

On motion of Mr. Reilly for Mr. Moore, SB 303—"An Act to amend Chapter 17, Title 7 of the Delaware Code Relating to Dog and Kennel License Fees," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—Messrs. Hoey and Steen—2.

NOT VOTING—Mr. McCullough—1.

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

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

On motion of Mr. Reilly for Mr. Moore, SB 304—"An Act to Amend Chapter 17, Title 7 of the Delaware Code by Establishing a Division of Dog Law Management Under the Board of Game and Fish Commissioners," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Moore, Mr. Burke was granted the privilege of the floor.

Mr. Behen moved that SB 304 be deferred, the yeas and nays were ordered.

YEAS—Messrs. Behen, Covey, Hoey, Melson, Paradee, Steen—6.

NAYS—Messrs. Butler, Camper, Harrison, Johnson, Lammot, Reilly, Mr. President Pro Tem—7.

NOT VOTING—Mr. McCullough—1.

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

And so the motion to defer was lost.

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

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

YEAS—Messrs. Butler, Camper, Covey, Harrison, Johnson, Lammot, Melson, Reilly, Mr. President Pro Tem—9.

NAYS—Messrs. Hoey, Paradee, Steen—3.

NOT VOTING—Messrs. Behen and McCullough—2.

ABSENT—Messrs. Pryor, Wilgus, Williams—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. Lammot for Mr. Pryor, SB 335 with SA 1—"An Act to Amend Chapter 55, Title 15 of the Delaware Code Relating to Absentee Voting," was taken up for reconsideration in order to pass the Senate.

On motion of Mr. Lammot, Mr. Samuel Russell was granted the privilege of the floor.

Mr. Lammot for Mr. Pryor introduced SA 2, the yeas and nays were ordered:

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

NAYS—None.

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

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

And so SA 2 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. Behen, Butler, Camper, Harrison, Hoey, Lammot, McCullough, Paradee, Reilly, Steen, Mr. President Pro Tem—11.

NAYS—None.

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

ABSENT—Messrs. Pryor, Wilgus, Williams—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. Lammot, the Senate recessed until call of Chair.

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

The President announced that he was about to sign **SR 67**.

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

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

JOINT SESSION

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

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

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

The Chair appointed Mr. Macklin and his Boys' State Representative, Mr. Maclary and his Boys' State Representative, Mr. Lammot and his Boys' State Senator, Mr. Johnson and his Boys' State Senator, a committee to escort the Governor and his Boys' State Governor to the Senate Rostrum.

The committee escorted His Excellency, J. Caleb Boggs, Governor of the State of Delaware, and his Boys' State Governor, J. Allen Trowill, to the Rostrum.

Boys' State Governor J. Allen Trowill gave a speech to the Senate. On invitation by President Pro Tem Moore, His Excellency, J. Caleb Boggs spoke to the Senate.

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

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

Mr. Lammot moved the two Houses now separate to reconvene in their respective chambers. Motion prevailed.

On motion of Mr. Steen, SB 126—"An Act to Amend Chapter 84, Title 9 of the Delaware Code Relating to the Salary of the Receiver of Taxes and County Treasurer in Sussex County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

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

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

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

Senate met at expiration of recess at 4:18 P. M.

On motion of Mr. Steen, SB 443—"An Act to Appropriate Certain Funds to the Delaware Commission of Shell Fisheries for the Payment of Salary Increases to Oyster Wardens," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

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

NAYS—None.

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

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

On motion of Mr. Steen, SB 298—"An Act to Amend Sub-Chapter III, Chapter 23, Title 7, Delaware Code Entitled "Oyster Watchboats": Relating to the Crew, Appointment

and Salary Thereof, and Repealing Certain Provisions Relating to the Procurement of Certain Supplies," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—Mr. Camper—1.

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

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

The Chair declared the Senate recessed.

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

Communication by Mr. Camper: Agreement and Support in his Highway Clean-up Campaign.

On motion of Mr. Reilly, **SB 421**—"An Act to Amend Chapter 23, Title 10 of the Delaware Code Relating to Prothonotary," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Johnson, McCullough, Pryor, Wilgus, Williams—6.

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

On motion of Mr. Reilly, **HB 299** with **HA 1**—"An Act to Amend Chapter 23, Title 19 of the Delaware Code Relating to Review of Agreements or Awards by the Industrial Accident Board," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Johnson, McCullough, Pryor, Wilgus, Williams—6.

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

On motion of Mr. Lammot, the Senate adjourned until Friday, April 22, 1955, at 1:30 P. M.

69TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:36 P. M., on Friday, April 22, 1955, Lieutenant Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

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

Members absent—Messrs. Behen, McCullough, Reilly—3.

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

Messrs. McCullough and Steen asked to be marked present.

Mr. Hoey introduced General Mack from Milford, Del., who spoke to the Senate.

Mr. Pryor presented the following communication to the Secretary of the Senate:

April 20, 1955

To the Secretary of the Senate:

Due to the fact that I became ill in the Senate Chamber on April 20, 1955 and was compelled to leave the Chamber during the course of the final passage of Senate Bills 329-339 inclusive, I hereby give my written consent to the putting on of said bills (which I introduced) for final passage under the provisions of Senate Rule 24.

CLIFFORD PRYOR, State Senator

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

HB 286 with HA 1—"An Act to Amend Chapter 7, Title 7, Delaware Code, Relating to Sale and Possession of Rabbits from Other States or Areas," to Fish, Oysters and Game.

HB 325—"An Act to Amend An Act Entitled "An Act to Incorporate the Town of Ocean View in Sussex County, Delaware", Being Chapter 645, Volume 18, Laws of Delaware and All Acts Amendatory Thereof and Supplementary Thereto," to Miscellaneous.

HB 383—"An Act to Amend Section 2316, Title 12, Delaware Code, Relating to Distribution of Funds Where Person Entitled to Legacy, Distributive Share or Trust Fund, Refuses Same or is Out of State, Unknown, Incompetent or Shares Uncertain," to Banking and Insurance.

HB 554 with HA 1—"An Act to Amend Chapter 61, Title 9, Delaware Code, Relating to the Borrowing Power of the Levy Court of Sussex County," to Revised Statutes.

The Chief Clerk of the House informed the Senate that the House had concurred in **SCR 8, SCR 9, SB 103, SB 117, SB 121**, and that the House had passed and requested the concurrence of the Senate in the following: **SB 118** with **HA 1, HB 201** with **HA 1, HB 366, HB 405** with **HA 1, HB 436, HB 448**.

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

HB 201 with **HA 1**—"An Act Amending Chapter 5, Title 7, Delaware Code, Relating to Hunting, Trapping and Fishing Licenses, by Changing the Expiration Date of Such Licenses," to Fish, Oysters and Game.

HB 366—"An Act to Amend Chapter 65, Title 3, Delaware Code, Relating to the Purchase of Poultry, by Lowering the Time for Payment by Licensees," to Revised Statutes.

HB 405 with **HA 1**—"An Act to Amend Chapter 1, Title 15, Delaware Code, Relating to the Department of Elections for Kent County," to Elections.

HB 436—"An Act Providing for the Sale of 114 Shares of the Capital Stock of the National Bank of Smyrna, Owned by the State of Delaware," to Banking and Insurance.

HB 448—"An Act to Amend Title 21, Delaware Code, Entitled, "Motor Vehicles" in Regard to the Color or Lights Visible from the Front of Vehicles," to Buildings and Highways.

On motion of Mr. Johnson, **SB 213**—"An Act to Amend Chapter 196, Volume 22, Part One, Laws of Delaware, Being An Act Establishing a Board of Public Works for the Town of Lewes and Defining Its Powers, by Granting to the Said Board the Authority to Make Certain Additions and Improvements to the Electric Light Plant and Distribution System and to the Water Pumping and Distribution Facilities, on Credit, Including the Right to Buy on Contracts of Conditional Sale, Pledging the Revenues from Those Two Utilities for the Payment of the Cost Thereof," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, Melson, Paradee, Pryor, Wilgus, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Behen, McCullough, Reilly, Steen—4.

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

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

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, April 21, 1955

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

Gentlemen:

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

April 20, 1955, House Concurrent Resolution No. 17—Creating a Special Committee of the Members of the House and the Senate of the 118th General Assembly to Study the Critical Highway Fatality Situation.

April 20, 1955, House Bill No. 71—An Act to Amend Title 14, Delaware Code, by Adding Thereto a New Chapter Entitled "Procedures for The Termination of Services of Professional Employees", and by Repealing Certain Provisions of Title 14.

April 20, 1955, House Bill No. 246—An Act to appropriate Funds to the Department of Public Welfare for the Fiscal Year Ending June 30, 1955.

April 20, 1955, House Bill No. 257—An Act to Amend Chapter 3, Title 11, Delaware Code, Relating to Trespassing With Intent to Peer or Peep Into a Window or Door of Another; Providing Penalty Therefor.

April 20, 1955, House Bill No. 77 with H. A. No. 1—An Act to Amend Subchapter XIII, Chapter 3, Title 11, Delaware Code, by Requiring Certain Precautions With Regard to Abandoned Refrigerators and Imposing Penalties for Violations.

April 20, 1955, Senate Bill No. 3—An Act Appropriating Certain Moneys to the Delaware Commission for Shell Fisheries to Purchase and Install Two Diesel Engines on the Guard Boat "Delaware".

April 20, 1955, Senate Bill No. 80—An Act to Amend Title 29, Delaware Code, Entitled "State Government" by Increasing the Authorized Number of Notaries Public and Providing for Minimum Qualifications for Those Holding Such Office; and Increasing the Fees.

April 20, 1955, Senate Bill No. 161—An Act to Amend Chapter 21, Title 18, of the Delaware Code Relating to Agents and Brokers, by Providing for Regulations and Examinations in Licensing of Agents and Brokers: Non-Resident Brokers; Appropriation.

April 20, 1955, Senate Bill No. 93—An Act to Amend Chapter 5, Title 17 of the Delaware Code, Relating to the

Penalties for Casting Glass or Injurious Obstructions on Public Highways.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Covey, **SB 405**—"An Act to Amend Title 29, Delaware Code, by Adding a New Chapter Providing for Pensions for Members of the State Judiciary," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, Melson, Paradee, Pryor, Steen, Wilgus, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Behen, McCullough, Reilly—3.

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

On motion of Mr. Steen, **SB 257**—"An Act Appropriating Certain Moneys to Otto D. Zacharias, Trading as Lewis Hardware Store, in Payment of the Claim of the Said Otto D. Zacharias Against the State of Delaware for Merchandise Supplied to the State Highway Department," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Butler, Covey, Harrison, Hoey, Johnson, Lammot, Melson, Paradee, Steen, Wilgus, Williams, Mr. President Pro Tem—12.

NAYS—None.

NOT VOTING—Messrs. Camper, McCullough, Pryor—3.

ABSENT—Messrs. Behen and Reilly—2.

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

On motion of Mr. Camper, **SB 371**—"An Act to Amend Title 1, Delaware Code, Relating to Legal Holidays by Amending the Provisions Governing the Validity of Certain Acts Done on Specified Legal Holidays and by Providing for the Optional Opening of Banks on Such Holidays," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion by Mr. Camper, Robert Wahl, Senate Attorney, was granted the privilege of the floor.

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

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

NAYS—None.

ABSENT—Messrs Behen and Reilly—2.

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

On motion of Mr. Lammot, **SB 228**—"An Act to Amend Chapter 6, Title 9 of the Delaware Code Relating to the Time of Submission to the Levy Courts of the Recommendation of County Park and Recreation Commissions With Respect to Proposed Suburban Park Community Plans," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Lammot, Mr. Charles E. Klingmeyer was granted the privilege of the floor.

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

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

NAYS—None.

ABSENT—Messrs Behen and Reilly—2.

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

On motion of Mr. Lammot, **SB 229**—"An Act to Amend Chapter 6, Title 9 of the Delaware Code Relating to the Preparation of Surveys, Plans, Specifications and Estimates for Suburban Park Communities," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Lammot, Charles E. Klingmeyer was granted the privilege of the floor.

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

YEAS—Messrs. Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Steen, Wilgus, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Behen, Covey, Reilly—3.

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

On motion of Mr. Lammot, **SB 409**—"An Act to Amend Chapter 81, Title 10 of the Delaware Code Relating to Limitations Upon Actions for the Recovery of Claims for Work, Labor or Personal Services," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Lammot, Mr. Robert Wahl was granted the privilege of the floor.

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

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

YEAS—Messrs. Butler, Camper, Lammot, McCullough, Pryor, Williams, Mr. President Pro Tem—7.

NAYS—Messrs. Covey, Johnson, Melson, Steen, Wilgus—5.

NOT VOTING—Messrs. Harrison, Hoey, Paradee—3.

ABSENT—Messrs. Behen and Reilly—2.

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

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

Senate met at expiration of recess at 4:45 P. M.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **HB 192**, 4 on merits, **SB 227**, 2 favorably, 3 on merits, **SB 414**, 4 on merits, by Finance; **SB 156**, 4 on merits, **SB 157**, 4 on merits, **SB 230**, 4 on merits, by Public Health; **SB 485**, 3 favorably, 1 on merits, by Elections; **HB 256**, 1 favorably, 2 on merits, by Miscellaneous; **HB 296**, 5 on merits, by Revised Statutes.

The President announced he was about to sign: **HB 56**, **HB 174**, **HB 235**, **HB 241**, **HB 248**, **SCR 8**, **SCR 9**, **SB 121**, **SB 117**, **SB 103**, **SB 111** with **SA 1**, **SB 203** with **SA 1**, **SB 8** with **HA 1**, **SB 101**, **SB 145**, **SB 155**, **SB 191**, **SB 192**, **SB 272**.

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

On motion of Mr. Lammot, **SB 227**—"An Act to Amend Chapter 25, Title 9 of the Delaware Code Relating to Appropriations to the Regional Planning Commission of New Castle County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Lammot, Mr. Charles E. Klingmeyer was granted the privilege of the floor.

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

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

NAYS—None.

ABSENT—Messrs. Behen and Reilly—2.

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

On motion of Mr. Lammot, **SB 230**—"An Act to Legalize and Validate Acts Done or Proceedings Taken to Establish Sanitary Sewer Districts in New Castle County and to Pro-

vide Therein Facilities for the Collection, Treatment and Disposal of Sewage, and Bonds Issued by New Castle County to Finance the Cost Thereof," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Lammot, Mr. Charles E. Klingmeyer was granted the privilege of the floor.

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

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

NAYS—None.

ABSENT—Messrs Behen and Reilly—2.

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

On motion of Mr. Lammot, **SB 407**—"An Act to Amend Title 29 of the Delaware Code by Creating the Board of Post Mortem Examiners and the Post of State Medical Examiner and Defining the Powers and Duties Thereof," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Lammot, Samuel Russell was granted the privilege of the floor.

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

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

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

NAYS—None.

ABSENT—Messrs Behen and Reilly—2.

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

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 33**, **SB 164**, **SB 166**, **SB 207**, and that the House had passed and requested the concurrence of the Senate in the following bills: **SB 32** with **HA 1**, **SB 34** with **HA 1**, **SB 35** with **SA 1** and **HA 1** and **HA 2**, **HB 206** with **HA 1**, **HB 207**, **HB320**, **HB 324**, **HB 380**.

On motion of Mr. Lammot, the Senate adjourned until Monday, April 25, 1955, at 10:30 A. M.

70TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 10:30 A. M., on Monday, April 25, 1955, Senator Lammot presiding.

Prayer by Senator Melson.

Members present—Messrs. Butler, Hoey, Lammot, Melson—4.

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

There not being present a quorum, Mr. Lammot declared that the Senate was adjourned until Tuesday, April 26, 1955, at 10:30 A. M.

71ST LEGISLATIVE DAY

Senate met pursuant to adjournment at 10:30 A. M., on Tuesday, April 26, 1955, Senator Lammot presiding.

Prayer by Senator Melson.

Members present—Messrs. Butler, Lammot, Melson—3.

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

There not being present a quorum, Senator Lammot declared the Senate adjourned until Wednesday, April 27, 1955, at 1:30 P. M.

72ND LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:30 P. M., on Wednesday, April 27, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

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

Members absent—Messrs. Behen, Hoey, Steen—3.

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

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

The Chief Clerk of the House informed the Senate that the House had returned SB 200 as requested by SR 65.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: SB 347, 3 favorably, 1 on merits, SB 415, 4 favorably, 1 on merits, SB 481, 4 favorably, 1 on merits, by Elections; SB 419, SB 422, by Revised Statutes.

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

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

April 27, 1955

To The Senate, 118th General Assembly
State of Delaware

On April 20, 1955, I received Senate Bill No. 85, entitled:
AN ACT TO AMEND CHAPTER 15, TITLE 10
OF THE DELAWARE CODE RELATING TO THE
TERM OF THE JUDGE OF THE COURT OF COM-
MON PLEAS FOR KENT COUNTY.

I respectfully return herewith this Bill without my approval.

In 1931 the General Assembly, acting favorably upon the recommendations of the members of the Kent County Bar Association, and of many prominent citizens, created the Common Pleas Court for Kent County.

A growing demand for Juvenile Court services for Kent and Sussex Counties brought about the establishment of the Juvenile Court for Kent and Sussex Counties, in 1933. The Judge of the Common Pleas Court for Kent County was made, ex-officio, the Judge of the Juvenile Court.

In 1951 the Legislature, very commendably, set up a separate twelve-year Judgeship for the Juvenile Court for Kent and Sussex Counties, and provided a staff to take care of the ever increased amount of work in that court.

The continued increase of population in the two lower Counties made feasible the establishment in 1953 of a Common Pleas Court for Sussex County, the Judge thereof to serve for a term of twelve years. At the same time it was deemed fair and reasonable that the term of the Judge of the Common Pleas Court for Kent County be made twelve years to coincide with the term of Judges of other Courts, such as the State Judiciary, the Common Pleas Court for New Castle County, the Family Court for New Castle County, the Juvenile Court for Kent and Sussex Counties and the Municipal Court for the City of Wilmington.

Records reveal that leaders of both major political parties made possible the Legislation that afforded this gradual and progressive development of these additional court facilities for Kent and Sussex Counties. These several pieces of Legislation were non-partisan in their inception and were initiated to meet the growing demand of the increased population in the lower part of the State for improved and additional judicial services more in keeping with those already existing in our metropolitan areas.

To the best of my knowledge, as the law now stands, all judicial appointments to State Courts, excepting, of course, Justice of the Peace appointments, are for a term of twelve years. I can see no justifiable reason for making the Court of Common Pleas for Kent County the exception.

As a result of this evaluation of the history and the facts relating to the creation of the several courts referred to, including the Court in question, it is my opinion that progress in the administration of justice would not be served with the approval of this Bill and that we would be moving backward rather than forward.

Respectfully submitted,

J. CALEB BOGGS, Governor

The Chair presented **SB 177** with **HA 1**—"An Act to Amend Chapter 55, Title 29 of the Delaware Code Relating to Certain Definitions Contained in the State Employees' Pension Plan," which was taken up for consideration in order to pass the Senate as amended.

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

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

NAYS—None.

ABSENT—Messrs. Behen, Covey, Hoey, Melson,—4.

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

The Chair presented **SB 118** with **HA 1**—"An Act Appropriating Money to the State Soil Conservation Commission for the Drainage of Tax Ditches in Sussex County," which was taken up for consideration in order to pass the Senate as amended.

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

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

NAYS—None.

ABSENT—Messrs. Behen and Hoey—2.

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

The Chair presented **SB 32** with **HA 1**—"An Act to Amend Chapter 41, Title 7, of the Delaware Code, Pertaining to the Collection of Taxes Levied by Tax Ditches," which was taken up for consideration in order to pass the Senate as amended.

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

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

NAYS—None.

ABSENT—Mr. Behen—1.

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

The Chair presented **SB 34** with **HA 1**—"An Act to Amend Chapter 21, Title 14, of the Delaware Code, Pertaining to the Assessment, Levy and Collection of School Taxes," was taken up for consideration in order to pass the Senate as amended.

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

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

NAYS—None.

ABSENT—Mr. Behen—1.

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

The Chair presented **SB 35** with **SA 1** and **HA 1** and **HA 2**—"An Act Amending Chapter 91, Title 9, of the Delaware Code, Pertaining to the Disposition of and Accounting for Fees of County Officers," was taken up for consideration in order to pass the Senate as amended.

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

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

NAYS—None.

ABSENT—Mr. Behen—1.

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

The President announced he was about to sign: **SB 164**.

On motion of Mr. Reilly, **SB 420**—"An Act to Appropriate Certain Funds to the State Highway Department in Order to Provide a Ten Per Cent Increase in Salaries for State Police Employees," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—Mr. Steen—1.

ABSENT—Mr. Behen—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. Camper introduced the following resolution, which on further motion by him was adopted: **SR 68**—"Authorizing the Payment of the Sum of Twenty-Five Hundred Fifty-Seven Dollars and Forty-Four Cents (\$2,557.44) for Printing of Calendars."

BE IT RESOLVED by the Senate of the 118th General Assembly of the State of Delaware that the State Treasurer be and he is hereby authorized and directed to pay out of the General Fund unto Milford Chronicle Publishing Company, Milford, Delaware, the sum of Twenty-five Hundred Fifty-seven Dollars and Forty-four Cents (\$2,557.44) to cover cost of printing Daily Calendars in accordance with the following statement:

To Printing Daily Calendars for 1955 Session—

400 copies each day

| | | |
|----------------------|-------------------------------|-----------|
| 61st Legislative Day | 60 pages @ \$4.32 per page... | \$ 259.20 |
| 62nd Legislative Day | 60 pages @ \$4.32 per page... | 259.20 |
| 63rd Legislative Day | 58 pages @ \$4.32 per page... | 250.56 |
| 64th Legislative Day | 58 pages @ \$4.32 per page... | 250.56 |
| 65th Legislative Day | 58 pages @ \$4.32 per page... | 250.56 |
| 67th Legislative Day | 58 pages @ \$4.32 per page... | 250.56 |
| 68th Legislative Day | 60 pages @ \$4.32 per page... | 259.20 |
| 69th Legislative Day | 60 pages @ \$4.32 per page... | 259.20 |
| 70th Legislative Day | 60 pages @ \$4.32 per page... | 259.20 |
| 72nd Legislative Day | 60 pages @ \$4.32 per page... | 259.20 |

Total for printing calendars from 61st Legislative

Day to 72nd Legislative Day inclusive.....\$2,557.44

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 69**—"Making an Appropriation for Telephone Service Charges and Toll Calls in Connection With the Work of the Senate of the 118th General Assembly of the State of Delaware."

BE IT RESOLVED, by the Senate, that the amount of One Hundred Seventy-four Dollars and Thirty-one Cents (\$174.31) is hereby appropriated, to pay for telephone service charges, and toll calls in connection with the work of the Senate of the 118th Session of the General Assembly of the State of Delaware, which convened January 4, A. D., 1955, and that the State Treasurer be, and he is hereby authorized and directed to pay to the Diamond State Telephone Com-

pany the sum of One Hundred Seventy-four Dollars and Thirty-one Cents (\$174.31) for telephone service charges according to the invoices dated April 11, 1955.

On motion of Mr. Reilly, **HB 181** with **HA 1**—"An Act to Amend Chapter 3, Title 19, Delaware Code, by Repealing Certain Provisions Concerning Hours During Which Females Can Work," was taken up for consideration read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Mr. Hoey—1.

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

On motion of Mr. Pryor, **SB 328**—"An Act to Amend Article 5, Section 4A of the Constitution of the State of Delaware Relating to Absentee Voting," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—Messrs. Melson and Williams—2.

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

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

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

Senate met at expiration of recess at 4:40 P. M.

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

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

Dover, April 25, 1955

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

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

April 22, 1955, Senate Bill No. 61—An Act to Amend Chapter 61, Title 29 of the Delaware Code Relating to the "General Fund."

April 22, 1955, Senate Bill No. 128—An Act to Amend Chapter 3, Title 14 of the Delaware Code by Changing the Time During Which Polls are to Remain Open for Election of School Board Members in Kent, Sussex, and Part of New Castle Counties.

April 22, 1955, House Bill No. 149—An Act to Amend Subchapter III, Chapter II, Title 10, Delaware Code, Relating to the Juvenile Court of Kent and Sussex Counties.

April 22, 1955, House Bill No. 184—An Act to Amend Chapter 33, Title 19, Delaware Code, Entitled "Unemployment Compensation" to Eliminate Disqualification or Reduction by Reason of Benefits Under Social Security Act.

April 22, 1955, House Bill No. 188—An Act to Amend Chapter 33, Title 19, Delaware Code, Relating to Unemployment Compensation.

April 22, 1955, House Bill No. 198—An Act to Amend Chapter 9, Title 10, Delaware Code, in Regard to the Family Court of New Castle County, Changing the Court's Name and the Responsibility for Its Budget.

Respectfully submitted,

J. CALEB BOGGS, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, April 27, 1955

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

Gentlemen:

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

April 26, 1955, House Bill No. 241—An Act to Amend Chapter 23, Title 11, Delaware Code, Entitled "Search and Seizure", by Eliminating the Exclusive Jurisdiction of Superior Court Judges to Order the Return or Suppression of Things Illegally Seized.

April 26, 1955, House Bill No. 248—An Act to Amend Title 10, Delaware Code, by Providing That Terms of Superior Court Shall be Fixed by Rule of Court.

Respectfully submitted,

J. CALEB BOGGS, Governor

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

HB 206 with HA 1—"An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Changing the Provisions for Paving of Sidewalks," to Municipal Corporations.

HB 207—"An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Permitting the Assessors to Use the County Assessment List," to Municipal Corporations.

HB 320—"An Act to Amend Chapter 29, Title 21, Delaware Code, Pertaining to the Director of Safety Responsibility," to Municipal Corporations.

HB 324—"An Act to Amend the Charter of the Town of Houston, Chapter 240, Volume 27, Laws of Delaware, With Respect to the Election of Commissioners and Meetings Thereof," to Municipal Corporations.

HB 380—"An Act to Amend Section 3525, Title 12, Delaware Code, Relating to Testamentary Trusts by Providing That Interest on a Pecuniary Bequest in Trust Shall be Paid by the Executor Out of the Residue of the Estate," to Banking and Insurance.

Request that the following be recommitted was granted to member as follows: **SB 200**, by Reilly.

Mr. Hoey introduced the following concurrent resolution, which on further motion by him was adopted and sent to the House for concurrence: **SCR 10**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Bill Appropriating Money to the State Board of Health for the Purchase and Administration of Polio Vaccine."

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

That House Concurrent Resolution No. 12 is hereby suspended for the sole purpose of permitting the introduction of a bill to appropriate money to the State Board of Health for the purpose of purchasing and administering polio vaccine to children of this State.

