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# STATE OF DELAWARE



## JOURNAL OF THE STATE SENATE

AT A SESSION OF THE  
GENERAL ASSEMBLY

CONVENED AND HELD AT DOVER ON TUESDAY, THE FOURTH  
DAY OF JANUARY, IN THE YEAR OF OUR LORD ONE THOU-  
SAND NINE HUNDRED AND FORTY-NINE, AND OF  
THE INDEPENDENCE OF THE UNITED STATES  
THE ONE HUNDRED AND SEVENTY-THIRD

# 1949

HAMBLETON COMPANY, INC., WILMINGTON, DELAWARE

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# OFFICERS AND MEMBERS

## OF THE

# STATE SENATE

*President*  
ALEXIS I. DUPONT BAYARD

*President Pro Tem*  
VERA G. DAVIS

*Secretary of the Senate*  
WILLIAM P. SHORT

*Attorney's Messenger*  
LESTER WILLEY

*Assistant Secretary of Senate*  
MARGARET C. SATTERFIELD

*Pages*  
DORSEY E. JOHNSON  
LLOYD WARNER

*Attorney*  
HOWARD W. BRAMHALL

*Telephone Messengers*  
JAMES FISHER  
PHILLIP RICKS  
JAMES C. BROWN

*Secretary to President Pro Tem*  
SYLVIA WEINSTEIN

*Chaplain*  
HOWELL O. WILKINS

*Reading Clerks*  
MAY E. STOUT  
LEROY EDLER

*Cloak Room Attendants*  
LEWIS E. LATHERBERRY  
MATTHEW POWELL

*Bill Clerk*  
BENJAMIN F. SIMMONS

*Mail Clerks*  
GEORGE W. WARRINGTON  
JAMES ROWLINSON

*Assistant Bill Clerk*  
JAMES MOORE

*Ditto Machine Operator and Stenographer*  
ANNE MESSICK

*Document Clerks*  
NORMAN BAYLIS  
HOWARD LANE, JR.

*Stenographers*  
BETTY LOU TOMLINSON  
MRS. THEODORE HARRINGTON  
JANE BREEDING

*Sergeants-at-Arms*  
LAWRENCE MOORE  
JOHN H. DICKINSON  
THOMAS V. KEITH  
JAMES W. CANNON, JR.  
WILLIAM SKINNER  
JAMES L. HASTINGS  
MICHAEL MARUSHCHAK  
G. CLARENCE RHEIM  
J. WOODLIN WILSON

*Janitor*  
WALTER H. CORNEY  
*Secretary to Lt. Governor*  
MRS. RHODA DOWNHAM

### NEW CASTLE COUNTY—WILMINGTON

#### District

- 1 JAMES S. EVANS.....2403 West 18th Street, Wilmington
- 2 JOHN E. REILLY, SR.....436 South Heald Street, Wilmington

### RURAL NEW CASTLE COUNTY

- 3 RAYMOND B. PHILLIPS.....902 Highland Avenue, Wilmington 274
- 4 FREDERICK KLAIR .....Marshallton
- 5 GEORGE W. RHODES.....186 South College Avenue, Newark
- 6 E. SHERMAN WEBB.....Odessa
- 7 WILSON A. DAVID.....Townsend

### KENT COUNTY

- 1 E. PAUL BURKHOLDER.....Dover
- 2 DUDLEY CROSSLEY .....Clayton
- 3 VERA G. DAVIS (Mrs. Frank Hall Davis).....Dover
- 4 WILLIAM O. CUBBAGE.....Wyoming
- 5 NELSON M. HAMMOND.....Felton

### SUSSEX COUNTY

- 1 LEON C. BULOW.....Bridgeville
- 2 R. ALLEN CANNON .....Seaford
- 3 HOWARD H. DICKERSON .....Laurel
- 4 EDWIN R. POWELL.....Ocean View
- 5 JOHN R. HITCHENS.....Georgetown



**115TH GENERAL ASSEMBLY**  
**1ST LEGISLATIVE DAY**  
**DOVER, DELAWARE**  
**JANUARY 4, 1949**

The Senate convened in Regular Session on Tues., Jan. 4, 1949 at 12:15 P. M., Lieutenant-Governor Elbert N. Carvel presiding.

Prayer by Rev. James E. Layton.

On motion of Mr. Burkholder, Raymond B. Phillips was appointed Temporary Secretary of the Senate, and seated.

The Temporary Secretary called the roll of the members, they having been previously sworn in on Jan. 1st, 1947.

Members present—Messrs. Burkholder, Bulow, David, Mrs. Davis, Messrs. Dickerson, Evans, Hammond, Hitchens, Phillips, Rhodes—10.

On motion of leave, Mr. Burkholder introduced **SR 1**—"Informing the Judges that the Senate is ready to receive the Certificates of Election of the Senators Elect."

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

Upon motion the Resolution was taken up for consideration in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" by acclamation, the question was decided in the affirmative and the Resolution was adopted.

The Presiding Officer appointed Mr. Burkholder and Mr. Dickerson.

Mr. Burkholder introduced **SR 2**—"In Reference to Senate Rules."

BE IT RESOLVED, by the Senate of the 115th General Assembly of the State of Delaware. that the Senate Rules at the Regular Session of 1947 be and they are hereby adopted as the temporary rules for the government of the present Session.

By acclamation, Resolution was adopted.

Mr. Burkholder introduced **SR 3**—"Authorizing the State Librarian to Furnish the Secretary of the Senate with Postage Stamps."

BE IT RESOLVED, by the Senate of the 115th General Assembly that the State Librarian be and he hereby is authorized and directed to furnish to the Secretary of the Senate postage stamps in an amount up to and including Twenty-Five Dollars (\$25.00).

By acclamation, Resolution was adopted.

Mr. Burkholder introduced **SR 4**—"Authorizing the Secretary to Obtain Supplies."

BE IT RESOLVED, by the Senate of the 115th General Assembly that the Secretary of the Senate be and he hereby is

authorized and directed to procure from the State Librarian all necessary books, forms, seals, blanks, and other stationery as may be required for the proper conducting of the business of the Senate.

By acclamation, Resolution was adopted.

Mr. Burkholder moved that the Senate recess for 30 minutes. Motion prevailed.

Senate met at the expiration of the recess at 1:10 P. M.

In accordance with **SR 1**, the committee consisting of Mr. Burkholder and Mr. Dickerson reported that the Certificates of Election were in due form.

Certificates of Election of Senators-elect were read and the new Senators took the Oath of Office.

## CERTIFICATES OF ELECTION OATH OF SENATOR

Kent County, ss.  
The State of Delaware,

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of State Senator in the General Assembly of the State of Delaware from Senatorial District No. Two in New Castle County (to which office I was elected at the General Election held in said State in the year A. D. 1948), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

JOHN E. REILLY, SR.

Sworn to this Fourth day of January, A. D. 1949, before me.

ELBERT N. CARVEL,  
President of the Senate

## THE STATE OF DELAWARE NEW CASTLE COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and forty-eight for New Castle County, according to the Constitution and Laws of the State of Delaware,

John E. Reilly, Sr.  
was duly elected Senator for Senatorial District Number Two in said County in the General Assembly;  
which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all

the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Charles S. Richards and Caleb R. Layton, 3d., the Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this 6th day of November, A. D. 1948.

CHARLES S. RICHARDS,  
Chief Justice.

CALEB R. LAYTON. 3d.  
Resident Associate Judge.

Certificates of election of Senators-elect were read and the new senators took the oath of office.

#### Certificates of Election:

New Castle County, Senatorial District No. 2, John E. Reilly, Sr.  
New Castle County, Senatorial District No. 4, Frederick Klair.  
New Castle County, Senatorial District No. 6, E. Sherman Webb.  
Kent County, Senatorial District No. 2, Dudley Crossley.  
Kent County, Senatorial District No. 4, William O. Cabbage.  
Sussex County, Senatorial District No. 2, R. Allen Cannon.  
Sussex County, Senatorial District No. 4, Edwin R. Powell.

The Presiding Officer then requested the Temporary Secretary to call the full roll of the members of the Senate.

Members present—Messrs. Evans, Reilly, Phillips, Klair, Rhodes, Webb, David, Burkholder, Crossley, Mrs. Davis, Messrs. Cabbage, Hammond, Bulow, Cannon, Dickinson, Powell, Hitchens—17.

Mr. Dickerson moved that the Mrs. Davis be nominated for the Office of President Pro-Tem of the Senate for the 115th General Assembly. Mr. Reilly seconded the nomination.

Mr. Cannon moved the nominations be closed. Mrs. Davis seconded the motion. Motion prevailed.

Roll call on President Pro-Tem was as follows:

YEAS—Messrs. Reilly, Klair, Webb, David, Crossley, Mrs. Davis, Messrs. Cabbage, Cannon, Dickerson—9.

NAYS—Messrs. Evans, Phillips, Rhodes, Burkholder, Hammond, Bulow, Powell, Hitchens—8.

Mrs. Davis was declared elected President Pro-Tem of the Senate for the 115th General Assembly.

The President Pro-Tem took the following Oath:

The State of Delaware  
County of Kent, ss.

I, Vera G. Davis, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the

State of Delaware, that I will faithfully discharge the duties of the Office of President Pro-Tem for the Senate in the General Assembly of the State, according to the best of my ability.

Signed, VERA G. DAVIS

Sworn and subscribed to this 4th day of January A. D. 1949.

ELBERT N. CARVEL  
President of the Senate

Mrs. Davis moved that the Senate adjourn until 2 P. M., Wed., Jan. 5, 1949. Motion prevailed.

## 2ND LEGISLATIVE DAY

The Senate convened in Regular Session on Wed., Jan., 5, 1949. at 3:35 P. M.. Lieutenant-Governor Elbert N. Carvel presiding.

Prayer by Rev. Howell O. Wilkins.

The Senate was notified that the House of Representatives is organized and ready to receive business.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Mrs. Davis, Messrs. Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb—17.

Mr. Dickerson moved that the Senate recess for 10 minutes. Motion prevailed.

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

Secretary proceeded to read the Journal of the previous session, when Mr. Burkholder moved so much be considered the reading of the Journal and the Journal be approved. Motion prevailed.

Mr. Burkholder nominated Mr. William P. Short of Bethany Beach for the position of Secretary of the Senate.

Mr. Dickerson moved nominations be closed.

Lieutenant-Governor ordered the Secretary to cast the ballot.

Lieutenant-Governor Elbert N. Carvel proceeded to administer the Oath of Office to Secretary of the Senate William P. Short.

Mr. Burkholder nominated Mr. Earle D. Willey to serve as Attorney for the Senate.

Mrs. Davis moved that nominations be closed.

Lieutenant-Governor ordered the Secretary to cast the ballot.

Lieutenant-Governor proceeded to administer the Oath of Office as Attorney for the Senate to Mr. Earle D. Willey.

Mr. Burkholder introduced **SCR 1**—"Providing for a Joint Session to Hear the Message of the Governor." Same adopted.

Lieutenant-Governor Elbert N. Carvel extended an invitation to former Lieutenant-Governor Isaac J. MacCollum to a seat on the Rostrum which was accepted.



