delaware Code Relating to Constructor's Licenses, Fee, Speed and Distance Regulations," by Quigley; to Revenue and Taxation.

HB 395—"An Act Appropriating Funds to the State Board of Education to Provide Itinerant Homebound and Hospital Instruction," by Manning and McAllister; to Appropriations.

HB 396—"An Act to Amend Chapter 14, Title 25, Delaware Code Relating to Timber Trespass," by English and Mayhew; to Agriculture.

HB 397—"An Act Appropriating Funds to the State Library Commission for the State of Delaware for Operations, Repairs and Replacements and Equipment," by Tribbitt and Ehinger; to Appropriations.

HJR 5—"Regarding the State Song of Delaware," by Manning and Mayhew; to Miscellaneous.

Mr. King moved that **SB 197**—"An Act to Amend Chapter 297, Volume 50, Laws of Delaware Entitled "An Act Providing for a Park Police Pension Fund for Members of the Park Police of the City of Wilmington," by Changing the Pensions Payable Under Said Act and by Providing Additional Benefits for Widows and Dependents of Pension Members," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Hussey and Quigley—2.

SB 197 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Eskridge moved that **HB 376**—"An Act Providing for the Acquisition of Public Documents by the Public Archives Commission," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Hussey and Quigley—2.

HB 376 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Carpenter moved that **HB 52**—"An Act Agreeing to the Proposed Amendment to Civil Defense for Equipment and Services," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—Messrs. Keller and West—2.

NOT VOTING—Mr. Simpler—1.

ABSENT—Mr. Hussey—1.

HB 52 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Ehinger moved that **HB 146**—"An Act Making an Appropriation to the State Building and Grounds Commission for Repairs, Repainting and Redecorating Legislative Hall and for Other Purposes," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. English, Hussey, West—3.

HB 146 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mrs. Manning, **HS 1** for **HB 211** was removed from the table.

On motion of Mr. Shockley, the House adjourned until Thursday, June 13, 1957, at 1:00 P. M.

91ST LEGISLATIVE DAY

House met pursuant to adjournment at 2:20 P. M., on June 13, 1955.

Prayer by the Chaplain, Rev. Donohoe.

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

Members absent—Messrs. Carpenter and Massey—2.

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

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

GOVERNOR'S MESSAGE STATE OF DELAWARE EXECUTIVE DEPARTMENT

Dover, June 13, 1957

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

This will advise that on June 13, 1957, I approved the following legislation:

Senate Bill No. 103 with Senate Amendment No. 1—An Act to Amend Chapter 161, Volume 50, Laws of Delaware, in Respect to the State Forestry Fund.

Senate Bill No. 150 with House Amendment No. 1—An Act to Amend Chapter 17, Title 15 of the Delaware Code Relating to Registration of Voters.

Senate Bill No. 188—An Act to Amend Chapter 11, Title 10, of the Delaware Code Relating to the Appointment and Salaries of the Clerks and Probation Officers of the Juvenile Court of Kent and Sussex Counties.

Senate Substitute No. 1 for Senate Bill No. 243—An Act to Amend Chapter 1, Title 17, Delaware Code by Authorizing the State Highway Department to Reimburs Public Utilities for the Cost of Relocating Facilities Required by Road Improvements, Where the State Receives Federal Funds.

Senate Bill No. 276—An Act to Amend Title 29, Delaware Code, Entitled “State Government” by Creating a State Agency for Surplus Property, and Prescribing Its Powers and Duties.

Senate Bill No. 296—An Act to Amend Chapter 9, Title 13, Delaware Code Relating to Adoption.

House Bill No. 19—An Act Appropriating Certain Monies to Kent and Sussex County Fair Incorporated, for Prizes.

House Bill No. 251—An Act to Appropriate Money to the Belvedere Volunteer Fire Company.

House Bill No. 261—An Act to Amend Title 9, Section 4133, Delaware Code With Reference to Appropriations to Certain Organizations Providing Ambulance Service in Kent County.

House Bill No. 268 with Senate Amendment No. 1—An Act Making Appropriations for the Expenses of the State Government for Each of the Two Fiscal Years Ending June 30, 1958 and June 30, 1959.

House Bill No. 285—An Act Appropriating Funds to the Adjutant General of Delaware for Uniforms for National Guard Officers.

Respectfully submitted,

J. CALEB BOGGS, Governor

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 268** and **HB 252**.

Mr. Quigley moved that **HB 176**—“An Act to Amend Chapter 216, Volume 27, Laws of Delaware, as Amended, Entitled “An Act Amending, Revising and Consolidating the Charter of the City of New Castle” by Changing the Salary of Certain Officials,” be taken up for consideration and read for the third time in order to pass the House.

On the question, “Shall the Bill pass the House?” the roll call revealed:

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Kaufman, Keller, King, Lambert, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Quigley, Richards, Shockley, Simpler, Snedeker, Tribbitt, Walls, West, Mr. Speaker Mayhew—24.

NAYS—Messrs. Appleford, Bartleson, Ehinger, Lawson, Reed, Snowden, Spicer—7.

NOT VOTING—Mr. Wolf—1.

ABSENT—Messrs. Carpenter, Hussey, Massey—3.

HB 176 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. McAllister moved that **HB 380**—“An Act to Amend Chapter 277, Volume 49, Laws of Delaware Entitled “An Act to Reincorporate the Town of Laurel” by Increasing the An-

nual Salary of the Mayor and Councilmen," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Appleford, Betts, Cain, Clark, English, Eskridge, Kaufman, Keller, King, Lambert, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Quigley, Richards, Shockley, Simpler, Snedeker, Tribbitt, Walls, West, Mr. Speaker Mayhew—25.