Mr. Steen presented the following communication:

**DELAWARE COLONY
THE STATE TRAINING SCHOOL**

Stockley, Delaware, April 21, 1955

Honorable Curtis W. Steen, Senator, Sussex County
Dagsboro, Delaware

Dear Mr. Steen:

The following Resolution was adopted by the majority of the Commissioners present at the Meeting of the Delaware Commission for Feeble-minded, April 19, 1955, and is submitted for your information and consideration:

"WHEREAS, the Delaware Commission for the Feeble-minded is a State Institution created in 1917 by the General Assembly of the State of Delaware for the purpose of caring for the feeble-minded; and

"WHEREAS, the institution has grown to approximately 500 patients with nearly 160 employees and with a biennial budget of approximately one and a quarter million dollars; and

"WHEREAS, modern science has made tremendous progress in this important field; and

"WHEREAS, in a small State like our State of Delaware, it seems that greater progress could be made in the care of the patients charged to Delaware Colony by a consolidation of this institution with the State Hospital and Governor Bacon Health Center. Thus providing the full facilities and skills presently available to the State to the patients at Delaware Colony: and

"WHEREAS, such a consolidation would provide greater economy and greater facilities for business administration, etc.

"NOW, THEREFORE, BE IT RESOLVED, that the Commission for the Feeble-minded approves in principle, legislation to consolidate Delaware Colony with the State Hospital and Governor Bacon Health Center."

Yours very truly,

NAN FOOKS CAMPBELL

Chairman of Commission

The President announced he was about to sign: **HB 299** with **HA 1**.

On motion of Mr. McCullough, **SB 450**—"An Act to Regulate Professional Portrait Photographers," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Lam-mot, McCullough, Paradee, Reilly, Steen, Williams, Mr. President Pro Tem—11.

NAYS—Messrs. Covey, Johnson, Melson, Pryor—4.

ABSENT—Messrs. Hoey and Wilgus—2.

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

On motion of Mr. Camper, **SB 263**—"An Act to Amend Chapter 5, Title 28 of the Delaware Code, Relating to the Award of Dates for Harness Racing Meets," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Lammot, McCullough, Reilly, Mr. President Pro Tem—8.

NAYS—Messrs. Covey, Johnson, Melson, Steen, Williams—5.

NOT VOTING—Messrs. Hoey and Paradee—2.

ABSENT—Messrs. Pryor and Wilgus—2.

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

Mr. Camper changed his vote from yea to nay in order that SB 263 with SA 1 might be reconsidered.

On motion of Mr. Reilly, SB 263 with SA 1 was restored to the calendar.

On motion of Mr. Lammot, the Senate adjourned until Thursday, April 28, 1955, at 2:00 P. M.

73RD LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Thursday, April 28, 1955, President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

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

Members absent—Messrs. McCullough, Reilly, Williams—3.

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

Messrs. McCullough, Reilly and Williams asked to be marked present.

Communications: One favoring SB 482 and HB 394; two opposing SB 482 and HB 394.

The Chief Clerk of the House informed the Senate that the House had concurred in SB 19, SB 40, SB 64, SB 69, SB 86, SB 188, SB 189, SB 190, SB 241 and that the House had passed and requested the concurrence of the Senate in the following bills and resolutions: SB 14 with HA 1, HCR 22, HCR 23, HB 111, HB 298, HB 372, HB 391.

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

HB 111—"An Act Appropriating Certain Money to the State Soil Conservation Commission for the Drainage of Tax Ditches in Kent County," to Finance.

HB 298—"An Act to Reincorporate the City of New Castle and to Repeal Chapter 216 Volume 27, Laws of Delaware, as Amended, Entitled "An Act Amending, Revising and Consolidating the Charter of the City of New Castle" and Repealing Certain Other Acts Concerning the City of New Castle Inconsistent Herewith Relating to the Board of Education, Elections, City Clerk, Board of Water and Light Commissioners, Sewers and Disposal Work," to Municipal Corporations.

HB 372—"An Act to Amend Chapter 5, Title 12, Delaware Code, Establishing Rules of Distribution of Interstate Personal Estate," to Judiciary.

HB 391—"An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pensions by Permitting the Professional Employees of the Board of Education of the City of Wilmington and of the State Board of Education Who Attain the Mandatory Age of Retirement to be Retained in Active Duty Until the End of the Then Current School Year," to Miscellaneous.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 494**, 4 favorably, 1 on merits, by Labor; **SB 394**, by Banking and Insurance; **SB 466**, 3 favorably, 2 on merits, by Public Lands; **SB 382**, 3 favorably, 2 on merits, by Judiciary; **HB 164** with **HA 1**, 3 favorably, 2 on merits, by Miscellaneous; **SB 379**, **SB 392**, by Executive; **SB 423**, 1 favorably, 4 on merits, by Public Health; **SB 440**, 2 favorably, 3 on merits, by Finance; **SB 271**, by Miscellaneous; **SB 248**, 2 favorably, 3 on merits, **SB 455**, 3 favorably, 2 on merits, by Judiciary.

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

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

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 70**—"Authorizing Payment on Account to Attaches and Employees of the Senate."

BE IT RESOLVED, by the Senate of the 118th General Assembly, that the State Treasurer be and he hereby is authorized and directed to pay to any attache or employee, who has been duly appointed by Resolution of the Senate, upon the order of the President Pro Tem of the Senate, the sum of One Hundred Dollars (\$100.00) to any one person, on account of services to the present Session of the Senate. Any such sums so paid shall be charged against the salary of the individual attache or employee to whom such sum or sums are paid, and shall be a part of the expenses of this Session of the Senate.

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

presented by the Chair to the members of the Senate and read into the record:

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

Dover, April 28, 1955

To the Senate, 118th General Assembly
State of Delaware

On April 20, 1955, I received Senate Bill No. 102, entitled:

**AN ACT TO AMEND CHAPTER 45, TITLE 7 OF
THE DELAWARE CODE BY REQUIRING PUBLIC
NOTICE AND PUBLIC SALE OF PUBLIC
LANDS.**

I respectfully return herewith this bill without my approval.

In general the purpose and policy of this bill is one of which I approve. However, I think the language of the bill is too broad and would include pieces and parcels of lands which can be handled more in the public interest by negotiation.

As to any part or all of public lands such as the lands lying between Cape Henlopen and Fenwick Island, it is the policy to sell by public auction or by sealed bids to the highest bidder. If it were clear that this bill applies only to such type lands, I would have no objection to the bill.

However, this bill includes the words "Any public land". Such language would prohibit and hamper the state highway program in connection with the acquisition and working out of highway rights-of-way. It would prohibit, for example, the trading of highway rights-of-way parcels of land no longer needed which could be conveniently traded for nearby parcels of land which are needed in connection with numerous highway improvements. It would prohibit, for example, the negotiated sale of extra rights-of-way highway parcels of property even when such sale is connected with the acquisition of highway rights-of-way parcels of land.

The all inclusive language of this bill would also make necessary public auction of many exceedingly small pieces and strips of land which are of negligible value.

This bill would, by its broad language, put adjacent or adjoining property owners at a special disadvantage in certain instances. For example, they may be required to convey land for highway rights-of-way to the state at fair market prices, but when a highway is relocated, it is sometimes desirable and necessary for such adjacent or adjoining property owners to acquire a part of the old road bed which is no longer needed for highway purposes, in order to retain their frontage or for ingress or egress in connection with the relocated highway. Such adjoining or adjacent property owners

to the relocated highway could be harassed by inflated prices resulting from bids made in other than good faith. Thus, an owner might sell one strip to the State Highway Department at a reasonable market price, but be required necessarily to buy a similar or smaller strip at a nuisance price.

These possibilities which I mentioned would in the long run force up the cost of highway rights-of-way, causing greater expense to the taxpayers for the highway program and would be of great harassment and nuisance to our adjacent or adjoining property owners involved with the numerous highway improvements on the many roads in our state.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Lammot, SB 280—"An Act to Amend Chapter 19 Title 10, Delaware Code by Providing for the Appointment by the Levy Court of New Castle County of Commissioners to Examine Certain Lien Indices in New Castle County and Satisfaction Thereof," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—Messrs. Covey, Johnson, Melson, Wilgus, Williams—5.

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

Mr. Behen, upon being recognized by the Chair, spoke as follows:

Mr. President:

Any business before the Senate?

At this time I want to enter the objections at large on the Journal and proceed to reconsider Senate Bill 85. My objections to the Governor's veto on Senate Bill 85 are that no part time Judge should be appointed for a term of more than four years because of the prestige of being a Judge of the Court of Common Pleas for Kent County has a tendency to increase one's private practice to a point that the Court is neglected and if one were appointed for 12 years and his private practice started to take most of his time, I am sure that the Judge would not give up his \$5,000 a year judgeship, but start to neglect his Court duties.

Mr. President, I move the Senate proceed to reconsider SB 85—"An Act to Amend Chapter 15, Title 10 of the Delaware Code Relating to the Term of the Judge of the Court of Common Pleas for Kent County," which has been returned to the Senate without the approval of the Governor, together

wih his objections and the Senate agree to pass the bill, the objections of the Governor to the contrary notwithstanding.

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

Senate met at expiration of recess at 4:55 P. M.

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

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

NAYS—Messrs. Covey, Johnson, Melson, Wilgus, Williams—5.

So the question was decided in the affirmative and the bill (SB 85) passed the Senate, the Governor's objections notwithstanding, and was ordered to the House, accompanied with the Governor's veto message.

Mr. Lammot introduced the following concurrent resolution, which on further motion by him was adopted and sent to the House for concurrence: SCR 11—"Expressing Thanks to the Young Democrats of Northern New Castle County Upon Their Hospitality."

WHEREAS, the Young Democrats of Northern New Castle County very graciously entertained the Members of the Legislature of the 118th General Assembly at dinner at the Mapledale Country Club on April 27, 1955, and

WHEREAS, the Members of the 118th General Assembly desire to express their thanks and appreciation for the gracious hospitality extended,

NOW, THEREFORE,

BE IT RESOLVED BY THE SENATE OF THE 118TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN AS FOLLOWS:

1. That the sincere appreciation of the 118th General Assembly is hereby expressed and their thanks extended to the Young Democrats of Northern New Castle County for their gracious hospitality on April 27, 1955.

2. That a copy of this resolution be sent to the President of the Young Democrats of Northern New Castle County.

On motion of Mr. Pryor, SB 100—"An Act to Repeal Chapter 85, Title 9, of the Delaware Code by Abolishing the Office of Collector of Delinquent County Taxes in New Castle County and Transferring All the Powers and Duties Thereof to the Receiver of Taxes and County Treasurer," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Camper, Covey, Hoey, Johnson, Melson, Paradee, Pryor, Steen, Wilgus, Williams, Mr. President Pro Tem—11.

NAYS—Messrs. Behen, Butler, Harrison, Lammot, Reilly—5.

NOT VOTING—Mr. McCullough—1.

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

On motion of Mr. Camper, **SB 263** with **SA 1**—"An Act to Amend Chapter 5, Title 28 of the Delaware Code, Relating to the Award of Dates for Harness Racing Meets," was reconsidered and put upon its passage.

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

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

NAYS—Messrs. Covey, Johnson, Melson, Steen, Wilgus, Williams—6.

NOT VOTING—Mr. Hoey—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.

The Chair presented **HCR 22**—"Appropriation for Postage Stamps and Other Supplies for the 118th General Assembly."

On motion of Mr. Lammot, **HCR 22** was adopted and returned to the House.

The Chair presented **HCR 23**—"To Express the Gratitude of the Citizens of the State of Delaware to Dr. Salk for His Successful Research Combating Poliomyelitis."

On motion of Mr. Lammot, **HCR 23** was adopted and returned to the House.

The Chair presented **SB 14** with **HA 1**—"An Act to Amend Chapters 1, 3 and 5 of Title 10 of the Delaware Code, Relating to the Supreme Court, Court of Chancery and Superior Court," which was taken up for consideration and read in order to pass the Senate as amended.

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

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

NAYS—Mr. Melson—1.

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

On motion of Mr. Camper, SB 370—"An Act to Amend Chapter 5, Title 17 of the Delaware Code Relating to Highways, Roads and Bridges With Regard to Trash in the Vicinity of Highways; Penalty," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Mr. Pryor—1.

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

On motion of Mr. Lammot, the Senate adjourned until Friday, April 29, 1955, at 1:30 P. M.

74TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:30 P. M., on Friday, April 29, 1955, President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Camper, Johnson, Lammot, Melson, Pryor, Reilly, Steen, Wilgus, Williams—11.

Members absent—Messrs. Covey, Harrison, Hoey, McCullough, Paradee Mr. President Pro Tem—6.

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

Messrs. Covey, Harrison, Hoey, Paradee and Mr. President Pro Tem masked to be marked present.

The President announced he was about to sign: SB 19, SB 32 with HA 1, SB 33, SB 34 with HA 1, SB 35 with SA 1 and HA 1 and HA 2, SB 40, SB 64, SB 69, SB 86, SB 118, SB 166, SB 177, SB 188, SB 189, SB 190, SB 207, SB 241.

The Chief Clerk of the House informed the Senate that the House had concurred in SB 218, SB 246, SB 255 with SA 1, and that the House had passed and requested the concurrence of the Senate in the following bills: HS 1 for HB 228 with HA 1, HB 369 with HA 1, HB 381, HB 441, HB 478.

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

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

April 29, 1955

To The Senate, 118th General Assembly
State of Delaware

On April 20, 1955, I received Senate Bill No. 22 with Senate Amendment No. 1 entitled:

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE, RELATING TO "EDUCATION" BY PROVIDING FOR THE ISSUANCE OF A PROFESSIONAL STATUS CERTIFICATE FOR TEACHERS AND FOR REGULATIONS CONCERNING CERTIFICATE RENEWAL.

I respectfully return herewith this bill without my approval.

This bill repeals certain administrative regulations of the State Board of Education with respect to the in-service professional study required for periodic renewal of teaching certificates. These regulations were adopted and have continued to be effective as a part of the state's program to maintain the highest possible standard of instructional ability for the benefit of all children in the public schools.

This bill would nullify efforts of long standing on the part of this state to assure continuing professional qualifications on the part of its public school teachers and would revert to educational standards abolished in this state approximately a quarter of a century ago. Under its provisions the mere fact of serving time as a teacher three out of each successive years would be the only requirement for retaining professional status.

The vast majority of states recognized as having the highest standards of public education have rejected the principle of lifetime or permanent certificates of professional status. Term certificates requiring some evidence of professional growth are now approved in most educationally progressive states as representing the best and fairest procedures.

The State of Delaware cannot afford to lower standards of professional efficiency while simultaneously increasing salary rates and granting other such benefits as tenure. Increased salary rates, tenure and other benefits cannot continue to be approved on the one hand while requirements for performance and improvements are decreased on the other.

Several pieces of pending legislation provide for automatic salary increases for teachers. Retention of the principle of automatic salary increases, while the need for professional progress and growth is otherwise ignored, is unjustified and completely indefensible before the tax paying public.

Determination of the continuing professional competence of teachers is generally considered to be an administrative function of the agency established to plan, conduct and supervise public education and has been so recognized in Delaware for about 25 years. This authority should continue to be an administrative function, but it is important that administrative regulations be reviewed periodically. I shall therefore request the State Board of Education to review promptly the matter of professional certification.

It is of great significance that this bill is not known to have received support from any institution of teacher training: local board of education, local board of school trustees, or group of school administrators. Likewise, it is not known to have received the support of a single lay group organized to assist in the promotion and protection of public educational standards.

This bill purports to increase the state's ability to attract teaching personnel. To accept this endorsement is also to admit at the same time that any teacher candidate who would be attracted to service in Delaware solely on the basis of not being required to maintain a minimum program of self improvement is not the type of teacher wanted in the Delaware schools. I therefore cannot accept this premise as a valid reason for approving this bill.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Lammot, **SB 193**—"An Act to Amend Title 24, Delaware Code, Entitled "Professions and Occupations" in Respect to the Appointment, Qualifications and Terms of Office of the Board of Accountancy; Requirements for Obtaining Certificate; and in Respect to the Rules and Regulations of the State Board of Accountancy," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Lammot, Frank A. Gunnell was granted the privilege of the floor.

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

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

NAYS—None.

ABSENT—Messrs. Covey, Hoey, McCullough, Paradee—4.

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

On motion of Mr. Pryor, **HB 36**—"An Act to Amend Chapter 17, Title 9, Delaware Code Relating to Employees' Pensions; Disability Pension Benefits; Employees Receiving

Compensation from New Castle County and City of Wilmington; Pension Benefits," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Pryor, Representative Lester was granted the privilege of the floor.

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

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

NAYS—None.

ABSENT—Messrs. Covey, Hoey, McCullough, Paradee—4.

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

On motion of Mr. Pryor, **HB 38**—"An Act to Amend Chapter 230, Volume 49, Laws of Delaware, as Amended, Entitled "City of Wilmington Employees' Retirement Act"; Pension Benefits," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Pryor, Representative Lester was granted the privilege of the floor.

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

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

NAYS—None.

ABSENT—Messrs. Covey, Hoey, McCullough, Paradee—4.

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

On motion of Mr. Pryor, **HB 37**—"An Act to Amend Chapter 17, Title 9, Delaware Code, Relating to Employees' Pensions; Retirement Pension Benefits; Disability Pension Benefits; Employees Receiving Compensation from New Castle County and City of Wilmington; Pension Benefits," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Pryor, Representative Shockley was granted the privilege of the floor.

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

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

NAYS—None.

ABSENT—Messrs. Covey and McCullough—2.

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

On motion of Mr. Steen, SB 351—"An Act to Amend Chapter 41, Title 7, Delaware Code, Entitled "Drainage of Lands; Tax Ditches", was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Covey and McCullough—2.

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

On motion of Mr. Steen, SB 353—"An Act to Amend Chapter 23, Title 7 of the Delaware Code by Prohibiting the Taking of Clams or Oysters Without the Consent of the State of the Lessee and by Providing a Penalty for Violations," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

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

NAYS—None.

ABSENT—Messrs. Covey, McCullough, Pryor—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. Steen, SB 202—"An Act to Amend Chapter 71, Title 3 of the Delaware Code Relating to the Duties and Powers of the Board of Agriculture," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. McCullough and Pryor—2.

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

On motion of Mr. Hoey, **SB 348**—"An Act to Amend Title 7, Delaware Code, Entitled "Conservation" in Relation to the State Forestry Fund," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Mr. McCullough—1.

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

On motion of Mr. Lammot, **SB 283**—"An Act to Amend Chapter 19 Title 10, Delaware Code by Providing for the Appointment by the Levy Court of New Castle County of Commissioners to Examine Mortgage Satisfaction in New Castle County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—Messrs. Covey, Johnson, Melson, Wilgus, Williams—5.

NOT VOTING—Mr. Pryor—1.

ABSENT—Mr. McCullough—1.

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

On motion of Mr. Lammot, **SB 281**—"An Act to Amend Chapter 49, Title 10 of the Delaware Code Entitled "Courts and Judicial Procedure" in Respect to Unclaimed Funds After Execution Process in New Castle County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

NOT VOTING—Mr. Pryor—1.

ABSENT—Mr. McCullough—1.

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

On motion of Mr. Moore, **SB 426**—"An Act to Appropriate Certain Funds to the Trustees of the Hartly School District to Enable It to Build an Addition to the Hartly School," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—Mr. Williams—1.

ABSENT—Mr. McCullough—1.

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

On motion of Mr. Reilly, **SB 385**—"An Act Relating to Limitations of Law Affecting the Amount of Bonds Which May be Issued or Bonded Debt Which May be Incurred by "The Mayor and Council of Wilmington", Specifically Excepting from Bonded Debt in Connection With the Slum Clearance and Redevelopment Program and the Urban Renewal Program, and Repealing Inconsistent Acts or Parts of Acts," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. McCullough and Steen—2.

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

On motion of Mr. Lammot, **SB 408**—"An Act to Authorize the Mayor and Council of Wilmington to Borrow and Issue Bonds of the City for the Purpose of Aiding the Wilmington Housing Authority as the Slum Clearance and Redevelopment Agency, or the Local Public Agency of the City of Wilmington, Delaware in Carrying Out Its Purposes and Functions Under 31 Del. C. c. 45, and to Further Enable the Mayor and Council of Wilmington to Comply With the Provisions of the Housing Act of 1954 as the Last Two Acts Have Been Approved by the Congress of the United States of America," was taken up for consideration and read by paragraphs in order to pass the Senate.

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

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

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

NAYS—None.

ABSENT—Mr. McCullough—1.

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

On motion of Mr. Lammot, SB 394—"A Bill to Amend Title 5, Chapter 1, Delaware Code, 1953, Relating to the State Bank Commissioner by Providing That the Trustees of Certain Oil Royalty and Similar Trusts Shall be Under the Supervision of the State Bank Commissioner; Providing for the Payment of Fees to the State Bank Commissioner for Examination; and Providing Penalties for Failure to Report and Submit to Examination," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Lammot, Ernest Wilson was granted the privilege of the floor.

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

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

NAYS—None.

ABSENT—Mr. McCullough—1.

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

On motion of Mr. Lammot, SB 395—"An Act to Amend Section 4302, Title 10, Chapter 43 of the Revised Code of 1953 Relating to the Competence of Parties or Interested Witnesses in Civil Actions by Authorizing the Receipt Into Evidence of the Entries, Memoranda and Declaration of Deceased Persons in Certain Cases," was taken up for consideration and read a third time by paragraph in order to pass the Senate.

On motion of Mr. Lammot, Ernest Wilson was granted the privilege of the floor.

On motion of Mr. Behen, SB 395 was deferred.

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

Senate met at expiration of recess at 3:10 P. M.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: SB 296, 4 on merits, SB 316, SB 317, by Revised Statutes; SB 158, 2 favorably, 3 on merits, SB 265, 3 favorably, 2 on merits, by Public Health; SB 271, by Finance.

On motion of Mr. Hoey, **SB 364**—"An Act to Appropriate Certain Funds to the Board of Game and Fish Commissioners to Purchase Certain Lands Under Haven Lake in or Near Milford, Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Mr. McCullough—1.

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

On motion of Mr. Reilly, **SB 448**—"An Act to Amend Chapter 23, Title 19 of the Delaware Code Relating to Workmen's Compensation," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Reilly, Attorney General Russell was granted the privilege of the floor.

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

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

NAYS—Mr. Hoey—1.

NOT VOTING—Messrs. Behen and Steen—2.

ABSENT—Messrs. Covey, McCullough, Pryor—3.

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

On motion of Mr. Harrison, **SB 379**—"An Act to Authorize the Levy Court of Kent County to Make Certain Tax Refunds," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. McCullough and Pryor—2.

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

On motion of Mr. Behen, SB 402—"An Act to Amend Chapter 15, Title 10, of the Delaware Code Relating to the Court of Common Pleas for Kent County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. McCullough and Pryor—2.

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

On motion of Mr. Hoey, SB 466—"An Act to Amend Chapter 162, Volume 37 Laws of Delaware Relating to City Taxes Upon Farm Lands in the City of Milford, Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. McCullough and Pryor—2.

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

On motion of Mr. Hoey, SB 482—"An Act to Repeal Section 8107, Title 9, Chapter 81 of the Delaware Code Relating to Taxation by Municipal Corporations of Public Lands in Sussex County Held in Trust," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Harrison and Hoey—2.

NAYS—Messrs. Behen, Butler, Camper, Covey, Johnson, Lammot, Melson, Paradee, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—13.

ABSENT—Messrs. McCullough and Pryor—2.

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

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

75TH LEGISLATIVE DAY

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

Prayer by the Chaplain, Rev. Van Cleaf.

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

Members absent—Messrs. Hoey, McCullough, Steen, Williams—4.

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

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

Communications: One about SB 482 and HB 294, replying to other letters concerning these bills.

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

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

Dover, April 29, 1955

To The Senate, 118th General Assembly
State of Delaware

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

April 27, 1955, Senate Concurrent Resolution No. 6—Appropriating Money to Reimburse John N. McDowell, Secretary of the State, for Certain Monies Expended for Certain Telephone Services Paid Out, Needed, Furnished to and Used by the Senate and House of Representatives of the 118th General Assembly.

April 27, 1955, Senate Concurrent Resolution No. 9—That the Two Houses Meet in Joint Session to Hear the Message of the Governor of the "Boys' State".

April 27, 1955, Senate Bill No. 192—An Act to Amend the Charter of the City of Seaford by Requiring that All City Employees "Be Bonded" Rather Than "Give Bond".

April 27, 1955, Senate Bill No. 145—An Act to Amend Chapter 282 of Volume 21 of the Laws of Delaware Relating to the Town of Leipsic by Providing for an Increase in the Limit of Taxation.

April 27, 1955, Senate Bill No. 103—An Act to Amend Chapter 3, Title 9, Section 249 of the Delaware Code by Increasing the Amount Paid by the Levy Courts of the Several Counties to Each Fire Company for Ambulance Service.

April 27, 1955, Senate Bill No. 8 with H. A. No. 1—An Act Appropriating Funds to the State Board of Education for the Current Fiscal Year on Account of an Unanticipated Increase in the School Population.

April 27, 1955, House Bill No. 235—An Act to Amend Chapter 59, Title 11, Delaware Code, Relating to Justices of the Peace, by Requiring Notice of the Right to be Tried in the Court of Common Pleas in Sussex County as Well as New Castle and Kent Counties.

April 27, 1955, House Bill No. 174—An Act Amending Chapter 83, Title 11, Delaware Code, Relating to Eligibility for State Police Pensions by Providing for a Minimum Monthly Payment.

Respectfully, submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Behen, SB 353 was reconsidered and restored to the calendar.

The Chief Clerk of the House informed the Senate that the House had concurred in SB 85, which was vetoed by the Governor, and SCR 10.

On motion of Mr. Wilgus, SB 184—"An Act to Amend Part III, Title 6, Delaware Code, Entitled, "Weights, Measures and Standards" by Repealing Most of the Present Provisions and Substituting New Administrative and Substantive Provisions, Defining Certain Crimes and Appropriating Funds," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

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

NAYS—None.

ABSENT—Messrs. McCullough and Pryor—2.

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

On motion of Mr. Hoey, SB 414—"An Act to Amend Chapter 65, Title 29 of the Delaware Code Relating to Expenditures by State Agencies in Excess of Appropriations," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Mr. McCullough—1.

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

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

On motion of Mr. Behen, **SB 353** with **SA 1** was deferred.

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

Senate met at expiration of recess at 3:43 P. M.

