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1951  
Special  
Session

STATE OF DELAWARE

SPECIAL SESSION

JOURNAL  
OF THE  
STATE SENATE  
1951

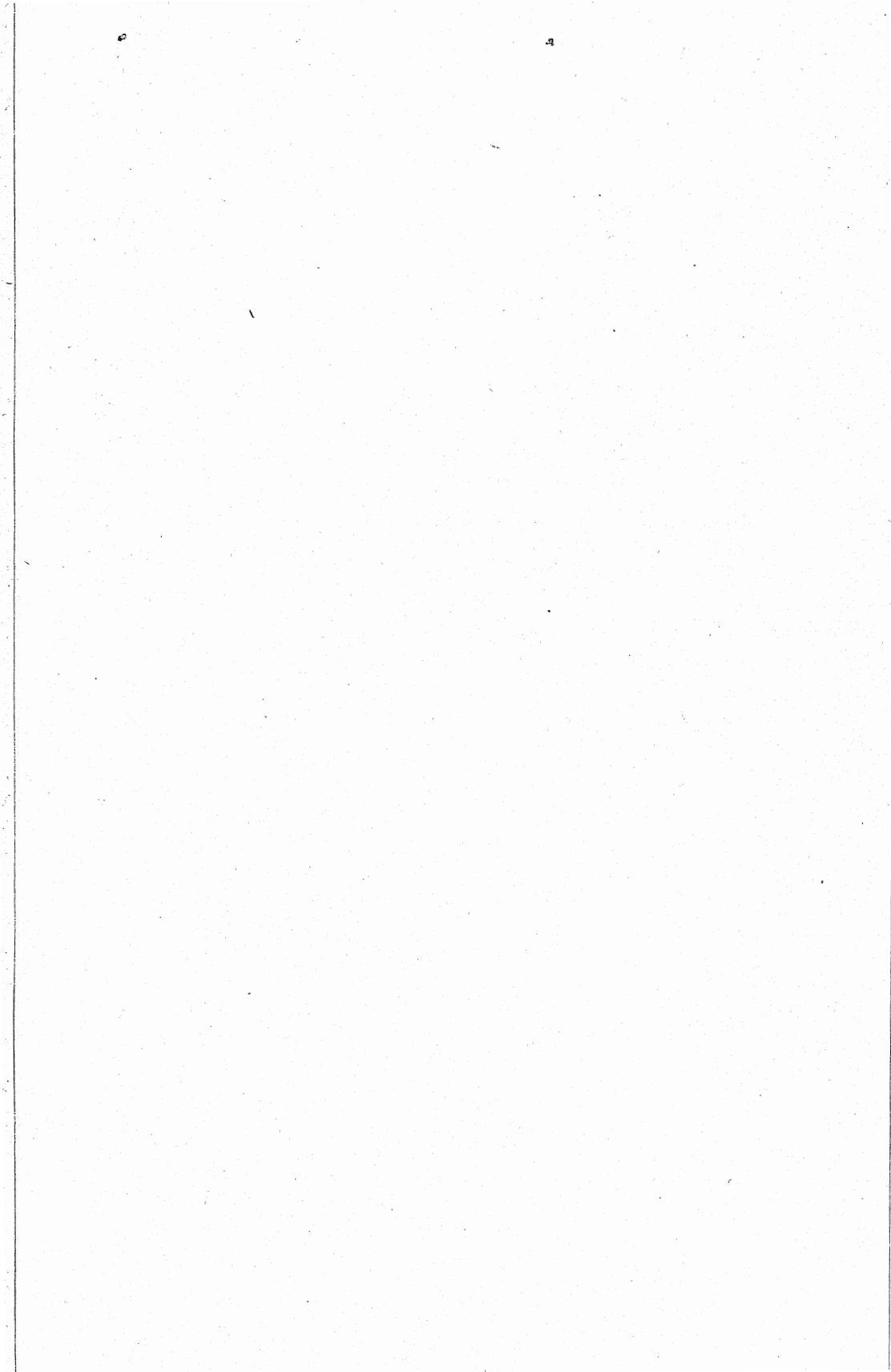
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# STATE OF DELAWARE



## JOURNAL OF THE STATE SENATE

AT A SPECIAL SESSION OF THE  
116th GENERAL ASSEMBLY

CONVENED AND HELD AT DOVER ON MONDAY, THE TENTH  
DAY OF DECEMBER, IN THE YEAR OF OUR LORD ONE  
THOUSAND NINE HUNDRED AND FIFTY-ONE, AND OF  
THE INDEPENDENCE OF THE UNITED STATES  
THE ONE HUNDRED AND SEVENTY-FIFTH

### 1951-52

HAMBLETON COMPANY, INC., WILMINGTON, DELAWARE



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State Doc

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1951, Spec. Session

WILLIAM J. BROWN  
BANK OF AMERICA

# OFFICERS AND MEMBERS

OF THE

## STATE SENATE

*President*

ALEXIS I. DUPONT BAYARD

*President Pro Tem*

R. ALLEN CANNON

*Secretary of the Senate*

WILLARD D. BOYCE

*Assistant Secretary*

LESTER H. PITTARD

*Reading Clerk*

ALICE WOODWARD

*Chaplain*

JASON BLUNDON

*Telephone Messengers*

PAUL SPEAR

MARTIN FOUNTAIN

*Sergeants-at-Arms*

MICHAEL DONOHUE

HOWARD RAWLEY

HARRY LEGATES

JOHN ROBINSON

*Mail Clerk*

JAMES MULLIN

*Stenographer*

MARY ETTA GOODING

*Bill Clerk*

WILLIAM L. PENNINGTON

### NEW CASTLE COUNTY—WILMINGTON

#### District

- 1 THOMAS E. PEENEY.....1004 Jefferson Street, Wilmington
- 2 JOHN E. REILLY, SR.....436 South Heald Street, Wilmington

#### RURAL NEW CASTLE COUNTY

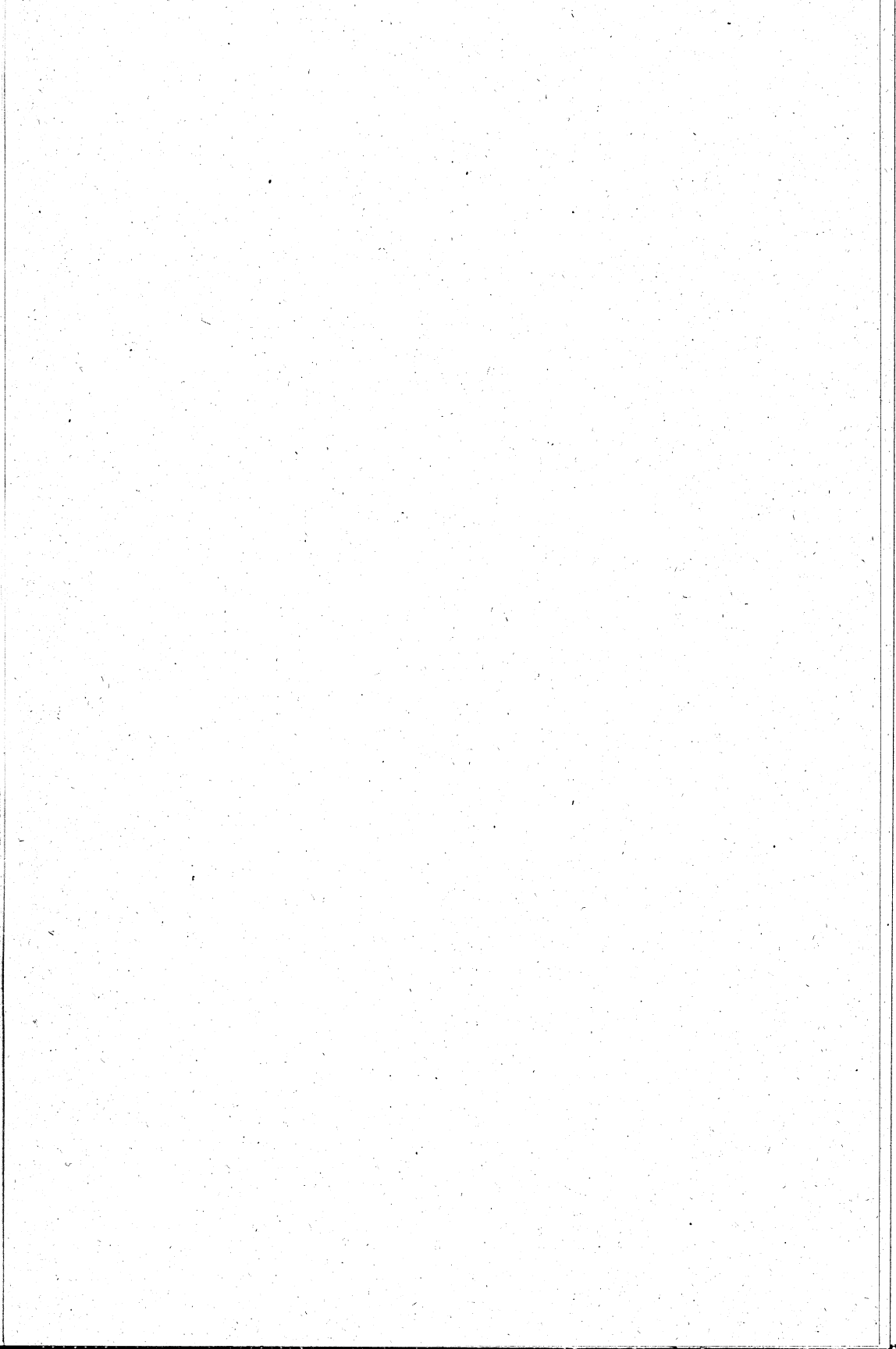
- 3 DR. ERNEST B. BENDER  
1111 Brandon Lane, Westover Hills, Wilmington
- 4 FREDERICK KLAIR.....Marshallton
- 5 GEORGE A. PEDRICK.....New Castle
- 6 E. SHERMAN WEBB.....Odessa
- 7 J. FRED DOLBY.....Townsend

#### KENT COUNTY

- 1 WALTER A. HANDSBERRY.....Leipsic
- 2 DUDLEY CROSSLEY.....Clayton
- 3 E. COWGILL BARNARD.....Woodside
- 4 WILLIAM O. CUBBAGE.....Wyoming
- 5 JOHN M. LONGBOTHAM.....Milford

#### SUSSEX COUNTY

- 1 JOHN W. BURRIS.....Milford
- 2 R. ALLEN CANNON.....Seaford
- 3 CURTIS W. STEEN.....Dagsboro
- 4 EDWIN R. POWELL.....Ocean View
- 5 THOMAS L. JOHNSON.....Rehoboth Beach



## PROCLAMATION

WHEREAS, a provision of Section 16 of Article 3 of the Constitution of the State of Delaware authorizes and empowers the Governor of the State to convene the General Assembly under extraordinary occasions by proclamation; and

WHEREAS, House Substitute Number 1 for House Bill Number 471, entitled "An Act to Amend Chapter 274, Volume 45, Laws of Delaware, as Amended by Chapter 193, Volume 46, Laws of Delaware, In Respect to the Acquisition by the State Highway Department of any Ferry or Ferries in Operation Across the Delaware River," which was passed by the 116th General Assembly and approved by the Governor on May 3, 1951, specifies that in the event the State Highway Department was unable to acquire such ferry or ferries by purchase, it was to institute condemnation proceedings for the acquisition of any such ferry or ferries. The Act further states that the amount of damages ascertained in any such condemnation proceedings may be paid or tendered by the Department to the person or persons entitled to the same within four months after the same shall have been finally ascertained, and that upon the final ascertainment of such amount of damages, the General Assembly should be convened in special session for the consideration of the issuance of additional revenue bonds to provide for payment thereof under the provisions of the Act of Assembly of April 19, 1945, being Chapter 275, Volume 45, Laws of Delaware; and

WHEREAS, the Condemnation Commission has been duly appointed by the Court and has determined a purchase price for such ferry or ferries, and the determination of this Commission has not been appealed by either the State Highway Commission or the owners of the ferry or ferries within the legal time set by law; and

WHEREAS, it is my considered opinion that legislation should be authorized to increase the salaries of teachers and professional educators in our State;

NOW, THEREFORE, I, Elbert N. Carvel, Governor of the State of Delaware, by virtue of the authority vested in me, do hereby proclaim the following:

That the 116th General Assembly of the State of Delaware shall convene at Dover, the Capital of the State of Delaware, on Monday, the 10th day of December A. D. 1951, at 11 o'clock A.M. Eastern Standard Time, to consider and act upon certain

matters hereinafter set forth, which are of great concern to the people of our State:

1. To consider legislation for the issuance of additional revenue bonds by the Delaware Memorial Bridge to provide for the acquisition of any ferry or ferries in the vicinity of said Bridge in operation across the Delaware River;

2. To consider legislation which would increase the salaries of teachers and professional educators throughout the State;

3. The confirmation of officials appointed by the Governor since the adjournment of the last session of the Senate.

IN TESTIMONY WHEREOF, I, Elbert N. Carvel, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of the State of Delaware to be hereunto affixed at Dover this Twenty-ninth day of November, in the Year of Our Lord, One Thousand Nine Hundred and Fifty-One, and of the Independence of the United States of America, the One Hundred and Seventy-sixth.

(GREAT SEAL)

By the Governor:

ELBERT N. CARVEL

HARRIS B. McDOWELL, JR., Secretary of State.

# 116TH GENERAL ASSEMBLY

## SPECIAL SESSION

### DOVER, DELAWARE

DECEMBER 10, 1951

#### 1ST LEGISLATIVE DAY

Senate met pursuant to Proclamation issued by the Honorable Elbert N. Carvel, Governor, on November 29, 1951, calling for a special session of the 116th General Assembly, at 5:12 p.m., on December 10, 1951.