NAYS — Messrs. Bartleson, Ehinger, Lawson, Reed, Snowden, Spicer—6.

NOT VOTING—Mr. Wolf—1.

ABSENT—Messrs. Carpenter, Hussey, Massey—3.

HB 380 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Simpler moved that **HB 359**—"An Act to Amend the Charter of the Town of Magnolia, Chapter 568, Volume 17, Laws of Delaware, by Authorizing the Council to Extend the Boundaries of Said Town to Include Certain Territories After a Special Election of the Qualified Voters and Real Estate Owners of the Territory Proposed to be Annexed," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—Messrs. Bartleson and Lawson—2.

NOT VOTING—Messrs. Reed, Snowden, Spicer, Wolf—4.

ABSENT—Messrs. Carpenter and Massey—2.

HB 359 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mrs. Manning moved that **HS 1** for **HB 211** be lifted from the table. Motion seconded by Mr. Wolf.

The following bills were reported out of committee as favorably, unless otherwise stated: **HB 396**, from Agriculture; **HS 1** for **HB 198** and **HB 342**, from Public Buildings and Highways; **HB 319**, from Elections; **HJR 5** and **HB 392**, from Miscellaneous, 3 favorable, 2 on merits; **HB 243** and **HB 246**, from Appropriations, 5 on merits; **HB 345**, from Appropriations, 3 favorable, 2 on merits; **HB 368**, from Appropriations, 2 favorable, 2 on merits; **SB 157**, from Appropriations, 4 favorable, 1 on merits; **HB 347**, **HB 381**, **HB 385**, **HB 395**, **HB 397** and **SB 324**, from Appropriations.

On motion of Mr. Clark, **HB 198** was recommitted. On further motion by him, **HB 198** was stricken from the calendar.

Mr. Appleford moved that **HB 323**—"An Act to Amend Title 14, Delaware Code, Entitled "Education" in Respect to Use of Tax Revenues," be taken up for further consideration in order to pass the House.

SA 1 was read and on motion of Mr. Eskridge was adopted by voice vote.

On the question, "Shall the Bill as Amended pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Carpenter, Livingston, Massey—3.

HB 323 as amended having received the constitutional majority, passed the House and was ordered returned to the Clerk.

On motion of Mr. Lawson, **HB 311** was given the third and final reading. On motion of Mr. Quigley, action was deferred.

On motion of Mr. Spicer, **HB 330** was taken up for further consideration. On motion of Mr. Quigley, action was deferred.

Mr. Eskridge moved that **SB 246**—"An Act to Amend Chapter 184, Volume 43, Laws of Delaware, Entitled "An Act Changing the Name of the 'Town of Seaford' to the 'City of Seaford', and Establishing a Charter Therefor", by Shortening the Hours That the Polls Must be Kept Open at the Annual Municipal Election If There is No Contest," be taken up for further consideration in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Bartleson, Betts, Cain, Clark, English, Eskridge, Hussey, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Quigley, Richards, Shockley, Snedeker, Tribbitt, Walls, West, Mr. Speaker Mayhew—24.

NAYS—Messrs. Appleford, Ehinger, Kaufman, Keller, Reed, Simpler, Snowden, Spicer—8.

NOT VOTING—Mr. Wolf—1.

ABSENT—Messrs. Carpenter and Massey—2.

SB 246 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Quigley moved that **HB 84**—"An Act to Further Amend the Charter of the City of New Castle, as Amended, by Increasing the Compensation of the City Clerk," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, Keller, King, Lambert, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Quigley, Shockley, Snedeker, Walls, West, Mr. Speaker Mayhew—21.

NAYS—Messrs. Appleford, Ehinger, Kaufman, Lawson, Richards, Snowden, Spicer—7.

NOT VOTING—Messrs. Bartleson, Reed, Simpler, Wolf—4.

ABSENT—Messrs. Carpenter, Massey, Tribbitt—3.

Messrs. English, Hussey, Mills and Quigley changed their vote from yea to nay for the purpose of reconsideration.

HB 84 not having received the constitutional majority, was lost in the House.

On motion of Mr. Quigley, **HB 84** was restored to the calendar.

On motion of Mr. Quigley, **HB 83** was given the third and final reading. On motion of Mr. West, action was deferred on **HB 83**.

Mr. Speaker announced that he was about to sign: **HB 323**, **HS 1** for **HB 54**, **HB 293**, **HB 346**, **SB 278**, **SB 197**, **SB 249** and **SB 248**.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 293** and **HB 346**.

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

SB 241 with **SA 1** and **SA 2**—"An Act to Amend Part III, Title 3, Delaware Code, Providing for a New Chapter 32, Entitled "Distribution; Regulation and Control of Milk Prices," to Agriculture.

SB 39—"An Act to Amend Chapter 31, Title 9, Delaware Code Relating to Unemployment Compensation by Changing Certain of the Administrative Provisions Thereof," to Labor.

SB 91—"An Act to Amend Title 19, Delaware Code, Entitled, "Labor" in Respect to Wage Payments," to Labor.

SB 184—"An Act to Amend Chapter 19, Title 10, of the Delaware Code Relating to Examinations of Judgment Satisfactions by Commissioners," to Judiciary.

SB 215—"An Act to Amend Chapter 15, Title 9 of the Delaware Code Relating to the Annual Audit of Accounts and Publication of Audit Report in New Castle County," to Miscellaneous.