On motion of Mr. Moore, **SB 427**—"An Act Authorizing and Directing the State Highway Department to Install and Maintain a Stop or Caution Light in the Town of Hartly," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Covey, Harrison, Hoey, Johnson, Lammot, Pryor, Reilly, Wilgus, Mr. President Pro Tem—11.

NAYS—Messrs. Melson, Steen, Williams—3.

ABSENT—Messrs. Camper, McCullough, Paradee—3.

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

On motion of Mr. Pryor, **HB 296**—"An Act to Amend Chapter 1, Title 23, Delaware Code, Relating to Pilotage Rates, by Increasing the Rates for the Pilotage of Vessels," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Moore, Mr. Fred M. Campbell was granted the privilege of the floor.

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

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

NAYS—None.

ABSENT—Mr. McCullough—1.

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

On motion of Mr. Pryor, **HB 307**—"An Act to Amend Chapter 1, Title 23, Delaware Code, Relating to Pilots by Providing for an Increase in the Draught of a Ship to be Piloted by a Third Class Pilot," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Pryor, Mr. Fred M. Campbell was granted the privilege of the floor.

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

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

NAYS—None.

ABSENT—Messrs. McCullough and Steen.

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

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

HS 1 for **HB 228** with **HA 1**—"An Act to Amend Chapter 7, Title 7, Delaware Code, Relating to Regulations and Prohibitions Concerning Game and Fish, by Prohibiting the Use or Possession of Certain Sizes of Shot at Certain Times," to Fish, Oysters and Game.

HB 369 with **HA 1**—"An Act to Amend Chapter 1, Title 15 of the Delaware Code Relating to the Department of Elections for Sussex County," to Elections.

HB 381—"An Act to Amend Chapter 26, Title 9, Delaware Code, and Entitled "Zoning", by Changing the Provisions Thereof Affecting Changes in Zoning District, Plan or Regulations; Procedure," to Municipal Corporations.

HB 441—"An Act to Amend Chapter 5, Title 7, Delaware Code, Relative to Non-Resident Hunting and Trapping License Fees," to Fish, Oysters and Game.

HB 478—"An Act to Amend Chapter 47 Title 10, Delaware Code, in Relation to the Lien of Judgments," to Judiciary.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 237**, 5 on merits, **SB 238**, 5 on merits, **SB 363**, 5 on merits, by Finance; **HB 417**, 3 favorably, 2 on merits, **HB 418**, 3 favorably, 2 on merits, by Temperance.

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

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

Dover, May 2, 1955

To the Senate of the State of Delaware:

On April 20, 1955, I received Senate Bill No. 63, entitled:
AN ACT TO AMEND CHAPTER 55, TITLE 16 OF
THE DELAWARE CODE, BY AUTHORIZING
THE DELAWARE COMMISSION FOR THE
FEEBLEMINDED TO SELL EXCESS FARM
PRODUCE AND LIVE STOCK; DEPOSIT THE
FUNDS SO DERIVED IN A SPECIAL FUND AND
PERMITTING EXPENDITURES TO BE MADE
FROM SAID SPECIAL FUND FOR THE USE OF
THE COMMISSION IN CONNECTION WITH THE
OPERATION OF THE HOME FOR THE FEEBLE-
MINDED.

I respectfully return herewith this bill without my approval.

This legislation provides too great a delegation of authority to a state agency.

The use of special fund accounts should be made only in unusual and particularly justifying circumstances with adequate and appropriate limitations. Otherwise, the elected legislative officials of the state would be relinquishing an important responsibility and duty in regard to appropriations. The language of this bill is too broad and all-inclusive.

The legislative appropriation intent could be exceeded and/or circumvented. This would not be good government, good business or good administration—no matter how desirable the objective might be.

I believe a review of this problem will show a more appropriate procedure for the sale and disposal of anything in excess of the proper needs of the institution.

Respectfully, submitted,

J. CALEB BOGGS, Governor

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

Senate met at expiration of recess at 3:36 P. M.

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 71**—"Making an Appropriation for Telephone Service Charges and Toll Calls in Connection With the Work of the Senate of the 118th General Assembly of the State of Delaware."

BE IT RESOLVED, by the Senate, that the amount of One Hundred Sixty-five Dollars (\$165.00) is hereby appropriated, to pay for telephone service charges, and toll calls in connection with the work of the Senate of the 118th Session of the General Assembly of the State of Delaware, which con-

vened January 4, A. D., 1955, and that the State Treasurer be, and he is hereby authorized and directed to pay to the Diamond State Telephone Company the sum of One Hundred Sixty-five Dollars (\$165.00) for telephone service charges according to the invoice No. 37155, dated May 1, 1955.

On motion of Mr. Moore, SB 261—"An Act to Appropriate Funds to the Board of Game and Fish Commissioners for the Purpose of Operating and Maintaining the Newly Acquired Youth Center at Petersburg and to Provide for Personnel, Programing and Public Education," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Moore, Austin Smith was granted the privilege of the floor.

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

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

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

NAYS—None.

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

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

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

76TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Tuesday, May 3, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

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

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

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

Messrs. Covey and Johnson asked to be marked present.

On motion of Mr. Camper, the resignation of James Simpson was read to the Senate and accepted.

April 29, 1955

The Senate of the 118th General Assembly, State of Delaware
Dover, Delaware

Gentlemen:

I hereby submit my resignation from the office of Page of the Senate of the 118th General Assembly of the State of Delaware, effective immediately.

Respectfully submitted,

JAMES W. SIMPSON

Mr. Camper introduced the following resolution, which on further motion by him was adopted: **SR 72**—"In Reference to Acceptance of a Resignation of an Officer of the Senate and the Election of His Replacement."

BE IT RESOLVED by the Senate of the 118th General Assembly of the State of Delaware that the resignation of James Simpson dated April 29th, 1955 from the office of Page to which he was previously elected is hereby accepted and Millard Cooper is hereby elected to that office in his place beginning May 2, 1955, to serve during the pleasure of the Senate.

The President Pro Tem administered the oath of office to J. Millard Cooper.

ILLUSTRATION OF EMPLOYEE'S OATH

The State of Delaware, County of Kent, ss.

I, J. Millard Cooper, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Page for the Senate in the General Assembly of the State, according to the best of my ability.

J. MILLARD COOPER

Sworn and subscribed to this 3rd day of May, A. D. 1955.

CHAS. G. MOORE

President Pro Tem of the Senate

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 397**, 4 on merits, **SB 398**, 4 on merits, **SB 399**, 4 on merits, by Executive; **SB 391**, 3 favorably, 2 on merits, **HB 214**, 2 favorably, 3 on merits, by Judiciary; **SB 309**, 2 favorably, 3 on merits, by Claims; **HB 98**, 3 favorably, 1 on merits, **HB 477** with **HA 1**, 3 favorably, 1 on merits, by Municipal Corporations.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 182**, **SB 213**, and that the House had passed and requested the concurrence of the Senate in the following bills: **SB 173** with **HA 1**, **HB 104**, **HB 168** with **HA 1**, **HB 187**, **HB 208**, **HB 209** with **HA 1**, **HB 211**, **HB 212**, **HB 303**, **HB 315**, **HB 342**, **HB 343**.

On motion of Mr. Reilly, **SB 422**—"An Act to Amend Chapter 23, Title 31 of the Delaware Code Relating to the Definition of a Blind Person," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Mr. McCullough—1.

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

On motion of Mr. Reilly, **SB 423**—"An Act Appropriating Money to the Delaware Commission for the Blind for Direct Payments to the Needy Blind of the State of Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Mr. McCullough—1.

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

On motion of Mr. Reilly, **SB 440**—"An Act Appropriating Money to the Delaware Commission for the Blind for the Education of Blind Children," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Mr. McCullough—1.

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

On motion of Mr. Steen, **SB 173** with **HA 1**—"An Act Appropriating Money to the Gumboro Volunteer Fire Company at Gumboro, Delaware," was taken up for consideration and read in order to pass the Senate as amended.

The Chair presented **HA 1**, which was read and on motion of Mr. Steen, was lost.

The President announced he was about to sign: **HB 37, HB 38, HB 22, HB 181 with HA 1, HCR 23.**

Mr. Reilly, on point of personal privilege, rose and paid tribute to Minority Leader Johnson.

On motion of Mr. Hoey, **SB 248**—"An Act to Amend Chapter 5, Title 4 of the Delaware Code Relating to License Fees for Sale of Alcoholic Liquors," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Paradee, Steen, Mr. President Pro Tem—8.

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

NOT VOTING—Messrs. Johnson, Lammot, Reilly—3.

ABSENT—Mr. McCullough—1.

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

Mr. Hoey asked to change his vote to yea from nay.

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

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

Dover, May 2, 1955

To The Senate, 118th General Assembly
State of Delaware

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

April 29, 1955, Senate Concurrent Resolution No. 8—Recognition of the Eastern Orthodox Church as a Major Faith in Delaware.

April 29, 1955, Senate Bill No. 101—An Act to Amend Chapter 19, Title 9, Section 1902 of the Delaware Code by Increasing the Amount Paid by the Levy Court of New Castle County to Certain Fire Companies.

April 29, 1955, Senate Bill No. 111 with S. A. No. 1—An Act Authorizing the Levy Court of Kent County to Borrow on the Credit of the County a Sum of Money Not Exceeding Three Hundred and Seventy-Five Thousand Dollars to be Expended for Acquiring Additional Lands to be Used for the Purpose of Building an Addition or Additions to the Kent County Court House, and for Making Such Alterations and Repairs to the Existing Court House as the Levy Court Shall Deem Necessary and Expedient.

April 29, 1955, Senate Bill No. 203 with S. A. No. 1—An Act to Amend Chapter 55, Title 29, of the Delaware Code Relating to Disability Pensions.

April 29, 1955, Senate Bill No. 272—An Act to Amend and Revise Chapter 19, Title 24, Delaware Code, by Clarifying and Defining the Power of Examiners of Graduate Nurses as Therein Established and by Providing for the Supervised Training and Licensing of Practical Nurses on a Voluntary Basis.

Respectfully submitted,

J. CALEB BOGGS

Mr. Williams presented a communication concerning and opposing Dog Racing.

On motion of Mr. Hoey, **SB 317**—"An Act to Amend Chapter 17, Title 11 of the Delaware Code Relating to Bonds and Recognizances," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Mr. McCullough—1.

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

The following substitute bill with title the same as the original bill, was introduced, given first and second readings by title only and referred to committee.

SS 1 for SB 96—"An Act to Amend Chapter 13, Title 14, of the Delaware Code by Increasing the Uniform State Supported Salary Schedule for Superintendents, Principals, Teachers, Nurses, Secretaries, Clerks, and Custodial Personnel of the Various Districts of the State, and by Making Additional Appropriations Therefore," by Lammot and Reilly; to Finance.

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

Senate met at expiration of recess at 4:05 P. M.

The President announced he was about to sign: **SCR 10**, **SB 14** with **HA 1**, **SB 255** with **SA 1**, **SB 246**, **SB 218**, **SB 213**, **SB 182**.

On motion of Mr. Lammot, the Senate adjourned until Wednesday, May 4, 1955, at 2.00 P. M.

77TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Wednesday, May 4, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present — Messrs. Harrison, Hoey, Johnson, Lammot, Melson, Paradee, Pryor, Reilly, Steen, Mr. President Pro Tem—10.

Members absent—Messrs. Behen, Butler, Camper, Covey, McCullough, Wilgus, Williams—7.

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

Messrs. McCullough and Williams asked to be marked present.

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

HB 104—"An Act to Amend Title 19, Delaware Code, Relating to Unemployment Compensation by Increasing the Maximum Weekly Benefit Amount and Maximum Benefit Eligibility, by Increasing the Tax Base and Reducing the Minimum Tax Rate," to Finance.

HB 168 with HA 1—"An Act Appropriating Money to the Farmington Volunteer Fire Company, at Farmington," to Finance.

HB 187—"An Act Appropriating Money to the Belvidere Volunteer Fire Company, at Belvidere," to Finance.

HB 208—"An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Permitting the Sale of Water Outside of the City Limits," to Municipal Corporations.

HB 209 with HA 1—"An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Providing for the Vacation of City Streets," to Municipal Corporations.

HB 211—"An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefore" by Changing the Qualifications for Mayor and Councilmen and by Changing the Provisions for Nominating Petitions," to Municipal Corporations.

HB 303—"An Act Amending Chapter 152, Volume 48, Laws of Delaware, Being An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the City of Newark' and Establishing a Charter Therefor" by Amending the Borrowing Power of the City for Current Expenses," to Municipal Corporations.

HB 315—"An Act to Amend Chapter 5, Title 19, Delaware Code, Entitled "Child Labor", Omitting Obsolete Provisions and Changing Substantive and Administrative Provisions of the Chapter," to Labor.

HB 343—"An Act to Amend Chapter 1, Title 19, Delaware Code, Relating to the Labor Commission of Delaware by Increasing the Salary of the State Child Labor Inspector," to Labor.

HB 342—"An Act to Amend Chapter 1, Title 19, Delaware Code, Relating to Labor Commission of Delaware by Increasing the Salary of the Labor Inspector," to Labor.

On motion of Mr. Lammot, **SS 1** for **SB 96** with **SA 1** and **SA 2** was recalled.

Requests that the following be recommitted were granted to members as follows: **SB 23**, **SB 52**, **SB 105**, **SB 116**, **SB 201**, **SB 451**, by McCullough; **SB 445**, by Steen.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 197**, **SB 405**, and that the House had passed and requested the concurrence of the Senate in the following bill, which was presented by the Chair, given first and second readings by title only, and referred to committee as follows:

HB 444—"An Act to Amend Chapter 21 Title 16, Delaware Code, Relating to Mattresses, Pillows and Bedding," to Revised Statutes.

On motion of Mr. Williams, **SB 271**—"An Act Appropriating Funds to the Trustees of the Absalom Jones School, District 106, for the Current Fiscal Year on Account of Unanticipated Expenses for Fuel, Electric and Miscellaneous Expenses," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS — Messrs. Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—12.

NAYS—None.

ABSENT — Messrs. Behen, Butler, Camper, Covey, Wilgus—5.

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

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **HB 218**, 5 on merits, by Finance; **HB 369**, by Elections; **HB 104**, by Labor; **SB 424**, **HB 383**, by Banking and Insurance, **HB 554** with **HA 1**, 4 on merits, by Revised Statutes.

On motion of Mr. Williams, **SB 452**—"An Act to Appropriate Certain Funds to the Trustees of the Hockessin School District," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS — Messrs. Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—12.

NAYS—None.

ABSENT — Messrs. Behen, Butler, Camper, Covey, Wilgus—5.

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

On motion of Mr. Pryor, **HB 554** with **HA 1**—"An Act to Amend Chapter 61, Title 9, Delaware Code, Relating to the Borrowing Power of the Levy Court of Sussex County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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. Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—12.

NAYS—None.

ABSENT — Messrs. Behen, Butler, Camper, Covey,

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

On motion of Mr. Melson, **SB 397**—"An Act to Amend Section 508, Title 22, Delaware Code, Relating to Parking Authorities," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows: Wilgus—5.

YEAS — Messrs. Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—12.

NAYS—None.

ABSENT — Messrs. Behen, Butler, Camper, Covey, Wilgus—5.

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

On motion of Mr. Melson, SB 398—"An Act to Amend Section 504, Title 22, Delaware Code, Relating to Parking Authorities," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS — Messrs. Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—12.

NAYS—None.

ABSENT — Messrs. Behen, Butler, Camper, Covey, Wilgus—5.

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

On motion of Mr. Melson, SB 399—"An Act to Amend Section 504, Title 22, Delaware Code, Relating to Parking Authorities," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS — Messrs. Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—12.

NAYS—None.

ABSENT — Messrs. Behen, Butler, Camper, Covey, Wilgus—5.

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

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

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

Mr. McCullough, being granted the privilege of the floor, made certain remarks concerning SS 1 for SB 96 with SA 1 and SA 2.

The Chair made the following announcement:

Complying with House Concurrent Resolution No. 17, I appoint Senators Camper, Reilly and Covey to serve on a special committee to study the critical highway fatality situation.

On motion of Mr. Lammot, the Senate adjourned until Thursday, May 5, 1955, at 2:00 P. M.

78TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Thursday, May 5, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Butler, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus—13.

Members absent—Messrs. Behen, Camper, Williams, Mr. President Pro Tem—4.

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

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

On motion of Mr. Lammot, SB 309—"An Act Authorizing and Directing the Board of Game and Fish Commissioners to Pay the Sum of \$418.90 to Arthur S. Hanby and Louise B. Hanby," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Lammot, Samuel Russell was granted the privilege of the floor.

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

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

NAYS—None.

NOT VOTING—Mr. Covey—1.

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

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

Communications: One by Mr. Steen about the accumulation of produce at Delaware Colony that can't legally be sold.

On motion of Mr. Hoey, SB 316—"An Act Transferring and Conveying All of the Right, Title and Interest of the State of Delaware in and to Certain Lands Located in the City of Milford, Kent County and State of Delaware, to the Church of God, a Religious Corporation of the State of Delaware, Therein Described," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Mr. President Pro Tem—1.

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

On motion of Mr. Reilly, SB 382—"An Act to Amend Chapter 27, Title 31 of the Delaware Code Relating to the Commission on Children and Youth With Regard to Office

Space, Help and Expenses; Appropriating Money Therefore," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

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

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

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

SB 492—"An Act to Appropriate Money to the State Board of Health for the Purpose of Purchasing Polit Vaccine and Supplies and Administering Polio Vaccine to the Children of This State," by Hoey; to Finance.

On motion of Mr. Harrison, SB 391—"An Act to Amend Chapter 7, Title 4, Delaware Code, Relating to Alcoholic Liquors," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

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

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

On motion of Mr. Lammot, SB 465—"An Act Authorizing and Directing the Department of Public Welfare to Sell the Property Located at 905-907 West Street in Wilmington, Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Johnson, McCullough, Mr. President Pro Tem—3.

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

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 492, HB 111, HB 143**, 1 favorably, 4 on merits, by Finance; **HB 319**, by Labor; **HB 112**, 4 favorably, 1 on merits, by Miscellaneous; **HB 206** with **HA 1**, 2 favorably, 2 on merits, **HB 207**, 3 favorably, 1 on merits, **HB 307**, 3 favorably, 1 on merits; **HB 309**, 3 favorably, 1 on merits, **HB 324**, 3 favorably, 1 on merits, **HB 360**, 3 favorably, 1 on merits, **HB 381**, 3 favorably, 1 on merits, **HB 395**, 3 favorably, 1 on merits, **HB 416**, by Municipal Corporations; **HB 54**, 5 on merits, by Executive; **HB 325, HB 326**, by Miscellaneous; **HB 255**, by Fish, Oysters and Game.

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

Senate met at expiration of recess at 4:00 P. M.

On motion of Mr. Reilly, **HB 104**—"An Act to Amend Title 19, Delaware Code, Relating to Unemployment Compensation by Increasing the Maximum Weekly Benefit Amount and Maximum Benefit Eligibility, by Increasing the Tax Base and Reducing the Minimum Tax Rate," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Reilly, **HB 104** was deferred.

The President announced he was about to sign: **HB 296, HB 307, HB 554** with **HA 1**.

On motion of Mr. Hoey, Senate Rule 22 was suspended for remainder of the day.

On motion of Mr. Hoey, **SB 492**—"An Act to Appropriate Money to the State Board of Health for the Purpose of Purchasing Polio Vaccine and Supplies and Administering Polio Vaccine to the Children of This State," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—17.

NAYS—None.

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

On motion of Mr. McCullough, **SB 22** with **SA 1**—"An Act to Amend Title 14, of the Delaware Code, Relating to "Education" by Providing for the Issuance of a Professional Status Certificate for Teachers and for Regulations Concerning Certificate Renewal," which had been returned to the Senate by the Governor without his approval together with his objections, was reconsidered in order to pass the Senate, the objections of the Governor notwithstanding.

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

In reply to the Governor's message explaining his veto of Senate Bill No. 22 as amended by Senate Amendment No. 1, I desire at this time to make the following comment:

Senate Bill No. 22 provides for the first time in many years a "Professional Status" certificate for teachers in Delaware which clearly establishes the professional status of teachers. This bill would wipe out the arbitrary requirement of the State Board of Education that teachers, regardless of their training or experience, must in effect keep going back to school. The idea is not new and has for many years been in effect in at least our neighboring states of Pennsylvania, New Jersey, Connecticut, and the District of Columbia.

We believe that the teaching profession is well aware of its obligation to keep up with current educational practices and that teachers will do so without the necessity for a whip or cudgel.

I fail to see how the requirement for continued courses of study which may or may not be of the most useless and inane subject matter if the teacher should so prefer can in any way determine professional competence. It would seem to me that competence and academic training are in no way synonymous.

The Governor's prime objection seems to be based upon his concern for continuing professional competence of teachers and in this light his veto was in my opinion a mistake. Competence, I repeat, cannot and should not be measured in terms of credit hours of academic training.

It is noteworthy at this point to call attention to the fact that no state-wide teacher's organization has raised any objection to this bill.

I, therefore, strongly urge the passage of this bill over the Governor's veto and so move you, Mr. President, at this time.

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

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

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

NAYS—Messrs. Melson, Wilgus, Williams—3.

NOT VOTING—Mr. Johnson—1.

ABSENT—Mr. Covey—1.

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

On motion of Mr. Behen, SB 102—"An Act to Amend Chapter 45, Title 7 of the Delaware Code by Requiring Public Notice and Public Sale of Public Lands," which had been re-

turned to the Senate by the Governor without his approval together with his objections, was reconsidered in order to pass the Senate, the objections of the Governor notwithstanding.

Mr. Behen made the following state and requested that it be filed with the Journal:

It is not the desire or purpose of this bill to unduly handicap The State Highway Department in its activity, but rather to insure to the citizens of this State that the State will receive as near true value for its land as it is possible to get. Since this bill only governs sales it would in no way affect any trades, thus the Governor's first objection would present no problem.

As for any suggestion that certain small strips of land are of negligible value what better determination of value could there be than a public sale. There is no need for a separate sale for each parcel, a group of parcels could be sold on the same day, thus minimizing expense.

As for any suggestion that adjoining land owners who sold to the highway at a nominal price would be unduly penalized on repurchase, the highway would certainly have increased the value of the land and further what objection could there be to the highway department's purchase of the land with a reverter right or first option right, with such a provision and many similar possibilities it would seem that the possibility of fraud or mistake would be minimized and that this is indeed good and beneficial legislation.

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

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

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

NAYS—Messrs. Johnson, Wilgus, Williams—3.

ABSENT—Mr. Covey—1.

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

On motion of Mr. Pryor, **HB 183**—"An Act Amending Chapter 33, Title 19, Delaware Code, Relating to Payment of Employer's Contributions Under Unemployment Compensation Law; Limitation of Actions," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—17.

NAYS—None.

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

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

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

On motion of Mr. Behen, SB 483 with SA 1 was deferred.

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

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

Dover, May 5, 1955

To The Senate of The State of Delaware:

On April 27, 1955, I received Senate Bill No. 191, entitled:
**AN ACT TO AMEND CHAPTER 27, TITLE 18 OF
THE DELAWARE CODE RELATIVE TO THE
RATE OF SPECIAL TAX ON GROSS PREMIUMS
OF FIRE INSURANCE COMPANIES FOR THE
PURPOSE OF ASSISTING IN MAINTAINING
FIRE COMPANIES.**

I respectfully return this Bill without my approval.

Although this Bill has a laudable objective in assisting fire companies, I cannot consider the merits of the Bill because it is apparent from the face of it that it fails to comply with Constitutional requirements.

The Bill is a revenue measure in that it increases the special tax on gross premiums of fire insurance companies from two per cent to three and one-half per cent. Section 2, Article VIII of the Constitution of the State of Delaware requires that all bills for raising revenue shall originate in the House of Representatives. This Bill originated in the Senate.

Another serious Constitutional issue is raised by the fact that the funds raised under the Bill are appropriated by operation of law to the City of Wilmington and to the Levy Courts of the various counties for the sole purpose of assisting in maintaining fire companies or departments in such counties. Section 4, Article VIII of our Constitution provides that no appropriation of public money shall be made to any county, municipality or corporation otherwise than pursuant to an act of the General Assembly passed with the concur-

rence of three-fourths of all the members elected to each House. This Bill did not receive the votes of three-fourths of the members elected to the Senate.

Respectfully submitted,

J. CALEB BOGGS, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, May 5, 1955

To The Senate of The State of Delaware:

On April 27, 1955, I received Senate Bill No. 164, entitled:
AN ACT TO AMEND CHAPTER 119, VOLUME 28,
LAWS OF DELAWARE ENTITLED "AN ACT
PROVIDING FOR THE COLLECTION OF TAXES
FOR THE CITY OF WILMINGTON BY INCREAS-
ING THE SALARY OF THE COLLECTORS OF
TAXES FOR THE CITY OF WILMINGTON AND
PROVIDING A SALARY FOR THE CLERKS IN
THE OFFICE OF THE SAID COLLECTORS."

I respectfully return this Bill without my approval.

While I have no objection to the salary increases provided by this Bill, nevertheless, I am constrained to preserve the right of the City of Wilmington, or any other city in the State of Delaware, to determine its own local affairs insofar as it has authority to do so.

This Bill would raise the salaries of certain officials and clerks of the City of Wilmington. The City of Wilmington has complete authority and right to determine this matter.

Both political platforms have advocated home rule for municipalities. Such legislation as this Bill provides would be a usurpation by the State of local authority and in conflict with the home rule philosophy.

I have every confidence that any city in the State of Delaware would prefer to regulate the salaries of its employees without having the legislature or the State of Delaware get into its local affairs and assume this responsibility.

Respectfully submitted,

J. CALEB BOGGS, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, May 5, 1955

To The Senate of The State of Delaware:

On April 27, 1955, I received Senate Bill No. 155, entitled:
AN ACT TO AMEND CHAPTER 96, TITLE 9 OF
THE DELAWARE CODE RELATING TO THE RE-
CORDATION OF INSTRUMENTS IN KENT AND
SUSSEX COUNTIES.

I respectfully return this Bill without my approval.

This Bill would abolish the present improved and modern method of recording legal papers in the Kent County Recorder of Deeds office. The present method is used in both Kent and Sussex Counties, and, I am informed, desired in New Castle County. It is known as the photo-copying method. It is successfully used in many counties in other states and is considered to be a superior method of recording such instruments because it provides accuracy, permanency, speed and economy.

To abolish this modern improved method would, indeed, be a backward step. The trend in business and government is to utilize modern equipment and methods which are more efficient and more economical.

In considering this particular Bill, I invited an expert in this field to come to Dover and review this operation. As a result of his studies, I am advised that the system is working well and as time goes on adjustment to it will be completely satisfactory.