Lieutenant-Governor Elbert N. Carvel extended an invitation to Lieutenant-Governor Elect Alexis I. du Pont Bayard to a seat on the Rostrum and introduced him to the Senate members.

Lieutenant-Governor Elbert N. Carvel also recognized former Senators and Representatives present in the Senate Chamber.

Mr. Burkholder moved that the Senate adjourn until 11:00 A.M., Jan. 6, 1949. Motion prevailed.

### ILLUSTRATION OF EMPLOYEES' OATH

The State of Delaware,  
County of Kent ss:

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

WILLIAM P. SHORT  
(Employee)

Sworn and subscribed to this 5th day of January, A. D. 1949.

ELBERT N. CARVEL  
President of the Senate

### 3RD LEGISLATIVE DAY

The Senate convened in Regular Session on Thurs., Jan. 6, 1949 at 11:30 A. M., Lieutenant-Governor Elbert N. Carvel presiding.

Prayer by Rev. Howell O. Wilkins.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Mrs. Davis, Messrs. Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb—17.

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

Mr. Burkholder moved the Senate recess until 12:30 P. M. Motion prevailed.

Lieutenant-Governor Elbert N. Carvel informed the Senators to be punctual in their return due to Governor Walter W. Bacon delivering his message to the Joint Session.

Senate met at expiration of the recess at 12:30 P. M.

Mrs. Davis moved that Miss Margaret Satterfield be appointed Temporary Reading Clerk and also Thomas Keith and Clarence Reihms both be appointed Temporary Sergeants-at-Arms for the Joint Session. Motion prevailed.

Lieutenant-Governor Elbert N. Carvel invited the President Pro Tem, Mrs. Vera G. Davis, to a seat on the Rostrum.

The Sergeant-at-Arms reported the presence of the Speaker of the House and its members. They were admitted and seated.

Lieutenant-Governor Elbert N. Carvel invited the Speaker of the House to a seat on the Rostrum.

## JOINT SESSION

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

The Chair invited the President Pro Tem, Mrs. Davis, to come to the Rostrum.

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

Mr. Burkholder moved that the Chair appoint a joint committee consisting of two members of the Senate and three members of the House of Representatives to notify the Governor that the Joint Session is organized and to escort the Governor to the Senate Chamber.

The Chair appointed Mr. Burkholder, Majority Floor Leader of the Senate, and Mr. Dickerson, Minority Floor Leader of the Senate, and Mr. Warren, Majority Floor Leader of the House, and Mr. Walsh, Minority Floor Leader of the House, and Mr. Bryan, a member of the House, to the joint committee.

The committee escorted the Governor to the Senate rostrum where he delivered his biennial message, as follows:

## GOVERNOR'S MESSAGE

Message of Honorable Walter W. Bacon, Governor of Delaware to the One Hundred and Fifteenth General Assembly of the State of Delaware:

Members of the One Hundred and Fifteenth General Assembly of the State of Delaware:—

Over the years it has been customary for the outgoing Governor to report to the General Assembly on the existing conditions of the affairs of State.

It is not my purpose, and I do not intend, to offer for your consideration matters of a policy-making nature. For that leadership, you will look to my successor in office, who will in due course present his program for your study and consideration. Under our system of government, this is as it should be. After eight years in office, however, it is only natural that from my experience I should have reached certain conclusions concerning some of the phases of our State Government. Briefly, I should like to bring these conclusions to your attention and commend them to you for your serious consideration, without, I hope, in the slightest degree, infringing upon the prerogatives of my successor in office. As I view it, my duty requires me to give you the benefit of my experience in office.

## SHIFTING OF FISCAL RESPONSIBILITY

In recent years, the tendency of the States has been more and more to look for and accept financial assistance from the Federal Government for discharging functions of government which are primarily the responsibilities of the States. A paternalistic Federal Government has increasingly encouraged this tendency on the part of the States, until it is being practiced to an alarming degree. In like proportion, Federal bureaucratic control and regulation have fastened themselves upon us. As the result of this policy of shifting financial responsibility upward under the encouragement of the Federal Government, we are now beginning to feel the pressure of our counties and other political subdivisions to have the State assume the cost of governmental activities that are rightfully local responsibilities.

Curiously enough some of those who advocate the shifting of local financial responsibilities to the State, seriously object to the pouring of money into the States by the Federal Government with the resultant control over State activities which are subsidized in this manner.

This tendency to shift local financial responsibility should not only be discouraged, but should be effectively resisted by the State. It endangers the civic morale of the people and is contrary to the basic principles of our system of government.

Whether our State and Nation, under the concept of government established by the Founding Fathers, is to survive depends upon the self-reliance and determination of our people to meet their own responsibilities as citizens, financial and otherwise. The sure road to weakness and decay is for our citizens to subscribe to and depend upon the philosophy that our government should support and maintain them. We cannot realize too soon that it is not possible to have a paternalistic and socialistic government and at the same time maintain and retain our individual liberties and freedoms. When we no longer substantially possess the liberties and freedoms we acquired on the birth of our Nation, the spirit of America, which has made ours the greatest Nation on earth, will surely vanish. I leave these thoughts with you, and urge upon you the necessity for sound and constitutional government in these unstable and deceptive times.

## TEMPORARY SALARY INCREASE

On the recommendation of the Governor, the 114th General Assembly enacted into law a temporary salary increase of \$200.00 annually for most of our State employees receiving base rates of pay falling within the salary range of \$500.00 to \$5,000.00, with the proviso that no increase granted should cause the sum of any basic salary, plus the increase, to exceed a total annual payment of \$5,000.00. The cost of living is even higher now than two years ago, and since this law expires on next June 30th, I believe it to be my duty to call your attention to its ex-

piration date in order that you may give thought and consideration to the enactment of a similar salary increase Act for the biennium beginning on July 1, 1949.

### RETIREMENT ACT

In my judgment our State has the most unique and the soundest State Employee Retirement Act in the Nation. This legislation was a great forward step for the benefit and the security of our State employees, and it is my hope that it will be perpetuated as a sound and integral part of our system of State Government. Until the Act has had an ample trial to test its provisions and we have had a better opportunity to fairly determine what the ultimate cost is likely to be, I believe our State should not be committed further financially. I, therefore, believe it would be highly undesirable to further liberalize the Act at this time.

### FINANCES

Judicious administration of the State's fiscal affairs is one of the most important matters for consideration by the Chief Executive. During the period of my two terms as Governor of Delaware, financial conditions have changed rapidly. Our annual expenditures, compared with those of eight years ago, have increased by alarming proportions. A large percentage of this increase is the direct result of the decreased purchasing power of currency. Delaware is not alone in suffering from this economic problem. Individuals, States and our Nation, are struggling with this same problem. Some of the increase in expenditures is caused by what I believe to be superior services to the citizens of our State.

The following is a condensed report of past experiences, and a brief forecast of future prospects. On July 1, 1941, at the beginning of my administration, the State had a cash balance of \$3,213,646.83 available for appropriations. On July 1, 1948, this amount had grown to \$8,864,674.06, despite the fact that our expenditures had increased by 71.9 per cent. This result has been obtained by operating on a sound financial basis. I have always been assured that funds were available for expenditures before they were recommended, and have earnestly tried to apply that principle to the fiscal administration of the State. In some instances I have been adversely criticized for adhering to this principle, but I much prefer to be remembered for this characteristic, rather than to be regarded as a boastful promiser or a deficit spender.

The time has again arrived when careful and cautious financial planning must be considered for the State. It appears that the cash balance available for appropriations on July 1, 1949, the beginning of the next biennium, will be approximately \$7,500,000.00. The latest available estimate indicates that receipts during that period will amount to about \$16,880,000.00

for the first year and about \$15,567,000.00 for the second year of the biennium, or a total of approximately \$40,000,000.00.

The sums recommended for inclusion in the Omnibus Appropriation Bill for this two-year period amount to over \$17,750,000.00 for the first year, and about \$18,000,000.00 for the second year, making a total of over \$35,750,000.00. Usual Supplemental Appropriations including such items as County Highway Bond interest and redemptions, grants to hospitals, fire companies, Woods Haven School, and numerous other such appropriations, quite likely will add another \$1,500,000.00, or more, annually to expenditures. To these appropriations there must be added provisions for the State's Continuing Appropriations, plus allotments from the Emergency Fund, should it be continued, and funds for the continuation of the temporary salary increase, if reenacted. These items alone would make total annual appropriations of about \$20,000,000.00, or approximately \$40,000,000.00 for the biennium.

It appears now that there should be sufficient funds to adequately meet the above recommendations for the biennium ending June 30, 1951. If our forecasts are reasonably correct, however, additional revenue will be required to meet any extraordinary appropriations for new or additional expenditures and to maintain a safe working capital in the State Treasury. In this connection, I desire to make reference to the fact that in my message of two years ago, the subject of additional revenue for State purposes was called to the attention of the members of the 114th General Assembly.

At this time also your attention is called to certain provisions of the Revised Code of Delaware, 1935: Code No. 5410, Sec. 12, Chapter 158, provides, *inter alia*, that the General Assembly may increase, decrease, or eliminate items in the Budget Appropriation Bill, but that the total budget appropriation items may not be increased in the aggregate to a point where they would exceed the State revenue from all sources as estimated in the Budget; and Code No. 5411, Sec. 13, Chapter 158 of said Code provides, *inter alia*, that no Supplementary Appropriation Bill shall be passed, if, when added to the appropriations already authorized, the aggregate appropriations exceed in amount the State revenues from all sources for the ensuing biennial period as set forth in the Budget.

## CONSTITUTIONAL AMENDMENTS

In previous messages, I have endorsed the following proposals for new amendments to the State Constitution, and I again urge your consideration of them:

1. That no business be transacted at any Special Session of the General Assembly except that for which the Session was specifically called. In order to guard against unforeseen circumstances and events, it is suggested that provision be made that three-fourths of all the members elected to each House of the

General Assembly by Resolution, approved by the Governor, may add to the business set forth in the Governor's Call. There should also be delegated to the Governor, in addition to the authority to convene, the power to finally adjourn a Special Session of the General Assembly;

2. That the sole power to authorize the issuance of State bonds should reside in the General Assembly, and that no State department or agency should at any time be clothed with such authority.

The following proposed amendment was passed by the 114th General Assembly, and I urge its adoption at this Session:

That the terms of office of the State Treasurer and the Auditor of Accounts should be four years instead of two years, and they should be chosen at alternate General Elections.

This proposed amendment, also previously recommended by me, would provide a highly desirable improvement in the administration of the fiscal affairs of our State Government, for the reason that the official holding over after an election would be familiar with State finances, and the functions of the offices of State Treasurer and State Auditor.

As it is now, more often than not, new officials take over these offices at the same time, and they are both at a distinct disadvantage. I am convinced that it would prove much more satisfactory if these two officials were elected to office at alternate General Elections.

## REGISTRATION LAWS

It was my recommendation to both the 110th and the 114th General Assemblies that the Permanent Registration Laws of our State be repealed and legislation enacted to provide for a General Registration in the year 1948 and every fourth year thereafter, and a Supplemental Registration in the year 1950 and every fourth year thereafter.