Prayer by the Chaplain, Rev. Charles Spry: Once more O Lord, we are assembled at the call of His Excellency the Governor of this fair State, as a legislative body.

May we not forget, that Thy Word teaches that: "Thou Art the Alpha and the Omega; the beginning and the ending."

And what a wonderful Friend and Leader Thou art, Blessed Father, to all Who are submissive to Thy Holy and righteous Will! (No one in all the world waits for us with such patience, sympathy, and understanding as Thy Self.)

Wilt Thou move in advance of us, and direct the way in the solution of every problem or question that may confront the members of this Assembly; create within them minds that plan and ponder; give them vision that will enable them to see the dangers lurking in any problem; endow them with courage that will constrain them to adopt as their motto, the first four words of our English Bibles: "In the beginning God!"

In short, may they make Thee and Thy Righteousness the decisive factor or motive for every decision.

In the Name of Him, Whose we are, and Whom we serve. Amen!

Mr. Cabbage moved that Mr. Willard D. Boyce be appointed temporary secretary of the Senate, which was adopted.

The temporary secretary was directed by the President of the Senate, Alexis I. duPont Bayard, to call the roll which was as follows:

Members present—Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Steen, Webb, Mr. Pres. Pro Tem.—16.

Members absent—Mr. Reilly—1.

Mr. Handsberry introduced the following Resolution and asked for a Roll Call—**SR 1**—"In Reference to Election of Officers."

BE IT RESOLVED, by the Senate of the 116th General Assembly, in the Third Special Session assembled, that the Honorable Roy Allen Cannon, President Pro Tem of the Senate at the Biennial and at the recent Special Sessions of the 116th General Assembly, be and he is hereby renewed and affirmed in the said office for this Third Special Session; and

BE IT FURTHER RESOLVED, that the following named persons be and they are hereby elected to the respective offices following their names, to wit:

Willard D. Boyce, Secretary  
 Alice Woodward, Reading Clerk  
 Jason Blundon, Chaplain  
 Michael Donohue, Sergeant-at-Arms  
 Howard Rawley, Sergeant-at-Arms  
 Harry Legates, Sergeant-at-Arms  
 John Robinson, Sergeant-at-Arms  
 Paul Spear, Telephone Messenger  
 Martin Fountain, Telephone Messenger  
 James Mullin, Mail Clerk  
 Mary Etta Gooding, Stenographer

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

Yeas—Messrs. Barnard, Benger, Crossley, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Mr. Pres. Pro Tem—11.

Nays—Messrs. Cubbage, Steen, Webb—3.

Not Voting—Messrs. Burris, Powell—2.

Absent—Mr. Reilly—1.

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

Mr. Cubbage introduced the following Resolution, which on further motion by him was adopted: **SR 2**—"Adopting Rules for This Third Special Session of the Senate."

BE IT RESOLVED, by the Senate of the 116th General Assembly, in the Third Special Session met, that the Rules of the Senate, together with the Rules governing Executive Sessions, adopted by the regular Session of the 116th General Assembly be, and they are hereby adopted as the Rules for governing this Third Special Session of the Senate.

The President of the Senate, Lt. Gov. Bayard, asked that the officers named in **SR 1** take their positions and assume their duties.

The following Bills and Resolutions were introduced, given first and second reading, the second by title only, and referred to committee as follows:

**SJR 1**—"Appointing Bill Clerks for the Senate and House of Representatives for This Special Session of the 116th General Assembly," by Cubbage; to Miscellaneous.



On motion of Mr. Peeney, the Senate recessed five minutes. Senate met at expiration of recess at 5:55 p.m.

Mr. Peeney moved that the members of the Senate be furnished with copies of all bills. Without objection, it was so ordered.

On motion of Mr. Peeney, the Senate adjourned until 11 a.m., Tues., Dec. 11, 1951.

## 2ND LEGISLATIVE DAY

Senate met pursuant to adjournment at 4:05 p.m., on Dec. 11, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Wilkins—Almighty God, our Heavenly Father, enter into our midst today and have thy spirit guide us in our thinking and acting. Remind us that as the stars move according to plan in the universe, there is a plan for mankind. Help us to discover our place in Thy kingdom and our purpose in life. Bless the men gathered here and their loved ones. Help them to discharge well the trust placed in them by the people of the state that the democracy we speak of may live and grow in our time. Amen.

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

Members absent—Dr. Benger—1.

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

Mr. Peeney moved that the Senate Rules be suspended for the balance of this legislative day and the motion was adopted.

Mr. Peeney moved that the vote on **SR 1** be reconsidered and the motion was adopted.

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

BE IT RESOLVED, by the Senate of the 116th General Assembly, in the Third Special Session assembled, that the following named persons be, and they are hereby elected to the respective offices following their names, to wit:

Willard D. Boyce, Secretary  
 Alice Woodward, Reading Clerk  
 Jason Blundon, Chaplain  
 Michael Donohue, Sergeant-at-Arms  
 Howard Rawley, Sergeant-at-Arms  
 Harry Legates, Sergeant-at-Arms  
 John Robinson, Sergeant-at-Arms

Paul Spear, Telephone Messenger  
 Martin Fountain, Telephone Messenger  
 James Mullin, Mail Clerk  
 Mary Etta Gooding, Stenographer

Dr. Bengier asked to be marked present.

Mr. Peeney introduced the following Resolution: **SR 4**—  
 "In Reference to Election of Standing Committees."

BE IT RESOLVED, pursuant to Senate Rule No. 15, by the Senate of the 116th General Assembly in the Third Special Session assembled, that the following Standing Committees be elected to serve at the said Third Special Session of the 116th General Assembly:

Finance Committee: Bengier, Burris, Longbotham, Webb, Cabbage

Education Committee: Johnson, Steen, Cabbage, Powell, Pedrick

Executive Committee: Peeney, Barnard, Powell, Steen, Webb

Miscellaneous Committee: Longbotham, Powell, Pedrick, Webb, Steen

Mr. Cannon asked for a Roll Call.

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

Yeas—Messrs. Barnard, Bengier, Burris, Cabbage, Johnson, Longbotham, Pedrick, Peeney, Powell, Steen, Webb—11.

Nays—Messrs. Cannon, Crossley, Dolby, Handsberry, Klair, Reilly—6.

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

Mr. Cabbage introduced the following Resolution, which on further motion by him was adopted: **SR 5**—"Directing the Notification of the House of Representatives That the Senate Is Organized."

BE IT RESOLVED, by the Senate of the 116th General Assembly, in the Third Special Session assembled, that the Secretary of the Senate is hereby directed to notify the House of Representatives that the Senate is duly organized and ready for business.

Mr. Cabbage introduced the following Concurrent Resolution, which on further motion by him, was adopted, and ordered to the House for concurrence: **SCR 1**—"That the Two Houses Meet in Joint Session to Hear the Message of the Governor."

Mr. Cabbage introduced the following Concurrent Resolution, which on further motion by him, was adopted, and ordered to the House for concurrence: **SCR 2**—"Appointing a Committee to Notify the Governor That the General Assembly Is Organized."

On motion of Mr. Peeney the above Resolution was amended by striking out "Pro Tempore," which was adopted.

On motion of Mr. Peeney the Senate recessed to the Call of the Chair.

Senate was called to order at 5:15 pursuant to recess, with Lt. Gov. Bayard presiding.

Mr. Peeney asked for a Roll Call on **SR 1** pursuant to his previous motion for reconsideration.

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

Yeas—Messrs. Cannon, Crossley, Dolby, Handsberry, Klair, Reilly—6.

Nays—Messrs. Barnard, Burris, Cubbage, Johnson, Longbotham, Pedrick, Peeney, Powell, Steen, Webb—10.

Not Voting—Dr. Bengert—1.

So the question was decided in the negative, and the Resolution was rescinded.

### JOINT SESSION

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

The Speaker and Members of the House were admitted.

Hon. Harvey Lawson, Speaker of the House, was invited to the Rostrum. Invitation accepted.

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

Mr. Cubbage moved that the Secretary of the Senate and the Chief Clerk of the House act as joint secretaries of this Joint Session. Motion prevailed.

Mr. Peeney moved that the committee appointed to notify the Governor be instructed to carry out their duties. Motion prevailed.

Messrs. Reilly, Pedrick, F. A. Jones, and Allen escorted the Governor to the Rostrum.

His Excellency, Hon. Elbert N. Carvel, Governor of Delaware, delivered his message to this Joint Session.

### GOVERNOR'S MESSAGE

Message of the Honorable Elbert N. Carvel, Governor of Delaware, to the Members of the One Hundred and Sixteenth General Assembly of the State of Delaware convening in Special Session at Dover, on Monday, the Tenth Day of December, Nineteen Hundred and Fifty-one.

Mr. President, Mr. Speaker, Members of the 116th General Assembly of the State of Delaware.

In accordance with Chapter 66, Volume 48, Laws of Delaware 1951, "In Respect to the Acquisition by the State High-

way Department of Any Ferry or Ferries in Operation Across the Delaware River" and because of the need to provide salary increases for the school teachers of Delaware, I have called you into special and extraordinary session.

### THE FERRY PURCHASE QUESTION

Chapter 66, Volume 48, Laws of Delaware 1951, requests that the Governor convene a Special Session of the General Assembly for the purpose of considering the issuance of additional Delaware Memorial Bridge Revenue Bonds to provide for the purchase of the Delaware-New Jersey Ferry Company under the provisions of the Act of the 110th General Assembly of April 19, 1945, being Chapter 275, Volume 45, Laws of Delaware.

The State Highway Department and the Ferry Company being unable to agree upon a purchase price for the Ferry Company, the matter was referred to a Condemnation Commission of outstanding citizens of our State appointed by the Resident Judge of New Castle County.

The Condemnation Commission, after careful investigation and hearings have determined that \$2,500,000.00 is a fair price for this property. Section 10, Chapter 274, Volume 45 of the Laws of Delaware, approved April 18, 1945, provides: "So long as any bonds which may be issued in connection with the financing of the construction of said crossing shall remain outstanding, no bridge or tunnel over or under the Delaware River for the use of the traveling public or for the transportation of goods or other property, having a terminus in the State of Delaware within the distance of ten (10) miles north along the shore of the Delaware River and twenty (20) miles south along such shore from the Delaware terminus of the crossing constructed under the provisions of this Act, shall hereafter be constructed and operated by the State or by any county, municipal corporation or political subdivision of the State, or by any agency or instrumentality of any thereof, or by any public body or authority not created by an Act of Congress of the United States, or by any person, co-partnership, association or corporation not created by or acting under the authority of an Act of Congress of the United States.

"In order to assure the financing of said crossing and to protect the revenues thereof, the said Department is hereby directed to acquire by purchase or, if unable so to do by reason of inability to agree with the owner or owners thereof, by condemnation, so far as practicable, in the manner herein authorized, and to maintain and operate, if advisable, any ferry or ferries in operation across the Delaware River to a point or points in Delaware within a distance of ten (10) miles north along the shore of the Delaware River and twenty (20) miles south along such shore from the Delaware terminus of the crossing constructed or to be constructed under the pro-

visions of this Act, including such part of the real and personal property of the owner or owners thereof, used or usable in connection with the maintenance and operation of such ferry as in the judgment of the said Department shall be advisable.

"The cost of any such ferry or ferries so acquired shall be deemed for the purpose of this Act to be a part of the cost of such crossing and may include the cost to the department of the ferry boats, landings, slips, machinery and equipment used in the operation of the ferry and all property rights, easements and franchises relating thereto and deemed necessary for the operation thereof, or so much thereof as the Department may deem it necessary and practicable to acquire. Nothing herein contained shall require the Department to maintain or operate any ferry or ferries acquired under the provisions of this Act, but in the discretion of the Department any ferry or ferries so acquired, with the appurtenances and property therewith connected and belonging, may be sold or otherwise disposed of or may be abandoned or dismantled whenever in the judgment of the Department it may seem expedient so to do. The Department may fix such lawful rates of tolls for the use of such ferry or ferries at it may deem proper. All tolls collected for the use of such ferry or ferries and the proceeds of any sale or disposition of such ferry or ferries or property or appurtenances connected or appertaining thereto, shall be used to pay the cost of maintaining, repairing and operating the same when appropriate, or for the purpose of constructing, maintaining and operating said crossing, and any residue thereof shall be paid to the State Treasurer for the uses of the sinking fund to be established in connection with the financing of the cost of such crossing. No part of said tolls or the proceeds of any such sale or disposition shall revert to the General Fund of the State Treasury, but shall remain available to the Department for the purposes herein set out."

It is the responsibility of this Special Session to determine (1) whether or not it will follow the action of the 110th General Assembly by authorizing revenue bonds against the Delaware Memorial Bridge for the purchase of the Ferry Company, and in the event that question is resolved in the affirmative, then you must decide (2) whether or not the award of \$2,500,000.00 by the Condemnation Commission is a reasonable sum for which to issue such bonds for that purpose.

### TEACHERS' SALARIES

Delaware is one of the richest states on a per capita basis in the United States. Both our industry and our agriculture are flourishing. To maintain our present dominant position it is essential that we provide the best possible education for our young people and future citizens that we are humanly capable of furnishing.

An investment in a sound educational program will pay handsome dividends in the future happiness, prosperity and success of this State.

The most important factor in such a sound educational program is an adequate corps of intelligent, efficient, well-qualified public school teachers and professional administrators.

The State is faced with the problem of not only maintaining its present staff, but of increasing this staff because of the increase of our school population.