Respectfully submitted,

J. CALEB BOGGS, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, May 5, 1955

To The Senate of The State of Delaware:

On April 27, 1955, I received Senate Bill No. 121, entitled:
**AN ACT AUTHORIZING AND DIRECTING THE
LEVY COURT OF NEW CASTLE COUNTY TO
APPOINT AND STATION A CROSSING GUARD
AT LAMBSON'S LANE AND NEW CASTLE AVENUE
IN NEW CASTLE HUNDRED.**

I respectfully return this Bill without my approval.

It is recognized that a crossing guard would be desirable at Lambson's Lane and New Castle Avenue as provided for by this Bill. There are many other intersections in the State of Delaware where such protection would also be desirable. It is clear, however, that this is a matter which requires some sort of uniform administration and supervision. If it is the desire of the General Assembly that Levy Courts take over this problem, general legislation on this subject might be appropriate. To single out this particular intersection for such protection is to favor one area over all others.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. McCullough, **HB 47**—"An Act to Amend Chapter 33, Title 14, Delaware Code, Entitled "Vocational Rehabilitation and Education" to Clarify the Duties of the State Board of Vocational Education and to Facilitate Federal Aid," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Mr. Steen—1.

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

On motion of Mr. McCullough, **HB 121**—"An Act Amending Chapter 7 and Chapter 13, Title 14, Delaware Code, by Providing an Optional Ten or Twelve Month Salary Payment Plan for Teachers Employed on Ten Month Contract," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Mr. Steen—1.

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

On motion of Mr. Lammot, **SB 96** with **SA 1** and **SA 2**—"An Act to Amend Chapter 13, Title 14, of the Delaware Code by Increasing the Uniform State Supported Salary Schedule for Superintendents, Principals, Teachers, Nurses, Secretaries, Clerks, and Custodial Personnel of the Various Districts of the State, and by Making Additional Appropriations Therefore," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Lammot, **SS 1** for **SB 96** with **SA 1** and **SA 2** was adopted in lieu of the original.

Mr. McCullough introduced **SA 1** to **SS 1** for **SB 96** with **SA 1** and **SA 2**, which was read and on his further motion adopted.

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

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

NAYS—None.

NOT VOTING—Mr. Pryor—1.

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

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following resolution: **HCR 26**.

The Chair presented **HCR 26**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Bill Increasing the Rate of a Special Tax on Gross Premiums of Fire Insurance Companies for the Purpose of Assisting in Maintaining Fire Companies," which was read to the Senate, and on motion by Mr. Lamot **HCR 26** was adopted and returned to the House.

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

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

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, May 5, 1955

To The Senate, 118th General Assembly
State of Delaware

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

May 5, 1955, House Concurrent Resolution No. 22—Appropriation for Postage Stamps and Other Supplies for the 118th General Assembly.

May 5, 1955, House Concurrent Resolution No. 23—To Express the Gratitude of the Citizens of the State of Delaware to Dr. Salk for His Successful Research Combating Poliomyelitis.

May 5, 1955, House Bill No. 181 with H. A. No. 1—An Act to Amend Chapter 3, Title 19, Delaware Code, by Repealing Certain Provisions Concerning Hours During Which Females Can Work.

May 5, 1955, House Bill No. 299 with H. A. No. 1—An Act to Amend Chapter 23, Title 19 of the Delaware Code Relating to Review of Agreements or Awards by the Industrial Accident Board.

May 5, 1955, Senate Concurrent Resolution No. 10—Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Bill Appropriating Money to the State Board of Health for the Purchase and Administration of Polio Vaccine.

May 5, 1955, Senate Bill No. 14 with H. A. No. 1—An Act to Amend Chapters 1, 3 and 5 of Title 10 of the Delaware Code, Relating to the Supreme Court, Court of Chancery and Superior Court.

May 5, 1955, Senate Bill No. 69—An Act Appropriating Money to the State Soil Conservation Commission for the Drainage of Tax Ditches in New Castle County.

May 5, 1955, Senate Bill No. 118 with H. A. No. 1—An Act Appropriating Money to the State Soil Conservation Commission for the Drainage of Tax Ditches in Sussex County.

May 5, 1955, Senate Bill No. 166—An Act to Amend Chapter 1, Title 27 of the Delaware Code Relating to Religious Societies and Corporations.

May 5, 1955, Senate Bill No. 188—An Act Appropriating Funds to the Judges of the Superior Court Residing in Sussex County for the Maintenance and Operation of the Sussex County Law Library.

May 5, 1955, Senate Bill No. 189—An Act to Amend Chapter 19, of Title 10, of the Delaware Code Relating to the Law Libraries.

May 5, 1955, Senate Bill No. 190—An Act Appropriating Funds to the Judges of the Superior Court and Court of Chancery Residing in New Castle County for the Maintenance and Operation of the New Castle County Law Library.

May 5, 1955, Senate Bill No. 213—An Act to Amend Chapter 196, Volume 22, Part One, Laws of Delaware, Being An Act Establishing a Board of Public Works for the Town of Lewes and Defining Its Power, by Granting to the Said Board the Authority to Make Certain Additions and Improvements to the Electric Light Plant and Distribution System and to the Water Pumping and Distribution Facilities, on Credit, Including the Right to Buy on Contracts of Conditional Sale, Pledging the Revenues from Those Two Utilities for the Payment of the Cost Thereof.

May 5, 1955, Senate Bill No. 218—An Act Appropriating Funds to the Trustees of the Millsboro School No. 204 for the Current Fiscal Year on Account of Unanticipated Expenses as a Result of a New Addition to Millsboro School No. 204.

May 5, 1955, Senate Bill No. 246—An Act Authorizing the Levy Court of New Castle County to Appropriate County Moneys to the Middletown Volunteer Hose Co. for the Maintenance of a Rescue Squad.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Lammot, the Senate adjourned until Friday, May 6, 1955, at 2:00 P. M.

79TH LEGISLATIVE DAY

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

Prayer by the Chaplain, Rev. Van Cleaf.

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

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

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

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

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 194, SB 256, SB 420, SB 257, SB 277, SB 303**, and that the House had passed and requested the concurrence of the Senate in the following bills, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

HB 103 with HA 1—"An Act to Appropriate Moneys to Certain Hospitals in the State of Delaware," to Finance.

HB 252—"An Act to Amend Chapter 51, Title 16, Delaware Code, by Making Provisions for the Care of Mentally Ill Persons in State Institutions Applicable to Commitment, Transfer, Care and Release of Persons Entitled to Such Services in Hospitals of the Veterans Administration," to Public Health.

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

HB 362—"An Act to Amend Chapter 5, Title 29, of the Delaware Code, by Providing for the Designation of the Official Flag of the State of Delaware," to Miscellaneous.

HB 378—"An Act to Amend Chapter 5, Title 29 of the Delaware Code by Providing for the Designation of the Official Flower of the State of Delaware," to Miscellaneous.

HB 379—"An Act to Amend Chapter 5, Title 29 of the Delaware Code by Providing for the Designation of the Official Flag of the Governor of the State of Delaware," to Miscellaneous.

HB 583—"An Act to Amend Chapter 27, Title 29, Delaware Code, Relating to the State Treasurer by Providing Changes in the Bond Servicing Procedure," to Banking and Insurance.

HB 225 with HA 1, HA 2 and HA 3—"An Act to Change the Corporate Name of "The Commissioners of the Town of Bethany Beach" to the "Town of Bethany Beach" and to Establish a Revised Charter Therefor," to Executive.

HS 1 for HB 223—"An Act to Re-Incorporate the Town of Elsmere, New Castle County," to Municipal Corporations.

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

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

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

HB 397—"An Act to Amend Subchapter I, Title 24, Delaware Code, Entitled "State Board of Dental Examiners", by Increasing the Compensation of Members of the Board," to Public Health.

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

HB 414—"An Act to Amend Chapter 7, Title 4, Delaware Code, Relating to Alcoholic Liquors, by Further Defining Holidays," to Elections.

HB 415—"An Act to Amend Chapter 9, Title 4, Delaware Code, Entitled Criminal Offenses and Penalties by Increasing Offenses Relating to Minors," to Judiciary.

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

HB 390—"An Act to Amend Chapter 5, Title 7, Delaware Code, Relating to Hunting, Trapping, and Fishing Licenses, by Providing for a Non-Resident License for Hunting on Regulated Shooting Preserves," to Fish, Oysters and Game.

Requests that the following be stricken from the calendar were granted to members as follows: **SB 36, SB 38, SB 39, SB 289**, by Lammot; **SB 453, SB 279**, by Pryor; **SA 1 to SB 472**, by Lammot.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 306**, 4 favorably, 1 on merits, **SB 365**, 4 favorably, 1 on merits; **SB 413**, 3 favorably, 1 on merits, by Education; **HB 436**, by Banking and Insurance; **SB 236**, 3 favorably, 2 on merits, by Municipal Corporations; **SB 476**, 5 on merits, **SB 469**, 2 favorably, 3 on merits, by Judiciary; **SB 386**, 1 favorably, 4 on merits, by Finance; **HB 405**, 3 favorably, 2 on merits, by Elections.

On motion of Mr. Pryor, **HB 81**—"An Act Agreeing to the Proposed Amendment to Article Three of the Constitution of the State of Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Reilly, **HB 104**—"An Act to Amend Title 19, Delaware Code, Relating to Unemployment Compensation by Increasing the Maximum Weekly Benefit Amount and Maximum Benefit Eligibility, by Increasing the Tax Base and Reducing the Minimum Tax Rate," was reconsidered in order to pass the Senate.

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

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

NAYS—Mr. Steen—1.

NOT VOTING—Mr. Wilgus—1.

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

On motion of Mr. Hoey, **SB 237**—"An Act Providing for Repairs, Replacements and Additions to the Boardwalk in the City of Rehoboth Beach, in Sussex County, and Appropriating Money Therefore," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

NOT VOTING—Mr. Pryor—1.

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

On motion of Mr. Harrison, **SB 312**—"An Act to Amend Chapter 21, Title 12 of Delaware Code Relating to Order of Preference of Claims Against Estates," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Harrison, **SB 325**—"An Act to Amend Chapter 3, Title 10, Delaware Code, Relating to the General Jurisdiction and Powers of the Court of Chancery With Reference to Compelling Appearance of Non-Resident Defendants," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Lammot, **SB 356**—"An Act to Amend Title 5, Delaware Code, Relating to Building and Loan Associations," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

NOT VOTING—Mr. Hoey—1.

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

On motion of Mr. Hoey, **HB 218**—"An Act Making a Deficiency Appropriation to the Board of School Trustees of the William W. M. Henry Comprehensive School," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

NOT VOTING—Mr. Pryor—1.

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

On motion of Mr. Reilly, **SB 381**—"An Act to Amend Chapter 81, Title 10 of the Delaware Code Relating to Limitations of Actions for Personal Injuries," was taken up for

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

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

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

NAYS—Messrs. Covey and Wilgus—2.

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

On motion of Mr. Reilly, **HS 1** for **HB 361**—"An Act to Amend Chapter 27, Title 18 of the Delaware Code by Providing for a Special Tax on Certain Gross Premiums of Insurance Companies the Distribution Thereof and Requiring Certain Police Departments or Bureaus to Make Certain Registrations With the State Treasurer," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—Messrs. Covey, Hoey, Melson, Paradee, Steen, Wilgus—6.

NOT VOTING—Mr. Pryor—1.

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

On motion of Mr. Lammot, **SB 472**—"An Act to Amend Chapter 3, Title 17 of the Delaware Code Entitled "The Delaware Memorial Bridge" by Reorganizing and Reconstituting the Delaware Memorial Bridge Division of the State Highway Department as the Delaware Interstate Highway Division; by Authorizing Said Division to Issue Revenue Bonds to Finance the Construction and Reconstruction of Highways in the Interstate System, Bridge Approaches, By-Passes, for the Construction of Toll Crossings Over and Under the Delaware River, and for Refunding Purposes; and by Vesting in the Delaware Interstate Highway Division the Maintenance, Repair and Operation of the Delaware Memorial Bridge," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

On motion of Mr. Lammot, **SA 1** to **SB 472** was stricken.

On motion of Mr. Lammot, **SB 472** was deferred until May 10, 1955.

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

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

On motion of Mr. Behen, **HB 206** with **HA 1**—"An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Changing the Provisions for Paving of Sidewalks," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Mr. Covey—1.

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

On motion of Mr. Behen, **HB 207**—"An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Permitting the Assessor to Use the County Assessment List," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Mr. Covey—1.

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

On motion of Mr. Behen, **HB 308**—"An Act to Amend the Charter of the City of Seaford by Permitting the City Council to Post the Assessment List Within Sixty (60) Days After Receiving the Same from the Board of Assessment Rather Than Within Five (5) Days," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Behen, **HB 309**—"An Act to Amend the Charter of the City of Seaford by Deleting the Requirement That the Auditor's Report Must be Printed or Published or Posted at Least Ten Days Prior to the Annual Election," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Behen, **HB 324**—"An Act to Amend the Charter of the Town of Houston, Chapter 240, Volume 27, Laws of Delaware, With Respect to the Election of Commissioners and Meetings Thereof," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Behen, **HB 360**—"An Act to Amend the Charter of the Town of Houston, Chapter 240, Volume 27, Laws of Delaware, With Respect to Town Police," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Behen, **HB 381**—"An Act to Amend Chapter 26, Title 9, Delaware Code, and Entitled "Zoning", by Changing the Provisions Thereof Affecting Changes in Zoning District, Plan or Regulations; Procedure," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Behen, **HB 395**—"An Act to Amend Chapter 17, Title 9, Delaware Code, Relating to Employees Pension in New Castle County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Behen, **HB 416**—"An Act to Amend Chapter 277, Volume 49, Laws of Delaware, Being the Charter of the Town of Laurel, in Relation to Capitation Taxes," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Behen, **HB 477** with **HA 1**—"An Act to Amend An Act Entitled, "An Act Amending, Revising and Consolidating the Charter of the Town of Georgetown", Being Chapter 166, Volume 43, Laws of Delaware, as Amended, Relative to the Power of the Town Council of Georgetown to Borrow Money and Issue Bonds," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Lammot, SB 164—"An Act to Amend Chapter 119, Volume 28, Laws of Delaware Entitled "An Act Providing for the Collection of Taxes for the City of Wilmington by Increasing the Salary of the Collectors of Taxes for the City of Wilmington and Providing a Salary for the Clerks in the Office of the Said Collectors," which had been returned to the Senate by the Governor without his approval together with his objections, was reconsidered in order to pass the Senate, the objections of the Governor notwithstanding.

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

The Governor has seen fit to veto Senate Bill No. 164. In his statement of his reasons for this veto he first points out that he has no objection to the subject matter of the bill. He then proceeds to object solely upon the basis that the City of Wilmington has the power and authority to raise salaries if it should so choose.

What the Governor overlooks is the fact that a short time ago the City of Wilmington gave its various employees a salary increase, but when it came to the Collector's offices, gave them only a token increase. The differentiation in increase varied from an approximate \$50.00 per year raise to girls in the Collector's offices to as much as approximately \$900 per year in other offices.

Since these offices are in effect children of the legislature it now becomes our problem to prevent arbitrary and unjustified discrimination.

I, therefore, hereby move and urge this body that this bill be passed over the Governor's veto.

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

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

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

NAYS—Messrs. Covey, Johnson, Melson, Wilgus, Williams—5.

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

Mr. Pryor introduced the following concurrent resolution, which on further motion by him was adopted and sent to the House for concurrence: SCR 12—"In Reference to an Adjournment of the Senate and House of Representatives."

BE IT RESOLVED by the Senate of the 118th General Assembly (The House of Representatives concurring therein) that the Senate and the House of Representative shall each adjourn at the close of business on May 20, 1955 until June 6, 1955.

The Chair presented **HCR 24**—"Regarding a Joint Session to Obtain Information About the New Castle County Police Force and the State Police," which was read and on motion of Mr. Lammot adopted and returned to the House.

On motion of Mr. Hoey, **SB 365**—"An Act to Appropriate Certain Funds to the Bridgeville Special School District to Enable It to Purchase Certain Lands for Recreational Purposes," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Hoey, **SB 416**—"An Act to Amend Chapter 65, Title 29 of the Delaware Code by Requiring All Persons, Firms or Corporations Receiving Appropriations from the State to File a Financial Report," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

NOT VOTING—Mr. McCullough.

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

On motion of Mr. Lammot, the Senate adjourned until Monday, May 9, 1955, at 2:00 P. M.

80TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Monday, May 9, 1955, President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present — Messrs. Butler, Camper, Harrison, Johnson, Lammot, McCullough, Paradee, Reilly, Steen, Wilgus, Mr. President Pro Tem—11.

Members absent—Messrs. Behen, Covey, Hoey, Melson, Pryor, Williams—6.

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

Messrs. Behen, Melson, Pryor and Williams asked to be marked present.

On motion of Mr. Lammot, the Senate recessed to go into Joint Session with the House.

JOINT SESSION

The Sergeant-at-Arms announced the President Pro Tem and Members of Senate.

The President Pro Tem and Members of the Senate were admitted and seated by order of the Speaker of the House.

On motion of Mr. Maclary, the House and Senate went into Joint Session.

On motion of Mr. Maclary, the Speaker of the House of Representatives presided over the Joint Session.

On motion of Mr. Maclary, the Secretary of the Senate and the Chief Clerk of the House acted as clerks of the Joint Session.

On motion of Mr. Maclary, the privilege of the floor was granted to Superintendent of Police Harry S. Shew.

On motion of Mr. Maclary, Charles E. Klingmeyer was granted the privilege of the floor.

On motion of Mr. Macklin, the Joint Session was dissolved.

The President Pro Tem and Members of the Senate returned to their own chamber.

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

The President announced he was about to sign: **SB 420, SB 405, SB 303, SB 197, SB 194, SB 256, SB 257, SB 277.**

Mr. McCullough presented a communication concerning the acts of the present Senate for education.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 243, SB 274, SB 394**, and that the House had passed and requested the concurrence of the Senate in the following bills: **HB 365, HB 357.**

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

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

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

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

NAYS—None.

ABSENT—Messrs. Covey, Hoey, Wilgus—3.

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

On motion of Mr. Steen, **SB 306**—"An Act to Appropriate Certain Funds to the Selbyville School District to Enable It to Purchase Certain Lands Adjoining the Selbyville School Property," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Covey, Hoey, Wilgus—3.

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

On motion of Mr. McCullough, **SB 485**—"An Act to Amend Chapter 21, Title 14 of the Delaware Code Relating to Ballot Used in Special Elections to Authorize School Bonds," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Covey, Hoey, Wilgus—3.

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

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **HB 277**, **HB 320**, 2 favorably, 1 on merits, **SB 366**, by Revised Statutes.

On motion of Mr. Lammot, the Senate adjourned until Tuesday, May 10, 1955, at 2:00 P. M.

81ST LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Tuesday, May 10, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

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

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

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

Messrs. Melson, Pryor and Williams asked to be marked present.

Mr. Pryor presented the report on **SR 66**, which listed the attorney's fees paid by the various state agencies:

| Name of Agency | Amount Paid | Attorney |
|------------------------------|-------------------|---------------------------|
| Del. State Hospital | \$ 975.00 | Albert J. Stiffel |
| Public Service Comm. | 7,200.00 | Max Terry |
| | 6,000.00 | James J. Walsh |
| | 7,500.00 | Richard W. Case |
| | ————— \$20,700.00 | |
| Del. Comm. Shell | | |
| Fisheries | \$ 25.00 | Jack P. White |
| Unemployment Comp. | | |
| Comm. | 4,267.92 | Frank L. Speakman |
| Board of Game and | | |
| Fish Comm. | 237.50 | Wm. J. Storey |
| Industrial Accident Board | 2,000.00 | Russell J. Willard |
| Dept. of Elections, | | |
| Sussex Co. | 1,200.00 | Frederick P. Whitney |
| State High. Dept. | 1,000.00 | E. Ennals Berl |
| | 5,000.00 | Richards, Layton & Finger |
| | 6,000.00 | Richards, Layton & Finger |
| | 2,510.00 | Ralph S. Baker |
| | 11,503.00 | Donald W. Booker |
| | 21.00 | Benjamin N. Brown |
| | 4,620.00 | D. J. Layton, Sr. |
| | 480.00 | John P. LeFevre |
| | 7,181.00 | Frank O'Donnell |
| | 2,011.50 | Wm. J. Storey |
| | ————— \$40,326.50 | |
| Del. Liquor Comm. | \$ 3,600.00 | David P. Buckson |
| Dept. Public Instruction.... | \$ 83.20 | Tunnell & Tunnell |
| | 5.00 | Tunnell & Tunnell |
| | 50.00 | C. L. Harmonson |
| | ————— \$ 138.20 | |

| Name of Agency | Amount Paid | Attorney |
|------------------------------|-------------------|---|
| Claymont Special Dist. | | |
| Public School | \$ 480.00 | No Name |
| Georgetown Spec. | | |
| School Dist. | 25.00 | Daniel J. Layton |
| | 200.00 | Ralph S. Baker |
| | <hr/> \$ 225.00 | |
| Stanton School | \$ 763.24 | C. Edward Duffy |
| Felton School Dist. | | |
| 1951-1953 | 990.00 | Henry Ridgely |
| Dover Special School Dist. | 2,054.29 | Howard Lynch, Jr. |
| Frankford School | 5.00 | Tunnell & Tunnell |
| Millsboro School | 602.26 | Daniel J. Layton, Sr. |
| Newark Special School | | |
| District | 2,000.00 | J. Pearce Cann |
| | 678.25 | Reed, Hoyt, Taylor & Washburn |
| | <hr/> \$ 2,678.25 | |
| Caesar Rodney School | \$ 300.00 | Geo. M. Fisher |
| | 203.14 | Reed, Hoyt, Taylor & Washburn |
| | <hr/> \$ 503.14 | |
| Milton Consolidated | | |
| School | \$ 836.10 | John J. McNeilly |
| | 162.64 | Reed, Hoyt & Taylor |
| | <hr/> \$ 998.74 | |
| Rose Hill-Minqudale | | |
| School Dist. No. 47 | \$ 1,400.00 | John Merwin Bader |
| | 383.33 | Reed, Hoyt, Taylor & Washburn |
| | <hr/> \$ 1,783.33 | |
| Henry C. Conrad High | | |
| School | \$ 1,200.00 | Joseph A. L. Errigo |
| Seaford Special School | 1,464.60 | Houston Wilson |
| | 348.00 | Reed, Hoyt, Taylor & Washburn |
| | 306.35 | Houston Wilson |
| | <hr/> \$ 2,119.75 | |
| Millside School | \$ 225.00 | Louis L. Redding |
| | 2,000.00 | Louis L. Redding |
| | <hr/> \$ 2,225.00 | |
| Mt. Pleasant Special | | |
| School District | \$ 4,651.07 | Robert V. Huber and Reed, Hoyt, Taylor & Washburn |
| | 185.00 | Robert V. Huber |
| | 99.80 | Robert V. Huber |
| | 1,000.00 | Robert V. Huber |
| | <hr/> \$ 5,935.87 | |
| New Castle Special | | |
| School District | \$ 36.25 | David F. Anderson |
| Harrington Special | | |
| School District | 550.00 | Wm. J. Storey |

| Name of Agency | Amount Paid | Attorney |
|--------------------------|-------------------|----------------------|
| Smyrna Special | | |
| School District | 900.00 | C. L. Harmonson |
| Bridgeville Consolidated | | |
| School | 1,150.00 | Caleb B. Wright |
| | 280.00 | Reed, Hoyt, Taylor & |
| | ————— \$ 1,430.00 | Washburn |
| Oak Grove Public | | |
| School | \$ 380.00 | Reed, Hoyt, Taylor & |
| | | Washburn |
| | 2,100.00 | Thomas Herliley, Jr. |
| | ————— \$ 2,480.00 | |
| Alfred I. DuPont | | |
| School District | \$ 344.34 | Reed, Hoyt, Taylor & |
| | | Washburn |
| Alfred I. DuPont | | |
| School District | 1,216.42 | Berl, Potter and |
| | | Anderson |
| Alfred I. DuPont | | |
| School District | 1,516.77 | Berl, Potter and |
| | | Anderson |
| Alfred I. DuPont | | |
| School District | 200.00 | Berl, Potter and |
| | ————— \$ 3,277.53 | Anderson |
| Alexis I. DuPont Special | | |
| School District | \$ 1,498.99 | |
| Milford Special | | |
| School District | \$ 5,500.00 | Howard E. Lynch |

The following agencies have spent nothing for attorney's fees:

The Kruse School, Delaware State Board of Housing, Woods Haven School for Girls, Ferris School, Delaware State College, Delaware State Board of Dental Examiners, The Library Commission, State Welfare Home, Delaware Geological Survey, Delaware Real Estate Commission, Department of Public Welfare, Department of Elections of New Castle County, Delaware State Board of Examiners and Registration of Architects, Delaware Aeronautics Commission, Delaware State Board of Chiropractic Examiners, Soil Conservation Commission, State Board of Agriculture, Delaware State Board of Pharmacy, Department of Elections for Kent County, State Forestry Department, State Board of Health, The State Board of Examiners of Undertakers, Delaware Colony, The Public Archives Commission, Medical Council of Delaware, State Athletic Commission, State Board of Registration for Professional Engineers and Land Surveyors, State Board of Examiners of Graduate Nurses, Delaware Racing Commission, Board of Boiler Rules, Labor Commission of Delaware, Legislative Reference Bureau of Delaware, State Tax Department, State Police Pension Board, Delaware State Board

of Barbers' Examiners, Delaware Harness Racing Commission.

Lewes Special School District, Lincoln School #3, Rehoboth Special School District, Delaware Public Schools, Christiana School #44, Arden School, Louis L. Redding School, Hartly School, Commodore MacDonough School, Houston Public School, John M. Clayton School, Henrik J. Krebs School, Frederica School, Greenwood Consolidated School District, Delaware City School #52, Lord Baltimore Consolidated School, Phyllis Wheatley School, Bridgeville, Del.

Hon. John N. McDowell, Secretary of State, presented the following communication from the Governor:

**REPORT OF THE BUDGET COMMISSION TO THE
ONE HUNDRED AND EIGHTEENTH
GENERAL ASSEMBLY
STATE OF DELAWARE
BUDGET COMMISSION**

Dover, Delaware, May 6, 1955

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

Gentlemen:

Pursuant to the provisions of the 1953 Delaware Code, Annotated, Title 29, Section 6314 and Volume 49, Laws of Delaware, Chapter 363, Section 5, I am transmitting to you herewith a report of the Budget Commission.