Favorable action on this recommendation, however, was not taken by either General Assembly. Since the reasons I advanced for this legislation are still as compelling as they were two and four years ago, I again recommend that the Permanent Registration Laws be repealed, and that provision be made for a General Registration in the year 1950 and every fourth year thereafter, and a Supplemental Registration in the year 1952 and every fourth year thereafter. I urge your favorable action on this recommendation.

## SELF-INSURANCE

In my message to the 114th General Assembly, I recommended the enactment of legislation creating a State Insurance Reserve Fund for the purpose of paying at least part of possible fire losses. From the standpoint of the State, the creation of such a reserve fund is highly desirable. I am still of the opinion that the initial appropriation for this fund should be the sum of

\$100,000.00, and yearly additions should be made thereto until it totals in the aggregate a sum which in the joint opinion of the General Assembly and the Insurance Commissioner is ample to meet losses reasonably to be anticipated on the basis of the fire loss experience of the State. Provisions should also be made to replenish the fund to the extent of any losses suffered by the State and paid from this fund. If such a plan should be adopted, I believe that considerable sums now paid for insurance premiums could be saved and that ultimately State property could have the highest type protection at a very reasonable cost. I again endorse such legislation, and hope it will receive your favorable consideration.

### TAXATION FOR SCHOOLS IN THE CITY OF WILMINGTON

The Supreme Court has decided, in interpreting the laws relating to the public school system of the City of Wilmington, that the Board of Public Education of the City has the right to determine what funds are necessary to operate the public schools of the City, not exceeding a prescribed maximum of revenue produced by a seven mill assessment on the value of real and personal property, and that the City of Wilmington is merely the agency for raising such funds by taxation with no discretionary power respecting the amount determined by the Board of Education.

The condition resulting from the decision should be cured by legislation. The Board of Education, an appointive body, is for all practical purposes made a tax-fixing body. The City Council of Wilmington, an elective body, is made subservient to the appointed body.

I have no objection whatever to the purpose for which the money is used; but I firmly believe that in a representative system of government all public funds should be provided by an elective body responsive to the people from whom the funds are derived through taxation.

In the present law, as construed, is not changed, I am of the opinion that the Board of Public Education of Wilmington should be made an elective body.

### GAMBLING

There is, surprisingly, a great deal of agitation for a relaxation of the laws designed to prevent gambling. There are those who advocate the legalization of lotteries in spite of long experience of their evil effect upon the public in general. The argument generally advanced in support of gambling is that it is an evil, difficult if not impossible to eradicate, and, therefore, gambling should be legalized and made productive of revenue. This is a false and specious argument. Further legalizing gambling would be a backward step. It would tend to corrupt

and would prove to be anything but beneficial to the State and its citizens. I, therefore, urge you to resist any and every attempt to relax the provisions of our existing laws against gambling.

### RAPE

It is a serious question whether or not the sentence of death should be imposed in cases of conviction of the crime of rape. It is argued, and with force, that the drastic punishment tends to defeat the ends of justice, as juries are hesitant in many cases to convict knowing that death, or life imprisonment, possibly, upon a recommendation of mercy, will follow. In some jurisdictions the penalty is death unless the jury fix the punishment by imprisonment; in other jurisdictions imprisonment alone is provided; in some States the Court may sentence the defendant for any definite term not exceeding the statutory maximum. It is recommended that the General Assembly give serious attention to this matter.

Publication of details of proceedings in trials for rape and kindred offenses through newspapers and radio is not in the public interest. Through the cooperation of the press and radio stations great improvement has been noted in recent cases; but having regard always for the freedom of the press, the General Assembly should give this matter serious consideration and enact laws that will insure an adequate but decent report of the proceedings in such cases.

### PUNISHMENT IN CERTAIN CRIMINAL CASES

The punishment provided for rape or for murder in the first degree is death. In either case, the jury may recommend mercy, and when such recommendation is made by the jury, the Court is empowered, if it thinks fit to impose a sentence of life imprisonment instead of death.

It seems doubtful whether this fearful responsibility should be imposed on the Court. The General Assembly should give careful consideration to the matter, and determine whether, upon a recommendation of mercy, accompanying a verdict of guilty in such cases, the sentence should not be life imprisonment, and thereby relieve the Court from the responsibility cast upon it.

### PAROLE

The Parole Act (Code No. 4150, Revised Code, 1935) provides that every prisoner sentenced to one year or more for any offense except rape, assault with intent to commit rape, and certain other enumerated offenses, may be released on parole in the discretion of the Parole Board after having served one-half of the original or commuted sentence, but Code No. 4151 of the said Code provides that every prisoner sentenced to im-



prisonment for life for any offense may be released on parole after serving fifteen years of the sentence.

This conflict in the law has been construed in favor of the prisoner who has been sentenced for life upon conviction of the crime of rape with a recommendation of mercy. The question is one of grave importance and should not rest upon mere construction. Curative legislation should be enacted whereby the conflict in the law will be removed, and the power of the Board of Parole in such cases plainly defined.

Generally speaking, parole of prisoners upon a proper showing of good conduct is to be favored; but it is a much debated question, one that deserves the close attention of the General Assembly, whether the Courts, in imposing sentence in certain cases, should not have the power to except the convicted person from the benefit of the Parole Act.

### INTOXICATING LIQUORS

It is well known that the traffic in intoxicating liquors breeds serious evils, no matter how carefully the traffic is conducted and safe-guarded. Prison authorities, Juvenile Courts and many individuals confirm the fact that the liquor traffic is harmful to our citizenship, and will be just as harmful to future generations. It is a serious question whether it is conducive to the public morals to permit males and females to be served at the same public bar, and the wisdom of the provisions of the law which require purchasers of alcoholic liquors to consume them while sitting is much debated. It is argued that the effect of the consumption of liquor by one sitting is not so readily noticeable, with the result that such person will overindulge.

Frequently, complaints are heard that licensed clubs sell liquor to members on Sundays and after hours. To meet this apparent weakness in our laws, provisions should be made through adequate legislation for closer supervision of licensed clubs.

The matter of selling alcoholic liquors to minors has received the careful attention of the liquor dealers themselves, and they are deserving of commendation for the action they have taken and the improvements that have been made as the result of their own efforts.

### PERSONNEL CLASSIFICATION

On my recommendation, the 114th General Assembly authorized a Commission to make a study of a personnel classification system for the employees of our State, and to report its findings to the Governor and to the 115th General Assembly. The Commission has made a preliminary report to the Governor and its report and recommendations I am assured will be made to the General Assembly within the time prescribed in the Resolution providing for the study.

Much good work has been done by this Commission, and it is my hope that if additional studies are necessary, they will be made to the end that such a classification system will be adopted to the advantage of both the State and its employees. I desire to take this opportunity to express sincere thanks and appreciation to the members of the Commission for their unselfish and worthwhile services to our State.

### STATE SCHOOL SURVEY COMMISSION

The people of Delaware are to have the benefit of an exhaustive report from the Commission appointed to study Delaware's public education system and standards. The Commission, authorized by the General Assembly in 1947, was empowered to make recommendations for the improvement of our schools. The report, including the recommendations of the Commission, is available and will be transmitted to you at the earliest opportunity.

Broad recommendations have been made by the Commission, and some of these proposals deserve comment at this time.

Perhaps the two most basic proposals of the Commission revolve about the physical set-up of our schools through their districting, and the question of public support for the educational program, particularly as reflected in its adequate financing.

The Commission urged that the State be divided into a limited number of school districts, each large enough to have one consolidated high school for preferably 600 to 1,000 pupils, but with at least an absolute minimum of 300 to 400 pupils. To this idea I subscribe fully. This reorganization, entailing the elimination of many of our antiquated and uneconomic one-room schools, ought to mean eventually that the State Board of Education would cease its direct operation of any schools. The resultant increased authority for district boards and superintendents inevitably would spur local interest in education. And as the average citizen is brought more and more directly into contact with the services and the problems of his local school, the more likely is his financial support for the school. As the Commission points out, the districts should raise funds locally of more than a nominal amount beyond the general State-supported level. In this way, and probably in this way only, is Delaware going to improve materially its school services.

In connection with the question of the State's financial support for its schools we may be especially grateful to the Commission for refuting the published and otherwise widely circulated slander that Delaware ranks fifth in its ability to support education, but 46th in the financial effort it puts forth to support its educational program. The Commission uncovered the fallacy in this view by showing that such ratings as to "effort" and "ability" were based on per capita income of the various States before reduction by personal income taxes. After taking the Federal

income tax into account, and working with only "spendable" income, Delaware ranks sixth among all States in financial effort exerted for public education, rather than 46th. Conversely, Delaware ranks 30th—rather than fifth—in ability to pay after Federal income taxes are deducted. I can, therefore, say with particular feeling that the State of Delaware has more than accepted its responsibilities in aiding public education.

There are other practices upon which I should like to comment. I agree with the Commission that compulsory attendance laws should be revised to meet present conditions, since our present laws on the subject are more than a quarter-century old and no longer are effective. Tightening up of attendance regulations is important because education provides a powerful bulwark for our Republic, and its benefits should be extended rather than restricted. I find it deplorable, too, that of young people between 14 and 19 years of age who were in school at the last census, Delaware counted only 48 per cent, to stand 28th in the Nation. Along with widening our horizons educationally, we need to raise the compulsory school attendance age. How can we efficiently teach our essentials of citizenship when only 62 per cent of our boys and girls who enter high school stay to graduate? This is a sorry picture, but I concur with the Commission in its belief that there would be no point in merely holding these young people in classrooms unless our schools obviously are offering an educational program that will benefit them directly. In this connection, the Commission submits a number of detailed and considered proposals concerning the curriculum of the public schools. These, I believe, may well apply to almost any other State as well as to Delaware, and I am confident that in turning such curricular recommendations over to competent school administrators, they will be dealt with more effectively than would be the case if we took them up in detail here. It might be well, however, to note the Commission's charge to these school administrators to make our schools "a better training ground for citizens whose privilege and responsibility it is to determine the course of their destiny."

The Commission submits several recommendations designed to promote the granting to children of the Negro race equal opportunity to develop into useful citizens of our society, not in a subordinate role but on a plane limited only by their individual talents. Some of these recommendations are for administrative action, but I commend to your attention such proposals as the consolidation of small schools for Negro children, addition of some schools, and extension of the 12-year educational program.

In line with the plan to cut down on our one-room schools through consolidation—particularly through elimination of 14 one-teacher schools where there are five or fewer pupils per grade—I will cite another phase of the Commission's report, to the effect that standardized tests show the results in the graded schools to have been better than in the small one-teacher and

two-teacher schools where the teachers are required to teach many grades.

To finance the program which it recommends, the Commission has several well thought out provisions, all of which I consider worthy of careful consideration. In general, however, I believe we can go along with the thesis that the State should continue to bear the same large proportion of costs that it has assumed, without reduction in the funds furnished from State revenues.