SB 245—"An Act to Amend Chapter 15, Title 9, Delaware Code by Authorizing the Levy Court of New Castle County to Purchase Bonds or Other Obligations of the United States of America," to Judiciary.

SB 250—"An Act to Amend Chapter 9, Title 2, Delaware Code Relating to Airports of Political Subdivisions," to Miscellaneous.

SB 271—"An Act to Amend Chapter 3, Title 11, Delaware Code, Relating to Wiretapping, by Exempting Additional Persons from the Penalties Therein Provided," to Judiciary.

SB 282—"An Act to Authorize the Levy Court of New Castle County to Plan, Construct, Equip and Furnish an Additional County Building for New Castle County and to Issue Bonds to Finance the Cost Thereof," to Public Buildings and Highways.

SB 302—"An Act to Amend Chapter 11, Title 31, Delaware Code Entitled, "Welfare Agencies and Recipients of Assistance," to Miscellaneous.

SB 305 with SA 1—"An Act to Appropriate Funds to the Levy Courts of the State of Delaware to Repay Suburban Streets Improvement Bonds and Interest," to Public Buildings and Highways.

SB 306—"An Act to Amend Chapters 5 and 21, Title 18, Delaware Code Relating to Non-Resident Insurance Agents and Brokers," to Insurance and Banking.

SB 316—"An Act to Amend Title 31, Delaware Code, to Provide for the Consolidation of Ferris' School for Boys, Kruse School and the Detention Home for Juvenile Delinquents and Method for Voluntary Further Consolidation as to Woods Haven School for Girls; Change Laws Relating to Such Institutions and Appropriate Funds," to Appropriations.

Mr. McAllister moved that **SS 1** for **SB 240**—"An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees and Making Appropriation," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Carpenter, English, Massey—3.

SS 1 for **SB 240** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Lawson moved that **HB 287**—"An Act Appropriating Money to the University of Delaware for Capital Improvements on the University Campus, and at the University's Agricultural Experimental Substation in Sussex County," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Carpenter and Massey—2.

HB 287 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. West moved that **HB 375**—"An Act Appropriating Money to the State Soil Conservation Commission for the Drainage of Tax Ditches in Sussex County," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Carpenter, Livingston, Massey—3.

HB 375 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Alexander moved that **HS 1** for **HB 154** be given the third and final reading in order to pass the House. On motion of Mr. Snowden, action was deferred.

Mr. Lawson moved that **HB 336** be given the third and final reading in order to pass the House. Mr. Quigley moved that action be deferred. Roll call revealed:

YEAS—Messrs. Cain, Clark, English, King, Mills, Quigley, Walls, Mr. Speaker Mayhew—8.

NAYS—Messrs. Alexander, Appleford, Bartleson, Betts, Ehinger, Kaufman, Keller, Lambert, Lawson, (Mrs.) Manning, McAllister, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Wolf—19.

NOT VOTING—Messrs. Eskridge, Pryor, Tribbitt, West—4.

ABSENT—Messrs. Carpenter, Livingston, Massey—3.

PRESENT—Mr. Hussey—1.

The motion was lost.

Mr. Lawson moved that **HB 336**—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" in Regard to State Pensions," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—Messrs. Mills and Quigley—2.

ABSENT—Messrs. Carpenter, Livingston, Massey—3.

HB 336 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Shockley moved that **SB 225**—"An Act Making an Deficiency Appropriation to the State Department of Welfare," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Cain, Carpenter, Livingston, Massey, West—5.

SB 225 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Wolf moved that **HB 267**—"An Act to Amend Title 14, Delaware Code, Entitled "Education" in Respect to Buildings and Grounds Supervisors," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

NOT VOTING—Messrs. English and Livingston—2.

ABSENT—Messrs. Carpenter and Massey—2.

PRESENT—Mr. Quigley—1.

HB 267 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Tribbitt moved that **SB 87**—"An Act to Amend Chapter 11, Title 10, Delaware Code, Relating to the Judge of the Juvenile Court of Kent and Sussex Counties," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Betts, Cain, Clark, Eskridge, Hussey, King, Livingston, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Mr. Speaker Mayhew—15.

NAYS — Messrs. Appleford, Lambert, Lawson, Reed, Simpler, Snedeker, Walls—7.

NOT VOTING — Messrs. Bartleson, Ehinger, English, Kaufman, Keller, Richards, Snowden, Spicer, Wolf—9.

ABSENT—Messrs. Carpenter and Massey—2.

PRESENT—Mrs. Manning and Mr. West—2.

Messrs. Eskridge and King changed their vote from yea to nay for the purpose of reconsideration.

SB 87 not having received the constitutional majority, was lost in the House.

On motion of Mr. Eskridge, **SB 87** was restored to the calendar.

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 293, HB 346, HB 323 and HS 1** for **HB 54**.

Mr. Appleford moved that **HB 138**—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" by Increasing the Compensation of the Custodian, and Appropriating Funds," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Appleford, Bartleson, Ehinger, Kaufman, Keller, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Wolf—15.

NAYS—Messrs. Betts, Cain, Clark, Eskridge, Hussey, King, Livingston, Mills, McAllister, Pryor, Tribbitt, Walls, West, Mr. Speaker Mayhew—14.

ABSENT — Messrs. Alexander, Carpenter, English, Massey, Quigley, Shockley—6.

Messrs. Appleford and Snowden changed their vote from yea to nay for the purpose of reconsideration.

HB 138 not having received the constitutional majority, was lost in the House.

On motion of Mr. Appleford, **HB 138** was restored to the calendar.