In meeting this responsibility we must compete with other educational systems, with industry and agriculture. These competing forces are constantly attracting our teachers within the school system, as well as those who have just graduated from college and would be applicants for teaching positions in our schools. Retirement of our older school teachers is a factor which makes necessary constant replenishment.

So that Delaware may be assured of a continuing supply of first class teachers and of securing to the system as nearly as possible, the splendid corps of excellent people presently employed by the State, I strongly recommend that during this Special Session you pass legislation increasing the salaries of public school teachers and professional educators by \$400.00 per annum, effective January 1, 1952.

It is estimated that this increase will cost the State \$1,500,000.00 for the balance of the biennium.

### STATE EMPLOYEE SALARIES

At this time, I do not recommend any general increase in salaries of the other employees of the State. This Legislature in the spring of 1951 approved a budget which provided the various boards, departments and commissions with increased salary appropriations of 10% for these employees. In addition, the temporary salary increase of \$200.00 per employee per year, approved by the 115th General Assembly, was added to the regular budget and made permanent.

I do recommend, however, that sums of \$50,000.00 for the balance of this fiscal year and \$100,000.00 for the next fiscal year be added to the Emergency Fund to provide for emergency salary needs which may arise during the remainder of the biennium.

### FINANCES

In my letter to you of December 6, 1951, I pointed out that as of that date it was estimated our surplus June 30, 1953, would be \$5,111,845.48. If you approve \$1,500,000.00 for the teachers' salary increase and \$150,000.00 for the Emergency Salary Fund, this would leave a balance of \$3,461,845.48 on June 30, 1953, which is considered to be a safe working balance.

My predecessor, Former Governor Walter W. Bacon, in his biennial message to the 114th General Assembly on January 7, 1947, stated: "For the next biennium ending June 30, 1949, the sum of \$32,840,000.00 will be required for all purposes of the State Government, including salary increases. Thus the anticipated overall cost of our State Government from July 1, 1946 to June 30, 1949, will amount to approximately \$51,000,000.00. To meet these proposals we have available a cash balance of approximately \$13,000,000.00 plus \$40,775,000.00 anticipated revenue for the three-year period, or a total of about \$53,775,000.00. Should you approve this proposed program, the cash balance at the end of the next biennium would drop to about \$2,800,000.00, which is considered a minimum safe-working balance."

In this message Governor Bacon followed a sound policy of maintaining the surplus of this State at a reasonable working level. I followed this policy in my message to you last January when I said: "It is estimated that all sources of income, which includes the revenue from the old net income tax now in force, will yield about \$48,000,000.00 during the next biennium. On the basis of these estimates, the State would spend \$11,000,000.00 more than it collected during the next two fiscal years. It appears that the cash balance available for appropriations on July 1, 1951, will be slightly in excess of \$14,000,000.00. This amount, plus the estimated income, less the indicated expenditures of the next biennium, would leave us with a cash balance available for appropriations on July 1, 1953, of \$3,000,000.00, which is considered to be the minimum cash balance which the State should have on hand at the beginning of a fiscal year.

"I realize that under these conditions we will be spending \$11,000,000.00 more than we receive, but because we are taking this from our cash surplus I consider that this is a proper move.

"I do not believe it is a wise policy for a State to build up a large cash surplus. It should keep on hand sufficient funds at all times to operate properly. A large surplus is an invitation to many to increase expenses unnecessarily. Such action is temporarily without pain to the taxpayer with the resultant lack of complaint by the taxpayer.

"The duty of any government is always to keep expenses at a minimum and pass on to the taxpayers in the form of tax reductions the benefits of an accumulated surplus."

We did have a surplus of over \$14,000,000.00 last June 30 which was increased from the surplus of almost \$8,000,000.00 on June 30, 1949, as a result of the fact that the so-called gross income tax for the two years of 1949 and 1950 yielded over \$7,000,000.00 more than was estimated. I realize that this administration is presently spending more than it is collecting in taxes, but we are spending it from funds which were the

result of previous taxes paid by the people of Delaware. I wish to re-emphasize the statement to you in my message last January: "I do not believe it is a wise policy for a State to build up a large cash surplus. It should keep on hand sufficient funds at all times to operate properly. A large surplus is an invitation to many to increase expenses unnecessarily. Such action is temporarily without pain to the taxpayer with the resultant lack of complaint by the taxpayer."

"The duty of any government is always to keep expenses at a minimum and pass on to the taxpayers in the form of tax reductions the benefits of an accumulated surplus."

Because of this well-established policy, I recommend that you do not pass legislation to increase taxes in the State of Delaware during this Special Session.

In the event it becomes necessary to raise additional revenues when the 117th General Assembly meets in January of 1953, I would strongly recommend "... the enactment of a new income tax law which would provide that exemptions be allowed for religious and charitable contributions, for pensions to State employees, for income to all of those in the Armed Forces of our Nation, and for legitimate business expenses incurred by those deriving their income from business commissions. In addition, I would recommend a substantial increase in the exemption for wage earners and his dependents in line with the increased cost of living.

"I would strongly recommend that this new net income tax should provide that the taxpayer could not deduct his Federal Income Tax payments from the income upon which the State net income tax is calculated.

"I make these recommendations for the future, because from my experience over the past two years I believe that this tax is the fairest one that is available to us because it is only paid by those who have an income. If money is not made or received, there is no tax. The Real Estate or the Sales Tax, on the other hand, falls on those who must pay it whether or not they have an income to provide for it.

"For example, the person on relief must pay a Sales Tax if it is levied on the item he buys. The farmer must pay a Real Estate Tax if he owns his farm, even in the face of a complete crop failure or other disaster. The old age pensioner or the unemployed person must pay a Real Estate Tax if he owns his home. On the other hand, the Income Tax is only collected from those whose income exceeds certain minimum exemptions."

The above tax recommendation may have a familiar ring to it because I have again quoted from my message of last January to you.

I sincerely urge that you limit your attention to the emergency legislation which I have recommended to you and I hope that you will be able to promptly dispose of the legislation under consideration.



As always, the doors of my office are open to all of the Members of the Legislature. I will be glad to discuss with you any details of this message or any other matters affecting our State in which you have an interest.

I wish for you a most successful, pleasant and speedy session.

\* \* \*

Mr. Cubbage moved that the Joint Secretaries compare their Journals.

Mr. Willard D. Boyce, Secretary of the Senate, informed the Session that the Joint Secretaries had compared their Journals and found them to agree.

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

Mr. Cannon asked that **SCR 3** be given its third and final reading and placed upon passage.

Mr. Peeney moved that action be deferred on **SCR 3**. Motion prevailed.

On motion of Mr. Peeney, the Senate adjourned until 11 a.m., on Dec. 12, 1951.

### 3RD LEGISLATIVE DAY

Senate met pursuant to adjournment at 3:00 p.m., on Dec. 12, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Wilkins—Dear God, our Father we gather again in these halls as Thy children who need Thy guidance and Thy love. Often, we do not have the vision that is required nor the concern for our fellows that is needed. Often, we fail to be the best kind of persons that we should be or lack the courage to make the dreams of a better world come true. Strengthen us that we may perform mighty tasks for this State and Thy kingdom. These men have difficult decisions before them. Help them to choose wisely that their lives may be an example before others and a help to the State, thy kingdom. Amen.

Members present—Messrs. Barnard, Benger, Burris, Cannon, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—17.

Members absent—None.

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

Mr. Cannon asked for privilege of the floor and read a message.

Mr. Handsberry announced that the Democratic caucus had removed Mr. Cabbage as Majority Leader and that Mr. Cannon had been appointed in his place.

On motion of Mr. Peeney, the resignation of Mr. Cannon as President Pro Tem was accepted.

On motion of Mr. Peeney, the Senate recessed for five minutes.

Senate met at expiration of recess at 3:15 p.m., with Lt. Gov. Bayard presiding.

Mr. Cabbage asked for privilege of the floor.

On motion of Mr. Peeney, **SCR 3**—"Limiting the Presentation, Consideration and Enactment into Law of Bills at This Special Session," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

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

Yeas—Messrs. Cannon, Crossley, Dolby, Handsberry, Klair, Reilly—6.

Nays—Messrs. Barnard, Benger, Burris, Johnson, Longbotham, Pedrick, Peeney, Powell, Steen, Webb—10.

Not Voting—Mr. Cabbage—1.

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

Mr. Klair asked if any Senator who voted No would explain his position. Mr. Peeney responded.

The Chief Clerk of the House informed the Senate that the House had concurred in **SCR 1** and **SCR 2**, and that the House had passed and requested the concurrence of the Senate in the following Resolutions, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

**HCR 1**—"Limiting the Presentation, Consideration and Enactment into Law of Bills at This Special Session," to Miscellaneous.

**HCR 2**—"Providing for a Joint Session to Hear an Explanation of a Bill Authorizing the State Highway Department to Issue Revenue Bonds in Respect to the Acquisition of the Property of the Delaware-New Jersey Ferry Company."

Adopted and passed on motion of Mr. Peeney and ordered returned to the House.

Mr. Peeney introduced the following Resolution, which on further motion by him was adopted: **SR 6**—"In Reference to the Election of an Alternate Secretary of the Senate."

**BE IT RESOLVED** by the Senate of the 116th General Assembly, in Third Special Session assembled, that the follow-

ing named person be and he hereby is elected as the Alternate Secretary of the Senate:

Lester H. Pittard—Alternate Secretary

Three communications were read: one on purchase of the Ferry Co., and one on increasing teachers' salaries. The third one was from the Governor.

December 11, 1951

The Honorable Alexis I. duPont Bayard  
President of the Delaware Senate  
Legislative Hall  
Dover, Delaware

Dear Mr. President:

Here is a petition which I received today from various residents and citizens of New Castle County, Delaware, protesting the payment of any sum to the Delaware - New Jersey Ferry Company for the purchase of the property of said Company used in the operation of the New Castle - Pennsville Ferry.

I am forwarding this petition to you for the information of the members of the Senate and would deeply appreciate it if, after it has served its purpose, you forward it on to the members of the House of Representatives for their perusal.

Cordially yours,  
Elbert N. Carvel  
Governor

## **THE TAXPAYERS' PROTECTIVE ASSOCIATION DELAWARE - NEW JERSEY FERRY PURCHASE**

### **RESOLUTION**

WHEREAS: Two responsible local newspapers have denounced the Ferry Purchase Act as illegal, and

WHEREAS: The State of New Jersey assumes no part of the purchase price, meanwhile having enjoyed great benefits financially formerly from the ferry service as well as the Delaware River Memorial Bridge service now operating, and

WHEREAS: A so-called "Moral Obligation" exists in the form of a "Legislative Act" to purchase the Delaware - New Jersey Ferry Company such act being sponsored and passed without the medium of public "Referendum," and

WHEREAS: The so-called "Moral Obligation" was assumed by the "Obligators" without "Referendum," "Popular Consent," or "Judicial Blessing," and by such oversights commit themselves personally and not the citizens of Delaware to such an obligation if it exists illegally, and

WHEREAS: A Court decision of the Supreme Court of Delaware has recently rescinded an Act of Legislation regu-

lating price signs, thereby, raising reasonable question of doubt that proper legal advice is being given to Delaware Legislators, and

WHEREAS: The Ferry Purchase Act merely is designed to eliminate one monopoly in favor of another, and

WHEREAS: A special session of Legislature is to convene December 10, 1951 to act upon said purchase, and

WHEREAS: The Delaware - New Jersey Ferry Company Purchase Act creates the following possible conditions and these conditions need more thorough examination, they being namely,

(1) It creates a privileged and favored group and by design favors that group alone with funds collected from a toll paying public.

(2) It discriminates against other business interest groups, who must suffer property and business losses without compensation.

(3) It will, if carried out, expose the State of Delaware to possible legal claim by those discriminated against both in Delaware and New Jersey for property and equipment losses due to the suspension of the ferry service.

(4) Its potential damaging and harmful effects financially cannot even be properly estimated.

(5) No proposal containing so many potential threats to Public Welfare should be entered into without positive ruling of the highest Judiciary Body of the State of Delaware.

(6) No Delaware Senator or Representative has the authority to, nor can he be excused from the error of voting for an act that has been questioned so publicly, unless he knows beyond doubt that the questioners are wrong.

(7) The Legislature in this issue should table the whole matter until the legal aspects of the involved act are clear beyond doubt for no Legislature in the United States is justified in voting an issue into law unless it is legal beyond questionable doubt when a responsible citizenry questions the legality so strenuously.

Now, therefore, be it

#### RESOLVED

THAT THE TAXPAYERS' PROTECTIVE ASSOCIATION does hereby urgently go on record for the tabling of any purchasing authority legislation designed to provide funds to the Crossing Division of the Delaware State Highway Department for the purchase of the property and equipment of the Delaware - New Jersey Ferry Company until such time as the Supreme Court of the State of Delaware shall have decided that such legislation is legal beyond reasonable doubt and

FURTHER RESOLVED that copies of this Resolution be sent to Governor Elbert N. Carvel, Secretary of State Harris B. McDowell and the floor leaders of the Republican and Democratic Parties of the Delaware State Legislature.

APPROVED BY THE COUNCIL OF DELEGATES  
TAXPAYERS' PROTECTIVE ASSOCIATION

Walter F. Howard, Chairman

On motion of Mr. Peeney, the Senate recessed upon Call of Chair.

Senate met at expiration of recess at 4:05 p.m., with Lt. Gov. Bayard presiding.

On motion of Mr. Peeney, the Senate adjourned until 1 p.m., Dec. 13, 1951.