At this point, however, I think it is interesting to note the statement of the Commission that State funds in the amount of \$6,140,000.00 appropriated for current operating expenses for the school year 1948-1949 would be adequate to warrant the adoption of the proposed plan if augmented by the one mill local tax rate recommended by the Commission. In this connection, it is also pointed out by the Commission that the amount of \$6,140,000.00 is greater than the State's share needed for the program as proposed by the staff of expert educators employed by the Commission.

I concur also with the idea that with a view to economy we refrain from erecting new school buildings—except in cases of exceptional emergency—until the matter of creating fewer school districts embracing the entire State is explored thoroughly.

In accepting the findings and proposals of the Commission, I urge a continuing study of our problems, so that we may preclude lagging behind the educational needs of our changing times. Immediate action seems to be indicated on some items of the Commission's report, because delay would result in an accumulation of further faults, a compounding of those already existing, and render their correction most difficult.

Finally, I would be remiss in my duty if I did not at this time give official recognition for the outstanding services of the members of the Commission. They have met together many times and have devoted themselves to their task with understanding and intelligence. Their one and only purpose was to discover the inadequacies in our educational system, and to make recommendations for their correction. I should also like to point out that the members have not only served without remuneration for services and without reimbursement for expenses, but one of the members, when it became evident that the State appropriation was insufficient for the purpose, contributed financially to the cost of the survey.

The members of the Commission have made a full and adequate report, and their recommendations are not only sound and practical, but are worthy of the most careful consideration and action.

For the people of our State, as well as for myself, I sincerely express thanks and appreciation to the members of the Commission for their excellent report and recommendations on this highly important subject.

## HIGH SCHOOL FACILITIES FOR COLORED YOUTH

For some time it has been evident that the facilities for high school education for our colored youth have not been adequate to meet their needs. However, the war years and the shortage of critical materials for buildings necessarily delayed the development of a proper program in this field of education. Two years ago this problem had our consideration, and the 114th General Assembly passed, and I approved, bond issues for high schools for our colored youth in both Kent and Sussex Counties. At that time it was thought that the amounts appropriated, when added to amounts previously made available through a prior appropriation and a gift from the late H. Fletcher Brown, would be sufficient to make adequate provisions for these facilities. It has come to my attention, however, that the amounts now available for this purpose are not considered to be adequate. If this be the case, then I urge that additional adequate amounts be made available immediately in order that the construction of these facilities may be begun and completed at the earliest practicable date.

## DELAYED REPAIRS

During the war years, it was not possible to maintain our school buildings in a good state of repair. After a careful survey to determine the amount of needed repairs to school buildings, as well as to other State buildings, I recommended and the 114th General Assembly approved, an appropriation slightly in excess of \$1,000,000.00 to be used exclusively for the purpose of making delayed repairs, \$717,100.00 of which was ear-marked for school buildings. At the end of the last fiscal year, June 30, 1948, nearly one-half, or about \$500,000.00 of this fund remained unexpended. When this program of delayed repairing is completed, I feel confident that many of our buildings will be in better condition than at any other time since they were originally constructed. This program should be continued until all State buildings are in a state of good repair.

Over the last several years I have been advised repeatedly that some of our school buildings have not been painted since they were originally constructed, and in many instances I was told that certain school buildings had not been painted in 15 to 20 years. These facts indicate a lack of proper control and supervision over the maintenance and upkeep of our school buildings. Therefore, I believe that consideration should be given to this problem and a proper solution reached in order that our State buildings will at all times be in good repair.

## BUDGET COMMISSION

The Budget Commission is in my opinion one of the most important agencies in our State Government. The truth of

this assertion needs no argument to sustain it. However, I desire to comment briefly on the Commission. Because of misunderstanding, misinformation, and in some instances undue prejudice, some of the functions and activities of the Commission have received unfair and unjust criticism. Contrary to the facts charged on public platforms, on the radio and otherwise, it is not the function, nor has it been the practice, of the Budget Commission to formulate administrative policies of State departments and agencies. The General Assembly makes appropriations to the various departments and agencies and the Budget Commission can neither subtract from, add to, nor control, these appropriations, excepting that in making certain transfers from one allocation to another within the appropriations of the respective departments and agencies, the law requires that prior approval of the Budget Commission must be secured. This procedure is highly routine in character, and is required only for the purpose of determining the cost of various items of governmental operation. It is interesting to note that these budgetary transfers have steadily decreased in number. This is proof of the fact that this procedure is producing good results in the determination of the proper amounts to be allocated to the various items in the appropriations of the departments and agencies, and is thereby helping to determine accurate detailed cost.

In view of the growth of our State Government in recent years and its present-day complexities, I am definitely of the opinion that the Budget Commission is an absolute essential for the sound and efficient conduct of the fiscal affairs of the State. In fact, I am so completely convinced of the truth of this assertion that I would not want to assume the responsibilities of the Governorship of our State without such a Commission. I cannot urge you too strongly not only to lend your support to this Commission, but to strengthen it in order that it may function as the interests of the State require.

## CONCLUSION

After serving as Governor of our State for eight years, it is not possible to leave the office without mingled feelings of regret, satisfaction and pride—regret, because the daily association with those in as well as out of the State service, which have meant so much to me personally, will no longer be possible—satisfaction, because many of the objectives of my administration have been accomplished, which I feel are for the lasting benefit of the people of our State—and pride, because it has been my privilege to serve as the Governor of Delaware, an honor which in my opinion is the highest that can be bestowed upon any Delawarean.

Whatever success I may have enjoyed, however, during my terms as Governor has been made possible through the loyal cooperation and unselfish efforts of those who have been as-

sociated with me, those of the Democratic as well as those of the Republican Party. For their loyalty and cooperation, I am deeply grateful and I express my sincere thanks and appreciation to each and all of them.

To my successor in office I express the hope that his administration will be a most successful one, and that the performance of his official duties will afford him much pleasure and satisfaction. And finally, of all the good wishes I should like to extend to him at this time, the most outstanding one is that those who will serve with him in his administration will be as faithful and as loyal as those who have served with me during my service as Governor of Delaware.

Respectfully submitted,

Walter W. Bacon

Governor

Mr. Burkholder requested that the Secretary of the Senate and the Chief Clerk of the House compare their respective Journals.

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

Mr. Burkholder moved the two Houses now separate to reconvene in their respective Chambers. Motion prevailed.

Mr. Dickerson introduced **SCR 2**—"Providing for a Joint Committee to Arrange for the Inauguration of the Honorable Elbert N. Carvel as Governor of the State of Delaware and to Arrange for the Attendance of Officials and Persons to Represent the State of Delaware at the Inauguration of Honorable Harry S. Truman as President of the United States."

Same was adopted and sent to the House for their action.

The Chair appointed the following to serve on the above adopted Resolution: President Pro Tem Vera G. Davis, Messrs. Powell, Cannon, Cabbage, and Webb.

Mr. Burkholder moved the Senate recess for 10 minutes. Motion prevailed.

Senate met at expiration of recess at 5.20 P. M.

Mr. Dickerson nominated Mr. James H. Hughes 3rd. to serve as Attorney for the Senate.

Mr. Burkholder objected and the Chair ordered a roll call.

Messrs. Cannon, Crossley, Cabbage, David, Mrs. Davis, Messrs. Dickerson, Klair, Reilly, Webb—9.

NAYS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Phillips, Powell, Rhodes—8.

Mr. William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had concurred in the following:

**SCR 2**—"Providing for a Joint Committee to Arrange for the Inauguration of the Honorable Elbert N. Carvel as Gov-

ernor of the State of Delaware and to Arrange for the Attendance of Officials and Persons to Represent the State of Delaware at the Inauguration of Honorable Harry S. Truman as President of the United States," and returned the same to the Senate.

Mr. Hughes was declared elected to serve as Attorney for the Senate for the 115th General Assembly.

Mrs. Davis announced that she would have her Committees ready for appointment on Mon., Jan. 10, 1949.

Mr. Burkholder moved the Senate adjourn until Mon., Jan. 10, at 11:00 A. M. Motion prevailed.

#### **4TH LEGISLATIVE DAY**

Senate met pursuant to adjournment, Mon., Jan. 10, 1949, 11:30 A. M., Lt-Gov. Carvel presiding.

Prayer by the Chaplain, Rev. Wilkins.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Mrs. Davis, Messrs. Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, President Pro Tem—17.

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

Mr. Burkholder moved that the Senate recess until 1:30 P. M. Motion prevailed.

Senate met at expiration of recess, 2:30 P. M.

The President Pro Tem announced the following Senate Committees for the 115th General Assembly:

#### **ACCOUNTS**

Senators Burkholder, Chairman; Hitchen, Rhodes, David, Cannon.

#### **AGRICULTURE**

Senators Powell, Chairman; Hammond, Rhodes, David, Crossley.

#### **BANKING AND INSURANCE**

Senators Hammond, Chairman; Bulow, Phillips, Reilly, Cannon.

#### **BUILDINGS AND HIGHWAYS**

Senators Hitchens, Chairman; Rhodes, Davis, Dickerson, Klair.

#### **CLAIMS**

Senators Phillips, Chairman; Bulow, Davis, Reilly, David.

#### **MUNICIPAL CORPORATIONS**

Senators Burkholder, Chairman; Phillips, Bulow, Webb, Klair.

#### **PRIVATE CORPORATIONS**

Senators Rhodes, Chairman; Hitchens, Davis, Webb, Cannon.



# EDUCATION

Senators Phillips, Chairman; Burkholder, Davis, David, Dickerson.

# ELECTIONS

Senators Bulow, Chairman; Davis, Phillips, Klair, Cubbage.

# EXECUTIVE

Senators Hitchens, Chairman; Phillips, Davis, Dickerson, David.

# FINANCE

Senators Hammond, Chairman; Bulow, Evans, Dickerson, Cannon.

# FISH, OYSTERS AND GAME

Senators Bulow, Chairman; Burkholder, Evans, Webb, Klair.

# JUDICIARY

Senators Rhodes, Chairman; Davis, Hitchens, Crossley, Webb.

# LABOR

Senators Evans, Chairman; Bulow, Davis, Klair, Reilly.

# MISCELLANEOUS

Senators Powell, Chairman; Phillips, Davis, Cubbage, Webb.

# PASSED BILLS

Senators Evans, Chairman; Bulow, Powell, Crossley, Webb.

# PRINTING AND SUPPLIES

Senators Hammond, Chairman; Powell, Phillips, Cubbage, Dickerson.

# PUBLIC HEALTH

Senators Rhodes, Chairman; Phillips, Hitchens, Cubbage, Cannon.

# PUBLIC LANDS

Senators Phillips, Chairman; Hammond, Hitchens, David, Dickerson.

# REVISED STATUTES

Senators Burkholder, Chairman; Davis, Bulow, Crossley, Reilly.

# RULES

Senators Davis, Chairman; Hammond, Phillips, Cubbage, Cannon.

# TEMPERANCE

Senators Bulow, Chairman; Hammond, Rhodes, Reilly, Crossley.

Mr. Dickerson moved that the Senate recess until the call of the Chair. Motion prevailed.

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

Mr. Burkholder moved that the Senate adjourn until Tues., Jan. 11, 1949, 11:00 A. M. Motion prevailed.