Respectfully submitted,

BUDGET COMMISSION

J. Caleb Boggs, Chairman

To the Honorable Members of the
118th General Assembly of the State of Delaware
Dover, Delaware

Gentlemen:

Pursuant to the provisions of the 1953 Delaware Code, Annotated, Title 29, Section 6314 and Volume 49, Laws of Delaware, Chapter 363, Section 5, a report is submitted herewith pertaining to the functions and activities of the State Budget Commission.

Budget Commission, composed of the Governor, Secretary of State, Auditor of Accounts, State Treasurer and the State Tax Commissioner held 23 regular meetings during the biennium ending June 30, 1954. No meeting was held in October, 1952, and no special meetings of the Commission were held.

At meetings during fiscal 1953, 143 requests for Contingency Fund transfers and 88 requests for Appropriation transfer were presented. During fiscal 1954, 122 Contingency Fund requests and 93 Appropriation Fund requests were presented for the consideration of Budget Commission.

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

As required, the staff of Budget Commission rendered accounting assistance, installed and revised bookkeeping systems and rendered other services in various State agencies and schools.

During May, 1953, group instruction was given in each County for school administrators and clerks. A handbook on recommended accounting procedures for all funds operated by the schools, copy of which is attached, was prepared, explained in detail and distributed for future guidance. Attendance by the school personnel at each of these County meetings was very gratifying.

Members of Budget Commission have reviewed extensively the State's central accounting system. They found that with the exception of payroll procedures, which are now processed on modern tabulating equipment, the procedure for State accounting is practically the same one that was in operation thirty-two years ago.

The Commission concluded that extensive opportunities for accounting system improvements do exist. On the basis of this decision it employed an unbiased professional group, the Public Administration Service, Chicago, to study our system and make whatever recommendations they felt were required. The Service had been recommended to Budget Commission by the Council of State Governments because of the outstanding work they had accomplished for many other divisions of public administration. A copy of the report, "Accounting and Related Fiscal Practices in Delaware", was furnished each member of the 118th General Assembly for consideration.

During the past years several different sessions of the General Assembly have been advised that the procedures which were satisfactory to account for small budgets have become woefully inadequate for proper control of the ever increasing fiscal affairs.

It is urgently recommended that favorable consideration be given to revising inadequate legal requirements which are not now suitable for present sound fiscal management. We earnestly solicit ample financial provisions to enable modernization of accounting procedures in Delaware in order to serve better the interest of the people and to utilize most efficiently mechanical equipment and personnel which are available.

Financial problems of the State of Delaware are becoming more paramount constantly. Budget Commission felt that

matters concerning this vital phase of our State operation should be given intense study. For that purpose McKinsey & Company, an outstanding consulting firm, was employed to study and make recommendations concerning the future of Delaware's fiscal matters. A copy of their report, "Fiscal Affairs in Delaware", was submitted to each member of the General Assembly late in 1954. The report received widespread acclamation from civic groups and other interested people.

In accordance with the practice during the last few years, heating fuel needs for all State agencies and schools were surveyed and bid proposals tabulated. A copy of the tabulation was sent to all schools and interested agencies.

Budget Commission accountants have conducted numerous audits and examinations of State agencies and schools. Efforts have been made to determine whether recommended procedures for proper fiscal control are being maintained. Agencies have, without exception, cooperated with our accountants in the examination of the fiscal records and in the majority of cases have been prompt to adopt recommendations.

We have attempted to conduct an ever increasing number of audits with the regular staff accountants of Budget Commission rather than employ public accounting firms for this phase of our operations.

We find that in addition to being more economical for the State, this procedure furnishes several other advantages. Many agencies whose records we audit report that it is much more satisfactory to have an auditor who is already familiar with the legal requirements and specific accounting practices of State fiscal affairs. Public accounting firms conducted audits on the records as of June 30, 1954 on only four agencies and the remainder of the audits will be made by Budget Commission employees.

A copy of all audits conducted has been delivered to the Governor, Attorney General, Secretary of State, Auditor of Accounts, President and Administrator of the agency or school being audited and the State Board of Education for all local school districts. A copy of each audit is available for inspection in the office of Budget Commission, State House, Dover, Delaware.

Budget request forms were delivered personally by a staff member to every State agency and school which receives State aid. Instruction and, upon request, assistance were provided in the preparation of budget forms. Budget Commission carefully considered all budget requests submitted. In many instances it was necessary to revise the requests but every department was invited to attend a hearing before Budget Commission in order to substantiate its request.

Attached are lists of the agencies and schools which have been audited. A statement of expenditures from the State Contingency Fund for the fiscal years 1953 and 1954 is also included with this report.

Respectfully submitted,

BUDGET COMMISSION

J. Caleb Boggs, Chairman

John N. McDowell, Secretary

Lillian I. Martin, Chief Accountant

STATE OF DELAWARE

RECORD OF AUDITS CONDUCTED SINCE JULY 1, 1952

For the Period Ending June 30 as Indicated

| AGENCIES | 1954 | 1953 | 1952 |
|---|------|------------|------------|
| Legislative and Election | | | |
| General Assembly | | BC | BC |
| Committee on Uniform Laws | | BC | |
| Council of State Agencies | | BC | BC |
| Commission on Interstate Cooperation..... | | | BC |
| Legislative Reference Bureau | | BC | |
| Executive and Financial | | | |
| Secretary of State | | Mack | Mack |
| Secretary of State—Departmental Supplies | | | Mack |
| State Treasurer | Mack | H. & H. | |
| State Revenue Collector | | BC | |
| State Insurance Commissioner | BC | G. I. & S. | BC |
| Oyster Revenue Collector | BC | BC | BC |
| Boat Inspector | | BC | |
| State Bank Commisisoner | BC | B. I. & S. | B. I. & S. |
| Delaware Liquor Commission | BC | Mack | H. & H. |
| Delaware Racing Commission | BC | B. I. & S. | |
| Delaware Harness Racing Commission..... | BC | B. I. & S. | |
| State Tax Department | BC | Mack | |
| Judicial and Legal | | | |
| Court of Common Pleas—Kent County | | BC | |
| State Librarian | | BC | |
| Regulatory Boards | | | |
| Medical Council of Delaware | | BC | |
| State Board of Pharmacy | | B. I. & S. | |
| State Board of Dental Examiners | | BC | BC |
| Board of Examiners for Barbers | | BC | BC |
| State Board of Veterinary Examiners..... | | BC | BC |
| State oBard of Accountancy | | BC | BC |
| Board of Examiners in Optometry | | BC | BC |
| Board of Examiners of Graduate Nurses.. | | BC | BC |
| Board of Examiners of Undertakers | BC | | BC |
| Real Estate Commission | | B. I. & S. | |
| Board of Exam. and Reg. of Architects.... | | BC | |
| State Athletic Commission | | BC | |

RECORD OF AUDITS CONDUCTED SINCE JULY 1, 1952
For the Period Ending June 30 as Indicated—(Continued)

| AGENCIES | 1954 | 1953 | 1952 |
|---|------|------------|------------|
| Atlantic States Marine Fisheries Commission | | BC | |
| Board of Reg. for Professional Engineers and Land Surveyors | | BC | |
| Delaware Commission of Shell Fisheries.. | BC | D. L. | BC |
| Department of Civil Defense | BC | | |
| Enforcement Boards | | | |
| Labor Commission | | BC | |
| Board of Parole | | BC | |
| Board of Pardons | | BC | |
| Board of Boiler Rules | | B. I. & S. | B. I. & S. |
| Regulators of Weights and Measures..... | | BC | |
| Industrial Accident Board | | B. I. & S. | B. I. & S. |
| Adjutant General | | BC | |
| Public Service Commission | | BC | |
| Pensions | | | |
| State Employees Pension | | BC | |
| Miscellaneous | | | |
| Custodian | BC | Mack | Mack |
| State Library Commission | | BC | |
| Public Archives Commission | | BC | |
| State Museum | | BC | |
| Portrait Commission | | BC | |
| State Park Commission | | BC | |
| State Development Department | | BC | |
| Lewes Memorial Commission | | BC | |
| Historical Society of Delaware | | BC | |
| Roads: Maintenance, Police, Etc. | | | |
| State Highway Department | BC | Mack | Mack |
| Delaware Memorial Bridge | Mack | | |
| Health | | | |
| State Board of Health | BC | H. & H. | Mack |
| Agriculture, Forestry, Etc. | | | |
| State Board of Agriculture | BC | Mack | Mack |
| State Poultry Commission | | BC | BC |
| State Apple Commission | | BC | BC |
| State Forestry Department | BC | BC | Mack |
| Game and Fish Commission | BC | D. L. | D. L. |
| Public Welfare | | | |
| Delaware Commission for the Blind | BC | | D. L. |
| Department of Public Welfare | | Mack | H. & H. |
| Emily P. Bissell Sanatoria | | Mack | Mack |
| State Welfare Home | | Mack | |
| Delaware State Hospital | | Mack | B. I. & S. |

RECORD OF AUDITS CONDUCTED SINCE JULY 1, 1952
For the Period Ending June 30 as Indicated—(Continued)

| AGENCIES | 1954 | 1953 | 1952 |
|---|---------|------------|------------|
| Governor Bacon Health Center | | M. & H. | B. I. & S. |
| Delaware Commission for Feeble-minded.. | | BC | BC |
| Ferris School for Boys | | BC | B. I. & S. |
| Kruse School | | BC | B. I. & S. |
| Woods Haven School | | BC | B. I. & S. |
| Detention Home for Juveniles | | BC | |
| Unemployment Compensation Commission | BC | D. L. | D. L. |
| Education | | | |
| Delaware State College | BC | BC | H. & H. |
| University of Delaware | Mack | B. I. & S. | Mack |
| State Board of Education | BC | | Mack |
| State Board of Vocational Education | BC | | |
| Wilmington Board of Education | M. & B. | M. & B. | |
| Special Schools | | | |
| Alexis I. duPont | | BC | |
| Claymont | BC | BC | |
| Mount Pleasant | BC | BC | |
| Newark | | BC | |
| New Castle | | BC | |
| Smyrna | | BC | |
| Dover | | BC | BC |
| Caesar Rodney | | BC | |
| Harrington | | BC | |
| Milford | | BC | |
| Lewes | | BC | BC |
| Laurel | | BC | |
| Rehoboth | | BC | |
| Seaford | | BC | BC |
| Georgetown | | BC | BC |
| Local Schools | | | |
| Arden No. 3 | | BC | |
| Alfred I. duPont No. 7 | | BC | |
| Richardson Park No. 20 | | BC | |
| Newport No. 21 | | BC | |
| Hickessin No. 29 | | BC | |
| Stanton No. 38 | | BC | |
| Christiana No. 44 | | BC | |
| Rose Hill-Minquadale No. 47 | | BC | BC |
| Delaware City No. 52 | | BC | |
| Commodore MacDonough No. 53 | | BC | |
| Middletown No. 60 | | BC | |
| Marshallton No. 77 | | BC | |
| Townsend No. 81 | | | |
| Yorklyn No. 91 | | BC | |
| Oak Grove No. 130 | | BC | |
| Henry C. Conrad No. 131 | | BC | |

RECORD OF AUDITS CONDUCTED SINCE JULY 1, 1952
For the Period Ending June 30 as Indicated—(Continued)

| AGENCIES | 1954 | 1953 | 1952 |
|--------------------------------------|------|------|------|
| Newport No. 106-C | | BC | |
| Millside No. 132-C | | BC | |
| Frederica No. 32 | | BC | BC |
| Magnolia No. 50 | | BC | |
| Felton No. 54 | | BC | |
| Clayton No. 119 | BC | | |
| Wm. W. M. Henry Comprehensive | | BC | |
| Milton No. 8 | | BC | |
| Millsboro No. 23 | | BC | |
| Lord Baltimore No. 28 | | BC | BC |
| Selbyville No. 32 | | BC | |
| Gumboro No. 37 | | BC | |
| Bridgeville No. 90 | | BC | |
| Greenwood No. 91 | | BC | BC |
| John M. Clayton No. 97 | | BC | BC |
| Ellendale No. 125 | | BC | BC |
| Delmar No. 163 | | BC | |
| Blades No. 172 | | BC | |
| William C. Jason Comprehensive | | BC | BC |
| Millsboro No. 204-C | | BC | |
| Frankford No. 206-C | | BC | |
| Selbyville No. 210-C | | BC | |
| Bridgeville No. 220-C | | BC | |
| Justices of the Peace | | | |
| Adkins, Arthur | BC | BC | BC |
| Bane, Raymond H. | BC | BC | BC |
| Banks, Jr., George H. | BC | | |
| Calloway, L. Gooden | BC | BC | BC |
| Carrow, Maurice W. | BC | BC | BC |
| Collins, George | BC | BC | BC |
| Dempsey, Clarence R. | BC | BC | BC |
| Dick, Theodore R. | BC | BC | |
| Elzey, William J. | BC | BC | |
| Faust, Mrs. Helen | BC | BC | |
| Foster, Clarence S. | BC | BC | BC |
| Groverman, Morris | BC | BC | |
| Hatton, Samuel J. | BC | BC | |
| Honey, Sr., Charles | BC | BC | |
| Hopkins, J. S. | BC | | |
| Jefferis, Joseph B. | BC | BC | BC |
| King, Oscar B. | BC | BC | BC |
| Knowles, J. Alton | BC | BC | BC |
| McDade, David J. | BC | | |
| Murray, Millard F. | BC | BC | BC |
| Nichols, G. Earl | BC | BC | BC |
| Pennington, Mrs. Sara E. | BC | | |
| Poynter, Elmer R. | BC | | |

RECORD OF AUDITS CONDUCTED SINCE JULY 1, 1952
For the Period Ending June 30 as Indicated—(Continued)

| AGENCIES | 1954 | 1953 | 1952 |
|-----------------------------|------|------|------|
| Pritchett, Clarence | BC | | |
| Records, Thomas W. | BC | BC | BC |
| Rooney, William J. | BC | BC | |
| Shockley, George K. | BC | | |
| Short, William P. | BC | BC | BC |
| Staats, Calvin H. | BC | BC | |
| Stevenson, George R. | BC | BC | BC |
| Thomas, Roger A. | BC | BC | |
| Vickars, S. Paul | BC | | |
| West, William | BC | BC | |
| Willis, Rodney | BC | | |
| Wilson, Sharp | BC | | |
| Retired | | | |
| Ableman, Benjamin | BC | BC | BC |
| Holton, Frank E. | BC | BC | BC |
| James, Arthur | | BC | BC |
| Lank, Albert | BC | BC | BC |
| McDowell, Edwin S. | BC | BC | BC |
| Final Audits | | | |
| Blake, F. Russell | | BC | BC |
| Brinton, Irving H. | | BC | |
| Clements, David | | BC | |
| Collins, Roy | | BC | |
| Cooper, Gilbert | | BC | BC |
| Drupieski, John | | BC | BC |
| Godwin, David | | | BC |
| Hearn, Patrick H. | | BC | BC |
| Hobbs, William | | BC | BC |
| Holcomb, II, Thomas | | BC | BC |
| Hulshizer, Allen | | BC | BC |
| Iannelli, Victor F. | | BC | BC |
| Lewis, Lee L. | | BC | |
| Lynch, Vance | | BC | BC |
| Neugebauer, Charles A. | | BC | BC |
| Talbot, Robert H. | | BC | |
| Walls, Palmer | | | BC |
| Warrington, Otis T. | | BC | BC |

BC—Budget Commission

D. L.—Desmond A. Lyons

Mack—Mack & Company

H. & H.—Haggerty & Haggerty

M. & B.—McConnell & Breiden

G. I. & S.—Burns, Isaacson & Stolper

G. I. & S.—Gunnip, Isaacson & Stolper

STATE OF DELAWARE
CONTINGENCY FUND EXPENDITURES
Fiscal Years Ended June 30, 1953 and 1954

| AGENCIES | Year Ended June 30 | |
|--|----------------------|-----------------------|
| | 1953 | 1954 |
| Delaware Commission on Interstate Cooperation | | |
| Operations | | \$2,611.18 |
| | | <hr/> 2,611.88 <hr/> |
| Governor | | |
| Salaries and Wages | \$2,700.00 | |
| Contingent Expenses | | 200.10 |
| | <hr/> 2,700.00 | <hr/> 200.10 <hr/> |
| Secretary of State | | |
| Bond Expense | 6,023.65 | |
| Commission on Inter-Governmental Relations.... | | 215.96 |
| | <hr/> 6,023.65 | <hr/> 215.96 <hr/> |
| State Treasurer | | |
| Salaries and Wages | 4,422.39 | 3,078.99 |
| Office Expense | 198.34 | 2,300.45 |
| Equipment | | 1,087.69 |
| Lost and/or Outdated Checks | 124.00 | |
| | <hr/> 4,744.73 | <hr/> 6,467.13 <hr/> |
| Budget Commission | | |
| Office Expense | 1,138.00 | |
| Special Audits | 5,942.50 | 10,000.00 |
| | <hr/> 7,080.50 | <hr/> 10,000.00 <hr/> |
| Auditor of Accounts | | |
| Salaries and Wages | 1,000.00 | |
| Lost and/or Outdated Checks | | 86.77 |
| | <hr/> 1,000.00 | <hr/> 86.77 <hr/> |
| State Insurance Commissioner | | |
| Premiums | 5,000.00 | |
| | <hr/> 5,000.00 <hr/> | |

CONTINGENCY FUND EXPENDITURES

Fiscal Years Ended June 30, 1953 and 1954—(Continued)

| AGENCIES | Year Ended June 30 | |
|--|--------------------|-----------|
| | 1953 | 1954 |
| State Tax Department | | |
| Salaries and Wages | 8,235.79 | |
| Operations | 2,500.00 | |
| | <hr/> | |
| | 10,735.79 | |
| | <hr/> | |
| Delaware Liquor Commission | | |
| Salaries and Wages | | 3,567.75 |
| | | <hr/> |
| | | 3,567.75 |
| | | <hr/> |
| Delaware Harness Racing Commission | | |
| Office Expense | 607.15 | |
| Travel | 475.74 | |
| | <hr/> | |
| | 1,082.89 | |
| | <hr/> | |
| Court of Chancery | | |
| Travel | 505.28 | |
| | <hr/> | |
| | 505.28 | |
| | <hr/> | |
| State Librarian | | |
| Salary of Clerk | 294.77 | |
| Equipment.... | | 595.00 |
| | <hr/> | |
| | 294.77 | 595.00 |
| | <hr/> | |
| Attorney General | | |
| Salaries and Wages | 176.58 | 639.92 |
| Office Expense | 1,093.51 | 1,083.19 |
| Travel | | 2,479.48 |
| Operations | 2,995.78 | 4,989.32 |
| Requisition | 585.41 | |
| Special Transcripts | | 2,500.00 |
| | <hr/> | |
| | 4,851.28 | 11,691.91 |
| | <hr/> | |
| Board of Examiners of Graduate Nurses | | |
| Office Expense | 299.93 | |
| | <hr/> | |
| | 299.93 | |
| | <hr/> | |

CONTINGENCY FUND EXPENDITURES

Fiscal Years Ended June 30, 1953 and 1954—(Continued)

| AGENCIES | Year Ended June 30 | |
|---|--------------------|----------------|
| | 1953 | 1954 |
| Delaware Aeronautics Commission | | |
| Office Expense | 16.50 | |
| | <hr/> 16.50 | |
| Delaware Commission of Shell Fisheries | | |
| Salaries and Wages | | 499.92 |
| | | <hr/> 499.92 |
| Labor Commission of Delaware | | |
| Salaries and Wages | 1,242.00 | |
| | <hr/> 1,242.00 | |
| Industrial Accident Board | | |
| Salaries and Wages | 475.00 | |
| Office Expense | 1,000.00 | 750.00 |
| Travel | 300.00 | |
| | <hr/> 1,775.00 | <hr/> 750.00 |
| Adjutant General—National Guard | | |
| Repairs and Replacements | 16,807.87 | |
| | <hr/> 16,807.87 | |
| Public Service Commission | | |
| Salaries and Wages | 6,141.24 | |
| Operations | | 5,469.73 |
| Equipment | 1,804.66 | |
| | <hr/> 7,945.90 | <hr/> 5,469.73 |
| Retired and Disabled Teachers | | |
| Pensions | 1,366.00 | 3,990.01 |
| | <hr/> 1,366.00 | <hr/> 3,990.01 |
| State Employees Pensions | | |
| Benefits | | 5,282.14 |
| | | <hr/> 5,282.14 |

CONTINGENCY FUND EXPENDITURES

Fiscal Years Ended June 30, 1953 and 1954—(Continued)

| AGENCIES | Year Ended June 30 | |
|--|----------------------|----------------------|
| | 1953 | 1954 |
| Custodian | | |
| Salaries and Wages | | 2,962.00 |
| Repairs and Replacements | | 4,337.95 |
| | | <hr/> 7,299.95 <hr/> |
| Public Archives—State Museum | | |
| Salaries and Wages | | 100.00 |
| Equipment | 2,000.00 | |
| | <hr/> 2,000.00 | <hr/> 100.00 <hr/> |
| State Park Commission | | |
| Salaries and Wages | 1,350.00 | |
| Office Expense | 168.38 | |
| Travel | 331.64 | |
| Operations | 147.16 | |
| | <hr/> 1,997.18 <hr/> | |
| Delaware State Development | | |
| Salaries and Wages | 4,759.33 | |
| Equipment | | 425.00 |
| | <hr/> 4,759.33 | <hr/> 425.00 <hr/> |
| Displaced Persons Commission | | |
| Salaries and Wages | 675.00 | |
| Office Expense | 66.64 | |
| Travel | 299.97 | |
| | <hr/> 1,041.61 <hr/> | |
| Delaware Commission on Children and Youth | | |
| Salaries and Wages | 2,400.00 | 2,320.00 |
| Office Expense | 337.10 | 262.01 |
| Travel | 235.29 | 228.41 |
| Operations | 462.34 | 485.09 |
| | <hr/> 3,434.73 | <hr/> 3,295.51 <hr/> |
| State Highway Department | | |
| Administration | | |
| Coastal Survey | | 17,404.28 |

CONTINGENCY FUND EXPENDITURES

Fiscal Years Ended June 30, 1953 and 1954—(Continued)

| AGENCIES | Year Ended June 30 | |
|--|--------------------|-----------|
| | 1953 | 1954 |
| Motor Vehicle Division | | |
| Office Expense | 18,884.47 | |
| Equipment | 55,587.26 | |
| Construction | | |
| Operations | 24,718.65 | |
| Lewes Jetties | | 10,000.00 |
| Mosquito Control | | |
| Operations | 2,431.81 | |
| | <hr/> | <hr/> |
| | 126,870.70 | 27,404.28 |
| State Board of Agriculture | | |
| Salaries and Wages | 7,500.00 | |
| Research Marketing Act | 7,005.47 | |
| Controlling Contagious Disease | | |
| Salaries and Wages | 2,100.30 | 1,331.10 |
| Operations | 455.87 | 291.11 |
| Controlling Cont. Disease—Poultry | | |
| Salaries and Wages | 991.50 | 1,572.00 |
| Operations | 1,500.00 | 1,202.85 |
| Indemnity Claims | | |
| Operations | 9,642.60 | 35,975.00 |
| Market News Letter | | |
| Operations | 1,000.00 | 1,000.00 |
| | <hr/> | <hr/> |
| | 30,195.74 | 41,372.06 |
| Game and Fish Commission | | |
| Dingell-Johnson Matching | 895.56 | |
| | <hr/> | <hr/> |
| | 895.56 | |
| State Department of Public Welfare | | |
| Salaries and Wages | 20,000.00 | |
| Office Expense | 3,000.00 | |
| Operations | 25,000.00 | |
| Aid to Disabled | 39,550.58 | |
| Direct Care—Child Welfare Assistance—ADC.... | 21,818.94 | 19,903.50 |
| Kent Levy Court.... | 27,156.30 | |
| Sussex Levy Court | 61,607.26 | |
| New Castle Levy Court | 157,001.84 | |
| Old Age Assistance | | 2,583.20 |
| | <hr/> | <hr/> |
| | 355,134.92 | 22,486.70 |

CONTINGENCY FUND EXPENDITURES

Fiscal Years Ended June 30, 1953 and 1954—(Continued)

| AGENCIES | Year Ended June 30 | |
|---|--------------------|------------|
| | 1953 | 1954 |
| Delaware Commission for the Blind | | |
| Assistance Grants | 14,916.28 | |
| | 14,916.28 | |
| State Welfare Home | | |
| Operations | 21,905.91 | |
| | 21,905.91 | |
| Delaware State Hospital | | |
| Salaries and Wages | 2,000.00 | |
| Travel | 23.58 | |
| Surplus Commodities | | 250.00 |
| | 2,023.58 | 250.00 |
| Delaware Commission for Feebleminded | | |
| Salaries and Wages | 24,800.80 | |
| Repairs and Replacements | 10,000.00 | 25,000.00 |
| | 34,800.80 | 25,000.00 |
| Brandywine Sanatorium | | |
| Salaries and Wages | 19,485.00 | |
| | 19,485.00 | |
| Blind and Deaf Wards of the State | | |
| Board and Tuition | 2,350.18 | |
| | 2,350.18 | |
| Total Agencies | 695,283.61 | 179,061.80 |
| Education | | |
| University of Delaware | | |
| Extension Service | | |
| Permanent Improvements | 5,088.00 | |
| Marine Biological Survey | | |
| Salaries and Wages | 599.78 | |
| Repairs and Replacements | 50.00 | |
| Equipment | 84.49 | |
| | 5,822.27 | |

CONTINGENCY FUND EXPENDITURES

Fiscal Years Ended June 30, 1953 and 1954—(Continued)

| AGENCIES | Year Ended June 30 | |
|---|--------------------|-----------|
| | 1953 | 1954 |
| State Board of Education | | |
| General Administration | | |
| Office Expense | 3,427.98 | |
| Travel | 336.00 | |
| Handicapped Children | 4,810.00 | 10,500.00 |
| Instructional Service | | |
| Salary of Supervisors | 4,500.00 | |
| Other Costs | 4,396.47 | |
| Salaries—Substitute Teachers | 14,522.30 | |
| Delaware Day School and Governor Bacon | | |
| Health Center | 26,720.00 | |
| Fixed Charges | | |
| Other Insurance | 2,175.77 | |
| Vocational Education | | |
| Salaries and Wages | | 209.49 |
| Other Costs | 6,454.21 | 58.44 |
| Training (Ag., H. E., Trades) | 4,299.38 | |
| Service Bureau | | |
| Salaries | 2,580.00 | |
| Student Driver Training | | |
| Salaries | 15,193.70 | |
| Travel | 1,203.05 | |
| Transportation | | |
| Contract Service | 212,221.40 | |
| Vocational Education—Rehabilitation | | |
| Firemen's Training | 2,784.30 | |
| Operations | 14,921.63 | 6,970.50 |
| | <hr/> | <hr/> |
| | 320,546.19 | 17,738.43 |
| Total University of Delaware and State | | |
| Board of Education | 326,368.46 | 17,738.43 |
| | <hr/> | <hr/> |