#### 4TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:33 p.m., on Dec. 13, 1951.

Prayer by the Chaplain, Rev. Wilkins—Almighty God, we thank thee for the power that makes it possible for us to come together, on a day like this. We remember the great heritage of our State and the honor bestowed upon these men to follow in this tradition and make plans and actions for the future. We have asked for wisdom. We have asked for courage. We have asked for vision. We need to be close to Thee remembering Thy sacrifice in sending Thy Son and the many generations of mankind. We ask only that with Thy presence some small progress may be made toward a society that would be acceptable to Thee. Amen.

Members present—Messrs. Bengier, Burris, Cannon, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—16.

Members absent—Mr. Barnard—1.

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

On motion of Mr. Peeney and without objection Senate Rule 36 was suspended for the balance of this Legislative Day.

Mr. Barnard asked to be marked present.

#### JOINT SESSION

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

The Speaker and Members of the House were admitted.

Hon. Harvey Lawson, Speaker of the House, was invited to the Rostrum. Invitation accepted.

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

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

Mr. Peeney asked that the Chair outline the order of business for this Joint Session.

Mr. Handsberry asked for the privilege of the floor for Mr. William S. Potter, Counsel for the Delaware - New Jersey Ferry Company.

Mr. Peeney moved that the privilege of the floor be granted to Mr. Robert H. Richards, Jr. of the Delaware Crossing Division of the State Highway Department. Motion prevailed.

Mr. Klair moved that the privilege of the floor be granted to Mr. John C. Kerrigan. Motion prevailed.

On motion of Mr. Peeney a vote of thanks was extended to Messrs. Potter, Richards and Kerrigan.

Mr. Peeney moved that the Joint Secretaries compare their Journals.

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

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

On motion of Mr. Peeney, the Senate adjourned until 1 p.m., Dec. 14, 1951.

### 5TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 3:00 p.m., on Dec. 14, 1951.

Prayer by the Chaplain, Rev. Blundon — Our gracious Heavenly Father, we thank Thee for this moment of prayer. We pray O God for we have faith in prayer and in Thee.

Help us to realize that our lives are not hid from Thee. Therefore deliver us from the error of seeking Thy guidance for our public lives when we do not acknowledge Thee in private living.

Help us our Heavenly Father to be good men and consequently to be good leaders of our Nation. We thank Thee for our Nation and we ask that Thou wouldst increase our faith in Thee and in our Nation. In Jesus' Name we pray. Amen.

Members present — Messrs. Barnard, Benger, Burris, Cannon, Crossley, Cabbage, Dolby, Handsberry, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb—15.

Members absent—Messrs. Johnson, Longbotham—2.

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

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

Mr. Peeney stated that Mr. Longbotham is confined to his home because of illness.

On motion of Mr. Cannon, the Senate adjourned until Dec. 17, at 1 p.m.

### 6TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 4:15 p.m., on Dec. 17, 1951, Lt. Gov. Bayard presiding.

The Lord's Prayer was recited by the Members in unison.

Members present—Messrs. Cannon, Crossley, Cubbage, Dolby, Handsberry, Klair, Reilly, Steen, Webb—9.

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

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

On motion of Mr. Cannon, the Senate adjourned until Dec. 18, 1 p.m.

### 7TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:20 p.m., on Dec. 18, 1951, with Lt. Gov. Bayard presiding.

Members present—Messrs. Johnson, Cubbage, Handsberry, Webb—4.

Mr. Bayard, noting that there was not a quorum present, stated that he would accept a motion to adjourn.

Mr. Cubbage moved that the Senate adjourn until Wed., Dec. 19, at 1:00 p.m. Motion prevailed.

### 8TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 5:00 p.m., on Dec. 20, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Blundon—Our Heavenly Father, we thank Thee for the Christmas season with its joy and sweetness. It transforms our jaded and troubled lives.

Help us to celebrate this season by recognizing Him whose birthday it is. May we see His Star as did the Wise Men of old.

We pray for Thy spirit that we might not spend Christmas but that we might live in its spirit. That we might not abandon hope for "peace on earth, good will to men" as we remember Him who emptied Himself and who is the hope of the world. In His Name, Amen.

Members present—Messrs. Barnard, Benger, Burris, Cannon, Crossley, Cubbage, Dolby, Handsberry, Johnson,

Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—17.

Members absent—None.

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

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

**SB 1**—"An Act to Amend Chapter 48, Volume 46, Laws of Delaware, as Amended by Chapter 195, Volume 47, Laws of Delaware, by Increasing the Uniform State Supported Salary Schedule for Superintendents, Principals, and Teachers of the Various School Districts of the State; by Authorizing the State Board of Education and the Board of Public Education in Wilmington to Increase the Salaries of Their Administrative and Supervisory Employees; and by Making Additional Appropriations Therefor," by Cannon; to Finance.

**SB 2**—"An Act to Amend the State Emergency Fund Act Which Was Enacted at the Regular Session of the 116th General Assembly Entitled 'An Act Making Appropriation for a State Emergency Fund for Certain Emergencies and Conditions Not Otherwise Provided for, for the Respective Years of the Biennium July 1, 1951 to June 30, 1953, and Prescribing Limitations Upon Use Thereof and the Powers and Duties of the Permanent Budget Commission in Relation Thereto,' by Increasing the Limitation Upon Use Thereof for Salary Accounts of State Employees," by Cannon; to Finance.

**SB 3**—"An Act to Amend Chapter 48, Volume 46, Laws of Delaware, 1947, as Amended by Chapter 195, Volume 47, Laws of Delaware, 1949, by Providing for a Uniform State Supported Salary Schedule for Teachers, Nurses, Secretaries, Clerks, Custodians and Custodial Personnel, in the Various School Districts of the State, and Providing Appropriations Therefor," by Peeney; to Finance.

**SB 4**—"An Act to Amend an Act Known as the 'Unemployment Compensation Act' Being Chapter 258, Volume 41, Laws of Delaware, 1937, as Amended, by Increasing the Amount of Benefits and by Reducing the Eligibility Requirements," by Klair; to Miscellaneous.

The following Resolution was reported favorably by the majority of the respective committee as follows: **HCR 1**, Miscellaneous.

Mr. Steen introduced the following Resolution, which on further motion by him, was adopted: **SR 7**—"Relative to the Death of the Reverend Thomas Rowlenon."

WHEREAS, the Senate of the 116th General Assembly, in Third Special Session assembled, has learned with regret of the passing of its former Chaplain, the Reverend Thomas Rowlenon; and



WHEREAS, the said Reverend Thomas Rowleson served his State faithfully and well during the regular session of the 116th General Assembly; and

WHEREAS, the members of the Senate desire to express in this public manner their own feelings and the sense of loss which is felt throughout the entire State of Delaware; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the 116th General Assembly of the State of Delaware,

That the members of the 116th General Assembly, in Third Special Session assembled, do hereby give expression to the regret they experienced at the passing of the Reverend Thomas Rowleson, a former Chaplain and a prominent figure in his community; and

BE IT FURTHER RESOLVED, that the family of the deceased has the full sympathy of the members of the 116th General Assembly, in Third Special Session assembled, which is extended by sending a copy of this resolution to the members of his 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 State Senate of the 116th General Assembly, in Third Special Session assembled.

Mr. Klair introduced the following Resolution, which on further motion by him, was adopted: **SR 8**—"Authorizing Payment on Account to Attaches and Employees of the Senate."

BE IT RESOLVED, by the Senate of the 116th General Assembly, in Third Special Session assembled, that the State Treasurer be and he hereby is authorized and directed to pay to any attaché or employee, who has been duly appointed by Resolution of the Senate, upon the order of the President of the Senate, sums on account from time to time, not to exceed the total of Fifty Dollars (\$50.00) to any one person, on account of services to the present Special Session of the Senate. Any such sums so paid shall be charged against the salary of the individual attaché or employee to whom such sum or sums are paid, and shall be a part of the expenses of this Special Session of the Senate.

A motion of Mr. Peeney's that the Senate adjourn until Thurs., Dec., 20, at 1:00 p.m., was taken up for consideration.

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

Yeas—Messrs. Barnard, Johnson, Longbotham, Pedrick, Peeney, Powell—6.

Nays—Messrs. Benger, Burris, Cannon, Crossley, Dolby, Handsberry, Klair, Reilly, Steen, Webb—10.

Not Voting—Mr. Cubbage—1.

So the question was decided in the negative, and the motion was lost.

A motion of Mr. Cannon's that the Senate recess at the Call of the Chair, was taken up for consideration.

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

Yeas—Messrs. Cannon, Crossley, Cubbage, Dolby, Handsberry, Klair, Reilly, Webb—8.

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

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

A motion by Mr. Reilly that the Senate recess for 10 minutes, was taken up for consideration.

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

Yeas—Messrs. Cannon, Crossley, Cubbage, Dolby, Handsberry, Klair, Reilly—7.

Nays—Messrs. Barnard, Benger, Burris, Johnson, Longbotham, Pedrick, Peeney, Powell, Steen, Webb—10.

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

Mr. Klair moved that the Senate adjourn until January 3, 1952, at 1:00 p.m. Motion lost by voice vote.

A motion by Mr. Peeney that the Senate adjourn until 1 p.m., on Thurs., Dec. 20, was taken up for consideration.

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

Yeas—Messrs. Barnard, Johnson, Longbotham, Pedrick, Peeney, Powell—6.

Nays—Messrs. Benger, Burris, Cannon, Crossley, Cubbage, Dolby, Handsberry, Klair, Reilly, Steen, Webb—11.

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

Senator Steen requested the privilege of the floor for Speaker of the House, Hon. Harvey H. Lawson, to explain the feeling of the House regarding adjournment over the holidays.

A motion by Mr. Cannon that the Senate adjourn until 11 a.m., Thurs., Dec. 20, 1951 was taken up for consideration.

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

Yeas—Messrs. Barnard, Benger, Cannon, Crossley, Dolby, Handsberry, Johnson, Pedrick, Peeney, Reilly—10.

Nays—Messrs. Burris, Cubbage, Klair, Longbotham, Powell, Steen, Webb—7.

So the Question was decided in the affirmative, and the Motion was carried.

## 9TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 5:50 p.m., on Dec. 20, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Blundon—Eternal God, our Heavenly Father, as we approach the Christmas season, fill our hearts with Thy spirit. Guide us that we may not spend Christmas but keep it—with the hope which the Wise Men of old saw in the star of "peace on earth, good will to men." In His name, we pray. Amen.

Members present—Messrs. Barnard, Burris, Cannon, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Steen, Webb, Mr. Pres. Pro Tem—15.

Members absent—Messrs. Benger, Reilly—2.

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

The following Bills were reported by the majority of the respective committees as follows: **SB 1**, by Finance, on its merits; **SB 2**, by Finance, unfavorably; **SB 3**, by Finance, on its merits.

Mr. Klair introduced the following Resolution, which on furthermotion by him was adopted: **SR 9**—"Appropriating Money Out of the State Treasury to Pay Certain Expenses Connected with This Special Session of the Senate."

BE IT RESOLVED, by the Senate, in Special Session assembled, that the following amounts be, and the same are hereby appropriated out of any money in the General Fund of the State Treasury, for the payment of certain expenses connected with this Special Session of the Senate of the State of Delaware, which said expenses are hereby declared to be proper and reasonable expenses actually incurred by the President and by the respective members of the Senate, for expenses in driving from their respective homes in performance of their duties as President and members of the Senate, and the Auditor of Accounts is hereby authorized and fully empowered to pay to the President and the respective members of the Senate, hereinafter named, the respective amounts set opposite their respective names:

R. Allen Cannon .....	\$67.20
Curtis W. Steen .....	80.00
Dudley Crossley .....	24.00
John E. Reilly, Sr. ....	80.00
Frederick Klair .....	83.20
William Cubbage .....	19.20
E. Sherman Webb .....	48.00
J. Fred Dolby .....	35.20
Walter Handsberry .....	12.80

Alexis I. duP. Bayard .....	86.40
Thomas E. Peeney .....	80.00
Edwin R. Powell .....	96.00
George A. Pedrick .....	64.00
Ernest B. Benger .....	81.60
John M. Longbotham .....	38.40
E. Cowgill Barnard .....	11.20
Thomas L. Johnson .....	73.60
John W. Burris .....	32.00

Mr. Cannon moved that the Senate recess until Call of the Chair, and asked for a Roll Call.

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

Yeas—Messrs. Burris, Cannon, Crossley, Dolby, Handsberry, Klair—6.

Nays—Messrs. Barnard, Cubbage, Johnson, Longbotham, Pedrick, Peeney, Powell, Steen, Webb—9.

Absent—Messrs. Benger, Reilly—2.

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

Mr. Peeney moved that Senate Rule No. 22 be suspended for the balance of this Legislative Day and asked for a Roll Call.

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

Yeas—Messrs. Barnard, Cubbage, Johnson, Longbotham, Pedrick, Peeney—6.

Nays—Messrs. Burris, Cannon, Crossley, Dolby, Handsberry, Klair, Powell, Steen, Webb—9.

Absent—Messrs. Benger, Reilly—2.

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

Mr. Webb moved that the Senate recess until Tuesday, January 8, 1952 at 1:00 p.m., and asked for a Roll Call.

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

Yeas—Messrs. Barnard, Burris, Cubbage, Johnson, Klair, Longbotham, Powell, Steen, Webb—9.

Nays—Messrs. Cannon, Crossley, Dolby, Handsberry, Pedrick, Penney—6.

Absent—Messrs. Benger, Reilly—2.

So the question was decided in the affirmative, and the Senate recessed until Tues., Jan. 8, 1952 at 1:00 p.m.

Senate met at expiration of recess at 3:30 p.m., Lt. Gov. Bayard presiding.

Mr. Peeney announced that Dr. Benger was detained at his home because of illness in his family.