Mr. Tribbitt moved that **SB 287**—"An Act to Amend Title 12 of the Delaware Code Relating to Decedents' Estates and Fiduciary Relations," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Betts, Clark, Eskridge, Hussey, Keller, King, McAllister, Mills, Quigley, Tribbitt, Mr. Speaker Mayhew—11.

NAYS—Mr. Walls—1.

NOT VOTING—Messrs. Appleford, Bartleson, Ehinger, Kaufman, Lambert, Lawson, Livingston, (Mrs.) Manning, Reed, Richards, Simpler, Snowden, Spicer, Wolf—14.

ABSENT — Messrs. Alexander, Carpenter, English, Massey, Pryor, Shockley, Snedeker, West—8.

PRESENT—Mr. Cain—1.

Messrs. Eskridge and Quigley changed their vote from yea to nay for the purpose of reconsideration.

Mrs. Manning and Mr. Wolf changed their vote from not voting to nay for the purpose of reconsideration.

SB 287 not having received the constitutional majority, was lost in the House.

On motion of Mrs. Manning, **SB 287** was restored to the calendar.

Mr. Quigley introduced the following concurrent resolution, which was given first and second reading by title only: **HCR 12**—"Fixing the Time for Temporary Adjournment by the House of Representatives and the Senate of the 119th General Assembly."

On motion of Mr. Snedeker the rules were suspended in order to take up **HCR 12** for action.

Mr. Snedeker moved that **HCR 12**—"Fixing the Time for Temporary Adjournment by the House of Representatives and the Senate of the 119th General Assembly," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Resolution pass the House?" the roll call revealed:

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

NAYS—Mr. Livingston—1.

ABSENT—Messrs. Carpenter, English, Massey—3.

HCR 12 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

HB 398—"An Act Making Certain Additional and Supplementary Appropriations for the Expenses of Certain State Agencies for Each of the Fiscal Years Ending June 30, 1958 and June 30, 1959," by Tribbitt; to Appropriations.

HB 399—"An Act to Amend Chapter 55, Volume 51, Laws of Delaware Known as "An Act to Amend Title 30 Delaware Code by Providing for a State Municipal Street Air Fund from the Proceeds of the State Motor Fuel Tax; Distribution of Such Fund to Incorporated Cities and Towns for Street Purposes," by Mayhew and Spicer; to Municipal Corporations.

On motion of Mr. Quigley, the House adjourned until Friday, June 14, 1957, at 1:00 P. M.

92ND LEGISLATIVE DAY

House met pursuant to adjournment at 2:15 P. M., on June 14, 1957.

Prayer by the Chaplain, Rev. Donohoe.

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

Members absent—Messrs. Carpenter and Massey—2.

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

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

GOVERNOR'S MESSAGE STATE OF DELAWARE EXECUTIVE DEPARTMENT

Dover, June 13, 1957

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

This will advise that on June 13, 1957, I approved the following legislation:

Senate Bill No. 257—An Act to Amend Title 15 of the Delaware Code by Transferring the Obligation to Pay Certain Registration and Election Expenses from the Counties and the City of Wilmington to the State of Delaware and Providing an Appropriation Therefore for the Next Biennium.

House Bill No. 252—An Act to Amend Chapter 11, Title 16, Delaware Code Relating to Definition of Sanatoria, Rest Homes, Nursing Homes, Boarding Homes and Related Institutions.

House Bill No. 270—An Act to Amend Part II, Title 7, Delaware Code, Entitled "Shellfish" by Consolidating the Delaware Commisison of Shell Fisheries and the Collector of Oyster Revenue and Generally Revising the Provisions Pertaining to Shellfish.

Respectfully submitted,

J. CALEB BOGGS, Governor

The Secretary of the Senate informed the House that the Senate had concurred in **HB 134**, **HB 161** and **HB 173**, and that the Senate had passed and requested the concurrence of the House in the following bills: **SB 58**, **SB 264**, **SB 265** as amended, **SB 266**, **SB 269**, **SB 286**, **SB 299**, **SB 307**, **SB 311**, **SB 328**, **SB 329**, **SB 330**, **SB 334**.

The Chair presented the following bill, which was given first and second reading by title only, and referred to committee as follows:

SB 295 with **SA 1**—"An Act to Reincorporate the Town of Bridgeville," to Municipal Corporations.

On motion of Mrs. Manning, **HS 1** for **HB 211** was lifted from the table.

Mrs. Manning moved that **HS 1** for **HB 211**—"An Act to Amend the Delaware Code In Respect to the Tax on House Trailers," be taken up for further consideration in order to pass the House.

HA 1 to **HS 1** for **HB 211** was introduced by Mrs. Manning and on further motion by her was adopted.

On the question, "Shall the Bill as Amended pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Carpenter, Eskridge, Massey—3.

HS 1 for **HB 211** with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Tribbitt moved that **HB 397**—"An Act Appropriating Funds to the State Library Commission for the State of Delaware for Operations, Repairs and Replacements and Equipment," be taken up for consideration and read for the third time in order to pass the House.

HA 1 to HB 397 was introduced by Mr. Tribbitt and on motion by him was adopted.

On the question, "Shall the Bill as Amended pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Carpetner and Massey—2.

PRESENT—Mr. West—1.

HB 397 with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Clark moved that **HS 1** for **HB 198**—"An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety" in Regard to Burial, Removal, Cremation or Other Disposition of Dead Bodies," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Carpenter, Massey, Quigley—3.

HS 1 for **HB 198** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. West moved that **HB 381**—"An Act to Appropriate \$2410 to the State Highway Department for the Purpose of Improving the Entrance and Parking Lot at the Sussex County Correctional Institution," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, Keller, King, (Mrs.) Manning, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—19.