CONTINGENCY FUND EXPENDITURES — Fiscal Years Ended June 30, 1953 and 1954 — (Continued)

| SALARIES | | | | | | | | | | |
|--|---------------------|-------------|--------------------|------------|-----------|-------------------|--------------------|-----------|---------------|---------------|
| | Adminis- trative | Clerical | Instruc- tional | Janitorial | Health | Capital Outlay | All Other Costs | Repairs | Total 1953 | Total 1954 |
| EDUCATION | | | | | | | | | | |
| LOCAL DISTRICTS | | | | | | | | | | |
| Arden No. 3—1953..... | | | | | | \$ 89.90 | | | \$ 89.90 | |
| 1954..... | | | \$ 1,152.00 | | | 25.00 | \$ 275.00 | | | \$ 1,452.00 |
| Christiana No. 44—1953..... | | | 1,600.00 | \$ 360.00 | | 400.00 | | \$ 820.28 | 3,180.28 | |
| 1954..... | | | | | | 225.00 | 273.13 | | | 498.13 |
| Commodore MacDonough No. 53—1953..... | | | 6,268.46 | 258.37 | | 544.66 | 1,648.78 | | 8,720.27 | |
| 1954..... | | | | | | 325.00 | 531.89 | | | 856.89 |
| Henry C. Conrad No. 131—1953..... | \$ 200.00 | | 28,831.38 | 539.87 | | 2,000.00 | 5,499.33 | | 36,970.58 | |
| 1954..... | | | | | \$ 100.00 | 99.81 | 232.47 | | | 1,332.28 |
| Delaware City No. 52—1953.. | | | 9,274.41 | | | 750.00 | 2,200.00 | | 12,224.41 | |
| 1954..... | | | | | | 375.00 | | | | 375.00 |
| Alfred I. duPont No. 7—1953.. | 200.00 | \$ 1,596.00 | 41,318.12 | 2,200.00 | 200.00 | 2,100.00 | 8,792.98 | | 56,407.10 | |
| 1954..... | | | 18,688.39 | 2,069.23 | | 1,250.00 | 3,876.61 | | | 25,884.23 |
| Hockessin No. 29—1953..... | | | 800.00 | | 375.00 | 200.00 | 500.00 | | 1,875.00 | |
| 1954..... | | | | | | 124.83 | 275.00 | | | 399.83 |
| Marshallton No. 77—1953..... | | 895.00 | 10,086.59 | | 200.00 | 1,598.13 | 2,200.00 | | 14,979.72 | |
| 1954..... | | | | | | 22.69 | 223.47 | | | 246.16 |
| Middletown No. 60—1953..... | | | 9,990.00 | 2,200.00 | 200.00 | 1,500.00 | 1,646.29 | | 15,536.29 | |
| 1954..... | | | 2,240.00 | | | 825.00 | 1,508.12 | | | 4,573.12 |
| Newport No. 21—1953..... | | | 22,248.64 | 3,400.00 | 60.00 | 1,850.00 | 5,308.15 | | 32,866.79 | |
| 1954..... | 200.00 | | 7,620.46 | | | 1,000.00 | 550.00 | | | 9,370.46 |
| Rose Hill-Minquadale No. 47—1953..... | | | 39,120.00 | 3,435.00 | 90.00 | 1,948.16 | 6,600.00 | | 52,596.89 | |
| 1954..... | 200.00 | 1,403.73 | 40,430.16 | | | 1,344.95 | 5,850.00 | | | 48,885.54 |
| Stanton No. 38—1953..... | | | 5,877.40 | 1,671.14 | | 450.00 | 1,100.00 | | 9,098.54 | |
| 1954..... | | | 4,977.99 | | | 300.00 | 819.45 | | | 6,097.44 |
| Oak Grove No. 130—1953..... | 66.66 | 1,588.65 | 44,295.00 | 2,700.00 | 200.00 | 2,000.00 | 8,246.09 | | 59,096.40 | |
| 1954..... | 200.00 | | 26,324.84 | 470.09 | 200.00 | 1,225.00 | 2,747.91 | | | 31,176.84 |

CONTINGENCY FUND EXPENDITURES — Fiscal Years Ended June 30, 1953 and 1954 — (Continued)

| | SALARIES | | | | | Capital Outlay | All Other Costs | Repairs | Total 1953 | Total 1954 |
|-------------------------------|---------------------|----------|--------------------|------------|----------|-------------------|--------------------|---------|---------------|---------------|
| | Adminis- trative | Clerical | Instruc- tional | Janitorial | Health | | | | | |
| Richardson Park | | | | | | | | | | |
| No. 20—1953..... | 199.96 | 1,439.00 | 15,906.48 | 3,418.27 | 200.00 | 2,100.00 | 3,850.00 | | 27,113.71 | |
| 1954..... | | | | | | 1,099.69 | 825.00 | | | 1,924.69 |
| Townsend No. 81—1953..... | | | 368.00 | | | 496.95 | 548.33 | | 1,413.28 | |
| 1954..... | | | 1,422.91 | | | 275.00 | 266.46 | | | 1,964.37 |
| Yorklyn No. 91—1953..... | | | 800.00 | | | 193.38 | 248.14 | | 1,241.52 | |
| Middletown No. 120C—1953..... | | 173.33 | 2,363.68 | 1,167.99 | | 653.59 | 3,068.87 | | 7,427.44 | |
| 1954..... | 200.00 | | 9,745.98 | 1,785.32 | 1,111.50 | 457.97 | 6,895.42 | | | 20,196.19 |
| Millside No. 132-C—1953..... | 500.00 | 1,491.63 | 25,810.00 | 993.28 | 710.88 | 1,000.00 | 17,810.00 | | 48,315.79 | |
| 1954..... | | | | | 94.50 | | | | | 94.50 |
| Newport No. 106-C—1953..... | 500.00 | 45.80 | 3,880.20 | 2,147.84 | 220.00 | 639.19 | 1,092.63 | | 8,525.66 | |
| 1954..... | | | 3,931.88 | | 527.50 | 350.00 | 1,080.42 | | | 5,889.80 |
| Clayton No. 119—1953..... | | | | .06 | | 545.32 | | | 545.38 | |
| 1954..... | | | | | | 190.55 | | | | 190.55 |
| Magnolia No. 50—1953..... | | | | | | 52.67 | | | 52.67 | |
| Felton No. 54—1953..... | | | 5,416.86 | 671.42 | 200.00 | 900.00 | 1,097.87 | | 8,286.15 | |
| 1954..... | | | 1,429.93 | | | 475.00 | 249.62 | | | 2,154.55 |
| Frederica No. 32—1953..... | | | 2,597.73 | | | 436.28 | 3,327.28 | | 6,361.29 | |
| 1954..... | | | | | | 223.26 | | | | 223.26 |
| Hartly No. 96—1953..... | | | | 400.00 | | 350.00 | 523.78 | | 1,273.78 | |
| 1954..... | | | 1,440.00 | | | 200.00 | 235.38 | | | 1,875.38 |
| Wm. W. M. Henry | | | | | | | | | | |
| No. 133-C—1953..... | 4,900.00 | 1,530.00 | 30,917.52 | 3,800.00 | 1,765.50 | 650.00 | 14,449.16 | | 58,012.18 | |
| 1954..... | | | 5,976.80 | | | 349.00 | 1,647.68 | | | 7,973.48 |
| Bridgeville No. 90—1953..... | | | 7,326.83 | | 200.00 | 1,343.08 | 1,091.43 | | 9,961.34 | |
| 1954..... | | | 4,819.50 | | | 694.75 | 540.67 | | | 6,054.92 |
| Delmar No. 163—1953..... | | 367.96 | 1,539.09 | 387.51 | 200.00 | 900.00 | 544.07 | | 3,938.63 | |
| 1954..... | | | 800.00 | | | 444.12 | | | | 1,244.12 |
| Blades No. 172—1953..... | | | | 554.46 | | 200.00 | | | 754.46 | |
| 1954..... | | | | | | 99.60 | | | | 99.60 |
| Ellendale No. 125—1953..... | | | | | | 249.91 | | | 249.91 | |
| 1954..... | | | | | | 139.37 | 275.00 | | | 414.37 |

CONTINGENCY FUND EXPENDITURES — Fiscal Years Ended June 30, 1953 and 1954 — (Continued)

| | SALARIES | | | | | Capital Outlay | All Other Costs | Repairs | Total 1953 | Total 1954 |
|---------------------------------|---------------------|----------|--------------------|------------|--------|-------------------|--------------------|----------|---------------|---------------|
| | Adminis- trative | Clerical | Instruc- tional | Janitorial | Health | | | | | |
| John M. Clayton | | | | | | | | | | |
| No. 97—1953..... | | | 8,978.00 | | | 1,047.42 | 1,650.00 | | 11,675.42 | |
| 1954..... | | | 584.00 | | | | 524.45 | | | 1,108.45 |
| Greenwood No. 91—1953..... | | | 7,920.00 | | 200.00 | 890.37 | 1,100.00 | | 10,110.37 | |
| 1954..... | | | 6,848.22 | | | 500.00 | 1,099.69 | | | 8,447.91 |
| Gumboro No. 37—1953..... | | | | | | 39.72 | 3,892.28 | | 3,932.00 | |
| Lord Baltimore | | | | | | | | | | |
| No. 28—1953..... | | | 1,604.00 | 599.84 | 220.00 | 1,000.00 | 550.00 | | 3,953.84 | |
| 1954..... | | | | | | 525.00 | 275.00 | | | 800.00 |
| Millsboro No. 23—1953..... | 166.67 | | 5,747.02 | 2,000.00 | 200.00 | 1,300.00 | 1,549.76 | | 10,963.45 | |
| 1954..... | 400.00 | | 633.99 | | | 675.00 | 549.43 | | | 2,258.42 |
| Milton No. 8—1953..... | | | 9,840.00 | | 360.00 | 1,100.00 | 2,185.49 | | 13,485.49 | |
| 1954..... | | | 7,223.00 | | | 600.00 | 550.00 | | | 8,373.00 |
| Selbyville No. 32—1953..... | | | 7,318.59 | | 200.00 | 950.00 | 1,650.00 | | 10,118.59 | |
| 1954..... | | | | | | 500.00 | 1,100.00 | | | 1,600.00 |
| Bridgeville No. 220-C—1953..... | | | 1,987.00 | 186.76 | | 187.14 | 1,084.36 | | 3,445.26 | |
| 1954..... | | | 2,144.83 | | | 190.81 | 540.30 | | | 2,875.94 |
| Frankford No. 206-C—1953..... | | | 7,394.05 | | | 400.00 | 1,649.37 | | 9,443.42 | |
| 1954..... | | | | | | 200.00 | 370.84 | | | 570.84 |
| Millsboro No. 204-C—1953..... | | | | | | 259.21 | | | 259.21 | |
| 1954..... | | | | | | | 58.00 | | | 58.00 |
| William C. Jason | | | | | | | | | | |
| No. 192-C—1953..... | 400.00 | 189.33 | 8,223.01 | | 200.00 | 749.56 | 1,097.55 | | 10,859.45 | |
| 1954..... | | | 9,320.00 | 1,058.26 | | 56.82 | 3,084.04 | | | 13,519.12 |
| Selbyville No. 210-C—1953..... | | | | | | 200.00 | | | 200.00 | |
| 1-2-3 Teacher Schools—1953..... | | | | 4,770.00 | | 4,450.00 | 8,371.98 | | 17,591.98 | |
| 1954..... | | | | | | 904.87 | | | | 904.87 |
| SPECIAL SCHOOLS | | | | | | | | | | |
| Caesar Rodney—1953..... | 400.00 | 976.87 | 19,742.98 | 2,796.29 | 200.00 | 2,550.00 | 4,400.00 | | 31,066.14 | |
| 1954..... | | 1,903.30 | 3,019.82 | | | 1,300.00 | 550.00 | | | 6,773.12 |
| Claymont — 1953..... | | | 22,077.81 | | 200.00 | 2,350.00 | | 4,925.00 | 29,552.81 | |
| 1954..... | | 1,597.77 | | | | | 782.51 | | | 2,380.28 |

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CONTINGENCY FUND EXPENDITURES — Fiscal Years Ended June 30, 1953 and 1954 — (Continued)

| | SALARIES | | | | | | | | | |
|--|---------------------|----------|--------------------|------------|----------|-------------------|--------------------|---------|-----------------------|---------------------|
| | Adminis- trative | Clerical | Instruc- tional | Janitorial | Health | Capital Outlay | All Other Costs | Repairs | Total 1953 | Total 1954 |
| Dover — 1953..... | | 1,596.00 | 27,627.18 | | 1,920.00 | 4,049.80 | 11,400.00 | | 46,592.98 | |
| 1954..... | | | 24,316.64 | | | 3,924.50 | 6,475.00 | | | 34,716.14 |
| Alexis I. duPont—1953..... | 200.00 | | 38,729.00 | 6,000.00 | | 2,100.00 | 7,150.00 | | 54,179.00 | |
| 1954..... | | | | | | 25.00 | 275.00 | | | 300.00 |
| Georgetown — 1953..... | | 176.00 | 8,556.11 | | | 2,100.00 | 3,794.50 | | 14,626.61 | |
| 1954..... | | | 1,944.50 | 1,200.00 | 200.00 | 1,050.00 | 275.00 | | | 4,669.50 |
| Harrington — 1953..... | | | 9,895.26 | | 200.00 | 1,700.00 | 2,200.00 | | 13,995.26 | |
| 1954..... | | | 5,282.13 | | | 50.00 | 550.00 | | | 5,882.13 |
| Laurel — 1953..... | | | 22,027.87 | 1,500.00 | 80.00 | 3,200.00 | 4,400.00 | | 31,207.87 | |
| 1954..... | | | 200.00 | 1,000.00 | | 1,675.00 | 825.00 | | | 3,700.00 |
| Lewes — 1953..... | | | 11,643.87 | | 200.00 | 1,900.00 | 3,300.00 | | 17,043.87 | |
| 1954..... | 240.00 | 164.03 | | | | 975.00 | 550.00 | | | 1,929.03 |
| Milford — 1953..... | | | 40,093.14 | 5,277.69 | 1,480.00 | 3,550.00 | 7,700.00 | | 58,100.83 | |
| 1954..... | | 311.42 | 5,365.19 | | | 1,800.00 | 2,600.00 | | | 10,076.61 |
| Mount Pleasant—1953..... | | 1,596.00 | 93,998.00 | 6,150.00 | 2,360.00 | 4,750.00 | 16,500.00 | | 125,354.00 | |
| 1954..... | | | 31,165.09 | | | 2,675.00 | 3,300.00 | | | 37,140.09 |
| New Castle—1953..... | | 1,357.36 | 73,494.89 | 7,675.00 | 2,460.00 | 4,399.55 | 15,400.00 | | 104,787.20 | |
| 1954..... | | | 29,266.60 | | | 2,525.60 | 4,350.00 | | | 37,141.60 |
| Newark — 1953..... | | 1,596.00 | 53,696.50 | 2,389.79 | 2,760.00 | 4,500.00 | 10,450.00 | | 75,392.29 | |
| 1954..... | | | 29,483.90 | | | 2,575.00 | 6,200.00 | | | 38,258.90 |
| Rehoboth — 1953..... | | | 9,795.00 | 4,193.69 | 177.82 | 850.00 | 1,650.00 | | 16,666.51 | |
| 1954..... | | | 3,440.00 | | | 425.00 | 275.00 | | | 4,140.00 |
| Seaford — 1953..... | 400.00 | | 43,669.54 | 3,646.39 | 60.00 | 2,700.00 | 7,700.00 | | 59,175.93 | |
| 1954..... | | | 3,987.55 | 2,397.10 | 1,051.00 | 2,000.00 | 4,400.00 | | | 23,835.65 |
| Smyrna — 1953..... | 200.00 | | 11,740.60 | 435.75 | | 2,250.00 | 4,950.00 | | 19,576.35 | |
| 1954..... | | | | | | 50.00 | 549.90 | | | 599.90 |
| Wilmington Board of Education — 1953..... | | | 34,736.97 | | | 27,342.66 | 9,884.40 | | 71,964.03 | |
| 1954..... | | | 49,747.89 | | | 14,074.14 | 6,597.20 | | | 70,419.23 |
| TOTAL EDUCATION | | | | | | | | | 1,688,803.98 | 521,664.86 |
| GRAND TOTAL | | | | | | | | | \$2,384,087.59 | \$700,726.66 |

On motion of Mr. Steen, the Chair appointed Messrs. Lammot, Steen and Baker to jointly confer with a like committee from the House on **SB 173**, which passed the House with **HA 1**, but which amendment was defeated in the Senate.

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

HB 357—"An Act to Amend Title 14, Delaware Code, Entitled "Education" in Respect to Teaching Constitutions and Government in Schools," to Education.

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

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

HB 433—"An Act to Amend Chapter 1 of Title 16 of the Delaware Code in Reference to the Issuance of Permits by the State Board of Health," to Public Health.

HB 434—"An Act to Amend Chapter 1 of Title 16, of the Delaware Code in Reference to the Penalties for Violations of the Adopted Regulations and Orders of the State Board of Health," to Public Health.

HB 597—"An Act to Amend Chapter 27, Title 18, Delaware Code, Relating to the Rate of Special Tax on Gross Premiums of Fire Insurance Companies for the Purpose of Assisting in Maintaining Fire Companies," to Municipal Corporations.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **HS 1** for **HB 223**, 1 favorably, 3 on merits, **HB 303**, **HB 211**, **HB 212**, **HB 208**, **HB 209** with **HA 1**, by Municipal Corporations; **SB 470**, **SB 474**, by Labor; **HB 93**, 1 favorably, 3 on merits; **HB 62**, 3 favorably, 1 on merits, **HB 141**, 3 favorably, 1 on merits, **HB 103** with **HA 1**, 3 favorably, 1 on merits, **SB 267**, 2 favorably, 2 on merits, **SB 270**, 4 on merits, **SB 273**, 4 on merits, **SB 269**, 4 on merits, **SB 268**, 4 on merits, by Finance; **SB 326**, 3 on merits, by Executive; **SB 490**, 5 on merits, **HB 107**, **HB 372**, **HB 427**, **HB 478**, **HB 283**, **HB 328**, 3 favorably, 2 on merits, by Judiciary; **HB 279**, 4 on merits, by Revised Statutes; **SB 344**, 3 favorably, 2 on merits, **SB 352**, 3 favorably, 2 on merits, **SB 380**, 3 favorably, 2 on merits, by Education; **HB 597**, 3 favorably, 1 on merits, by Accounts.

The President announced he was about to sign: **SB 274**, **SB 394**, **SB 243**.

On motion of Mr. Lammot, **SB 170**—"An Act Amending Title 11, Delaware Code, Relating to Prisons and Prisoners, and Creating a State Board of Corrections Having Responsibility for the Care, Supervision and Administration of Prisoners, Correctional Facilities and Prisoners in Lieu of County Boards and Officers and the Transferring of Property and Prisoners to the Jurisdiction of the State, Defining Certain Crimes, Appropriating Funds and Repealing Contrary Provisions," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Lammot, **SS 1** was adopted in lieu of the original.

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

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

YEAS—Messrs. Behen, Butler, Harrison, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Wililams—11.

NAYS—Messrs. Hoey, Steen, Mr. President Pro Tem—3.

ABSENT—Messrs. Camper, Covey, Wilgus—3.

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

On motion of Mr. Reilly, **SB 158**—"An Act to Amend Chapter 31, Title 24, Delaware Code, by Providing for the Refusal to Grant or Renew and the Suspension or Revocation of Certificates to Engage in the Undertaking Business," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

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

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

NAYS—None.

ABSENT—Messrs. Camper, Covey, Wilgus—3.

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

On motion of Mr. Reilly, SB 165—"An Act to Amend Chapter 31, Title 24, of the Delaware Code Relating to the Qualifications and Apprenticeship Requirements for Applicants for a Certificate to Engage in the Undertaking Business," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Reilly, Millard Cooper was granted the privilege of the floor.

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

YEAS—Messrs. Johnson, Lammot, Melson, Paradee, Pryor, Reilly, Williams, Mr. President Pro Tem—8.

NAYS—Messrs. Behen, Butler, Harrison, Hoey, McCullough, Steen—6.

ABSENT—Messrs. Camper, Covey, Wilgus—3.

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

Mr. Reilly requested that his vote be changed from yea to nay in order that the bill might be reconsidered.

On motion of Mr. Behen, SB 132—"An Act Appropriating Money to the University of Delaware for Capital Improvements on the University Campus, and at the University's Agricultural Experimental Substation in Sussex County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

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

NAYS—None.

ABSENT—Messrs. Camper, Covey, Pryor, Wilgus—4.

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

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

Senate met at expiration of recess at 5:00 P. M.

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

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, May 10, 1955

To the Senate, 118th General Assembly
State of Delaware

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

May 5, 1955, Senate Bill No. 117—An Act Authorizing and Directing the Levy Court of Sussex County to Make Available to the Board of Soil District Supervisors of the Soil Conservation District of Sussex County Certain Funds for the Employment of an Equipment Manager.

May 10, 1955, Senate Bill No. 32 with H. A. No. 1—An Act to Amend Chapter 41, Title 7, of the Delaware Code, Pertaining to the Collection of Taxes Levied by Tax Ditches.

May 30, 1955, Senate Bill No. 33—An Act to Amend Chapter 84, Title 9, of the Delaware Code, Pertaining to the Duty of the Receiver of Taxes and the County Treasurer to Collect School Taxes.

May 10, 1955, Senate Bill No. 34 with H. A. No. 1—An Act to Amend Chapter 21, Title 14, of the Delaware Code, Pertaining to the Assessment, Levy and Collection of School Taxes.

May 10, 1955, Senate Bill No. 35 with S. A. 1 and H. A. 1 and H. A. 2—An Act Amending Chapter 91, Title 9, of the Delaware Code, Pertaining to the Disposition of and Accounting for Fees of County Officers.

May 10, 1955, Senate Bill No. 40—An Act to Amend Title 15, Delaware Code, by Changing the Qualifications of Members of Departments of Election and the Secretaries Thereof.

May 10, 1955, Senate Bill No. 86—An Act to Amend Chapter 39, Title 12 of the Delaware Code, Relating to Records to be Kept by the Clerk of the Orphans' Court.

May 10, 1955, Senate Bill No. 182—An Act to Amend Chapter 5, Title 18 of the Delaware Code Relating to Requirements for Issuance of Original or Renewed Certificates of Authority of Insurance Companies.

May 10, 1955, Senate Bill No. 207—An Act to Amend Chapter 28, Title 31 of the Delaware Code by Requiring the State Welfare Home to Set Aside and Maintain a Certain Area for the Purpose of Burial of Bodies from Kent County.

May 10, 1955, House Bill No. 36—An Act to Amend Chapter 17, Title 9, Delaware Code Relating to Employees' Pensions; Disability Pension Benefits; Employees Receiving Compensation from New Castle County and City of Wilmington; Pension Benefits.

May 10, 1955, House Bill No. 37—An Act to Amend Chapter 17, Title 9, Delaware Code, Relating to Employees' Pensions; Retirement Pension Benefits; Disability Pension Benefits; Employees Receiving Compensation from New Castle County and City of Wilmington; Pension Benefits.

May 10, 1955, House Bill No. 38—An Act to Amend Chapter 230, Volume 49, Laws of Delaware, as Amended, Entitled "City of Wilmington Employees' Retirement Act"; Pension Benefits.

May 10, 1955, House Bill No. 296—An Act to Amend Chapter 1, Title 23, Delaware Code, Relating to Pilotage Rates, by Increasing the Rate for the Pilotage of Vessels.

May 10, 1955, House Bill No. 307—An Act to Amend Chapter 1, Title 23 Delaware Code, Relating to Pilots by Providing for an Increase in the Draught of a Ship to be Piloted by a Third Class Pilot.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Behen, SB 311—"An Act to Establish the Office of Building Inspector for Kent County; and Providing for Certain Operations and Procedure; Requiring Building Permits; Penalties," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

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

NAYS—None.

NOT VOTING—Mr. Pryor—1.

ABSENT—Messrs. Camper, Covey, Wilgus—3.

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

On motion of Mr. Behen, SB 310—"An Act to Amend Chapter 71, Title 29 of the Delaware Code Relating to the Mileage Rate for State Employees," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

NOT VOTING—Mr. Hoey—1.

ABSENT—Merr.s Camper, Covey, Wilgus—3.

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

On motion of Mr. Reilly, **SB 165**—"An Act to Amend Chapter 31, Title 24, of the Delaware Code Relating to the Qualifications and Apprenticeship Requirements for Applicants for a Certificate to Engage in the Undertaking Business," was taken up for reconsideration in order to pass the Senate.

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

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

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

NAYS—None.

NOT VOTING—Mr. Steen—1.

ABSENT—Merr.s Camper, Covey, Wilgus—3.

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

On motion of Mr. Behen, **HB 303**—"An Act Amending Chapter 152, Volume 48, Laws of Delaware, Being An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Amending the Borrowing Power of the City for Current Expenses," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Merr.s Camper, Covey, Wilgus—3.

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

The Chair announced that **HB 597**, which had been assigned to the Municipal Corporations Committee was reassigned to the Accounts Committee.

On motion of Mr. Lammot, **SB 104**—"An Act Amending Title 24 of the Delaware Code Creating a State Board of Electrical Examiners, and to Prescribe Regulations for Reduction of Fire Hazards and for Protection of Life and Property," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

YEAS—Messrs. Behen, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Steen, Williams, Mr. President Pro Tem—11.

NAYS—Messrs. Butler and Reilly—2.

NOT VOTING—Mr. Pryor—1.

ABSENT—Messrs. Camper, Covey, Wilgus—3.

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

On motion of Mr. McCullough, SB 386—"An Act to Amend Section 15 of Article 2 of the Constitution of the State of Delaware Relating to Cost of Operation of the General Assembly With Reference to Salary and Expenses of the Members Thereof," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Camper, Covey, Wilgus—3.

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

On motion of Mr. Lammot, HB 436—"An Act Providing for the Sale of 114 Shares of the Capital Stock of the National Bank of Smyrna, Owned by the State of Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Camper, Covey, Wilgus—3.

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

On motion of Mr. Reilly, HB 319—"An Act to Amend Chapter 33, Title 19, Delaware Code, Relating to Unemployment Compensation, by Making Certain Changes in the Definitions of Employment," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

NOT VOTING—Messrs. Hoey and Pryor—2.