The following Bill was introduced, given first and second reading, the second by title only, and referred to committee as follows:

**SB 5**—"An Act to Amend Chapter 48, Volume 46, Laws of Delaware, as Amended by Chapter 195, Volume 47, Laws of Delaware, by Increasing the Uniform State Supported Salary Schedule for Superintendents, Principals, Teachers, Nurses, Secretaries, Clerks, Custodians and Custodial Personnel of the Various School Districts of the State; by Authorizing the State Board of Education and the Board of Public Education in Wilmington to Increase the Salaries of Their Administrative and Supervisory Employees; and by Making Additional Appropriations Therefor," by Peeney and Steen; to Education.

On motion of Mr. Cannon and without objection, Senate Rules 22 and 24 were suspended for the balance of this Legislative Day.

On motion of Mr. Cannon, the Senate recessed for five minutes.

Senate met at expiration of recess at 3:40 p.m.

The following Bill was reported by the majority of the respective committee as follows: **SB 5**, by Education, favorably.

On motion of Mr. Peeney, **SB 5**—"An Act to Amend Chapter 48, Volume 46, Laws of Delaware, as Amended by Chapter 195, Volume 47, Laws of Delaware, by Increasing the Uniform State Supported Salary Schedule for Superintendents, Principals, Teachers, Nurses, Secretaries, Clerks, Custodians and Custodial Personnel of the Various School Districts of the State; by Authorizing the State Board of Education and the Board of Public Education in Wilmington to Increase the Salaries of Their Administrative and Supervisory Employees; and by Making Additional Appropriations Therefor," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

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

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

Nays—None.

Absent—Dr. Bengert—1.

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

On motion of Mr. Cannon, **SB 2**—"An Act to Amend the State Emergency Fund Act Which Was Enacted at the Regular Session of the 116th General Assembly Entitled 'An Act Making Appropriation for a State Emergency Fund for Certain Emergencies and Conditions Not Otherwise Provided for, for the Respective Years of the Biennium July 1, 1951 to June 30, 1953, and Prescribing Limitations upon Use Thereof and the Powers and Duties of the Permanent Budget Commission

in Relation Thereto,' by Increasing the Limitation upon Use Thereof for Salary Accounts of State Employees," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

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

Yeas—Messrs. Crossley, Dolby, Handsberry, Reilly—4.

Nays—Messrs. Barnard, Burris, Cannon, Cubbage, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Steen, Webb—12.

Absent—Dr. Benger—1.

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

On motion of Mr. Longbotham, **HCR 1**—"Limiting the Presentation, Consideration and Enactment into Law of Bills at This Special Session," was taken up for consideration, and read a third time by paragraphs in order to pass the Senate.

Mr. Webb moved that **HCR 1** be laid on the table and asked for a Roll Call.

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

Yeas—Messrs. Cannon, Crossley, Cubbage, Dolby, Handsberry, Klair, Reilly, Steen, Webb—9.

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

Absent—Dr. Benger—1.

So the question was decided in the affirmative, and **HCR 1** was laid on the table.

On motion of Mr. Cannon, the Senate recessed until Call of the Chair.

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

Mr. Reilly introduced the following Resolution, which on further motion by him was adopted: **SR 10**—"Relative to the Death of William J. Winchester."

WHEREAS, the Third Special Session of the Senate of the 116th General Assembly has learned with regret of the passing of the former Representative William J. Winchester, a resident of Wilmington, Delaware; and

WHEREAS, former Representative William J. Winchester, has served his State faithfully and well during several sessions of the General Assembly; and

WHEREAS, the members of the Senate desire to express in this public manner their own feelings and the sense of loss which is felt throughout the entire State of Delaware; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the 116th General Assembly, in Third Special Session assembled, That the members of the 116th General Assembly, in Third

Special Session assembled, do hereby give expression to the regret they experienced at the passing of William J. Winchester, a former Representative and a prominent figure in his community; and

BE IT FURTHER RESOLVED, that the family of the deceased has the full sympathy of the members of this Assembly, which is extended by sending a copy of this resolution to the members of his 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 116th General Assembly, in Third Special Session assembled.

On motion of Mr. Cannon, the Senate adjourned until Wed., Jan. 9, 1952, at 1 p.m.

### 10TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:40 p.m., on Jan. 9, 1952, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Blundon—Our Heavenly Father, Thou hast given us the opportunity for a New Year. Give us wisdom and understanding that, using this opportunity, we fail not man nor Thee.

May we feel Thy presence here. We know Thou art concerned with what happens here. Guide our actions by Thy spirit of love. In Jesus' Name, we pray. Amen.

Members present—Messrs. Burris, Cannon, Crossley, Dolby, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—11.

Members absent—Messrs. Barnard, Benger, Cubbage, Handsberry, Johnson, Klair—6.

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

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

**HB 1**—"An Act to Amend Chapter 48, Volume 46, Laws of Delaware, as Amended, by Chapter 195, Volume 47, Laws of Delaware, by Increasing the Uniform State Supported Salary Schedule for Superintendents, Principals, Teachers, Nurses, Secretaries, Clerks, Custodians and Custodial Personnel of the Various School Districts of the State; by Authorizing the State Board of Education and the Board of Public Education in Wilmington to Increase the Salaries of Their Administrative and Supervisory Employees; and by Making Additional Appropriations Therefor," to Miscellaneous.

**HCR 3**—"Relative to the Death of William J. Winchester, Late Member of the House of Representatives of the 116th General Assembly of the State of Delaware."

Upon motion of Mr. Reilly, **HCR 3**—"Relative to the Death of William J. Winchester, Late Member of the House of Representatives of the 116th General Assembly of the State of Delaware," was adopted by the Senate and ordered returned to the House.

Mr. Cannon moved that Senate Rules 22 and 24 be suspended for the balance of this Legislative Day. Motion prevailed.

Messrs. Barnard, Handsberry, Benger, Johnson, Klair asked to be marked present.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in **HCR 4**—"Relating to Brandywine and Edgewood Tuberculosis Sanatoria."

The following Bill was reported by the majority of the respective committee as follows: **HB 1**, by Miscellaneous, favorably.

Mr. Longbotham asked that **HB 1** be given its third and final reading and placed upon passage.

Mr. Cubbage asked that action be deferred on **HB 1** and asked for a Roll Call.

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

Yeas—Messrs. Cubbage, Klair—2.

Nays—Messrs. Barnard, Benger, Burris, Cannon, Crossley, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—15.

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

On motion of Mr. Longbotham, **HB 1**—"An Act to Amend Chapter 48, Volume 46, Laws of Delaware, as Amended by Chapter 195, Volume 47, Laws of Delaware, by Increasing the Uniform State Supported Salary Schedule for Superintendents, Principals, Teachers, Nurses, Secretaries, Clerks, Custodians and Custodial Personnel of the Various School Districts of the State; by Authorizing the State Board of Education and the Board of Public Education in Wilmington to Increase the Salaries of Their Administrative and Supervisory Employees; and by Making Additional Appropriations Therefor," was taken up for consideration, and read a third time by title and enacting clause in order to pass the Senate.

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

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



Nays—Mr. Cabbage—1.

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

Without objection, the Chair declared a recess for 10 minutes.

Senate met pursuant to recess at 4:10 p.m.

Mr. Cannon asked that **SB 2** be restored to the Calendar. Without objection, it was so ordered.

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

**SB 6**—"An Act Creating a Tuberculosis Commission of Delaware and Setting Forth Its Duties, Powers and Authorities, Including Those Now Performed and Exercised by the State Board of Health in Pursuance of Article 5 of Chapter 25 of the Revised Code of Delaware, 1935, as Amended, Entitled: 'Care and Treatment of Tuberculosis Patients,' " by Webb; to Miscellaneous.

**SB 7**—"An Act to Amend Chapter 55 of the Revised Code of Delaware, 1935, Relating to 'Roads and Bridges,' by Providing That All Street or Road Signs Have Affixed Thereto the Name of the Authority Installing Said Signs," by Handsberry; to Miscellaneous.

On motion of Mr. Cannon, the Senate adjourned until Thurs., Jan. 10, 1 p.m.

### 11TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 4:40 p.m., on Jan. 10, 1952, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Blundon—Our Father, Who Art in heaven, we acknowledge that Thou dost govern in the affairs of men. And if a sparrow cannot fall to the ground without Thy notice, how can we think Thou art indifferent to what we say or do here?

If this day Thou dost want us to do, or not to do, any particular thing, we pray that Thou wouldst make plain to us, for Thou knowest how blind, how stubborn we can be, in our own intentions. We pray for Thy help in our thinking and Thy love in our hearts. Through Jesus Christ, our Lord, Amen.

Members present—Messrs. Barnard, Benger, Burris, Cannon, Crossley, Cabbage, Dolby, Johnson, Klair, Longbotham, Pedrick, Peeney, Webb—13.

Members absent—Messrs. Cannon, Handsberry, Powell, Reilly—4.

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

One communication was read from the Legislative Committee of Wilmington High School.

The following Bill was introduced, given first and second reading, the second by title only, and referred to committee as follows:

**SB 8**—"An Act to Further Amend an Act to Incorporate the Artisans' Savings Bank and the Acts Supplementary Thereto, by Establishing an Irrevocable Pension Trust," by Peeney; to Miscellaneous.

On motion of Mr. Peeney, the Senate adjourned until Jan. 11, 1952, at 1:00 p.m.

### 12TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 3:25 p.m., on Jan. 11, 1952, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Blundon—Our Heavenly Father, ere we become involved in the routine of the business of this day we pause to seek Thy help. We are experienced in the ways of men but we know little of the ways of God. But Thou knowest us, each one of us, by name and by our deeds. Turn our wayward hearts and minds to Thee. Forgive the faults and failures of the past and set us free from them. Forgive, O Lord, our failure to apply to ourselves the standards of conduct we demand of others. In our differences may we be kind; in our agreements may we be humble, that Thy will may be done in us and through us in our beloved land. For the sake of Him who was rich and for our sake became poor even Jesus Christ the Lord. Amen.

Members present—Messrs. Barnard, Bengier, Burris, Cannon, Crossley, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—16.

Members absent—Mr. Klair—1.

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

The following Bill was reported by the majority of the respective committee as follows: **SB 4**, by Miscellaneous, favorably.

Mr. Klair asked to be marked present.

On motion of Mr. Cannon, the Senate recessed until Call of the Chair.

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

Mr. Cannon introduced the following Resolution, which on further motion by him was adopted: **SR 11**—"Extending to Mrs. Ella S. Bengier the Sympathy of the Senate During Her Present Illness."

WHEREAS, the Members of the Senate of the 116th General Assembly, in Third Special Session assembled, have learned with deep regret of the illness of Mrs. Ella S. Benger, wife of Dr. Ernest B. Benger, Senator from the Third Senatorial District of New Castle County; NOW, THEREFORE,

BE IT RESOLVED, by the Senate of the 116th General Assembly, in Third Special Session assembled, that all the Members of the Senate extend to Mrs. Benger sincere sympathy during her illness and express their good wishes and sincere hope that she may speedily recover her health and that all her future years be blessed with health, prosperity and happiness; and

BE IT FURTHER RESOLVED, that the Secretary of the Senate forward a copy of this Resolution to Mrs. Ella S. Benger at her home in Westover Hills, Wilmington, New Castle County.

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

**HJR 1**—"Appointing a Bill Clerk for the House of Representatives and a Bill Clerk for the Senate to Serve During the Special Session of the 116th General Assembly," to Miscellaneous.

On motion of Mr. Cannon, the Senate adjourned until Mon., Jan. 14, 1952.

### 13TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 3:45 p.m., on Jan. 14, 1952, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Blundon—Our Heavenly Father, we need Thy power, obtained through prayer, to solve problems, decide issues, and to do Thy will. But let us not imagine that this formal prayer can take the place of private devotion. May there arise from every desk, the silent prayer that seeks to know Thy will. We long for Thy guidance that when a thing is right, we shall all know it; and when it is wrong, it shall not be proposed. Help us not to run away from the demands of our office. May we be disciplined by hard thinking. Deliver us from procrastination. Guide us this day, for Thy mercy's sake. Amen.

Members present—Messrs. Barnard, Benger, Burris, Cannon, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—17.

Members absent—None.

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

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

Two communications were read as follows:

### GEORGETOWN SPECIAL SCHOOL DISTRICT

Georgetown, Del., January 14, 1952

Hon. A. I. duPont Bayard, Lt. Gov. of the State of Delaware  
Legislative Hall, Dover, Delaware

Dear Sir:

Will you please read the following note to the members of the Senate at your convenience?

The Delaware School Secretaries Association and the Delaware State Custodians Association would like to thank the 116th General Assembly and all others who helped to any degree for the consideration shown us in regard to the salary increase to meet the increased cost of living and the shortage of good personnel.

Sincerely yours,  
Delaware School Secretaries Asso.  
Edna H. Vansant, President  
Mildred C. Carpenter, Secretary  
Delaware State Custodians Asso.  
Harry A. Joseph, President  
Samuel H. Records, Secretary

To the Senate of the State of Delaware  
To the House of Representatives of the State of Delaware  
In Special Session

Dear Sirs:

The Ministerial Association of the Methodist Church of the Wilmington District of the Peninsula Conference, in session January 7, 1952, unanimously adopted a motion to create a special committee to draw up a resolution, petitioning the General Assembly of Delaware, now in session, to act at once and favorably on the Revised Anti-Gambling Bill now in Committee.