NAYS—Messrs. Appleford, Bartleson, Ehinger, Kaufman, Lambert, Lawson, Livingston, Simpler, Snedeker, Wolf—10.

NOT VOTING—Messrs. Richards, Snowden, Spicer—3.

ABSENT—Messrs. Carpenter, Massey, Reed—3.

HB 381 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Shockley moved that **HB 88**—"An Act to Amend Chapter 5, Title 4, Relating to Delaware Code, Licenses and Taxes, by Providing Additional Grounds for Refusal of Licenses for the Sale of Alcoholic Liquors," be taken up for consideration and read for the third time in order to pass the House.

Mr. Quigley moved that action be deferred on **HB 88**. Motion was lost by voice vote.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Appleford, Bartleson, Ehinger, Eskridge, Kaufman, Keller, Lambert, Lawson, Livingston, McAllister, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Walls, West, Wolf—21.

NAYS—Messrs. Alexander, Betts, Cain, Clark, English, Hussey, King, Mills, Quigley, Tribbitt, Mr. Speaker Mayhew—11.

NOT VOTING—Mrs. Manning—1.

ABSENT—Messrs. Carpenter and Massey—2.

HB 88 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Shockley moved that **HB 298**—"An Act Appropriating Funds to the Kruse School," be taken up for consideration and read for the third time in order to pass the House.

HA 1 to **HB 298** was introduced by Mr. Shockley and on motion by him was adopted.

On the question, "Shall the Bill as Amended pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Carpenter and Massey—2.

HB 298 with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. English moved that **HB 396**—"An Act to Amend Chapter 14, Title 25, Delaware Code Relating to Timber Trespass," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning,

McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Maysew—33.

NAYS—None.

ABSENT—Messrs. Carpenter and Massey—2.

HB 396 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Snowden, **HB 279** was recommitted. On further motion by him, **HB 279** was stricken from the calendar.

The following bills were reported out of committees as favorably, unless otherwise state: **SB 173**, from Public Health; **HB 399**, from Municipal Corporations; **HB 363**, from Public Buildings and Highways; **HB 366**, from Miscellaneous; **HB 378**, **HB 379**, **SB 39** and **SB 91**, from Labor; **HB 398** and **SB 298**, from Appropriations; **SB 295** with **SA 1**, from Municipal Corporations; **HB 234** and **HB 350**, from Judiciary, 4 favorable, 1 on merits.

Mr. Speaker announced that he was about to sign: **SB 246**.

Mrs. Manning moved that **HB 395** be given the third and final reading and taken up for consideration in order to pass the House. On motion of Mr. Shockley, action was deferred.

Mr. Pryor moved that **SB 148**—"An Act to Amend Title 9, Delaware Code Entitled "Counties" by Providing for Payment of Pension Benefits to Certain Employees of Kent County, Providing Regulations and Procedure Therefore, Exemptions from Attachment, Non-Assignability and Other General Provisions," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Carpenter, Massey, Walls—3.

SB 148 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Tribbitt moved that **HB 289**—"An Act to Amend Section 2904, Title 14, Relating to Minimum Insurance Coverage Requirements for School Buses," be taken up for consideration and read for the third time in order to pass the House.

HA 1 to **HB 289** was introduced by Mr. Tribbitt, and on further motion by him was adopted.

On the question, "Shall the Bill as Amended pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Mills, Pryor, Quigley, Reed, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Wolf, Mr. Speaker Mayhew—27.

NAYS—None.

NOT VOTING—Mr. McAllister—1.

ABSENT—Messrs. Carpenter, Hussey, Massey, Richards, Snowden, Walls, West—7.

HB 289 as amended having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Shockley moved that **HB 262**—"An Act to Amend Chapter 13, Title 26, Delaware Code Relating to Gas, Water and Oil Corporations," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Livingston, McAllister, Pryor, Shockley, Tribbitt, Walls, Mr. Speaker Mayhew—15.

NAYS—Messrs. Lambert, Mills, Reed, Simpler, West—5.

NOT VOTING—Messrs. Appleford, Bartleson, Ehinger, Kaufman, Keller, Lawson, (Mrs.) Manning, Richards, Snowden, Wolf—10.

ABSENT—Messrs. Carpenter, Massey, Quigley, Snedeker, Spicer—5.

Messrs. Eskridge, Hussey and Shockley changed their vote from yea to nay for the purpose of reconsideration.

HB 262 not having received the constitutional majority, was lost in the House.

Mr. Mills moved that **HB 174**—"An Act to Amend Chapter 29, Title 14, Delaware Code, Entitled "Transportation of Pupils" by Providing That School Bus Owners Shall Receive Compensation in Addition to the Amount of Compensation Received by Contract," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Betts, Cain, Hussey, King, Livingston, McAllister, Mills, Quigley, Reed, Shockley, Spicer, Tribbitt, Walls, West—15.

NAYS—Messrs. Bartleson, Ehinger, Eskridge, Lawson, (Mrs.) Manning, Richards, Simpler—7.

NOT VOTING—Messrs. Appleford, Snowden, Wolf, Mr. Speaker Mayhew—4.

ABSENT—Messrs. Carpenter, Clark, English, Kaufman, Keller, Lambert, Massey, Pryor, Snedeker—9.

Messrs. McAllister, Mills, Quigley and Spicer changed their vote from yea to nay for the purpose of reconsideration.

HB 174 not having received the constitutional majority, was lost in the House.