### 5TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Tues., Jan. 11, 12:30 P. M., Lt.-Gov. Carvel presiding.

Prayer by the Chaplain, Rev. Wilkins.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Webb, President Pro Tem—16.

Members absent—Mr. Powell—1.

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

Mr. William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had passed and requested the concurrence of the Senate in **HCR 1**—"Appropriation for Postage Stamps and Other Supplies for the 115th General Assembly." and presented the same to the Senate.

The Chair presented **HCR 1**. Mr. Burkholder moved that action be deferred.

Mr. William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had concurred in the following:

**SCR 3**—"Providing for the Joint Session to Count the Vote for the Governor and Lieutenant-Governor."

**SCR 4**—"With Reference to the Printing of the Report of the State School Survey Commission."

**SCR 5**—"Authorizing the Appointment of a Joint Committee to Notify the Governor that the General Assembly is Duly Organized."

And returned the same to the Senate.

On motion for leave, Mr. Hitchens introduced **SR 5**—"Accepting the lowest Responsible Bid for Each of the Classes of Printed Matter Required by the Senate."

BE IT RESOLVED, by the Senate, that the following bids, received by the Senate Committee on Printing, after public advertisement as required by Chapter 6, Volume 46, Laws of Delaware, 1947, be accepted for the respective classes of printed matter and the work covered by each of said classes of printed matter be awarded to said bidders as the lowest responsible bidders therefor, upon entering into the undertakings and upon strict compliance with the terms and conditions of the specifications upon which said bids were submitted, and upon strict compliance with the law providing for the printing needs of the General Assembly as found in said Chapter 6, Volume 46, Laws of Delaware, 1947:

#### Item A. Calendar—Sussex Countian

Bid—300 Copies .....	\$4.25 per page
400 Copies .....	5.15 per page
500 Copies .....	6.05 perpage

Item B.	Rule Books—The Hambleton Company, Inc.	
	Bid .....	\$180.00
Item C.	Bill Backers—Harrington-Journal	
	Bid .....	\$119.85
Item D.	Roll Call Books—Harrington-Journal	
	Bid .....	\$27.80
Item E.	Bills—The Hambleton Company, Inc.	
	Bid—100 Copies .....	\$3.80 per page
	200 Copies .....	4.00 per page
	300 Copies .....	4.20 per page
	400 Copies .....	4.40 per page
	500 Copies .....	4.60 per page
Item F.	Miscellaneous Forms—Harrington-Journal	
	Bid .....	\$222.87

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

Upon motion, the Resolution was acted upon and adopted.

Mr. Burkholder moved that the Senate recess until 2:30 P. M. Motion prevailed.

Senate met at expiration of recess at 4:12 P. M.

The Sergeant-at-Arms announced a message from the Governor.

Hon. William J. Storey, Secretary of State, being admitted, delivered a message to the Senate from the Governor. The Chair referred the message of the Governor to the Executive Committee.

Mr. Hammond presented a report on printing and supplies.

#### REPORT AND RECOMMENDATIONS OF THE SENATE COMMITTEE ON PRINTING TO THE SENATE OF THE 115TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE

To the Senate:

Your Committee on Printing as named by the President Pro Tem on Monday the tenth day of January, A. D. 1949, acting under the authority of Chapter 6, Volume 46, Laws of Delaware, 1947, met in the Legislative Building on the afternoon of the first day of the appointment of said Committee to receive bids for supplying the printing needs of the Senate during the regular Session of the 1949 General Assembly.

The Committee decided to open the bids not only in the presence of the Committee but also in the presence of the bidders who presented bids.

Four different bidders presented bids. After examination of the bids submitted, your Committee found the lowest responsible bidders for the six separate items of printing as listed in the specification to be as follows:

A. Calendar—Sussex Countian	
Bid—300 Copies .....	\$4.25 per page
400 Copies .....	5.15 per page
500 Copies .....	6.05 per page
B. Rule Books—The Hambleton Company, Incorporated	
Bid .....	\$180.00
C. Bill Backers—Harrington-Journal	
Bid .....	\$119.85
D. Roll Call Books—Harrington-Journal	
Bid .....	\$27.80
E. Bills—The Hambleton Company, Incorporated	
Bid—100 Copies .....	\$3.80 per page
200 Copies .....	4.00 per page
300 Copies .....	4.20 per page
400 Copies .....	4.40 per page
500 Copies .....	4.60 per page
F. Miscellaneous Forms—Harrington-Journal	
Bid .....	\$222.87

Compliance having been made by the low bidders with the requirements of the Statute cited as to the furnishing of certified checks in the amounts required by the Statute, and the Committee having found such low bidders to be responsible, and such low bidders having demonstrated their capacity to supply the printing needs of the Senate as set forth in the specifications furnished them, your Committee recommends the award of contracts to the bidders listed above at their respective bids as set forth herein, upon their giving performance bonds and entering into Contracts as required by Chapter 6, Volume 46, Laws of Delaware, 1947.

(S) Messrs. Hammond, Chairman; Phillips, Powell, Dickerson, Cabbage.

Mr. Hammond resigned as Chairman of Printing and Supplies Committee and the President Pro Tem appointed Mr. Hitchens to fill the vacancy.

On motion for leave, Mr. Cannon introduced **SJR 1**—“Making an Appropriation to Defray the Expenses of the Joint Inaugural Committee Incident to the Inauguration of the Honorable Elbert N. Carvel, as Governor of the State of Delaware, and for Representation of the State of Delaware at the Inauguration of the Honorable Harry S. Truman, as President of the United States.”

Upon motion the Resolution was taken up for consideration in order to pass the Senate.

By acclamation, the question was decided in the affirmative,

and the resolution having received the required Constitutional majority, was adopted and ordered to the House for concurrence.

On motion for leave, Mr. Burkholder introduced **SCR 3**—"Providing for the Joint Session to Count the Vote for Governor and Lieutenant-Governor."

Upon motion the Resolution was taken up for consideration in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" by acclamation, the question was decided in the affirmative, and the Resolution having received the required constitutional majority, was adopted and ordered to the House for concurrence.

Mr. Burkholder moved that the Senate recess until the call of the Chair. Motion prevailed.

Senate met at expiration of recess at 5:00 P. M.

On motion for leave, Mrs. Davis introduced **SR 6**—"In Reference to Election of Officers."

BE IT RESOLVED by the Senate of the 115th General Assembly of the State of Delaware that the following named persons be and they hereby are elected to the respective offices appearing opposite their names, to serve during the pleasure of the Senate:

Asst. Secretary of Senate—Margaret C. Satterfield  
 Reading Clerk—May E. Stout  
 Reading Clerk—Leroy Edler  
 Bill Clerk—Benjamin F. Simmons  
 Asst. Bill Clerk—James Moore  
 Document Clerk—Norman Baylis  
 Document Clerk—Howard Lane, Jr.  
 Sergeant-at-Arms—Lawrence Moore  
 Sergeant-at-Arms—John H. Dickinson  
 Sergeant-at-Arms—Thomas V. Keith  
 Sergeant-at-Arms—James W. Cannon, Jr.  
 Sergeant-at-Arms—William Skinner  
 Sergeant-at-Arms—James L. Hastings  
 Sergeant-at-Arms—Michael Marushchak  
 Sergeant-at-Arms—G. Clarence Rheim  
 Sergeant-at-Arms—J. Woodlin Wilson  
 Atty's. Messenger—Lester Willey  
 Page—Dorsey E. Johnson  
 Page—Lloyd Warner  
 Telephone Messenger—James Fisher  
 Telephone Messenger—Phillip Ricks  
 Telephone Messenger—James C. Brown  
 Chaplain—Howell O. Wilkins  
 Cloak Room Attendant—Lewis E. Latherberry  
 Cloak Room Attendant—Matthew Powell  
 Mail Clerk—George W. Warrington  
 Mail Clerk—James Rowlinson  
 Ditto Machine Operator and Stenographer—Anne Messick  
 Stenographer—Betty Lou Tomlinson  
 Stenographer—Mrs. Theodore Harrington

Stenographer—Jane Breeding  
 Janitor—Walter H. Corney  
 Secretary to Lt. Governor—Mrs. Rhoda Downham  
 Secretary to President Pro Tem—Sylvia Weinstein

Upon motion, the Resolution was taken up for consideration in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" by acclamation, the question was decided in the affirmative, and the Resolution having received the required constitutional majority, was adopted.

On motion for leave, Mr. Burkholder introduced **SR 7**—"Notifying the House of Representatives that the Senate Is Duly Organized."

**BE IT RESOLVED**, by the Senate of the 115th General Assembly of the State of Delaware that the Secretary be and he hereby is directed to notify the House of Representatives that the Senate is duly organized and ready for business.

Upon motion, the Resolution was taken up for consideration in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" by acclamation, the question was decided in the affirmative, and the Resolution having received the required constitutional majority, was adopted.

On motion for leave, Mr. Burkholder introduced **SCR 4**—"With Reference to the Printing of the Report of the State School Survey Commission."

Upon motion, the Resolution was taken up for consideration in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" by acclamation, the question was decided in the affirmative, and the Resolution having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion for leave, Mr. Burkholder introduced **SCR 5**—"Authorizing the Appointment of Joint Committee to Notify the Governor that the General Assembly Is Duly Organized."

Upon motion, the Resolution was taken up for consideration in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" by acclamation, the question was decided in the affirmative, and the Resolution having received the required constitutional majority, was adopted and ordered to the House for concurrence.

Mr. Burkholder moved that the Senate adjourn until 11:00 A. M., Wed., Jan. 12, 1949. Motion prevailed.

## 6TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Wed., Jan. 12, 1949, 11:00 A. M., President Pro Tem presiding.

Prayer by the Chaplain, Rev. Wilkins.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond Hitchens, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

Members absent—Mr. Powell—1.

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

Mr. Klair, on motion for leave, introduced **SB 1**—"An Act to Amend Article 27 of Chapter 100 of the Revised Code of Delaware, 1935, Relating to Pure Food, by Prescribing the Terms and Conditions upon Which Oleomargarine, Either White or Yellow in Color, May Be Manufactured, Sold, Served in Eating Houses, and Displayed for Sale," which was given first and second reading, the second by title only, and referred to the Committee on Public Health.

Mr. Burkholder, on motion for leave, introduced **SB 2**—"An Act Making an Appropriation to the State Police Pension Board for the Purpose of Carrying Out the Provisions of Law Relating to State Police Pensions," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Burkholder moved that the Senate recess until 2:00 P. M. Motion prevailed.

Senate met at expiration of recess.

Mr. Phillips, on motion for leave, introduced **SB 3**—"An Act Proposing an Amendment to Section 25 of Article 2 of the Constitution of the State of Delaware Relating to Zoning," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mr. Burkholder, on motion for leave, introduced **SB 4**—"An Act to Amend Chapter 48, Volume 46, Laws of Delaware, 1947, by Providing a Uniform State Supported Salary Schedule for Superintendents, Principals, Teachers, Nurses, Secretaries, and Clerks, in the Various School Districts of the State, and by Making Provision for Salary Adjustments of Certain Employees of the State Board of Education and the Board of Public Education in the City of Wilmington, and Providing Appropriations Therefor," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Rhodes, on motion for leave, introduced **SB 5**—"An Act to Amend Chapter 100 of the Revised Code of Delaware, 1935, Entitled, 'General Provisions Respecting the Police' by Imposing upon the State Board of Pharmacy the Duties now Performed by the State Board of Health, under Article 42 of Said Chapter Relating to Narcotic Drugs," which was given first and second reading, the second by title only, and referred to the Committee on Public Health.