The Resolution is as follows:

WHEREAS Syndicated Gambling has found its way into the State of Delaware, and is day by day, becoming more deeply entrenched, and

WHEREAS, this syndicated gambling is a part of the syndicated Crime Crowd which has become a national scandal; its overlords from Philadelphia and parts of New Jersey invading our own fair State, and setting up its gambling dens in our midst, and

WHEREAS, our Law Enforcement Officers are powerless to act in any effective manner against these known gamblers

and the places of gambling that they are operating in our midst, because of the inadequate laws on our statute books; the Anti-Gambling Act passed by the General Assembly of Delaware in 1951, having been declared by the Supreme Court of the State as unconstitutional.

Therefore, BE IT RESOLVED that we earnestly petition the General Assembly of Delaware, now in special session, to bring this Revised Anti-Gambling Bill out of committee and place it on the Agenda for action at this special session now convened, and

BE IT FURTHER RESOLVED that we request the members of the Senate and the House of Representatives of the State of Delaware to vote favorably upon this urgent measure.

And BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the Senate and the House of Representatives of the State of Delaware, and that also a copy be given to the Press.

Special Committee,  
Rev. George E. Sterling,  
Rev. Leslie E. Werner,  
Rev. F. D. Millbury.

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

**SB 9**—"An Act to Amend Chapter 100 of the Revised Code of Delaware, 1935, by Repealing Certain Parts Thereof and by Providing for the Removal of Obstructions to Places Believed to Be Used for Gambling; Notice to Certain Persons; Hearing; Providing a Lien for Expenses of Removal and the Collection Thereof; Misdemeanor if Obstructed Within One Year After Removal; Penalties; Fines a Lien; Subsequent Offenses; Jurisdiction," by Reilly; to Miscellaneous.

**SB 10**—"An Act to Amend Chapter 34, Revised Code of Delaware, 1935, Entitled 'The Library Commission for the State of Delaware,' by Providing That District Library Commissions May Receive and Hold Donations for Library Purposes," by Cannon; to Miscellaneous.

**SB 11**—"An Act to Amend Senate Bill No. 343, Passed at the 116th Session of the General Assembly of the State of Delaware and Approved on June 8, 1951, (Providing for the Coverage of Certain Officers and Employees of the State and Local Governments, Housing Authorities and Other Political Subdivisions Under the Old-Age and Survivors Insurance Provisions of Title II of the Federal Social Security Act as Amended) by Permitting Certain Officers and Employees of the State and Local Governments to Be Excluded from Coverage Under the Social Security Act; by Authorizing the Exclusion of All Employees of the State from Coverage Under Said Act; by Authorizing Broader Latitude with Respect to the Effective

Date of Such Coverage; by Increasing the Interest Rate Which May Be Charged by the State Agency Against Any Political Subdivision Which Is Delinquent in the Payments Provided Therein; and by Increasing the Appropriation Provided Therein," by Reilly; to Miscellaneous.

**SB 12**—"An Act to Repeal Chapter 217, Volume 46, Laws of Delaware, 1947, Which Amended Chapter 199, Volume 22, Laws of Delaware, Entitled, 'An Act to Incorporate the Town of Lewes' by Establishing a Pension Plan for Aged Employees of Commissioners of Lewes and of the Board of Public Works for the Said Town of Lewes," by Johnson; to Miscellaneous.

The following Bills and Resolution were reported favorably by the majority of the respective committees as follows: **HJR 1, SB 8, SB 6, SB 7, SB 9**, by Miscellaneous.

On motion of Mr. Cannon and without objection, Senate Rules 22 and 24 were suspended for the balance of this Legislative Day.

On motion of Mr. Cannon, the Senate recessed for 10 minutes.

Senate met at expiration of recess at 4:35 p.m.

On motion of Mr. Reilly, **SB 9**—"An Act to Amend Chapter 100 of the Revised Code of Delaware, 1935, by Repealing Certain Parts Thereof and by Providing for the Removal of Obstructions to Places Believed to Be Used for Gambling; Notice to Certain Persons; Hearing; Providing a Lien for Expenses of Removal and the Collection Thereof; Misdemeanor if Obstructed Within One Year After Removal; Penalties; Fines a Lien; Subsequent Offenses; Jurisdiction," was taken up for consideration and read a third time by enacting clause in order to pass the Senate.

Mr. Klair moved that action be deferred on **SB 9**. Motion lost.

Mr. Peeney moved that Senate Rule 19 be suspended for the balance of this Legislative Day. Motion prevailed.

Mr. Peeney introduced **SA 1** to **SB 9**, which was adopted.

On the question, "Shall the Bill as amended, pass the Senate?" the Yeas and Nays were ordered, which being taken, were as follows:

Yeas—Messrs. Barnard, Bengier, Burris, Cannon, Crossley, Cubbage, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—16.

Nays—None.

Not Voting—Mr. Klair—1.

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

On motion of Mr. Peeney, **HJR 1**—"Appointing a Bill Clerk for the House of Representatives and a Bill Clerk for the Senate to Serve During the Special Session of the 116th

General Assembly," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

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

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

Nays—None.

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

On motion of Mr. Klair, **SB 4**—"An Act to Amend an Act Known as the 'Unemployment Compensation Act' Being Chapter 258, Volume 41, Laws of Delaware, 1937, as Amended, by Increasing the Amount of Benefits and by Reducing the Eligibility Requirements," was taken up for consideration, and read a third time by title and enacting clause in order to pass the Senate.

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

Yeas—Messrs. Cannon, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Powell, Reilly, Steen, Webb—11.

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

Not Voting—Mr. Peeney—1.

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

Mr. Peeney requested the privilege of the floor for Mr. Bringhurst to explain **SB 8**.

On motion of Mr. Peeney, **SB 8**—"An Act to Further Amend an Act to Incorporate the Artisans' Saving Bank and the Acts Supplementary Thereto, by Establishing an Irrevocable Pension Trust," was taken up for consideration, and read a third time by title and enacting clause in order to pass the Senate.

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

Yeas—Messrs. Barnard, Benger, Cannon, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—16.

Nays—None.

Absent—Mr. Burris—1.

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

Mr. Peeney moved that a Passed Bills Committee be appointed consisting of Messrs. Pedrick, Powell, Handsberry, as members. Motion prevailed.

On motion of Mr. Peeney, the Senate adjourned until Jan. 15, 1952, at 1:00 p.m.

### 14TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 3:45 p.m., on Jan. 15, 1952.

Prayer by the Chaplain, Rev. Wilkins—Almighty God, our Father, we thank Thee for this day and Thy providential care which brings us to this place. Bless we ask Thee the officials and people of our State with diligence and righteousness that peace and prosperity might spread throughout our land. Bless the actions taken here that they may strengthen the forces working for an honest and moral society. Help each person here to resolve their personal problems that they may know the fullest joys that come in Christ-like living.

Members present—Messrs. Barnard, Bengier, Crossley, Cabbage, Dolby, Handsberry, Klair, Pedrick, Peeney, Reilly—10.

Members absent—Messrs. Burris, Cannon, Johnson, Longbotham, Powell, Steen, Webb—7.

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

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

**SB 13**—"An Act to Amend Chapter 100 of the Revised Code of Delaware, 1935, by Repealing a Part Thereof, and by Providing for the Offense of Keeping, Maintaining, Visiting, Contributing to Support of Gambling House; Letting or Underletting Therefor, Penalties; Jurisdiction," by Peeney; to Miscellaneous.

**SB 14**—"An Act to Regulate Public Utilities in the Furnishing to Others of Private Wire Service and Other Service for the Dissemination or Receipt of Information in Furtherance of Gambling; to Prohibit the Use of Same for Gambling Purposes; to Make Illegal the Dissemination of Such Information in Furtherance of Gambling; Misdemeanor; Penalties; Jurisdiction," by Peeney; to Miscellaneous.

Mr. Cannon asked to be marked present.

Mr. Cannon introduced the following Resolution, which on further motion by him, was adopted: **SR 12**—"Making an Appropriation for Unpaid Telephone Service Charges and Toll Calls in Connection with the Work of the Senate of the 116th General Assembly of the State of Delaware in Regular Session Assembled."



BE IT RESOLVED, by the Senate, that the following amount be, and it is hereby appropriated, to pay for unpaid telephone service charges and toll calls in connection with the work of the Senate of the 116th Session of the General Assembly of the State of Delaware, in Regular Session assembled, which convened January 2, A. D. 1951, and that the State Treasurer be, and he is hereby authorized and directed to pay to the Diamond State Telephone Company the total of the items listed in this resolution, as follows:

Local Service and Toll Charges.....	\$13.76
	<hr/>
	\$13.76

Mr. Cannon introduced the following Resolution, which on further motion by him was adopted: **SR 13**—"Making an Appropriation for Telephone Service Charges and Toll Calls in Connection with the Work of the Senate of the 116th General Assembly of the State of Delaware, in Third Special Session Assembled."

BE IT RESOLVED, by the Senate, that the amount of \$600.00 or so much thereof as may be required therefor, be, and the same is hereby appropriated to pay for the telephone service charges and toll calls for telephone numbers 4796 and 4797, incurred in connection with the work of the Senate of the 116th Session of the General Assembly of the State of Delaware, in Third Special Session assembled, which convened December 10, A. D. 1951, and that the State Treasurer be, and he is hereby authorized and directed to pay to the Diamond State Telephone Company up to but not exceeding said sum of \$600.00, in full and final payment of telephone service and equipment and toll calls and telegram charges incurred in connection with the Third Special Session, as aforesaid, and in the event any amount shall remain unexpended out of said sum hereby appropriated, as payment in full for said expenses, said amount thus remaining shall revert to the General Fund of the State Treasury.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following Bill, which was presented by the Chair, given first and second readings by title only, and referred to committee: **HB 8**—"An Act to Confer Additional Jurisdiction Relating to Support and Maintenance of a Deserted Wife and to Confer Additional Powers for the Enforcement of Orders and Decrees for Such Support and Maintenance Upon the Family Court of New Castle County and to Provide for the Disposition of Pending Cases Relating to Support and Maintenance of a Deserted Wife."

Mr. Peeney announced that Messrs. Burris and Johnson were necessarily absent.

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

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

The message from the Governor was referred to the Executive Committee.

The Chair presented **HB 8**, which was given first and second readings and referred to Miscellaneous Committee.

Lt. Gov. Bayard administered the Employees' Oath to William L. Pennington and William J. Warrick, pursuant to **SJR 1**.

Lt. Gov. Bayard administered the Employees' Oath to those persons named in **SR 3** and **6**.

### EMPLOYEES' OATH

The State of Delaware, SS:  
County of Kent

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

(Signed) Willard D. Boyce  
(Employee)

Sworn and subscribed to this 15th day of January, A. D. 1952.

Alexis I. duPont Bayard  
(President of the Senate)

The President announced he was about to sign: **HB 1**, **HCR 2**, **HCR 3**.

On motion of Mr. Klair, the Senate recessed until Call of the Chair.

Senate met at expiration of recess at 4:30 P. M.

Messrs. Longbotham, Powell, Webb, Steen, asked to be marked present.

On motion of Mr. Cannon, the Senate adjourned until Jan. 16, 1952, at 1 p.m.

### 15TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 4:45 p.m., on Jan. 16, 1952, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Von Hagel—Our Everliving Father, what these men do here in this place of importance will be written in the history of this State. They must choose between the right and wrong of the bills here presented. Their

choices are difficult to make at the best, but become more so when shortsightedness and selfishness clamor for their attention. Help them to do that which the voices that are right and their best understanding tell them to be right; for what they do here will shout the shame, or sing the praise of this State, in the history of tomorrow. Hear our prayer, O God, and grant unto the members of this body Thy guidance, we humbly pray in Jesus' name. Amen.

Members present — Messrs. Barnard, Bengier, Burris, Cannon, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—17.

Members absent—None.

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

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

**HB 3**—"An Act to Amend Chapter 275, Volume 45, Laws of Delaware, Entitled 'An Act to Amend Chapter 166 of the Revised Code of Delaware, 1935, to Authorize and Empower the State Highway Department to Issue Revenue Bonds to Defray the Cost of Construction of a Crossing Over the Delaware River,' as Amended, by Increasing the Aggregate of Bonds That May Be Issued Thereunder."

On motion of Mr. Webb, **SB 6**—"An Act Creating a Tuberculosis Commission of Delaware and Setting Forth Its Duties, Powers and Authorities, Including Those Now Performed and Exercised by the State Board of Health in Pursuance of Article 5 of Chapter 25 of the Revised Code of Delaware, 1935, as Amended, Entitled: 'Care and Treatment of Tuberculosis Patients,'" was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

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

Yeas — Messrs. Barnard, Cannon, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—15.

Nays—Dr. Bengier—1.

Not Voting—Mr. Burris—1.

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

The President announced he was about to sign: **SCR 1**, **SCR 2**.

On motion of Mr. Cannon, Senate Rules 22 and 24 were suspended for the balance of this Legislative Day.

The Chair presented **HB 3**—"An Act to Amend Chapter 275, Volume 45, Laws of Delaware, Entitled 'An Act to Amend Chapter 166 of the Revised Code of Delaware, 1935, to Authorize and Empower the State Highway Department to Issue Revenue Bonds to Defray the Cost of Construction of a Crossing Over the Delaware River,' as Amended, by Increasing the Aggregate of Bonds That May Be Issued Thereunder," which was given first and second readings and referred to the Miscellaneous Committee.

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

**SB 15**—"An Act Establishing the Office of State Fire Marshal, Defining Powers and Duties and Making an Appropriation Therefor," by Peeney; to Finance.

**SB 16**—"An Act Proposing an Amendment to Section 1 of Article II of the Constitution of the State of Delaware, Providing for the Initiative and Referendum," by Reilly; to Miscellaneous.

The following Bills were reported favorably by the majority of the respective committees as follows: **SB 10, HB 8, SB 12**, by Miscellaneous.