Mr. Snowden moved that **HB 37** be given the third and final reading and taken up for consideration in order to pass the House. On motion of Mr. Quigley, action was deferred.

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

HB 400—"An Act Proposing an Amendment in the Constitution of the State of Delaware as to the Terms of Office of the State Treasurer and Auditor of Accounts," by Richards et al; to Revised Statutes.

HB 401—"An Act Amending Title 20, Delaware Code, by Providing for Workmen's Compensation for Civil Defense Workers While in the Service of the State," by Mills and Spicer; to Miscellaneous.

HB 402—"An Act to Amend Title 11, 14 and 29, Delaware Code, by Creating a Public Employee's Retirement Commission of the State of Delaware to Administer All the Retirement, Disability and Pension Laws of the State of Delaware, Defining the Powers and Duties of the Commission Transferring Certain Administrative Functions and Duties Thereto, and Abolishing the Arbitration Committee and the Disability Commission; Transfer of Funds, Appropriation," by Shockley; to Judiciary.

Mr. Eskridge introduced the following resolution, which on further motion by him, was adopted: **HR 96**—"Expressing the Sentiment of the City of Seaford as to the Operation of the Nanticoke River Bridge at Sharptown, Maryland."

WHEREAS, it has come to the attention of the House of Representatives of the 119th General Assembly that the Mayor and Council of the City of Seaford have voiced their objections to the proposed operation of the Nanticoke River Bridge at Sharptown, Maryland.

WHEREAS, it has been proposed that the Nanticoke River Bridge at Sharptown, Maryland, be open only from 6 A. M. to 6 P. M. unless there is given a six hour notice, AND

WHEREAS, such a reduction of hours of operation of the bridge would seriously hamper the daily flow of oil and grain and other commodities being shipped by way of the Nanticoke River to and from the Seaford, Delaware, area; NOW THEREFORE

BE IT RESOLVED by the members of the House of Representatives of the 119th General Assembly that the Highway Department of the State of Maryland continue the operation of the Nanticoke River Bridge at Sharptown, Maryland,

on a twenty-four hour basis, in order to expedite the transportation of commodities being transported by way of the Nanticoke River to and from the Seaford, Delaware, area.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted forthwith to the Chief Engineer of the Maryland Highway Department, the Chief Engineer of the Delaware Highway Department, the Mayor of the City of Seaford, and to the members of the Senate and the members of the House of Representatives of the United States from the State of Delaware.

Mr. Hussey moved that **HB 368**—"An Act to Appropri-ate Funds to the Department of Public Welfare for Salaries and Other Administrative Expenses," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Cain, Clark, Ehinger, Eskridge, Hussey, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Reed, Richards, Shockley, Snedeker, Snowden, Spicer, Walls, Wolf—22.

NAYS—Messrs. Betts, King, Simpler, Tribbitt, West—5.

NOT VOTING—Mr. Speaker Mayhew—1.

ABSENT—Messrs. Carpenter, English, Kaufman, Keller, Massey, Pryor, Quigley—7.

HB 368 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Alexander moved that **HB 259**—"An Act to Amend Chapter 11, Title 30, Delaware Code Relating to State Taxes," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Reed, Richards, Shockley, Simpler, Snowden, Spicer, Tribbitt, Walls, Wolf, Mr. Speaker Mayhew—27.

NAYS—None.

ABSENT—Messrs. Carpenter, Kaufman, Keller, Massey, Pryor, Quigley, Snedeker, West—8.

HB 259 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 287**, **HB 300**, **HS 1** for **HB 308**, **HB 325**, **HB 375** and **HCR 12**, and that the Senate had passed and requested the concurrence of the House in the following bill: **SB 321**.

Mr. Tribbitt moved that **SB 220**—"An Act to Amend Title 12, Delaware Code Relating to Decedents' Estates and Fiduciary Relations," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Carpenter, Kaufman, Keller, Massey, Pryor, Quigley—6.

PRESENT—Mr. West—1.

SB 220 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Spicer, rules were suspended in order to take up **HB 399** for action.

Mr. Spicer moved that **HB 399**—"An Act to Amend Chapter 55, Volume 51, Laws of Delaware Known as "An Act to Amend Title 30, Delaware Code by Providing for a State Municipal Street Aid Fund from the Proceeds of the State Motor Fuel Tax; Distribution of Such Fund to Incorporated Cities and Towns for Street Purposes," be taken up for consideration and read for the third time in order to pass the House.

Mr. Wolf introduced **HA 1** and **HA 2** to **HB 399**, and both were lost.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, King, Lambert, Livingston, (Mrs.) Manning, McAllister, Mills, Quigley, Reed, Richards, Shockley, Snedeker, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—26.

NAYS—None.

NOT VOTING—Messrs. Lawson, Simpler, Snowden—3.

ABSENT—Messrs. Carpenter, Kaufman, Keller, Massey, Pryor, Wolf—6.

HB 399 not having received the constitutional majority, was lost in the House.

Mr. McAllister moved that **HB 335**—"An Act to Amend Title 14, Delaware Code, Entitled "Education" Relative to School Board Elections; Local School Taxes; Local School Bonds," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Bartleson, Carpenter, Kaufman, Keller, Lawson, Massey, Pryor, Wolf—8.

HB 335 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Tribbitt moved that **SB 287**—"An Act to Amend Title 12 of the Delaware Code Relating to Decedents' Estates and Fiduciary Relations," be taken up for further consideration in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Appleford, Betts, Cain, Clark, Ehinger, English, Eskridge, King, Lambert, Livingston, (Mrs.) Manning, McAllister, Mills, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—23.