Mr. Rhodes, on motion for leave, introduced **SB 6**—"An Act to Amend Chapter 28 of the Revised Code of Delaware, 1935,

as Amended Entitled 'State Board of Pharmacy' with Respect to Powers of Said Board in Relation to Seizure and Disposition of Certain Products," which was given first and second reading, the second by title only, and referred to the Committee on Public Health.

Mr. Rhodes, on motion for leave, introduced **SB 7**—"An Act to Amend Chapter 100 of the Revised Code of Delaware, 1935, Entitled 'General Provisions Respecting the Police,' with Respect to the Quantities of Certain Drugs Exempted from the Provisions of Article 42 Thereof Relating to Narcotic Drugs," which was given first and second reading, the second by title only, and referred to the Committee on Public Health.

Mrs. Davis, on motion for leave, introduced **SB 8**—"An Act Appropriating Monies for Education and Training of Children of Veterans of World War I and World War II Who Died While in the Service of the Army, Navy, Marine Corps or Coast Guard of the United States or Who Died from Disease, Wounds or Disabilities Resulting from Such Service," which was given first and second reading, the second by title only, and referred to the Committee on Finances.

Mrs. Davis, on motion for leave, introduced **SB 9**—"An Act to Amend Chapter 71 of the Revised Code of Delaware, 1935, with Reference to Public School Attendance," which was given first and second reading, the second by title only, and referred to the Committee on Education.

Mr. Bulow, on motion for leave, introduced **SB 10**—"An Act Making an Appropriation to the State Board of Education for Bridgeville School District No. 90 in Sussex County for Certain Capital Improvements to the Public Building in Said District," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Hammond, on behalf of the Committee on Finance to whom had been referred, **SJR 1**, reported the same back to the Senate favorably.

Mr. Burkholder moved that the Senate recess until the call call of the Chair. Motion prevailed.

Senate met at expiration of recess at 3:00 P. M.

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

## JOINT SESSION

Mr. Burkholder moved that the Senate and House of Representatives of the One Hundred and Fifteenth General Assembly now go into Joint Session pursuant to **SCR 3**. Motion prevailed.

Mr. Burkholder moved that the President pro tem of the Senate preside over the Joint Session. Motion prevailed.

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



The President pro tem of the Senate directed the Reading Clerk of the Senate to read the following certificates:

The State of Delaware  
New Castle County [ss.]

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and forty-eight, for New Castle County, according to the Constitution and Laws of the State of Delaware,

Fifty-three thousand four hundred twenty-seven votes were given for Elbert N. Carvel for Governor;

Forty-four thousand, two hundred, ninety-five votes were given for Hyland P. George for Governor;

Two hundred, twenty-one votes were given for Harold H. Vigneulle for Governor;

Eighty-four votes were given for Sarah G. France for Governor;

which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Charles S. Richards and Caleb R. Layton, 3d., the Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this 6 day of November, A. D. 1948.

Charles S. Richards  
Chief Justice

(SEAL)

Caleb R. Layton 3d  
Resident Associate Judge

The State of Delaware  
Kent County [ss.]

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the Year of our Lord one thousand nine hundred and forty-eight for Kent County, according to the Constitution and Laws of the State of Delaware,

Eight thousand, six hundred, thirty-two votes were given for Elbert N. Carvel for Governor;

Eight thousand, five hundred, thirty-four votes were given for Hyland P. George for Governor;

Fifty-seven votes were given for Harold H. Vigneulle for Governor;  
which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, William Watson Harrington and Charles L. Terry, Jr., constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 5th day of November, A. D. 1948.

William Watson Harrington  
Chancellor

(SEAL)

Charles L. Terry, Jr.  
Resident Associate Judge

The State of Delaware  
Sussex County [ss.]

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord one thousand nine hundred and forty-eight for Sussex County, according to the Constitution and Laws of the State of Delaware,

Thirteen Thousand Three Hundred Thirty (13330) votes were given for Elbert N. Carvel for Governor;

Twelve Thousand Four Hundred Thirty Six (12436) votes were given for Hyland P. George for Governor;

One Hundred and Six (106) votes were given for Harold H. Vigneulle;

which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the county, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, George Burton Pearson, Jr. and James B. Carey, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said county, as the law requires have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this Fourth day of November, A. D. 1948.

George Burton Pearson, Jr.  
Associate Judge

(Seal)

James B. Carey  
Resident Associate Judge

The State of Delaware  
New Castle County [ss.]

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and forty-eight, for New Castle County, according to the Constitution and Laws of the State of Delaware,

Fifty-two thousand, six hundred, forty-two votes were given for Alexis I. duPont Bayard for Lieutenant Governor;

Forty-four thousand, seven hundred, eighty-three votes were given for Chester V. Townsend, Jr. for Lieutenant-Governor;

Two hundred, thirty-seven votes were given for Herbert B. Wood for Lieutenant Governor:

Eighty votes were given for Pehr Lundberg for Lieutenant Governor;

which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Charles S. Richards and Caleb R. Layton, 3d., the Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this 6th day of November. A. D. 1948.

Charles S. Richards  
Chief Justice

[SEAL]

Caleb R. Layton, 3d  
Resident Associate Judge

The State of Delaware  
Kent County [ss.]

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord one thousand nine hundred and forty-eight for Kent County, according to the Constitution and Laws of the State of Delaware,

Eight thousand, seven hundred, fifty-two votes were given for Alexis I. duPont Bayard for Lieutenant-Governor;

Eight thousand, three hundred, sixty-three votes were given for Chester V. Townsend, Jr. for Lieutenant-Governor;

Forty-seven votes were given for Herbert B. Wood for Lieutenant-Governor;

which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, William W. Harrington and Charles L. Terry, Jr. constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 5th day of November, A. D. 1948.

(SEAL) William Watson Harrington  
Chancellor

Charles L. Terry, Jr.  
Resident Associate Judge

The State of Delaware  
Sussex County [ss.]

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord one thousand nine hundred and forty-eight, for Sussex County, according to the Constitution and Laws of the State of Delaware,

Thirteen Thousand One Hundred and Five (13105) votes were given for Alexis I. duPont Bayard for Lieutenant Governor;

Twelve Thousand Three Hundred Seventy-One (12371) votes were given for Chester V. Townsend, Jr., for Lieutenant Governor;

One Hundred Fifteen (115) votes were given for Herbert B. Wood for Lieutenant Governor;  
which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the county, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, George Burton Pearson, Jr. and James B. Carey, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said county on this Fourth day of November, A. D. 1948.

(SEAL) George Burton Pearson, Jr.  
Associate Judge

James B. Carey  
Resident Associate Judge

The President pro tem directed the Joint Secretaries to count the vote for Governor and Lieutenant-Governor of the State of Delaware.

## REPORT OF THE JOINT SECRETARIES

For Governor				
	Carvel	George	Vigneulle	France
New Castle County	53,427	44,295	221	84
Kent County	8,632	8,534	57	
Sussex County	13,330	12,436	106	
TOTAL	75,389	65,265	384	84

For Lieutenant Governor				
	Bayard	Townsend	Wood	Lundberg
New Castle County	52,642	44,783	237	80
Kent County	8,752	8,363	47	
Sussex County	13,105	12,371	115	
TOTAL	74,499	65,517	399	80

The President pro tem of the Senate declared Honorable Elbert N. Carvel elected Governor of the State of Delaware, to hold office from the third Tuesday in January, 1949, to the third Tuesday in January, 1953, and, also declared Honorable Alexis I. duPont Bayard elected Lieutenant-Governor of the State of Delaware, to hold office from the third Tuesday in January, 1949, to the third Tuesday in January, 1953.

Mr. Burkholder moved that the Secretaries of the Joint Session compare Journals. Motion prevailed.

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

Mr. Burkholder moved that the Joint Session now separate and that the Members of the House and Senate retire to their respective Chambers. Motion prevailed.

Mr. Burkholder, on motion for leave, introduced **SB 11**—"An Act to Amend Chapter 56 of the Revised Code of Delaware, 1935, as Amended, Entitled, 'Registration of Voters,' by Providing for Registration of Qualified Voters Who Are Temporarily Absent from the State and in the Armed Forces or Merchant Marine of the United States, or Retainers or Persons Accompanying or serving Therewith, or Who Are Absent from the State Because of Illness or Injury Received While Serving in Any Such capacity," which was given first and second reading, the second by title only, and referred to the Committee on Elections.

Mr. Bulow, on motion for leave, introduced **SB 12**—"An Act to Amend Chapter 104 of Volume 46, Laws of Delaware, 1945, as Amended, Entitled, 'An Act Providing for the Payment of Pension Benefits to Certain State Employees, Fixing Ages of Retirement, Establishing Benefits Payable and the Source of Payment Thereof, Providing for Applications for Pensions and

the Procedure to Be Followed with Respect Thereto, Providing that Pension Benefits Shall Be Free of Attachment and Non-assignable, and Also Providing for the Reduction of Benefits under Certain Conditions,' with Respect to Retirement after Service for Twenty-Five Years in Covered Employment," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mr. Phillips, on motion for leave, introduced **SB 13**—"An Act to Amend Chapter 258, Volume 41, Laws of Delaware, as Amended, by Changing the Provisions Relative to Benefit Payments and the Duration Thereof," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mr. Burkholder, on motion for leave, introduced **SB 14**—"An Act Agreeing to the Proposed Amendment to Section 15 of Article II of the Constitution of the State of Delaware, Relating to the Compensation of the Members and Presiding Officers of the General Assembly," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mr. Hammond, on motion for leave, introduced **SB 15**—"An Act to Amend Chapter 66 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Banks, Savings Societies and Trust Companies' with Respect to the Safekeeping of the Securities Deposited with the State Bank Commissioner," which was given first and second reading, the second by title only, and referred to the Committee on Banking and Insurance.

Mr. Hammond, on motion for leave, introduced **SB 16**—"An Act to Amend Chapter 98, Revised Code of Delaware, 1935, Relating to Settlement of Estates, by Repealing the Provision Requiring Executors and Administrators to Provide Perpetual Care for Cemetery Lots," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mr. Burkholder moved that the Senate recess until the call of the Chair. Motion prevailed.

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

Mr. Hammond, on motion for leave, introduced **SB 17**—"An Act to Amend Chapter 117, Revised Code of Delaware, 1935, as Amended, Relating to Investments of Trustees, Guardians and other Fiduciaries," which was given first and second reading, the second by title only, and referred to the Committee on Banking and Insurance.

Mr. Hammond, on motion for leave, introduced **SB 18**—"An Act to Amend Chapter 78 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Negotiable Instruments' with Respect to Saturday Optional Legal Bank Holiday in the State of Delaware," which was given first and second reading, the second by title only, and referred to the Committee on Banking and Insurance.