ABSENT—Messrs. Camper, Covey, Wilgus—3.

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

Mr. Lammot introduced the following Senate Joint Resolution, **SJR 5**—"In Reference to the Visit of the Earl de la Warr, and Countess de la Warr," which was read to the Senate.

Mr. Lammot moved for its adoption, the yeas and nays were ordered, which being taken, were as follows:

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

NAYS—None.

ABSENT—Messrs. Camper, Covey, Steen, Wilgus—4.

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

On motion of Mr. Pryor, **HB 405** with **HA 1**—"An Act to Amend Chapter 1, Title 15, Delaware Code, Relating to the Department of Elections for Kent County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Harrison, Lammot, McCullough, Paradee, Pryor, Reilly, Mr. President Pro Tem—9.

NAYS—Messrs. Johnson, Melson, Williams—3.

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. Camper, Covey, Steen, Wilgus—4.

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

Request that the following be stricken from the calendar was granted to member as follows: **SB 152**, **SB 195**, **SB 457**, **SB 491**, by Behen.

On motion of Mr. Lammot, the Senate adjourned until Wednesday, May 11, 1952, at 2:00 P. M.

82ND LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:05 P. M., on Wednesday, May 11, 1955, President Pro Tem Moore presiding.

Prayer by Senator Harrison.

Members present—Messrs. Behen, Butler, Harrison, Hoey, Lammot, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—12.

Members absent—Messrs. Camper, Covey, Johnson, McCullough, Melson—5.

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

Messrs. Johnson, McCullough and Melson asked to be marked present.

Communications: One from Veterans of Foreign Wars favoring Korean Bonus.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in **HR 81**.

On motion of Mr. Paradee, **HB 112**—"An Act Authorizing and Directing the Levy Court of Kent County to Make Available to the Board of Soil District Supervisors of the Soil Conservation District of Kent County Certain Funds for the Employment of an Equipment Manager," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Camper, Covey, Johnson—3.

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

On motion of Mr. Paradee, **SB 156**—"An Act to Amend Chapter 17, Title 24, Delaware Code, Entitled, "Medicine, Surgery and Osteopathy" by Consolidating the Boards of Medical Examiners and Generally Revising the Provisions of the Said Chapter," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Camper, Covey, Johnson—3.

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

The President announced he was about to sign: **HCR 26, HCR 24, HB 47, HB 81, HB 104, HB 121, HB 183, HB 206, HB 207, HB 218, HB 308, HB 309, HB 324, HB 360, HB 381, HB 395, HB 416, HB 477** with **HA 1, HS 1** for **HB 361**.

On motion of Mr. McCullough, **SB 424**—"An Act to Prevent Insurance Companies from Asserting the Defense of Sovereignty Where Property of the State of Delaware or Any Political Subdivision Thereof is Insured," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. McCullough, **SS 1** for **SB 424** was accepted in lieu of the original.

On motion of Mr. McCullough, **SS 1** for **SB 424** was tabled.

On motion of Mr. Hoey, **HB 62**—"An Act Appropriating Money to Layton Home for Aged Colored Persons," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Camper, Covey, Melson—3.

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

On motion of Mr. McCullough, **SS 1** for **SB 424**—"An Act to Prevent Insurance Companies from Asserting the Defense of Sovereignty Where Property of the State of Delaware or Any Political Subdivision Thereof is Insured," was brought from the table in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Camper, Covey, Melson—3.

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

On motion of Mr. Paradee, **HB 85**—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware Which Maintain and Operate an Ambulance," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Camper, Covey, Melson—3.

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

On motion of Mr. Hoey, **HB 111**—"An Act Appropriating Certain Money to the State Soil Conservation Commission for the Drainage of Tax Ditches in Kent County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Camper, Covey, Melson—3.

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

On motion of Mr. Hoey, **HB 326**—"An Act to Amend Chapter 212 Volume 25, Laws of Delaware, 1909, Entitled "An Act to Incorporate the Town of Bethany Beach and Give It Authority to Issue Bonds", as Amended, Providing for an Increase in the Amount to be Raised by Taxation," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Camper and Covey—2.

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

On motion of Mr. Hoey, **HB 325**—"An Act to Amend An Act Entitled "An Act to Incorporate the Town of Ocean View in Sussex County, Delaware", Being Chapter 645, Volume 18, Laws of Delaware and All Acts Amendatory Thereof and Supplementary Thereto," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Camper, Covey, Pryor—3.

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

On motion of Mr. Behen, **HB 98**—"An Act to Amend An Act Entitled, "An Act Amending, Revising and Consolidating the Charter of the Town of Georgetown", Being Chapter 166, Volume 43, Laws of Delaware, as Amended, by Authorizing the Town Council of Georgetown to Appoint a Vice-Mayor and Prescribing His Duties," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Camper, Covey, Pryor—3.

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

On motion of Mr. Behen, **HB 209** with **HA 1**—"An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Providing for the Vacation of City Streets," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Behen, **HB 209** with **HA 1** was deferred.

On motion of Mr. Behen, **HB 212**—"An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Removing the Prohibition Against the Manufacturing or Generation of Electric Light and Power," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Camper and Covey—2.

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

On motion of Mr. Behen, **HB 211**—"An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Changing the Qualifications for Mayor and Councilmen and by Changing the Provisions for Nominating Petitions," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Camper and Covey—2.

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

On motion of Mr. Behen, **HB 208**—"An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Permitting the Sale of Water Outside of the City Limits," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Camper and Covey—2.

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

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

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, May 11, 1955

To the Senate, 118th General Assembly
State of Delaware

This will advise you that on the date indicated I approved the following legislation.

May 11, 1955, Senate Bill No. 64—An Act Directing the Department of Elections of New Castle County to Create a New Election District in New Castle Hundred.

May 11, 1955, Senate Bill No. 177 with H. A. 1—An Act to Amend Chapter 55, Title 29 of the Delaware Code Relating to Certain Definitions Contained in the State Employees' Pension Plan.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Behen, **HB 285**—"An Act to Amend the Charter of the Town of Bridgeville, Chapter 158, Volume 43, Laws of Delaware, by Increasing the Amount Permitted to be Raised by Taxation," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Camper and Covey—2.

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

On motion of Mr. Hoey, **HB 93**—"An Act Appropriating Money to the United Spanish War Veterans, Department of Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Camper and Covey—2.

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

On motion of Mr. Hoey, **HB 141**—"An Act Making an Appropriation to the State Board of Education to Provide for the Payment of Costs and Expenses for the Transportation of School Children for the Year Ending June 30, 1954, over and Above the Appropriations Which Were Available to the State Board of Education for That Purpose," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

NOT VOTING—Mr. Pryor—1.

ABSENT—Messrs. Camper and Covey—2.

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

On motion of Mr. Lammot, the Senate adjourned until Thursday, May 12, 1955, at 2:00 P. M.

83RD LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Thursday, May 12, 1955, Lieutenant-Governor Rollins presiding.

Prayer by Senator Harrison.

Members present—Messrs. Butler, Harrison, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Steen, Williams, Mr. President Pro Tem—11.

Members absent—Messrs. Behen, Camper, Covey, Hoey, Reilly, Wilgus—6.

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

Messrs. Behen, Hoey and Reilly asked to be marked present.

The Chief Clerk of the House informed the Senate that the House had concurred in SB 1, SB 2, SB 285 with SA 1, SB 127, SB 304 with SA 1, SB 328, SB 331, SB 332, SB 334 with SA 1, SB 335 with SA 1 and SA 2, SB 336, SB 338 with SA1, SB 339, SB 422, and that the House had passed and requested the concurrence of the Senate in the following: SB 329 with SA 1 and HA 1, SB 330 with SA 1 and HA1, HB 189 with HA 1, HB 514 with HA 1.

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

HB 189 with HA 1—"An Act to Amend Chapter 27, Title 21, Section 2712, Delaware Code, Relating to the Special Examination of Persons Involved in More Than One Accident During Any 24 Month Period," to Revised Statutes.

HB 514 with HA 1—"An Act to Amend Chapters 31 and 39, Title 11, Delaware Code, by Providing a New Procedure for Charging and Sentencing Repeating Criminal Offenders," to Judiciary.

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

GOVERNOR'S MESSAGES
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, May 12, 1955

To The Senate of The State of Delaware:

On May 2, 1955, I received Senate Bill No. 241, entitled:
**AN ACT TO AMEND CHAPTER 45, TITLE 7 OF
THE DELAWARE CODE RELATING TO THE
SALE OF PUBLIC LANDS AND PRODUCTS.**

I respectfully return herewith this bill without my approval.

This bill provides that no public lands may be sold by the State Highway Department without specific authority of the General Assembly.

Such a restriction on the authority of an administrative agency of the state is unwise as well as impractical. Furthermore, it is contrary to our concept of governmental practice whereby authority to act on administrative matters is rightfully delegated by the legislative branch to agencies of the executive branch in the public interest.

In the matter at hand the Department has a capable and qualified staff which can investigate and evaluate the advisability of the sale or transfer of public lands. The General Assembly has no such staff. The Department is able to act promptly in the public interest. The General Assembly, for long periods of time, is not able to act on matters of this nature—and in any event should not be burdened with such an administrative task.

The intended scope of this Bill is ambiguous. It is not clear whether this bill applies only to certain public lands or to all public lands.

If it applies, or conceivably could be applied, to all public lands it would deprive the Department of the essential and necessary power to transfer public lands in connection with its highway construction and improvement program. Without such power, or with continuing uncertainty concerning such power, the ability of the Department to act promptly and properly would be most seriously impeded.

To conduct a highway improvement program the Department must have clear and unrestricted authority, under changing conditions, to buy, sell or otherwise transfer land. It would be entirely impractical to obtain specific authority from the General Assembly for the transfer of each parcel of land.

Respectfully submitted,

J. CALEB BOGGS, Governor

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, May 12, 1955

To The Senate of The State of Delaware:

On May 4, 1955, I received Senate Bill No. 255 with Senate Amendment No. 1, entitled:

AN ACT TO AMEND CHAPTER 1, TITLE 15 OF
THE DELAWARE CODE BY ABOLISHING THE
PRESENT DEPARTMENT OF ELECTIONS FOR
NEW CASTLE COUNTY AND CREATING A NEW
DEPARTMENT OF ELECTIONS FOR NEW CAS-
TLE COUNTY.

I respectfully return this bill without my approval.

No logical reason is known to exist for ripping out the present Department of Elections for New Castle County. The only apparent reason which can be attributed to such action is partisan politics.

The Department of Elections for New Castle County has done an excellent job of administering the registration and election laws of the State. During a period of great growth in population and important changes in the election laws this Department has efficiently performed its duties. The transition from paper ballots to voting machines, with its many difficult administrative problems, was smoothly carried out by the Department.

It is right and proper to abolish, alter or temporarily suspend public agencies only when the public interest is to be served. This bill, however, reflects a complete disregard for the public interest, as there has been no suggestion or charge of any unlawful action or misconduct of any kind on the part of the Department as presently constituted.

The members of the Department of Elections for New Castle County are persons of experience and integrity. They have performed their duties conscientiously and well, often under difficult circumstances. Such public service deserves commendation rather than summary dismissal.

The abolition of properly functioning public agencies solely in an effort to acquire political advantage, rightly deserves and will surely receive public condemnation. It is for that reason that responsible leaders of both parties have been outspoken in opposition to this type of legislation.

This bill finds no support in any political platform and, in fact, is contrary to a specific pledge in the platform of the Democratic Party.

There is also no justification for depriving a Governor of the right to appoint the members of administrative and executive bodies. Therefore, the reason for doing so must be political expediency. Those favoring the bill themselves re-

veal this is to be true by providing that the Governor shall make such appointments after the initial ones have been made.

Two years ago, upon the strong urging of the party representing the minority members of this Department, the number of members of the Department was increased to assure each party that it will be represented by at least five of the twelve members. Now the same party reverses its position by endorsing this bill which would establish a much less favorable balance between the parties. Even from a purely political point of view there can be no justification for this backward step.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. McCullough, **HB 597**—"An Act to Amend Chapter 27, Title 18, Delaware Code, Relating to the Rate of Special Tax on Gross Premiums of Fire Insurance Companies for the Purpose of Assisting in Maintaining Fire Companies," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Harrison, Johnson, Lam-mot, McCullough, Paradee, Pryor, Williams, Mr. President Pro Tem—10.

NAYS—Messrs. Hoey and Steen—2.

NOT VOTING—Mr. Reilly—1.

ABSENT—Messrs. Camper, Covey, Melson, Wilgus—4.

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

On motion of Mr. Lam-mot, **SB 472**—"An Act to Amend Chapter 3, Title 17 of the Delaware Code Entitled "The Delaware Memorial Bridge" by Reorganizing and Reconstituting the Delaware Memorial Bridge Division of the State Highway Department as the Delaware Interstate Highway Division; by Authorizing Said Division to Issue Revenue Bonds to Finance the Construction and Reconstruction of Highways in the Interstate System, Bridge Approaches, By-Passes, for the Construction of Toll Crossings Over and Under the Delaware River, and for Refunding Purposes; and by Vesting in the Delaware Interstate Highway Division the Maintenance, Repair and Operation of the Delaware Memorial Bridge," was reconsidered and brought up for final action in order to pass the Senate.

Mr. Lam-mot introduced **SA 2**, **SA 3** and **SA 4**, which were read and on his further motion adopted.

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

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

NAYS—Messrs. Melson and Williams—2.

ABSENT—Messrs. Camper, Covey, Wilgus—3.

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

On motion of Mr. Pryor, **HB 291**—"An Act Authorizing a Referendum Vote at the Next General Election to Determine Whether the People Favor Permitting the Playing of Bingo When Sponsored by Volunteer Fire Companies or Other Civic, Charitable, or Religious Non-Profit Groups," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Butler, Johnson, Melson, Pryor, Williams, Mr. President Pro Tem—6.

NAYS—Messrs. Behen, Harrison, Hoey, Lammot, McCullough, Paradee, Reilly, Steen—8.

ABSENT—Messrs. Camper, Covey, Wilgus—3.

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

On motion of Mr. Melson, **SB 292**—"An Act to Amend Title 13, Delaware Code by Providing That the Superior Court of the State of Delaware in and for New Castle County May Within Its Discretion Refer Proceedings for Divorce or Annulment of Marriage to the Family Court for New Castle County for Attempted Reconciliation," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Camper, Covey, Wilgus, Wililams—4.

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

On motion of Mr. Melson, **SB 293**—"An Act to Amend Chapter 9, Title 10, Delaware Code by Granting to the Family Court for New Castle County, Special Jurisdiction With Equitable Powers in Civil Action, Arising in New Castle County

for Support of Minor Children and/or Separate Maintenance of a Wife and Removing Jurisdiction Over Said Actions from the Court of Chancery of the State of Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Camper, Covey, Wilgus—3.

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

On motion of Mr. Melson, **SB 294**—"An Act to Amend Chapter 9 of Title 10 Delaware Code Entitled "Family Court for New Castle County" by Granting Jurisdiction to the Family Court Over Any Child Found in New Castle County; by Empowering Said Court to Prosecute Persons Charged With Any Offense Except Felonies Against Children; by Granting Jurisdiction to Said Court of the Crime Commonly Known as "Wife-Beating"; by Granting Jurisdiction to the Said Court of the Offense of Selling or Delivering Alcoholic Liquors to a Minor; by Granting Jurisdiction to Said Court of the Crime of Harboring or Using a Child for Sexual Purposes; by Empowering Said Court to Punish Any Person Attempting to Evade the Jurisdiction of the Court by Removing from the State a Child Concerning Whose Custody or Possession Proceedings Have Been Filed With the Court," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—Mr. Behen—1.

ABSENT—Messrs. Camper, Covey, Wilgus—3.

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

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 73**—"Authorizing Payment on Account to Attaches and Employees of the Senate."

BE IT RESOLVED, by the Senate of the 118th General Assembly, that the State Treasurer be and he hereby is authorized and directed to pay to any attache or employee, who has been duly appointed by Resolution of the Senate, upon the order of the President Pro Tem of the Senate, the

sum of One Hundred Dollars (\$100.00) to any one person, on account of services to the present Session of the Senate. Any such sums so paid shall be charged against the salary of the individual attache or employee to whom such sum or sums are paid, and shall be a part of the expenses of this Session of the Senate.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 326**, 3 favorably, 2 on merits, by Elections; **SB 369**, 3 on merits, by Executive; **SB 437**, **SB 439**, by Buildings and Highways.

On motion of Mr. Melson, **SB 295**—"An Act to Amend Title 13, Delaware Code by Abrogating the Rule of Law Which Prohibits a Wife from Testifying to the Fact of Non-Access by Her Husband," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Behen, Camper, Covey, Pryor, Steen, Wilgus—6.

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

The Chair presented the following concurrent resolution: **HCR 21**—"Expressing the Appreciation of the General Assembly to Merton B. Tice, Commander-in-Chief of the Veterans of Foreign Wars of the United States," which on motion by Mr. Lammot was adopted and returned to the House.

On motion of Mr. Lammot, the Senate adjourned until Friday, May 13, 1955, at 2:00 P. M.

84TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Friday, May 13, 1955, President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

Members present—Messrs. Behen, Butler, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Steen, Williams, Mr. President Pro Tem—13.

Members absent—Messrs. Camper, Melson, Reilly, Wilgus—4.

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

Messrs. Melson and Reilly asked to be marked present.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 228**, **SB 229**, **SB 234**, **SB 235**, **SB 288**, and that the House had passed and requested the concurrence of the Senate in the following: **SB 84** with **HA 1**, **SB 148** with **SA 1** and **HA 1**, **SB 333** with **SA 1** and **HA 1** and **HA 2**, **HB 103**, **HB 269**, **HB 370**, **HB 384**, **HS 1** for **HB 506**, **HB 526**.

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

HB 103—"An Act to Appropriate Moneys to Certain Hospitals in the State of Delaware," to Finance.

HB 269—"An Act to Amend Chapter 31, Title 20, Delaware Code, Relating to Civil Defense; Powers of the Governor," to Revised Statutes.

HB 370—"An Act to Amend Chapter 37, Title 11, Delaware Code, Relating to the Crimes of Larceny and Driving Vehicle Without Consent of Owner," to Miscellaneous.

HB 384—"An Act to Amend Chapter 31, Title 11, Delaware Code, by Providing That in Any Indictment or Information Where It Is Necessary to Allege an Intent to Defraud It Shall be Unnecessary to Name the Person Intended to be Defrauded and That It Shall Not be a Variance and Shall be Sufficient If Intent to Defraud Any Person or Group of Persons or Legal Entity is Proved," to Judiciary.

HS 1 for **HB 506**—"An Act to Amend Chapter 21, Title 21, Delaware Code, by Providing for the Issuance of Temporary Registration Plates Under Certain Conditions and for Certain Purposes," to Finance.

HB 526—"An Act to Amend Chapter 61, Title 9, Delaware Code, Relating to Authorized Appropriations for Ambulance Service," to Revised Statutes.

The Chair presented **HCR 28**—"Suspending House Concurrent Resolution No. 12 and Permitting the Introduction of New Bills for the Period of One Hour on Monday, May 16, 1955," which was read to the Senate.

Mr. Lamot moved for its adoption, and the yeas and nays were ordered, which being taken were as follows:

YEAS—Messrs. Behen, Butler, Covey, Harrison, Johnson, Lamot, McCullough, Melson, Reilly, Williams, Mr. President Pro Tem—11.

NAYS—Messrs. Hoey, Paradee, Pryor, Steen—4.

ABSENT—Messrs. Camper and Wilgus—2.

So the resolution having received the required constitutional majority passed the Senate and was returned to the House.

Request that the following be stricken from the calendar was granted to member as follows: **SB 301**, **SB 400**, **SB 401**, by Behen.

The President announced he was about to sign: **HB 436, HB 405, HB 326, HB 325, HB 319, HB 303, HB 285., HB 212, HB 211, HB 208, HB 141, HB 112, HB 111, HB 98, HB 93, HB 85, HB 62.**

On motion of Mr. Lammot, the Senate recessed.

Senate met at expiration of recess at 2:32 P. M. for Joint Session.

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

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

JOINT SESSION

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

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

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

Mr. Lammot moved that the President appoint a committee to escort His Excellency the Governor and The Earl de la Warr to the Senate Chamber. Motion prevailed.

The Chair appointed Messrs. Lammot, Johnson, Macklin and Maclary to escort the Governor and Earl de la Warr to the Senate Chamber.

The appointed committee returned, escorting His Excellency the Governor and the Earl de la Warr.

The President Pro Tem of the Senate turned the ceremonies over to the Governor, the Honorable J. Caleb Boggs, who in turn introduced the Earl and Countess de la Warr. The Earl spoke to the Joint Session.

The appointed committee escorted His Excellency the Governor and the Earl de la Warr from the Chamber.

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

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

Mr. Lammot moved that the two Houses now separate to reconvene in their respective chambers. Motion prevailed.

On motion of Mr. Lammot, the Senate recessed.

Senate met at expiration of recess at 4:05 P. M.

On motion of Mr. McCullough, **SB 84** with **HA 1**—"An Act to Provide for the Construction, Equipping, and Furnishing of Several New Buildings for Patients, a New Kitchen and Dining Room for Employees, Two Doctors' Residences

and Six Employees' Apartments, and a Receiving and Warehouse Building, and for the Additional Repairing, Remodeling, and Equipping of Two Existing Buildings and the Enlarging of One Existing Building at the State Hospital at Farnhurst and Making an Appropriation Therefor," was taken up for consideration in order to pass the Senate with **HA 1**.

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

YEAS—Messrs. Behen, Butler, Harrison, Hoey, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Camper, Covey, Johnson, Wilgus—4.

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

On motion of Mr. Lammot, the Senate recessed.

Senate met at expiration of recess at 4:17 P. M.

Mr. McCullough introduced the following resolution, which on further motion by him was adopted: **SR 74**—"Requesting Return of Senate Bill No. 403 from the House of Representatives of the 118th General Assembly of the State of Delaware."

BE IT RESOLVED by the Senate of the 118th General Assembly of the State of Delaware, that the House of Representatives of the 118th General Assembly of the State of Delaware is requested to return to the Senate for reconsideration Senate Bill No. 403.

Mr. McCullough introduced the following resolution, which on further motion by him was adopted: **SR 75**—"Authorizing the Erection of Bronze Plaques in the Senate Chamber and the Payment Therefor."

WHEREAS, in various sessions of the Legislature bronze plaques bearing the names of those Senators who made up the membership of the Senate for that session have been purchased and affixed to the walls of the Senate Chamber in order to perpetuate for Historical purposes the make-up of those various Senates, and

WHEREAS, certain sessions for various reasons were either inadvertently or through necessity not perpetuated by the erection of such plaques, and

WHEREAS, it is felt that the names of all of the Senators elected between 1933, the date of the first session in the present State House, and the present date should be included in appropriate plaques, and

WHEREAS, the Senate has by **SENATE RESOLUTION NO. 44** authorized a plaque for the Senate of the 118th **GENERAL ASSEMBLY**, and

WHEREAS, the erection of additional plaques for the Senates of the following sessions of the **GENERY ASSEMBLY** will cause the names of all of the Senators who were elcted during that time to be perpetuated:

106th General Assembly

108th General Assembly

110th General Assembly

114th General Assembly

NOW THEREFORE

BE IT RESOLVED, by the Senate of the 118th General Assembly of the State of Delaware that the President Pro Tem of the Senate is hereby authorized and directed to appoint a committee to make the necessary arrangements and contract for the preparation and erection of four additional appropriate bronze plaques each containing the names of the members of the Senate of the proper one of the following sessions of the General Assembly: 106th, 108th, 110th and 114th and that the sum of \$960.00 be and the same is hereby appropriated out of the General Fund of the State Treasury, from monies not otherwise appropriated, for the payment of 4 bronze plaques containing the names of the members of the Senates of the 106th, 108th, 110th and 114th General Assemblies, and the State Treasury is hereby authorized and directed to pay the aforesaid sum upon warrants duly signed by the President and Secretary of the Senate, said sum so appropriated being a part of the expenses of the Senate.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 456**, 4 on merits, **HB 365**, 4 on merits, by Public Health; **HB 187**, 4 on merits, **HB 230**, 4 on merits, **HB 266**, 4 on merits, **HB 335**, 2 favorably, 2 on merits, **HB 234**, 4 on merits, **HB 168**, 4 on merits, by Finance; **HB 414**, 1 favorably, 2 unfavorably, 1 on merits, by Elections.

On motion of Mr. Pryor, **SB 329** with **SA 1** and **HA 1**—“An Act to Amend Title 15 of the Delaware Code by Creating the Office of the State Election Commissioner and Defining the Powers and Duties Thereof,” was taken up for consideration in order to pass the Senate with **HA 1**.

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

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

NAYS—Messrs. Melson and Williams—2.

ABSENT—Messrs. Camper, Covey, Johnson, Wilgus—4.

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

On motion of Mr. Pryor, **SB 330** with **SA 1** and **HA 1**—"An Act to Amend Part II, Title 15, of the Delaware Code Relating to the Registration of Voters," was taken up for consideration in order to pass the Senate with **HA 1**.

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

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

NAYS—Mr. Williams—1.

NOT VOTING—Mr. Melson—1.

ABSENT—Messrs. Camper, Covey, Johnson, Wilgus—4.

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

On motion of Mr. Pryor, **SB 333** with **SA 1** and **HA 1** and **HA 2**—"An Act to Amend Chapter 49, and Chapter 50, Title 15 of the Delaware Code Relating to the Conduct of Elections," was taken up for consideration in order to pass the Senate as amended in the House.

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

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

NAYS—Mr. Williams—1.

NOT VOTING—Mr. Melson—1.

ABSENT—Messrs. Camper, Covey, Johnson, Wilgus—4.

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

On motion of Mr. Williams, **SB 269**—"An Act Making an Emergency Appropriation to the State Park Commission of Delaware to Enable the Said Commission to Open Brandywine Springs Park," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Lammot, McCullough, Melson, Reilly, Williams, Mr. President Pro Tem—8.

NAYS—Messrs. Harrison, Hoey, Paradee, Steen—4.

NOT VOTING—Mr. Pryor—1.

ABSENT—Messrs. Camper, Covey, Johnson, Wilgus—4.

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

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

On motion of Mr. Behen, SB 148 with SA 1 and HA 1—"An Act to Amend Chapter 7 of Title 7 of the Delaware Code Relating to the Sale and Possession of Rabbits Received from Other States," was taken up for consideration in order to pass the Senate with HA 1.

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

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

NAYS—Mr. McCullough—1.