NAYS—Messrs. Alexander, Quigley, West—3.

ABSENT—Messrs. Bartleson, Carpenter, Hussey, Kaufman, Keller, Lawson, Massey, Pryor, Wolf—9.

SB 287 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Snowden moved that **HB 399** be reconsidered. Motion prevailed. On further motion by him, **HB 399** was restored to the calendar.

On motion of Mr. Quigley, the House adjourned until Monday, June 17, 1957, at 1:00 P. M.

93RD LEGISLATIVE DAY

House met pursuant to adjournment at 2:15 P. M., on June 17, 1957.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—34.

Member absent—Mr. Wolf—1.

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

The Secretary of the Senate informed the House that the Senate had passed and requested the concurrence of the House in the following bills: **SB 301, SB 318, SB 319, SB 320, SB 346.**

The Secretary of the Senate informed the House that the Senate had concurred in **HB 316**, and that the Senate had passed and requested the concurrence of the House in the following bill and resolution: **SB 192** and **SCR 26.**

The following bills were reported out of committees as favorably, unless otherwise stated: **HB 389**, from Fish, Oysters and Game, 2 favorable, 2 on merits; **HB 386**, from Fish, Oysters and Game, 3 favorable, 1 on merits; **SB 241** as amended, from Agriculture; **SB 167**, from Municipal Corporations; **HB 372, SB 250** and **SB 209**, from Miscellaneous, 4 favorable, 1 on merits; **SB 260** and **HB 373**, from Public Health.

The Chair presented the following concurrent resolution, which was given first and second reading by title only and referred to committee as follows:

SCR 26—"Providing for the Joint Finance Committee to Study the Needs of the Various State Agencies Relative to the Budget and to Further Study the Bond Situation Relative to Schools and Highways and to Propose Legislation to the Current General Assembly Pertaining to These Matters," to Miscellaneous.

HB 174 was restored to the calendar on motion of Mr. Mills.

Mr. Spicer moved that **HB 399**—"An Act to Amend Chapter 55, Volume 51, Laws of Delaware Known as "An Act to Amend Title 30 Delaware Code by Providing for a State Municipal Street Aid Fund from the Proceeds of the State Motor Fuel Tax; Distribution of Such Fund to Incorporated Cities and Towns for Street Purposes," be taken up for further consideration in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Lambert, Massey, Wolf—3.

HB 399 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. King moved that **HB 326**—"An Act to Amend Chapter 192, Volume 36, Laws of Delaware, Entitled "An Act to Reincorporate the Town of Smyrna", and Relating to the Taxing Powers of the Town of Smyrna," be taken up for further consideration in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—Messrs. Appleford, Bartleson, Carpenter, Ehinger, Kaufman, Keller, Lawson, (Mrs.) Manning, Snedeker—9.

NOT VOTING—Messrs. Reed, Richards, Snowden, Spicer—4.

ABSENT—Messrs. Lambert, Massey, Wolf—3.

Messrs. English, Eskridge and King changed their vote from yea to nay for the purpose of reconsideration.

HB 326 not having received the constitutional majority, was lost in the House.

Mr. Shockley moved that SB 298—"An Act to Appropriate Funds to the Board of Game and Fish Commissioners for the Fiscal Year Ending June 30, 1957," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Lambert, Massey, Quigley, Wolf—4.

PRESENT—Mr. West—1.

SB 298 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Walls moved that HB 342—"An Act Providing for the Acquisition of Lands in Connection With Certain Ponds and Appropriating Moneys to the State Highway Department for the Construction of Dams and Other Improvements," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Lambert, Massey, Quigley, Wolf—4.

PRESENT—Mr. Snowden—1.

HB 342 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Shockley moved that **SB 39**—"An Act to Amend Chapter 31, Title 9, Delaware Code Relating to Unemployment Compensation by Changing Certain of the Administrative Provisions Thereof," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Lambert, Massey, West, Wolf—4.

SB 39 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. King moved that **SB 279**—"An Act to Amend the Charter of the Town of Delmar, Chapter 182, Volume 45, Laws of Delaware, Relative to Sewer Rentals," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Livingston, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, Mr. Speaker Mayhew—17.

NAYS—None.

NOT VOTING—Messrs. Appleford, Bartleson, Ehinger, Kaufman, Lambert, (Mrs.) Manning, Richards, Simpler, Snowden, Spicer—10.

ABSENT—Messrs. Keller, Massey, Reed, West, Wolf—5.

PRESENT—Messrs. Carpenter, Lawson, Snedeker—3.

Messrs. Alexander, English, King, McAllister and Quigley changed their vote from yea to nay for the purpose of reconsideration.

SB 279 not having received the constitutional majority, was lost in the House.

SB 279 was restored to the calendar on motion by Mr. King.

Mr. Lambert moved that **HB 284**—"An Act to Amend Title 14, of the Delaware Code, Entitled "Education" by Providing for Sabbatical Leave for Professional Employees of the School Districts, the Special School Districts, the Board of Education of the City of Wilmington, and the State Board of Education, and Providing an Appropriation," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Bartleson, Carpenter, Ehinger, Kaufman, Keller, Lambert, Lawson, Reed, Richards, Simpler, Snedeker, Snowden, Spicer—13.

NAYS—Messrs. Appleford, Betts, Cain, Clark, Hussey, King, McAllister, Mills, Quigley, Shockley—10.

NOT VOTING—Messrs. English, Eskridge, Pryor, Tribbitt, Mr. Speaker Mayhew—5.

ABSENT—Mrs. Manning, Messrs. Massey, West, Wolf—4.