Mr. Hammond, on motion for leave, introduced **SB 19**—

"An Act to Amend Chapter 66 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Banks, Savings Societies and Trust Companies' in Relation to the Collection, Payment, and Dishonor of Demand Items by Banks and the Revocation of Credit for, and Payment of, Such Items," which was given first and second reading, the second by title only, and referred to the Committee on Banking and Insurance.

Mr. Webb, on motion for leave, introduced **SB 20**—"An Act to Amend Article 4 of Chapter 166 of the Revised Code of Delaware, 1935, as Amended, Relating to Traffic Officers, by Providing that the Superintendent of the State Police Shall Hold the Rank of Colonel and Shall Be So Classified by the State Highway Department," which was given first and second reading, the second by title only, and referred to the Committee on Buildings and Highways.

Mr. Burkholder moved that the Senate adjourn until 11:00 A. M., Wed., Jan. 13, 1949. Motion prevailed.

### 7TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Thurs., Jan. 13, 1949, 11:45 A. M., Lt.-Gov. Carvel presiding.

Prayer by the Chaplain, Rev. Wilkins.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, President Pro Tem—17.

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

Mr. Bulow, on motion for leave, introduced **SB 21**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Fish, Oysters and Game,' with Reference to the Liberation of Wildlife," which was given first and second reading, the second by title only, and referred to the Committee on Fish, Oysters and Game.

Mr. Bulow, on motion for leave, introduced **SB 22**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Fish, Oysters and Game,' Regarding the Protection of Deer," which was given first and second reading, the second by title only, and referred to the Committee on Fish, Oysters and Game.

Mr. Rhodes, on motion for leave, introduced **SB 23**—"An Act to Amend Chapter 159 of the Revised Code of Delaware, 1935, Relating to Board of Boiler Rules, by Adding to the Duties of the Said Board Jurisdiction over Unfired Pressure Vessels," which was given first and second reading, the second by title only, and referred to the Committee on Miscellaneous.

Mr. Hitchens, on motion for leave, introduced **SB 24**—"An

Act to Amend Chapter 6 of Volume 46, Laws of Delaware, 1947, with Respect to the Awarding of Contracts for Printing Needs of the General Assembly," which was given first and second reading, the second by title only, and referred to the Committee on Printing and Supplies.

On motion for leave, the Chair introduced **SJR 1**—"Making an Appropriation to Defray the Expenses of the Joint Inaugural Committee Incident to the Inauguration of the Honorable Elbert N. Carvel, as Governor of the State of Delaware, and for Representation of the State of Delaware at the Inauguration of the Honorable Harry S. Truman, as President of the United States."

Upon motion, the Resolution was taken up for consideration in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" by acclamation, the question was decided in the affirmative, and the Resolution having received the required constitutional majority, was adopted and ordered to the House for concurrence.

Mr. Evans, on motion for leave, introduced **SB 25**—"An Act to Repeal Chapter 196 of Volume 46, Laws of Delaware 1947, Entitled, 'An Act Regulating Labor Unions and Relations between Employers and Employees, Members of Labor Unions,'" which was given first and second reading, the second by title only, and referred to the Committee on Labor.

Mr. Burkholder moved that the Senate recess until 2:00 P.M. Motion prevailed.

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

The Sergeant-at-Arms announced a messenger from the Governor. Hon. William J. Storey, Secretary of State, being admitted, delivered a message to the Senate from the Governor. The Chair referred the message of the Governor to the Executive Committee.

Mr. Dickerson moved that the Senate recess until the call of the Chair. Motion prevailed.

Senate met at expiration of recess at 5:10 P. M.

Mr. Dickerson moved that the Senate adjourn until 11 A. M., Fri., Jan. 14, 1949.

The Yeas and Nays were ordered, which being taken, were as follows: 8 Yeas, 9 Nays. Motion lost.

Mr. Hitchens moved the Senate go into Executive Session. The Yeas and Nays were ordered, which being taken, were as follows: 9 Yeas, 8 Nays. Motion carried.

Senate went into Executive Session.

Mr. Burkholder moved that the Senate adjourn 11 A. M., Fri., Jan. 14, 1949. Motion prevailed.

## 8TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Fri., Jan. 14, 1949, 11:40 A. M., Lt.-Gov. Carvel presiding.

Prayer by the Chaplain, Rev. Wilkins.



Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Webb—15.

Members absent—Mr. Powell, Madam President Pro Tem—2.

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

Mr. Klair moved that the Senate adjourn until 11 A. M., Tues., Jan. 18, 1949.

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

YEAS—Messrs. Cannon, Crossley, Cabbage, David, Dickerson, Klair, Reilly, Webb—8.

NAYS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Phillips, Rhodes—7.

ABSENT—Mr. Powell, Madam President Pro Tem—2.

So the question was decided in the affirmative and the motion was carried.

### 9TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Tues., Jan. 18, 1949, 11:10 A. M., Lt.-Gov. Carvel presiding.

Prayer by the Chaplain, Rev. Wilkins.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

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

On motion for leave, Mr. Dickerson introduced **SCR 6**—"Providing for Adjournment of the Senate and House of Representatives until Monday, January 24, 1949."

Upon motion, the Resolution was taken up for consideration in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" by acclamation, the question was decided in the affirmative, and the Resolution having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion for leave, Mr. Burkholder introduced **SCR 7**—"Providing for a Joint Session of the Senate and House of Representatives to Witness the Administering of the Oath of Office to Lieutenant-Governor-Elect Alexis I. du Pont Bayard."

Upon motion, the Resolution was taken up for consideration in order to pass the Senate.

On the question, "Shall the Resolution be adopted?", by acclamation, the question was decided in the affirmative, and the

Resolution having received the required constitutional majority, was adopted and ordered to the House for concurrence.

Mr. Dickerson moved the Senate go into Executive Session.

On the question, "Shall the Motion be adopted?" the yeas and nays were ordered, which being taken, were as follows: YEAS—Messrs. Cannon, Crossley, Cabbage, David, Dickerson, Klair, Powell, Reilly, Webb—9.

NAYS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Phillips, Rhodes, Madam President Pro Tem—8.

So the question was decided in the affirmative, and the Motion passed the Senate.

### JOINT SESSION

Same day 12:30 P. M.

Mr. Burkholder moved that the Senate now go into Joint Session with the House pursuant to **SCR 7**. Motion prevailed.

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

Mr. Cannon moved that the chair appoint a Joint Committee

\*For form of Employees Oath see 1st Legislative Day.  
of four to escort the Lieutenant-Governor-Elect to the rostrum. Motion prevailed.

Mr. Dickerson, Mr. Reilly, Mr. Burkholder, and Dr. Rhodes were appointed.

The Lieutenant-Governor-Elect was escorted to the rostrum.

Judge Charles L. Terry administered the oath of office of Lieutenant-Governor of the State of Delaware as follows:

I, Alexis I. duPont Bayard, 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 Lieutenant-Governor according to the best of my ability;

And I do further solemnly swear that I have not directly or indirectly paid, offered, or promised to pay, contributed, or offered, or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

Alexis I. duPont Bayard

Sworn to before me this Eighteenth day of January, 1949.

Charles L. Terry, Jr.

Associate Judge of the  
State of Delaware, resident  
of Kent County

The retiring Lieutenant-Governor, the Hon. Elbert N. Carvel, handed the gavel to the new Lieutenant-Governor, the Hon. Alexis I. duPont Bayard.

The retiring Lieutenant-Governor made a few remarks.

The new Lieutenant-Governor delivered a brief message to the Joint Session.

Mr. Burkholder moved that the Senate and House adjourn to the front of the building to participate in the inauguration of the Hon. Elbert N. Carvel. Motion prevailed.

The invocation was pronounced by Bishop Arthur R. McKinstry.

The Constitutional Oath of Office was administered as follows:

STATE OF DELAWARE  
KENT COUNTY [ss.]

I, Elbert N. Carvel, 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 Governor of the State of Delaware according to the best of my ability.

And I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed, or offered or promised to contribute, any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

Elbert N. Carvel

Sworn to and subscribed before me this eighteenth day of January, in the year of our Lord one thousand nine hundred and forty-nine.

Wm. Watson Harrington  
Chancellor

Four ruffles and flourishes were given by the Delaware National Guard Band followed by the playing of "Our Delaware".

The Delaware National Guard fired a 19 gun salute to the new Governor.

Eight F-47 Thunderbolts of the Air National Guard of Delaware passed over in formation in salute to the new Governor.

The Governor then proceeded to deliver his biennial message as follows:

# INAUGURAL MESSAGE OF GOV. ELBERT N. CARVEL

January 18, 1949

Members of the One Hundred and Fifteenth General Assembly of the State of Delaware

Incoming Governors of the State of Delaware have for many years, at their Inauguration, addressed a message to the members of the General Assembly, making recommendations to put into effect those policies intended to be the program of the

State administration for the ensuing four years. This is a wise custom to continue.

All of us, not long ago, went through an active political campaign in the course of which I, and other spokesmen of my party, made definite commitments to the people of the State of Delaware. The people, by their votes, elected to office the candidates of my party. As one of those successful candidates, I consider that I have been instructed by the people of the State of Delaware to do all in my power as Governor to insure that the definite commitments made to the people of Delaware are followed through.

## EDUCATION

Of primary interest to all of us is the highly important problem of the education of our children. It is fundamental that it is the duty of the State to insure that the citizens of Delaware of school age receive the very best in education the State can afford to supply. It is absolutely necessary that our school be fully staffed by competent teachers so as to insure this. Unfortunately, under present conditions, our schools face a shortage of competent teachers and there is likelihood that this shortage will be increased rather than diminished in the future, unless steps are taken to remove the now existing differences in the pay scales of teachers in Delaware schools with those of adjacent states. We must pay our teachers not less than our neighboring states pay theirs, if we want to compete with them in the attraction of new competent teachers to our schools. We cannot continue to fully staff our schools unless we are able to enter into competition with our neighboring states for their services. Accordingly, I recommend that legislation be enacted to provide for the payment of the following salaries to teachers: for those teachers without degrees, a minimum salary of \$2,000 to be increased by 10 annual increments to a maximum of \$3,600; for those teachers with a bachelor's degree, a minimum salary of \$2,400 to be increased by 10 annual increments to a maximum of \$4,000; for those teachers with master's degrees, a minimum salary of \$2,600 to be increased by 10 annual increments to a maximum of \$4,200; and for those teachers with doctor's degrees, a minimum salary of \$3,000 to be increased by 10 annual increments to a maximum of \$4,600. I recommend that provision be made in such a law to prevent an increase in an individual teacher's pay of more than \$600 in any one year.

The report of the Delaware Survey Commission on Educational Conditions in the State has recently been made public. This report is a lengthy document and contains sweeping recommendations for the reform of our school system. I commend to you the honest study of this report with a view to determining the desirability of the adoption of all or part of the recommendations contained therein. Obviously, in the short time we

have had to familiarize ourselves with this report, it has been impossible to come to definite conclusions on the advisability or inadvisability of accepting all or some of its recommendations as the basis for the educational policy of the State of Delaware. I shall, in the near future, through the medium of a special message, take up with you again the question of education with particular reference to the recommendations made in the School Survey Commission's report.