On motion of Mr. Johnson, **SB 12**—"An Act to Repeal Chapter 217, Volume 46, Laws of Delaware, 1947, Which Amended Chapter 199, Volume 22, Laws of Delaware, Entitled, 'An Act to Incorporate the Town of Lewes' by Establishing a Pension Plan for Aged Employees of Commissioners of Lewes and of the Board of Public Works for the Said Town of Lewes," was taken up for consideration, and read a third time by title and enacting clause in order to pass the Senate.

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

Yeas—Messrs. Barnard, Benger, Burris, Cannon, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—17.

Nays—None.

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

On motion of Mr. Cannon, **SB 10**—"An Act to Amend Chapter 34, Revised Code of Delaware, 1935, Entitled 'The Library Commission for the State of Delaware,' by Providing That District Library Commissions May Receive and Hold Donations for Library Purposes," was taken up for consideration, and read a third time by title and enacting clause in order to pass the Senate.

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

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

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

Nays—None.

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

On motion of Mr. Cannon, the Senate recessed until Call of the Chair.

Senate met at expiration of recess at 5:45 p.m.

On motion of Mr. Peeney, the Senate adjourned until 11 a.m., on Jan. 17, 1952.

### 16TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 4:00 p.m., on Jan. 17, 1952.

Prayer by the Chaplain, Rev. Blundon—Our Heavenly Father, we thank Thee that Thou hast made us a nation. We thank Thee for the freedom which we cherish.

Bless we pray the leaders of our Nation, especially our Governor, give him vision to lead us.

Bless the Members of the Legislature, that self may be forgotten and that the will of the people may be accomplished.

Give us courage to stand for the right. May we feel Thy presence near because our hearts are in tune with Thine. In Jesus' name. Amen.

Members absent—None.

Members present—Messrs. Barnard, Bengner, Burris, Cannon, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—17.

Members absent—None.

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

Mr. Cannon introduced the following Concurrent Resolution, which on further motion by him, was adopted: **SCR 4**—“Appropriating Money to Reimburse Harris B. McDowell, Jr., Secretary of the State, for Certain Monies Expended for Certain Telephone Services Paid Out, Needed, Furnished to and Used by the Senate and House of Representatives of the 116th General Assembly, in Special Session Assembled.”

BE IT RESOLVED by the Senate of the 116th General Assembly of the State of Delaware, the House of Representatives concurring therein:

1. That the sum of Thirty-one Dollars and Fifteen Cents (\$31.15) be and the same is hereby appropriated out of any funds of the State Treasury of the State of Delaware not otherwise appropriated, unto Harris B. McDowell, Jr., Secretary of

the State, for certain monies expended for certain telephone services paid out, needed, furnished to and used by the Senate and House of Representatives of the 116th General Assembly, in Special Session assembled, as follows:

Reimbursement for Telephone Service during this Special Legislative Session—December 10, 1951 to January 17, 1952.	
Service charge Direct .....	\$16.25
Service charge Indirect .....	14.90
	<hr/>
	\$31.15

2. That the State Treasurer of the State of Delaware is hereby authorized and directed to pay the said sum of Thirty-one Dollars and Fifteen Cents (\$31.15) unto Harris B. McDowell, Jr., Secretary of the State, upon warrants approved by the Chairman of the Claims Committees of the Senate and the House of Representatives.

The following Bill was introduced, given first and second reading, the second by title only, and referred to committee as follows:

**SB 17**—"An Act to Amend the State Emergency Fund Act Which Was Enacted at the Regular Session of the 116th General Assembly Entitled 'An Act Making Appropriation for a State Emergency Fund for Certain Emergencies and Conditions Not Otherwise Provided for, for the Respective Years of the Biennium July 1, 1951 to June 30, 1953, and Prescribing Limitations Upon Use Thereof and the Powers and Duties of the Permanent Budget Commission in Relation Thereto,' by Increasing the Limitation Upon Use Thereof for Salary Accounts of State Employees," by Cannon; to Finance.

Mr. Johnson recognized and presented to the Senate the Senior Class of Rehoboth High School.

On motion of Mr. Peeney, the Senate recessed until Call of the Chair.

Senate met at expiration of recess at 6:45 p.m., Lt. Gov. Bayard presiding.

Mr. Cannon introduced the following Concurrent Resolution which on further motion by him was adopted: **SCR 5**—"Making an Appropriation for Expenses in Connection with the Work of the 116th Session of the General Assembly of the State of Delaware."

**BE IT RESOLVED** by the Senate of the 116th Session of the General Assembly of the State of Delaware, the House of Representatives concurring therein, that the following amounts be and they are hereby appropriated out of any money in the General Fund of the State Treasury, as allowance for certain expenses during the Regular Session of the 116th General Assembly, the same being the expense connected with the work of the General Assembly, and the State Treasurer is hereby authorized and directed to pay to the respective vendors here-

inafter named the respective sums set opposite their names, upon warrants duly approved by the President of the Senate.

The Star Publishing Company—For 5 Roll Call	
Books and Backers for Bills.....	\$175.00
Butler's, Incorporated—For 25 Printed Legislative	
Manuals .....	\$ 30.75

On motion of Mr. Longbotham, **HB 8** was given its third and final reading and placed upon passage.

Mr. Longbotham asked that action be deferred. Without objection, it was so ordered.

On motion of Mr. Cannon, the Senate recessed until 1 p.m., Jan. 21, 1952.

Senate met at expiration of recess at 5:15 p.m., Jan. 21, 1952, Lt. Gov. Bayard, presiding.

Mr. Cannon asked that the following telegram be read and made a part of the Journal.

Allen Cannon, Pres. Pro Tem of the Senate  
Dover, Del.

Members of the New Castle County Office State Department of Public Instruction wish to express their appreciation to you and the General Assembly for the salary increase which was voted us.

Mrs. Phyllis M. Heck, Genl. Supvr.  
Miss Ella J. Holley, Genl. Supvr.  
Mrs. Felecia Beverley, Art Supvr.  
Mrs. Eugenia Matz, Music Supvr.  
Mrs. Martha I. Barnes, Visiting Teacher  
Miss Joanne Macklin, Secy. and Miss Alice L. Banta, Secy.

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

**SB 18**—"An Act to Provide for the Regulation, Control and Licensing of Dog Racing in the State of Delaware," by Klein; to Miscellaneous.

**SB 19**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Relating to Fish, Oysters and Game, by Providing for the Season Within Which Muskrat May Be Caught and Killed in Kent and Sussex Counties," by Barnard; to Miscellaneous.

**SB 20**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, Entitled 'Fish, Oysters and Game,' with Respect to Open Season for Game," by Webb; to Miscellaneous.

On motion of Mr. Peeney and without objection, **SR 14** was suspended for the balance of this Legislative Day.

On motion of Mr. Powell, the Senate recessed until Call of the Chair.

Senate met at expiration of recess at 5:55 p.m.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 9** with **SA 1**.

On motion of Mr. Peeney, the Senate recessed until Call of the Chair.

Mr. Burris requested that the President state, "How long the recess would be." Answering Mr. Burris, the President stated, "Not longer than fifteen (15) minutes."

Senate met at expiration of recess at 6:10 p.m.

On motion of Mr. Peeney, the Senate adjourned until Jan. 22, 1952, at 1 p.m.

### 17TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 4:10 p.m., on Jan. 22, 1952.

Prayer by the Chaplain, Rev. Von Hagel—Almighty God, our Heavenly Father, incline Thine ear unto us and hear us. Thou dost know us and what we are—that we are sinful in Thy sight. Forgive us for our errors and show us the way to please Thee.

We thank Thee for the progress made thus far; we know Thou hast had a part in our work. We pray that we may continue to have Thy guidance and blessings. Amen.

Members present—Messrs. Barnard, Benger, Burris, Cannon, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—17.

Members absent—None.

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

The President announced he was about to sign **SB 9** with **SA 1**.

The following Bill was reported by the majority of the respective committee as follows: **HB 3**, by Miscellaneous, on its merits.

On motion of Mr. Cannon, Senate Rules 22 and 24 were suspended for the balance of this Legislative Day.

The following Bill was introduced, given first and second reading, the second by title only, and referred to committee as follows:

**SB 21**—"An Act to Amend Chapter 100 of the Revised Code of Delaware, 1935, by Repealing a Part Thereof, and by Providing for the Offense of Keeping, Maintaining, Contributing to Support of Gambling House; Letting or Underletting Therefor, Penalties; Jurisdiction," by Peeney and Reilly; to Miscellaneous.

On motion of Mr. Longbotham, **HB 3**—"An Act to Amend Chapter 275, Volume 45, Laws of Delaware, Entitled 'An Act



to Amend Chapter 166 of the Revised Code of Delaware, 1935, to Authorize and Empower the State Highway Department to Issue Revenue Bonds to Defray the Cost of Construction of a Crossing Over the Delaware River,' as Amended, by Increasing the Aggregate of Bonds That May Be Issued Thereunder," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the Yeas and Nays were ordered, which being taken, were as follows: Yeas, Messrs. Barnard, Benger, Burris, Crossley, Dolby, Handsberry, Longbotham, Pedrick, Peeney, Reilly—10.

Nays—Messrs. Cannon, Cabbage, Johnson, Klair, Powell, Steen, Webb—7.

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

Messrs. Cannon and Johnson announced that they had changed their votes from Yea to Nay for the purpose of reconsideration.

On motion of Mr. Cannon and without objection, **HB 3** was restored.

On motion of Mr. Cannon, the Senate recessed until Call of the Chair.

Senate met at expiration of recess at 5:00 p.m.

On motion of Mr. Cannon, the Senate adjourned until Jan. 23, 1952, at 1 p.m.

### 18TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 3:53 p.m., on Jan. 23, 1952.

Prayer by the Chaplain, Rev. Blundon—Our Father in Heaven, we pray for the members of this body in their several responsibilities. Help them in their offices, in committees and above all as they meet here in this Special Session. May they never forget that what is said and done here is under Thy scrutiny. May they feel the weight of their responsibility before Thee, and remember the influence of a good example, that all who come into this place may have a stronger faith in a government of the people, by the people, and for the people. May the Senators so act that all who wait upon them and serve them may be inspired rather than disillusioned.

Lord Jesus, make Thyself real to these men that they may feel Thy presence in this place. We ask it for Jesus' sake. Amen.

Members present — Messrs. Barnard, Benger, Cannon, Crossley, Cabbage, Dolby, Handsberry, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb—14.

Members absent—Messrs. Burris, Johnson, Longbotham—3.

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

The following Bills were reported favorably by the majority of the respective committees as follows: **SB 21**, **SB 14**, by Miscellaneous.

The following Bill was introduced, given first and second reading, the second by title only, and referred to committee as follows:

**SB 22**—"An Act to Amend Chapter 76 of the Revised Code of Delaware, as Amended, Entitled 'Insane' by Empowering the Chancellor in His Discretion to Appoint, Under Certain Circumstances, A Trustee or Trustees for Persons Who Are Inmates of a United States Veterans' Hospital," by Longbotham and Handsberry; to Miscellaneous.

Mr. Cannon introduced the following Resolution, which on further motion by him was adopted:

**SR 14**—"Making an Appropriation for Expenses in Connection with the Work of the 116th Session of the General Assembly of the State of Delaware."

Be It Resolved by the Senate of the 116th Session of the General Assembly of the State of Delaware, that the following amounts be and they are hereby appropriated out of any money in the General Fund of the State Treasury, as allowance for certain expenses during the Regular Session of the 116th General Assembly, the same being the expense connected with the work of the General Assembly, and the State Treasurer is hereby authorized and directed to pay to the respective vendors hereinafter named the respective sums set opposite their names, upon warrants duly approved by the President of the Senate.

The Star Publishing Company—For 5 Roll Call	
Books and Backers for Bills.....	\$175.00
Butler's Incorporated—For 25 Printed Legislative	
Manuals .....	\$ 30.75

Mr. Barnard requested that Mr. Handsberry be allowed to co-sponsor **SB 19**, which was previously introduced by Mr. Barnard. Without objection, it was so ordered.

On motion of Mr. Cannon, the Senate recessed until Call of the Chair.

Senate met at expiration of recess at 4:20 p.m.

Mr. Longbotham asked to be marked present.

The following Bill was reported favorably by the majority of the respective committee as follows: **SB 22**, by Miscellaneous.

On motion of Mr. Peeney, Senate Rules 22 and 24 were suspended for the balance of this Legislative Day.

Mr. Longbotham requested that **SB 22** be given its third and final reading and placed upon passage.

Dr. Benger moved that action be deferred on **SB 22**. Motion prevailed.

On motion of Mr. Cannon, the Senate adjourned until Thurs., Jan. 24, 1952, at 1 p.m.

### 19TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 4:40 p.m., on Jan. 24, 1952.

Prayer by the Chaplain, Rev. Blundon—O Lord of our life, we would know Thee better, that we might love Thee more, and thus be more useful to our fellowmen. Make us hungry for Thy Spirit and Thy power. Let Thy grace come upon us, that the will of our God may be known to us and done through us.

Let us not break faith with any of yesterday's promises nor leave unrepaired the wrongs. Show us what we can do to make this world a better place in which to live. May we be willing to act when Thou shalt show us what to do. We join our hearts in this prayer for Thy guidance. In the Name of Jesus we pray. Amen.

Members present—Messrs. Barnard, Burris, Cannon, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb—15.

Members absent—Messrs. Benger, Powell—2.

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

Mr. Powell asked to be marked present.

Mr. Peeney asked that **SB 14** be given its third and final reading and placed upon passage.

Mr. Peeney introduced **SA 1** to **SB 14** which on further motion was adopted.

Mr. Cannon moved that action be deferred on **SB 14** with **SA 1**.

Mr. Peeney asked for a Roll Call.