ABSENT—Messrs. Camper, Covey, Johnson, Wilgus—4.

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

On motion of Mr. Lammot, the Senate adjourned until Monday, May 16, 1955, at 2:00 P. M.

85TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Monday, May 16, 1955, President Pro Tem Moore presiding.

Prayer by the House Chaplain, Rev. Buckley.

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

Members absent—Messrs. McCullough and Williams—2.

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

Messrs. Melson and Williams asked to be marked present.

Mr. Reilly moved that all bills introduced today be given first and second reading by title only. 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: **HCR 10, HB 97.**

The Chair presented the following House bill, which was given first and second readings by title only and referred to committee as follows:

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

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

SB 493—"An Act to Amend Chapter 53, and Chapter 55, Title 31 of the Delaware Code by Abolishing the Kruse School

and Transferring All of Its Powers, Duties, Equipment, Furnishings and Inmates to the Woods Haven School for Girls," by Reilly; to Judiciary.

SB 494—"An Act to Amend Chapter 55, Title 16, Delaware Code by Providing for the Commitment of Certain Feeble Minded or Mentally Retarded Persons in a Penal Institution or Detention Home Upon Petition by the Superintendent of the Delaware Colony to the Superior Court," by Behen; to Judiciary.

SB 495—"An Act to Amend Chapter 29, Title 14, Delaware Code by Providing That Local School Boards Shall Have the Power to Award Contracts for the Transportation of Pupils," by McCullough, Hoey, Lammot and Reilly; to Education.

SB 496—"An Act to Require the State Highway Department to Install a Push Button Traffic Light in the Wilmington Manor Fire Hall," by McCullough; to Judiciary.

SB 497—"An Act to Amend Chapter 13, Title 14, Delaware Code, by Adding Teachers and Clerical Workers Employed by the State Board of Education to the Personnel Covered by That Chapter," by McCullough; to Education.

SB 498—"An Act to Provide for State Supported Salary Schedules for the Biennium Beginning July 1, 1955 and Ending June 30, 1957, for Employees of the State Board of Education, the State Board for Vocational Education, and the Board of Public Education in Wilmington Who Are Not Covered by the Salary Schedules in Title 14, Chapter 13, Delaware Code, and to Provide Appropriation Therefor," by McCullough; to Finance.

SB 499—"An Act Appointing a Legislative Advisory Committee to Study the Needs of the General Assembly and to Report to the Next Regular Session Thereof and Providing an Appropriation Therefore," by McCullough; to Finance.

SB 500—"An Act to Amend Chapter 83, Title 16, Delaware Code by Providing for the Levy Court of New Castle County to Promulgate Rules and Regulations Known as the Building Code for All of New Castle County," by McCullough (by request); to Rules.

SB 501—"An Act to Amend Chapter 81, Title 16, Delaware Code Relating to Plumbing Code for Rural New Castle County by Providing Authority to the Levy Court of New Castle County to Promulgate a Plumbing Code for All of New Castle County," by McCullough (by request); to Rules.

SB 502—"An Act to Amend Chapter 162, Volume 37, Laws of Delaware by Prohibiting the Introduction of Fluorine Into Drinking Water by the City of Milford for One Year and Providing for a Referendum Thereafter," by Hoey; to Finance.

SB 503—"An Act to Appropriate Money to Certain Volunteer Fire Companies," by Steen, Hoey, Lammot and Reilly; to Finance.

SB 504—"An Act to Amend Chapter 23, Title 29, Delaware Code, Entitled "Secretary of State" to Permit the Secretary of State to Purchase New Seals of Office and Requiring That the Old Seals be Destroyed," by McCullough; to Finance.

SB 505—"An Act to Amend Chapter 95, Title 9 of the Delaware Code Relating to the Annual Salary of the Coroner's Physician in New Castle County," by Lammot (by request); to Judiciary.

SB 506—"An Act to Amend Chapter 1, Title 26 of the Delaware Code Relating to the Jurisdiction of the Public Service Commission Over Municipally Owned Public Utilities," by Behen; to Judiciary.

SB 507—"An Act to Amend Chapter 65, Title 29 of the Delaware Code Relating to Budget and Fiscal Regulations for State Agencies; Payment or Contribution of Public Funds; Filing Affidavits With Auditor of Accounts; Decision of Auditor of Accounts, When Final," by Reilly; to Finance.

SB 508—"An Act to Amend Title 29, of the Delaware Code by Providing for Prequalifications of Persons Proposing to Bid on Public Work Duly Advertised," by Reilly; to Buildings and Highways.

SB 509—"An Act to Amend Chapter 1, Title 16 of the Delaware Code by Exempting Beauty Shops in Kent County from Regulation by the State Board of Health," by Camper (by request); to Judiciary.

SB 510—"An Act to Appropriate Funds to the Trustees of Market Square for the Restoration, Repair, Maintenance and Protection of the Old State or Court House Situated on the Public Green in the City of New Castle," by McCullough; to Judiciary.

SB 511—"An Act to Amend Chapter 3, Title 11, Delaware Code, Concerning Wife Beating Providing That Whipping With Lashes Shall be Imposed Only by a Judge of the Superior Court," by Melson and Behen; to Judiciary.

Mr. Camper introduced the following resolution, which on further motion by him was adopted: **SR 76**—"Authorizing the Payment of the Sum of \$25.30 to the Whelan's for Typewriter Repairs and Rental on Typewriters and Stands for One Month."

BE IT RESOLVED by the Senate of the 118th General Assembly of the State of Delaware, that the State Treasurer be and he hereby is authorized and directed to pay out of the General Fund to Whelan's the sum of \$25.30 to cover the cost of typewriter repairs as per invoice No. 64169 and rental on typewriters and stands for one month as per invoice No. 1410—February 28, 1955 and Invoice No. 1524, March 31, 1955.

Mr. Camper introduced the following resolution, which on further motion by him was adopted: **SR 77**—"Authorizing the Payment of the Sum of Twenty-Seven Hundred Thirty-Six Dollars (\$2,736.00) for Printing of Calendars."

BE IT RESOLVED by the Senate of the 118th General Assembly of the State of Delaware that the State Treasurer be and he is hereby authorized and directed to pay out of the General Fund unto Milford Chronicle Publishing Company, Milford, Delaware, the sum of Twenty-seven Hundred Thirty-Six Dollars (\$2736.00) to cover cost of printing Daily Calendars in accordance with the following statement:

To Printing Daily Calendars for 1955 Session—

| | | |
|--|-------------------------------|-----------|
| 400 Copies for 73rd Legislative Day—300 Copies for each Day thereafter. | | |
| 73rd Legislative Day | 60 pages @ \$4.32 per page... | \$ 259.20 |
| 74th Legislative Day | 62 pages @ \$3.60 per page... | 223.20 |
| 75th Legislative Day | 62 pages @ \$3.60 per page... | 223.20 |
| 76th Legislative Day | 62 pages @ \$3.60 per page... | 223.20 |
| 77th Legislative Day | 62 pages @ \$3.60 per page... | 223.20 |
| 78th Legislative Day | 62 pages @ \$3.60 per page... | 223.20 |
| 79th Legislative Day | 64 pages @ \$3.60 per page... | 230.40 |
| 80th Legislative Day | 64 pages @ \$3.60 per page... | 230.40 |
| 81st Legislative Day | 64 pages @ \$3.60 per page... | 230.40 |
| 82nd Legislative Day | 64 pages @ \$3.60 per page... | 230.40 |
| 83rd Legislative Day | 62 pages @ \$3.60 per page... | 223.20 |
| 84th Legislative Day | 60 pages @ \$3.60 per page... | 216.00 |

Total for printing calendars from 73rd Legislative

Day to 84th Legislative Day, inclusive\$2,736.00

The Chair presented **HCR 10**—"Requesting School Authorities to Properly Supervise Burning of Refuse on School Property," which was read to the senate, and on motion of Mr. Lammot, adopted and returned to the House.

The President announced he was about to sign: **SB 1**, **SB 2**, **SB 127**, **SB 228**, **SB 229**, **SB 234**, **SB 235**, **SB 285** with **SA 1**, **SB 288**, **SB 304** with **SA 1**, **SB 422**.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 162**, 4 favorably, 1 on merits, by Printing and Supplies; **SB 373**, 5 on merits, by Education; **SB 114**, 1 favorably, 4 on merits, by Public Health; **SB 232**, 5 on merits, **SB 262**, 1 unfavorably, 4 on merits, **SB 503**, 5 on merits, by Finance.

On motion of Mr. Lammot, **SB 255** with **SA 1**—"An Act to Amend Chapter 1, Title 15 of the Delaware Code by Abolishing the Present Department of Elections for New Castle County and Creating a New Department of Elections for New Castle County," which had been returned to the Senate by the Governor without his approval together with his objections, was reconsidered in order to pass the Senate, the objections of the Governor notwithstanding.

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

The Governor has, apparently for political reasons, seen fit to Veto SENATE BILL NO. 255 with SENATE AMEND-

MENT NO. 1. This bill is the first step in the direction of necessary renovation in a department that appears to have need for it.

I must respectfully point out that the calibre of the job of administration done in the past by the Department of Election for New Castle County is purely a matter of opinion.

It is indeed regrettable that a legislative body is required to correct an existing unhealthy condition when it would have been so easy for the executive branch to make this correction. The people of Delaware have been crying out for years for this needed correction and since the change has not been made in the past, I feel that the legislature must heed the mandate of the people of this State as expressed so overwhelming in the last election.

I therefore move, Mr. President, that SENATE BILL NO. 255 with SENATE AMENDMENT NO. 1 be passed over the Governor's veto.

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

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

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

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

ABSENT—Mr. Johnson.

So the question was decided in the affirmative and the bill having received the required constitutional majority passed the Senate the Governor's objections not withstanding and was ordered to the House for concurrence.

On motion of Mr. Hoey, **HB 143**—"An Act to Amend the Charter of the Town of Fenwick Island in Respect to Assessments and Collection of Taxes," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Johnson and Pryor—2.

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

On motion of Mr. Williams, **SB 269**—"An Act Making an Emergency Appropriation to the State Park Commission of Delaware to Enable the Said Commission to Open Brandywine Springs Park," was taken up for consideration and read in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Williams, SB 270—"An Act Appropriating Money to the State Park Commission of Delaware for the Improvement of the House at Brandywine Springs Park, was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Williams, SB 268—"An Act Appropriating Money to the State Park Commission of Delaware for Capital Improvements and Equipment at Brandywine Springs Park," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

NOT VOTING—Mr. Pryor—1.

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

On motion of Mr. Williams, SB 273—"An Act Appropriating Money to the State Park Commission of Delaware for the Partial Restoration of the Building and for the Construction of a Boat Landing and the Purchase of Equipment at Fort Delaware, was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Williams, SB 273 was tabled.

On motion of Mr. Covey, SB 236—"An Act Extending the Corporate Limits of the City of Seaford," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—17.

NAYS—None.

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

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

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

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

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

YEAS—Messrs. Covey, Harrison, Johnson, Lammot, McCullough, Melson, Pryor—7.

NAYS—Messrs. Behen, Butler, Camper, Hoey, Paradee, Reilly, Steen, Wililams—8.

NOT VOTING—Mr. President Pro Tem—1.

ABSENT—Mr. Wilgus—1.

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

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

On motion of Mr. Williams, SB 273—"An Act Appropriating Money to the State Park Commission of Delaware for the Partial Restoration of the Building and for the Construction of a Boat Landing and the Purchase of Equipment at Fort Delaware," was reconsidered in order to pass the Senate.

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

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

NAYS—Mr. Pryor—1.

ABSENT—Messrs. Covey and Wilgus—2.

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

On motion of Mr. Behen, HS 1 for HB 223—"An Act to Re-Incorporate the Town of Elsmere, New Castle County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Mr. Williams introduced SA 2, which was read and on his further motion lost.

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

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

NAYS—Messrs. Johnson, Melson, Paradee, Williams—4.

ABSENT—Messrs. Covey and Wilgus—2.

Mr. Reilly changed his vote from yea to nay in order that HS 1 with SA 1 to HB 223 might be reconsidered.

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

On motion of Mr. Hoey, HB 115—"An Act to Amend Section 731, Title 4, Delaware Code, Relating to the Retaliatory Beer Tax," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—Messrs. McCullough and Pryor—2.

ABSENT—Messrs. Covey and Wilgus—2.

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

On motion of Mr. Lammot, the Senate adjourned until Tuesday, May 17, 1955, at 2:00 P. M.

86TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:07 P. M., on Tuesday, May 17, 1955, Lieutenant-Governor Rollins presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

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

Members absent—Messrs. Covey, McCullough, Melson, Williams—4.

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

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

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

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, May 17, 1955

To The Senate, 118th General Assembly
State of Delaware

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

May 13, 1955, House Bill No. 477 with H. A. No. 1—An Act to Amend An Act Entitled, "An Act Amending, Revising and Consolidating the Charter of the Town of Georgetown", Being Chapter 166, Volume 43, Laws of Delaware, as Amended, Relative to the Power of the Town Council of Georgetown to Borrow Money and Issue Bonds.

May 16, 1955, Senate Bill No. 194—An Act to Amend Chapter 95, Title 9 of the Delaware Code by Raising the Salary of the Coroner in New Castle County.

May 16, 1955, Senate Bill No. 197—An Act Authorizing the Levy Court of New Castle County to Appropriate County Moneys to the Wilmington Manor Fire Company, the Good Will Fire Company, the Elsmere Fire Company, and the Aetno Hook, Hose and Ladder Company for the Maintenance of a Rescue Squad.

May 16, 1955, Senate Bill No. 256—An Act to Provide for the Return of Certain Funds to the Unemployment Compensation Administration Fund.

May 16, 1955, Senate Bill No. 257—An Act Appropriating Certain Moneys to Otto D. Zacharias, Trading as Lewis Hardware Store, in Payment of the Claim of the Said Otto D. Zacharias Against the State of Delaware for Merchandise Supplied to the State Highway Department.

May 16, 1955, Senate Bill No. 274—An Act Making an Appropriation to the State Soil Conservation Commission for the Purchase of Heavy Earth-Moving Machinery and Other Equipment Needed in the Soil Conservation Work of the State, Making Provision for the Re-Payment Thereof, and Designating the Boards of Soil District Supervisors to Oversee the Use of Said Equipment and Machinery.

May 16, 1955, Senate Bill No. 277—An Act to Amend Chapter 55, Title 29 of the Delaware Code by Increasing the Compulsory Retirement Age of Covered Employees of the State of Delaware.

May 16, 1955, Senate Bill No. 303—An Act to Amend Chapter 17, Title 7 of the Delaware Code Relating to Dog and Kennel License Fees.

May 16, 1955, Senate Bill No. 394—A Bill to Amend Title 5, Chapter 1, Delaware Code, 1953, Relating to the State Bank Commissioner by Providing That the Trustees of Certain

Oil Royalty and Similar Trusts Shall be Under the Supervision of the State Bank Commissioner; Providing for the Payment of Fees to the State Bank Commissioner for Examination; and Providing Penalties for Failure to Report and Submit to Examination.

May 16, 1955, House Bill No. 47—An Act to Amend Chapter 33, Title 14, Delaware Code, Entitled "Vocational Rehabilitation and Education" to Clarify the Duties of the State Board of Vocational Education and to Facilitate Federal Aid.

May 16, 1955, House Bill No. 121—An Act Amending Chapter 7 and Chapter 13, Title 14, Delaware Code, by Providing an Optional Ten or Twelve Month Salary Payment Plan for Teachers Employed on Ten Month Contract.

May 16, 1955, House Bill No. 183—An Act Amending Chapter 33, Title 19, Delaware Code, Relating to Payment of Employer's Contributions Under Unemployment Compensation Law; Limitation of Actions.

May 16, 1955, House Bill No. 206 with H. A. No. 1—An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Changing the Provisions for Paving of Sidewalks.

May 16, 1955, House Bill No. 207—An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Permitting the Assessor to Use the County Assessment List.

May 16, 1955, House Bill No. 218—An Act Making a Deficiency Appropriation to the Board of School Trustees of the William W. M. Henry Comprehensive High School.

May 16, 1955, House Bill No. 308—An Act to Amend the Charter of the City of Seaford by Permitting the City Council to Post the Assessment List Within Sixty (60) Days After Receiving the Same from the Board of Assessment Rather Than Within Five (5) Days.

May 16, 1955, House Bill No. 309—An Act to Amend the Charter of the City of Seaford by Deleting the Requirement That the Auditor's Report Must be Printed or Published or Posted at Least Ten Days Prior to the Annual Election.

May 16, 1955, House Bill No. 324—An Act to Amend the Charter of the Town of Houston Chapter 240, Volume 27, Laws of Delaware, With Respect to the Election of Commissioners and Meetings Thereof.

May 16, 1955, House Bill No. 360—An Act to Amend the Charter of the Town of Houston, Chapter 240, Volume 27, Laws of Delaware, With Respect to Town Police.

May 16, 1955, House Bill No. 416—An Act to Amend Chapter 277, Volume 49, Laws of Delaware, Being the Charter of the Town of Laurel, in Relation to Capitation Taxes.

May 16, 1955, House Bill No. 554 with H. A. No. 1—An Act to Amend Chapter 61, Title 9, Delaware Code, Relating to the Borrowing Power of the Levy Court of Sussex County.

May 16, 1955, House Concurrent Resolution No. 24—Regarding a Joint Session to Obtain Information About the New Castle County Police Force and the State Police.

May 16, 1955, House Concurrent Resolution No. 26—Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Bill Increasing the Rate of a Special Tax on Gross Premiums of Fire Insurance Companies for the Purpose of Assisting in Maintaining Fire Companies.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Lammot, **SB 267**—"An Act to Appropriate Additional Funds for the Construction of a State Detention Home for Juveniles and to Authorize the Sale of the Present Detention Home," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

Mr. Bayard Sharp was granted the privilege of the floor.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Johnson, Lammot, McCullough, Melson, Paradee, Reilly, Wilgus, Williams—12.

NAYS—Messrs. Hoey and Steen—2.

NOT VOTING—Mr. Pryor—1.

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

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

On motion of Mr. Behen, **HB 127**—"An Act Authorizing the Governor to Enter Into a Compact on Behalf of the State of Delaware With Certain Other States for the Effective Prevention and Control of Forest Fires and for Mutual Aid in Fighting Forest Fires," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Wilgus, Williams—12.

NAYS—None.

ABSENT—Messrs. Covey, Melson, Reilly, Steen, Mr. President Pro Tem—5.

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

On motion of Mr. Lammot, **SB 162**—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" in Respect to the Printing, Binding and Distribution of the Session Laws," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, McCullough, Paradee, Pryor, Wilgus, Williams—12.

NAYS—None.

ABSENT—Messrs. Covey, Melson, Reilly, Steen, Mr. President Pro Tem—5.

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

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

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

On motion of Mr. Pryor, the Senate adjourned until Wednesday, May 18, 1955, at 2:00 P. M.

87TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Wednesday, May 18, 1955, President Pro Tem Moore presiding.

Prayer by the Chaplain, Rev. Van Cleaf.

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

Members absent—Messrs. Behen, Hoey, Melson, Steen—4.

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

Messrs. Behen, Hoey, Melson and Steen asked to be marked present.

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

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 164** with 3/5 majority over the Governor's veto, and **SB 160**, and that the House had passed and requested the concurrence of the Senate in the following: **SB 276** with **HA 1**, **SB 377** with **HA 1**, **HB 280**, **HB 428**, **HB 522**, **HB 534**, **HS 1** for **HB 535**, **HS 1** for **HB 561**, **HB 569**.

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

HB 280—"An Act to Amend Chapter 1, Title 16, Delaware Code, Relating to the State Board of Health by Increasing the Power of the Board in Reference to Sewage Disposal," to Public Health.

HB 428—"An Act to Amend Chapter 51, Title 29, Delaware Code, Relative to Meetings of State Boards and Commissions," to Revised Statutes.

HB 522—"An Act to Appropriate Funds for the Payment of State Contributions for Employee Coverage Under the Social Security Act for the Current Fiscal Year," to Finance.

HB 534—"An Act to Amend Chapter 3, Title 9, of the Delaware Code Relating to Staggered Terms of Office of Levy Court Commissioners of New Castle County," to Revised Statutes.

HS 1 for HB 535—"An Act to Designate a Permanent Site in the City of Wilmington for the Farmers or Curbstone Market," to Municipal Corporations.

HS 1 for HB 561—"An Act to Amend Chapter 13, Title 24, Delaware Code, by Revising the Provisions for the Licensing and Regulation of Private Detectives and Detective Agencies," to Judiciary.

HB 569—"An Act Proposing an Amendment to Section 21 of Article 3 of the Constitution of the State of Delaware, Relating to the Election and Term of Office of the Attorney-General," to Judiciary.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **HB 330**, **HB 444**, by Revised Statutes; **SB 495**, 2 favorably, 1 on merits, 1 unfavorably, by Education; **SB 367**, **SB 494**, 1 favorably, 4 on merits, **SB 493**, 1 favorably, 4 on merits, **SB 506**, 2 favorably, 3 on merits, **SB 510**, **SB 496**, **SB 505**, 1 favorably, 1 unfavorably, 3 on merits, by Judiciary; **SB 502**, 5 on merits, **SB 504**, 5 on merits, **SB 499**, **HB 182**, by Finance; **SB 378**, 2 favorably, 3 on merits, by Public Health.

On motion of Mr. Reilly, **HS 1** with **SA 1 for HB 223**—"An Act to Re-Incorporate the Town of Elsmere, New Castle County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—Messrs. Covey, Johnson, Melson, Wilgus Williams—5.

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

On motion of Mr. Johnson, **SB 369**—"An Act to Amend Title 31, Delaware Code, Entitled "Welfare" by Establishing a Public Assistance Code for the State Department of Public Welfare and Repealing Inconsistent Provisions," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Johnson, **SB 369** was deferred.

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

On motion of Mr. Johnson, **SB 368** was deferred.

On motion of Mr. Johnson, **SB 367**—"An Act to Amend Title 13, Delaware Code, Entitled "Domestic Relations" by Enacting a Uniform Reciprocal Enforcement of Support Act," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

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

NAYS—None.

ABSENT—Mr. Camper—1.

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

The President announced he was about to sign: **HB 597, HB 143, HB 115, HCR 10, HCR 21, HCR 28, SB 168, SB 148, SB 84 with HA 1.**

On motion of Mr. Johnson, **SB 439**—"An Act to Amend Chapter 1, Title 17 of the Delaware Code Relating to the Power and Duty of the State Highway Department to Establish Minimum Rights of Way," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. McCullough, Pryor, Steen, Williams, Mr. President Pro Tem—5.

NAYS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Lammot, Paradee, Reilly—9.

NOT VOTING—Mr. Johnson—1.

ABSENT—Mr. Wilgus—1.

Mr. Johnson changed his vote from not voting to nay.

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

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

Senate met at expiration of recess at 4:05 P. M.

On motion of Mr. Pryor, SB 454—"An Act to Amend Chapter 17, Title 9, Delaware Code Relating to Employees Pensions in New Castle County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs. Hoey and Steen—2.

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

On motion of Mr. Reilly, SB 276 with HA 1—"An Act to Amend Chapter 87, Title 10, of the Delaware Code Entitled "Courts and Judicial Procedure" in Respect to Mileage Fees for the Sheriff of New Castle County," was taken up for consideration in order to pass the Senate as amended in the House.

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

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

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

NAYS—None.

ABSENT—Messrs. Hoey and Steen—2.

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

On motion of Mr. McCullough, SB 377 with HA 1—"An Act to Amend Chapter 13, Title 10 of the Delaware Code Relating to the Court of Common Pleas for New Castle County," was taken up for consideration in order to pass the Senate as amended in the House.

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

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

NAYS—Messrs. Covey, Johnson, Melson, Wilgus, Williams—5.

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

On motion of Mr. Behen, **SB 456**—"An Act to Amend Chapter 42, Title 9, Delaware Code Relating to Indigent Sick in Kent County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Lammot, **SB 344**—"An Act to Further Amend Chapter 208, Volume 26, Laws of Delaware, as Amended, Entitled "An Act to Establish a Retirement Fund for Pensioning Teachers of the Public Schools in the City of Wilmington, and to Regulate the Collection, Management and Disbursement Thereof, by Increasing the Maximum Amount of the Annual Contributions by Teachers to Said Fund," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Behen, **HB 209** with **HA 1**—"An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Providing for the Vacation of City Streets," was reconsidered in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Covey, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Paradee, Pryor, Reilly, Steen, Wilgus, Williams, Mr. President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Behen, **HB 283**—"An Act Amending Chapter 83, Title 9, Delaware Code, Relating to County Boards of Assessment and Providing for Appeals to the Superior Court," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Mr. Steen—1.

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

Communications: One about erosion on Rehoboth Beach from Highway Department. One of thanks from State Police for **SB 420**. One opposing **HB 418**.

On motion of Mr. Melson, **SB 483** was restored to the calendar.

On motion of Mr. Johnson, **SB 349** was restored to the calendar.

On motion of Mr. Behen, **HB 102** with **HA 1**—"An Act to Amend Section 2706, Title 10, Delaware Code, by Specifically Providing That a Qualified Surety Company Shall be an Acceptable Surety on a Constable's Bond," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Messrs Hoey and Steen—2.

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

On motion of Mr. Hoey, **HB 192**—"An Act to Amend Chapter 17, Title 9, Delaware Code, Relating to Eligibility for Retirement Benefits," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

NAYS—None.

ABSENT—Mr. Covey—1.

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

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 78**—"Authorizing the State Librarian to Furnish Stationery and Supplies to Certain Officers and Attaches of the Senate."

BE IT RESOLVED by the Senate of the 118th General Assembly of the State of Delaware that the State Librarian be and she hereby is authorized and directed to furnish to the following officers and attaches of the Senate stationery and other supplies as ordered by them respectively, the cost of which shall not exceed the sum of Ten Dollars (\$10.00) for each such officer or attache:

Rose Donovan
Freeman Bennett
William J. Tubbs
Oliver Wilson
Millard Cooper
George Hudson
Robert Adkins

On motion of Mr. Hoey, **SB 248**—"An Act to Amend Chapter 5, Title 4 of the Delaware Code Relating to License Fees for Sale of Alcoholic Liquors," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Butler, Camper, Harrison, Hoey, Johnson, Lammot, Paradee, Pryor, Reilly, Steen, Williams—12.

NAYS—None.

NOT VOTING—Messrs. Melson, Wilgus, Mr. President Pro Tem—3.

ABSENT—Messrs. Covey and McCullough—2.

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

On motion of Mr. Lammot, the Senate adjourned until Thursday, May 19, 1955, at 2:00 P. M.