PRESENT—Messrs. Alexander, Livingston, Walls—3.

HB 284 not having received the constitutional majority, was lost in the House.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 103**, **HB 113** with **HA 1** and **HB 217**.

Mr. Shockley moved that **HB 385**—"An Act to Amend Chapter 351, Volume 50, Laws of Delaware in Regard to An Act to Appropriate Funds to the Delaware Commission for the Feeble Minded for the Care of Abnormal Infants Until Space is Available at the Delaware Colony, Stockley," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. English, Massey, Tribbitt, Wolf—4.

HB 385 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Quigley moved that **HB 392** be given the third and final reading in order to pass the House. On motion of Mr. Snowden, action was deferred.

Mr. Speaker signed: **HB 173**, **HB 161**, **HB 134**, **SB 225**, **SS 1** for **SB 240**, **SB 148**, **HB 300**, **HB 287**, **HB 316**, **HB 325**, **HB 375**, **HCR 12** and **HS 1** for **HB 308** as amended.

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

SB 330—"An Act to Amend Chapter 196, Volume 22, Laws of Delaware by Extending to the Board of Public Works of Lewes the Authority to Construct, Operate, and Regulate a

Sewerage Disposal Plant and Improved Sewerage System and Authorizing the Commissioners of Lewes to Issue Bonds to Finance the Project," to Municipal Corporations.

SB 192—"An Act Appropriating Certain Money to the State Park Commission to Pay the Bill of Rodney H. Dann for Work at Pea Patch Island," to Claims.

SB 264—"An Act to Amend Chapter 7, Title 4, Delaware Code Relating to Sale or Service of Liquor to an Intoxicated Person," to Temperance.

SB 265 with **SA 1**—"An Act to Amend Chapter 67, Title 21, Delaware Code, Relating to Driving a Vehicle Without the Consent of the Owner," to Miscellaneous.

SB 266—"An Act to Amend Chapter 3, Title 11, Delaware Code, Relating to Deadly Weapons and Firearms by Increasing the Minimum Fine for Carrying a Concealed Deadly Weapon Without a License," to Judiciary.

SB 269—"An Act to Amend Chapter 87, Title 11, Delaware Code, Relating to the State Detectives by Providing for Their Appointment and Fixing Their Salaries," to Miscellaneous.

SB 286—"An Act to Amend Title 10 Delaware Code, Entitled "Courts and Judicial Procedure" in Respect to Chief Deputy Prothonotaries and Registers in Chancery and Clerks of the Orphans' Court," to Judiciary.

SB 307—"An Act to Amend Chapter 25, Title 29, Delaware Code, Relating to the Attorney General by Increasing the Salaries of the Deputies of Sussex County," to Judiciary.

On motion of Mr. King, **HB 326** and **SB 295** were restored to the calendar.

Mr. Shockley moved that **HS 1** for **HB 283**—"An Act to Amend Chapter 55, Title 14, Delaware Code Relating to Scholarships to Delaware State College," be taken up for consideration and read for the third time in order to pass the House.

On the question, "Shall the Bill pass the House?" the roll call revealed:

YEAS—Messrs. Alexander, Appleford, Betts, Cain, Clark, Ehinger, Eskridge, Hussey, King, Livingston, (Mrs.) Manning, McAllister, Pryor, Quigley, Reed, Shockley, Simpler, Snedeker, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—23.

NAYS—Messrs. Bartleson, Carpenter, Kaufman, Lambert, Lawson, Snowden—6.

ABSENT—Messrs. English, Keller, Massey, Mills, Richards, Wolf—6.

HS 1 for **HB 283** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Shockley moved that **SB 200**—"An Act Authorizing the State Highway Department to Study and Construct Flood Control Measures Along Little Mill Creek in Christiana Hundred, Appropriating Funds Therefore," be taken up for consideration and read for the third time in order to pass the House.

HA 1 to **SB 200** was introduced by Messrs. Lambert and Shockley, and on further motion by Mr. Lambert, was adopted.

On the question, "Shall the Bill as Amended pass the House?" the roll call revealed:

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

NAYS—None.

ABSENT—Messrs. Alexander, English, Massey, Wolf—4.

SB 200 with **HA 1** having received the constitutional majority, passed the House and was ordered returned to the Senate for concurrence.

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 134**, **HB 161**, **HB 173**.

The following bills were reported out of committees as favorably, unless otherwise stated: **SB 172**, **SB 233**, **SB 316**, from Appropriations; **SB 210**, from Public Buildings and Highways; **HB 374**, from Judiciary, 4 favorable, 1 on merits, and **HB 401**, from Miscellaneous.

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

HB 403—"An Act to Amend Chapter 41, Title 16, Delaware Code, Entitled "Ice Cream" Relating to Ice Milk," by Reed and Walls; to Agriculture.

HB 404—"An Act Authorizing the State Treasurer to Transfer Certain Balances in the Accounts of Former State Treasurer Clarence S. Collins, Jr., to the General Fund of the State of Delaware," by Quigley and Snowden; to Appropriations.

HB 405—"An Act Making a Supplementary Appropriation to the Collector of State Revenue for the Salary of the Collector of State Revenue," by McAllister and Snowden; to Miscellaneous.

HB 406—"An Act to Amend Section 5143, Title 30, Delaware Code Relating to Refunds of Motor Fuel Taxes," by Shockley; to Revenue and Taxation.

HB 407—"An Act Appropriating Certain Moneys to the State Highway Department to Conduct an Educational Campaign on Street and Highway Safety," by Shockley; to Public Buildings and Highways.