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

Yeas—Messrs. Cannon, Crossley, Cubbage, Dolby, Handsberry, Klair, Reilly, Steen, Webb—9.

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

Not Voting—Dr. Benger—1.

So the question was decided in the affirmative and action was deferred.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following Resolution, which was presented by the Chair, given first and second readings by title only, and referred to committee.

**HCR 7**—"Requesting the Public Housing Administration to Reconsider Its Recent Action by Which It Increased Rent in Certain Areas."

Mr. Cannon asked that any remarks made in reference to certain members of the Senate during this Special Session be stricken from the record. Without objection, it was so ordered.

Mr. Cabbage asked that any remarks he had made in reference to certain members of the Senate during this Special Session be stricken from the record. Without objection, it was so ordered.

Dr. Bengner congratulated the members for settling their differences in a gentlemanly manner.

On motion of Mr. Cannon, **HB 3**—"An Act to Amend Chapter 275, Volume 45, Laws of Delaware, Entitled 'An Act to Amend Chapter 166 of the Revised Code of Delaware, 1935, to Authorize and Empower the State Highway Department to Issue Revenue Bonds to Defray the Cost of Construction of a Crossing Over the Delaware River,' as Amended by Increasing the Aggregate of Bonds That May Be Issued Thereunder," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

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

Yeas—Messrs. Barnard, Bengner, Burris, Cannon, Crossley, Cabbage, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb—15.

Nays—Messrs. Klair, Powell—2.

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

On motion of Mr. Cannon, the Senate recessed until Call of the Chair.

Senate met at expiration of recess at 6:10 p.m.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following Resolution, which was presented by the Chair, given first and second readings by title only, and referred to committee: **HCR 7**—"Requesting the Public Housing Administration to Reconsider Its Recent Action by Which It Increased Rent in Certain Areas."

On motion of Mr. Cannon, the Senate recessed until 8 p.m.

Senate met at expiration of recess at 10:35 p.m., Lt. Gov. Bayard, presiding.

On motion of Mr. Cannon, all Rules of the Senate except those governing Executive Sessions were suspended for the balance of this Legislative Day.

On motion of Mr. Cannon, the Senate resolved itself into Executive Session.

The following Bills were reported by the majority of the

respective committees as follows: **SB 15**, **SB 17**, by Finance, unfavorably; **SB 19**, by Miscellaneous, favorably.

On motion of Mr. Cannon, the Senate recessed for 15 minutes.

Senate met at expiration of recess at 11:39 p.m.

On motion of Mr. Cannon, the Senate adjourned until Fri., Jan. 25, at 11:00 a.m.

## 20TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 7:10 p.m., on Jan. 25, 1952, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Blundon—Almighty God, our Heavenly Father, incline Thine ear unto us and hear us. Thou dost know us and what we are—that we are sinful in Thy sight. Forgive us for our errors and show us the way to please Thee.

We thank Thee for the progress made thus far; we know Thou hast had a part in our work. Bless, we pray Thee, the business of the day. Give us wisdom to know what to do; give us courage to do it, and with tireless efforts may we keep the faith and trust that has been placed in us as Members of the Senate. In Jesus' name. Amen.

Members present—Messrs. Barnard, Cannon, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly Steen, Webb—14.

Members absent—Messrs. Benger, Burris, Crossley—3.

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

On motion of Mr. Longbotham, **HB 8**—"An Act to Confer Additional Jurisdiction Relating to Support and Maintenance of a Deserted Wife and to Confer Additional Powers for the Enforcement of Orders and Decrees for Such Support and Maintenance Upon the Family Court of New Castle County and to Provide for the Disposition of Pending Cases Relating to Support and Maintenance of a Deserted Wife," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

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

Yeas—Messrs. Barnard, Cannon, Cubbage, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—13.

Nays—Mr. Klair—1.

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

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

The President announced he was about to sign **HB 3**, and **HJR 1**.

On motion of Mr. Peeney, **SB 21**—"An Act to Amend Chapter 100 of the Revised Code of Delaware, 1935, by Repealing a Part Thereof, and by Providing for the Offense of Keeping, Maintaining, Contributing to Support of Gambling House; Letting or Underletting Therefor, Penalties; Jurisdiction," was taken up for consideration, and read a third time by title and enacting clause in order to pass the Senate.

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

Yeas—Messrs. Barnard, Cannon, Cubbage, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—13.

Nays—Mr. Klair—1.

Absent—Messrs. Bengier, Burris, Crossley.

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

On motion of Mr. Peeney, **SB 14** with **SA 1**—"An Act to Regulate Public Utilities in the Furnishing to Others of Private Wire Service and Other Service for the Dissemination or Receipt of Information in Furtherance of Gambling; to Prohibit the Use of Same for Gambling Purposes; to Make Illegal the Dissemination of Such Information in Furtherance of Gambling; Misdemeanor; Penalties; Jurisdiction," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

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

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

Yeas—Messrs. Barnard, Cannon, Cubbage, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—13.

Nays—Mr. Klair—1.

Absent—Messrs. Bengier, Burris, Crossley—3.

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

On motion of Mr. Cannon, the Senate recessed until Call of the Chair.

Senate met at expiration of recess at 7:45 p.m.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 6**.

On motion of Mr. Cannon, the Senate recessed until 9:30 p.m.

Senate met at expiration of recess at 11:20 p.m.

Mr. Cannon moved that all Rules of the Senate be suspended for the balance of this Legislative Day.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 12**, **SB 14** with **SA 1**, **SB 21**.

The President announced he was about to sign **SB 6**.

Mr. Cannon introduced the following resolution which on further motion by him was adopted: **SR 15**—"Making an Appropriation for Telephone Service Charges and Toll Calls in Connection with the Work of the 116th General Assembly of the State of Delaware, in Special Session Assembled."

BE IT RESOLVED, by the Senate, that the amount of Two Hundred Dollars (\$200.00) or so much thereof as may be required therefor, be and the same is hereby appropriated to pay for the telephone service charges and toll calls for telephone service incurred in connection with the work of the 116th Session of the General Assembly of the State of Delaware, in Special Session assembled, which convened December 10, A. D. 1951, and that the State Treasurer be and he is hereby authorized and directed to pay to the Diamond State Telephone Company up to but not exceeding said sum of Two Hundred Dollars (\$200.00), in payment of telephone service and equipment and toll calls and telegram charges incurred in connection with the Special Session, as aforesaid, and in the event any amount shall remain unexpended out of said sum hereby appropriated, as payment in full for said expenses, said amount thus remaining shall revert to the General Fund of the State Treasury. This appropriation is supplemental to and in addition to the recent appropriation of Six Hundred Dollars (\$600.00) which at that time was intended to be made in full and final payment of charges in connection with two particular telephones.

Mr. Cannon introduced the following resolution which on further motion by him was adopted: **SR 16**—"Appropriating Certain Money Out of the General Fund of the State Treasury to Pay Allowances as Compensation of the Officers and Employees of the Senate, Being Expenses Connected With the Third Special Session of the Senate of the 116th General Assembly."

BE IT RESOLVED by the Senate of the State of Delaware, that the following amounts be and they are hereby appropriated out of any money in the General Fund of the State Treasury, as allowances for the compensation of the officers and employees of the Senate, being expenses connected with the Third Special Session of the 116th General Assembly, and the State Treasurer is hereby authorized and directed to pay to the respective persons hereinafter named the respective sums set opposite their respective names; provided, however, that any sum or sums heretofore paid to any officer or employee whose name is hereinafter listed as part of an allowance for compensation for services rendered during this Third Special Session of the 116th General Assembly shall be deducted from the amount set opposite his or her name so that

the total paid to the persons named shall not be in excess of the amounts set forth as below:

Willard D. Boyce, Secretary.....	\$948.75
Alice Woodward, Reading Clerk.....	488.75
Jason Blundon, Chaplain.....	359.26
Michael Donohue, Sergeant-at-Arms.....	359.26
Howard Rawley, Sergeant-at-Arms.....	359.26
Harry Legates, Sergeant-at-Arms.....	359.26
John Robinson, Sergeant-at-Arms.....	359.26
Paul Spear, Telephone Messenger.....	359.26
Martin Fountain, Telephone Messenger.....	359.26
James Mullen, Mail Clerk.....	359.26
Mary Etta Gooding, Stenographer.....	488.75
William L. Pennington, Bill Clerk.....	488.75
Mary Rawlins, Stenographer.....	488.75

Mr. Cannon introduced the following Resolution, which on further motion by him was adopted: **SR 17**—"Appropriating Money Out of the State Treasury to Pay Certain Expenses Connected with This Special Session of the Senate."

BE IT RESOLVED, by the Senate, in Special Session assembled, that the following amounts be, and the same are hereby appropriated out of any money in the General Fund of the State Treasury, for the payment of certain expenses connected with this Special Session of the Senate of the State of Delaware, which said expenses are hereby declared to be proper and reasonable expenses actually incurred by the President and members of the Senate, and the Auditor of Accounts is hereby authorized and fully empowered to pay to the President and the respective members of the Senate, hereinafter named, the respective amounts set opposite their respective names:

R. Allen Cannon .....	\$126.00
Curtis W. Steen .....	150.00
Dudley Crossley .....	45.00
John E. Reilly, Sr. ....	150.00
Frederick Klair .....	156.00
William Cubbage .....	36.00
E. Sherman Webb .....	90.00
J. Fred Dolby .....	66.00
Walter Handsberry .....	24.00
Alexis I. duP. Bayard .....	162.00
Thomas E. Peeney .....	150.00
Edwin R. Powell .....	180.00
George A. Pedrick .....	129.00
Ernest B. Benger .....	140.00
John M. Longbotham .....	72.00
E. Cowgill Barnard .....	21.00
Thomas L. Johnson .....	138.00
John W. Burris .....	60.00



Mr. Cannon introduced the following Concurrent Resolution, which on further motion by him was adopted: **SCR 6**—“In Reference to Adjournment Sine Die.”

BE IT RESOLVED by the Senate of the 116th General Assembly of the State of Delaware, the House of Representatives thereof concurring therein, as follows:

That both Houses of the 116th Session of the General Assembly, in Special Session assembled, shall adjourn sine die at the end of the Legislative Day on Friday, the 25th day of January, A. D. 1952.

On motion of Mr. Cannon, the Senate recessed until Call of the Chair.

Senate met at expiration of recess at 12:05 a.m., Jan. 26, 1952.

The President announced he was about to sign **SB 12**, **SB 14** with **SA 1**, and **SB 21**.

On motion of Mr. Cannon, the Senate recessed until Call of the Chair.

Senate met at expiration of recess at 2:50 a.m.

The Chief Clerk of the House informed the Senate that the House had concurred in **SCR 4**, **SCR 6**, **SB 10**, and that the House had passed and requested the concurrence of the Senate in the following Resolution, which was presented by the Chair.

**HCR 5**—“Appropriation for Postage Stamps and Other Supplies for the Special Session of the 116th General Assembly.”

On motion of Mr. Cannon, the Senate adopted **HCR 5** and ordered it returned to the House.

The President announced he was about to sign **SCR 4**, **SCR 6**, and **SB 10**.

On motion of Mr. Cannon, the Chair appointed Messrs. Cannon and Peeney as a committee to notify the Governor and House of Representatives that the Senate had completed its work and was ready to adjourn sine die.

The President announced he was about to sign **SCR 4**, **SCR 6**, and **SCR 5**.

On motion of Mr. Cannon, the Senate adjourned sine die at 3:00 a.m., on Saturday, January 26, 1952.



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- SB 4**—Increasing amount of benefits and reducing eligibility requirements regarding Unemployment Compensation Act. Introduced, read, referred, p. 22; reported favorably, p. 32; passed, p. 37.
- SB 5**—Increasing uniform State supported salary schedule, of teaching personnel. Introduced, read, referred, p. 27; reported favorably, p. 27; passed, p. 27.
- SB 6**—Creating a Tuberculosis Commission of Delaware. Introduced, read, referred, p. 31; reported favorably, p. 36; passed, p. 41; concurred, p. 52; signed, p. 53.
- SB 7**—Relating to roads and bridges. Introduced, read, referred, p. 31; reported favorably, p. 36.
- SB 8**—Referring to Artisans' Saving Bank. Introduced, read, referred, p. 32; reported favorably, p. 36; passed, p. 37.
- SB 9**—Referring to gambling. Introduced, read, referred, p. 35; reported favorably, p. 36; **SA 1** introduced, adopted, passed, p. 36; concurred, p. 46; signed, p. 46.
- SB 10**—Referring to the Library Commission for the State of Delaware. Introduced, read, referred, p. 35; reported favorably, p. 42; passed, p. 42; concurred, p. 55; signed, p. 55.
- SB 11**—Referring to Federal Social Security Act. Introduced, read, referred, p. 35.
- SB 12**—Establishing pension plan for aged employees of Commissioners of Board of Public Works for Town of Lewes. Introduced, read, referred, p. 36; reported favorably, p. 42; passed, p. 42; concurred, p. 53; signed, p. 55.
- SB 13**—Referring to gambling. Introduced, read, referred, p. 38.
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- SB 15**—Establishing office of State Fire Marshal. Introduced, read, referred, p. 42; reported unfavorably, p. 51.
- SB 16**—Providing for Initiative and Referendum amendment to Constitution. Introduced, read, referred, p. 42.
- SB 17**—Referring to State Emergency Fund. Introduced, read, referred, p. 44; reported unfavorably, p. 51.

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**SB 19**—Relating to catching muskrat in Kent and Sussex Counties. Introduced, read, referred, p. 45; reported favorably, p. 51.

**SB 20**—Referring to open season on game. Introduced, read, referred, p. 45.

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