I firmly believe, however, that it is the duty of the State, by financial support of our local schools, to insure that each school district within the State provides its pupils with a minimum standard of education. This State supported minimum standard should be a high standard. All of us, of course, realize that school districts throughout the State, of necessity, are not equal in financial and tax resources. Accordingly, the amount of State support of the minimum standard of education must be sufficient to equalize the differences in material wealth between the several school districts. The children of a school district which cannot raise through local taxation large sums for the maintenance of the standard of education within its schools should not be penalized because of this fact. Therefore, in considering the amount necessary to be furnished by the State to local school districts to support the minimum standard of education, I earnestly urge you to provide State financial support in such measure as will prevent any school district from falling below the high minimum standard of education we must maintain in our schools.

In some sections of our State, the growth of population has been so rapid that many schools have reached, and in some instances surpassed, the danger point in over-crowding. Teachers—no matter how competent—cannot teach efficiently and satisfactorily under intolerable conditions of over-crowding. There is one remedy only for this situation and that is the construction of additional school facilities in those districts in which, by reason of the growth of population, existing school facilities have become obsolete. I recommend for your favorable consideration the enactment of legislation to provide for the immediate construction of new or additional school facilities in those school districts where the school enrollment seriously overtakes the capacity for which existing facilities were constructed.

I realize that among the recommendations of the School Survey Commission is one for the consolidation of school districts, which consolidation, if adopted as the policy of the State of Delaware, might make it desirable to postpone the building of school facilities until the final determination of the boundaries of school districts. However, conditions in some sections of the State with respect to the overcrowding in schools are so acute that time will not permit the postponement of school construction in these districts to await a lengthy and calm deliberation on the question of consolidation of school districts. I urge you, however, in passing legislation to provide for the immediate

construction of new school facilities, to anticipate in so far as it is possible the probable consolidation of school districts.

In these enlightened days, discrimination in education among races is not to be tolerated. I urge the appropriation of sufficient funds to bring the schools for negro children within the school districts to a parity with the schools for white children within those same districts.

I urge the appropriation of sufficient funds to erect one or more high schools for negro students in the several counties of Delaware in order to provide for them a high school education of a standard comparable to that imparted in the high schools for white students.

I strongly recommend the enactment of a law to provide for the election of school boards and trustees throughout all the school districts of the State.

## ELECTIONS

This State, which preceded the formation of our Federal Union, was founded upon the cornerstone of democratic government. Democratic government must continue to be the cornerstone of Delaware. However, democracy cannot exist unless its very foundation is preserved in true purity. This foundation is the free election of officials to run the government of the State.

No one can actively engage in a political campaign in this State without being struck by the laxity with which our elections are conducted under existing laws. To my mind, this laxity is a threat to the continuance of democratic government. To tighten the effective control over elections, and to insure in so far as possible that our elections will, in fact, be free and honest, it is absolutely necessary to amend in a few simple ways our existing election laws.

I strongly recommend, therefore, the repeal of the present law requiring the printing of official ballots many times the number of registered voters in the State; the repeal of the law authorizing the distribution of official ballots in advance of election day and outside the polling places; and the repeal of the permanent registration law.

I recommend the enactment of a law making it a crime to have possession of an official ballot outside a polling place; the enactment of a law for the printing of official ballots only slightly in excess of the number of registered voters in the State; the enactment of a law that only an official ballot received from the election officials may be voted; the enactment of a law requiring a general registration every four years; the enactment of a law requiring for purposes of identification each voter to sign the registration book when registering to vote; and the enactment of a law requiring for purposes of identification each voter to sign the registration book at the time he votes.

No person should be denied the right to vote when his conditions of employment are such that he is unable to present himself at the polls for the purpose of voting within the hours the polls are open. I, therefore, recommend the enactment of a law to compel the polls to remain open from 7:00 A. M. to 8:00 P. M. on each general election day.

During the recent election, it became apparent that the present law providing for voting by absentee ballot is open to the possibility of abuse. I have given careful consideration to this problem and have come to the conclusion that it is a practical impossibility to provide for general absentee voting and, at the same time, eliminate this possibility as a practical matter. It seems that the desirability of insuring honest elections necessitates the repeal of this law. Inconvenience to a few individuals should not be permitted to override larger considerations of public policy. I, therefore, urge the repeal of our present absentee ballot law and the substitution of a law to provide for the registration and voting of men and women in our armed service in absentia.

### LABOR

There has been introduced in the House of Representatives a bill to repeal the Anti-Labor Bill commonly known as "House Bill 212." I urge the passage of this repealing act.

Throughout the last 30 years, many laws have been passed by the General Assembly affecting labor as an economic group. The provisions of these laws are administered by various bodies and commissions. I believe efficient administration could be promoted by the coordination of all of these activities into one department of the State government charged with the responsibility of administering laws affecting labor. I, accordingly, urge you to enact a law to provide for the creation of a State Department of Labor and Industrial Relations to administer all laws pertaining to labor in the State of Delaware.

In recent years, the cost of living has risen to unprecedented heights to such an extent that benefits under our State Workmen's Compensation Law have become inadequate. I strongly urge the enactment of legislation to provide under the State Workmen's Compensation Law adequate benefits for the working man and his family.

I recommend the enactment of a minimum wage law to guarantee adequate minimum wages to people engaged in intra state operations.

### LIQUOR COMMISSION

I believe that it is unwise as a general principle to entrust the administration of laws of a controversial nature to a single individual. Under such a system, when the single individual occupies office for a fixed term of years, there is constant danger that in the administration of the laws, that individual may become arbitrary or dictatorial. I do not believe a one-man

commission for any purpose within the State of Delaware is in accordance with the principles of democratic government. Especially is this so when the commission is charged with the administering of laws pertaining to the delicate subject of the liquor industry. Our present law establishing a Liquor Commission provides for an undemocratic one-man Commission. I strongly recommend the enactment of a law to substitute for this one-man Commission a four member bipartisan Liquor Commission to administer the liquor laws of the State of Delaware. It is my belief that the enactment of this legislation will, in so far as it is possible, insure the removal of the activities of the Liquor Commission from partisan politics.

### . VETERANS

It is entirely fitting that our men and women who served this State and Nation well in the last great war, should receive recognition from the State of Delaware for their services. In time of war, the safety of a State depends directly on its men and women who accept the responsibility of defending it. I believe that the entire body of citizens of Delaware should be afforded an opportunity of expressing their desire to give due recognition to these men and women. The most practical recognition that can be given is monetary compensation for their services. I recommend, therefore, that legislation be enacted to provide an opportunity to the citizens of Delaware to express their willingness to recognize through monetary compensation the services of our men and women of the armed forces. In the event that expression should be one of assent, as I am confident it will, I urge the enactment of a law to provide for the payment of our veterans of an immediate cash bonus.

### EXECUTIVE DEPARTMENT

For 51 years, the State of Delaware has been governed under our present Constitution. In the course of that time, much material progress has taken place and many changes of economic and social significance have occurred. These have necessitated the enactment of laws designed to confer new powers and functions upon the government of this State. Necessarily, in this process, much overlapping and duplication of function and effort has occurred. Obviously, the resulting situation is uneconomical from the point of view of administering the affairs of Delaware. Moreover, the functions of the State have been expanded by creating independent commissions, the members of which hold office for terms of years irrespective of the change of administration within the State. The result has been to create an independent administrative branch of government, or if you desire to so call it, an independent bureaucracy within the frame



of the State government. In the course of time, such a bureaucracy comes to look upon itself as wholly independent of the executive and legislative branches of government in so far as its administrative functions are concerned. I do not believe that this result can be reconciled with our ideals of democratic government.

It seems obvious to me that the time is due for a complete reorganization and reconsideration of what is properly the executive branch of the government of this State. Not only am I convinced that a saving to the citizens of Delaware could be accomplished by a consolidation of many of our State agencies, but I am equally convinced that such a reorganization could make this vast body of administrators more amenable to the desires of the citizens of Delaware as expressed at the polls on election day.

Obviously, such a reorganization will require careful thought and study and a careful examination into the facts and circumstances of each separate commission. It is impossible for me, at this time, to make specific recommendations for such a reorganization. I, accordingly, urge the enactment into law of appropriate legislation to create a survey commission similar in character to the School Survey Commission which recently reported to you. Such a commission must be bi-partisan in nature and must be instructed to study all of the existing boards and commissions of the State of Delaware with a view to effecting consolidation, and with the purpose of preventing duplication of effort and overlapping of function. This would result in a saving in administrative costs to the State. I further believe that such instructions should contain a direction to effect consolidation in such a manner as to provide for the reflection in administrative policies of changes in administrations of the State government itself as a result of a general election. I urge that, in creating such a commission, you provide sufficient funds to permit the commission to do its work effectively, and require it to report its recommendations to the General Assembly and Governor within a reasonable time.

## HIGHWAYS

The State may justly be proud of its system of highways. Unfortunately, however, many of our roads are rapidly falling into bad disrepair. It seems wasteful and extravagant to me to spend large sums on new construction of primary roads, which possibly could be postponed to a future time, when our existing roads are falling to pieces beneath our cars. I urge you, therefore, in appropriating funds to the Highway Department to give careful consideration to the absolute necessity of restoring our existing highways to their former fine condition. The improvement of our secondary roads which are the lifeblood of the agri-

culture and industry of this State should be our next consideration. Until this is accomplished any new road construction should be carefully scrutinized.

### AGRICULTURE

To a large extent, Delaware depends, for its prosperity, on agriculture. We should, therefore, do all in our power to encourage an increase in prosperity for our farmers. To this end, I urge you to favorably consider proposed legislation and appropriations designed to provide for marketing research and improved marketing of Delaware farm products; the extension and improvement of agriculture and poultry research; and the expansion of soil conservation. Delaware's agricultural per capita income is the second highest in the United States. By following an aggressive and intelligent policy of research in all phases of agriculture we can maintain and improve our excellent position.

### CONSERVATION

We have been blessed with splendid natural resources. During rapid industrial development of recent times we have overlooked the conservation of these important natural assets. Accordingly it shall be the policy of this administration to develop a strong program looking toward the conservation and improvement of our land and water resources and the conservation of our wild life.

### CONSTITUTIONAL AMENDMENTS

The following proposed amendments were passed by the One Hundred and Fourteenth General Assembly, and I urge their final adoption at this session:

1. That the terms of office of the State Treasurer and the Auditor of Accounts should be four years instead of two years, and they should be chosen at alternate general elections.
2. That Article IV of the Constitution be amended to provide for the creation of the constitutional office of Vice-Chancellor.

I introduce the following proposals for new amendments to the State Constitution, and I recommend them to you for your favorable consideration:

1. That no person holding any paid State, County or Municipal job shall be a member of the Legislature during the time he continues to hold that job.
2. That the Governor, at least 10 days before sending the name of anyone appointed as a State Judge to the Senate for confirmation, shall make public announcement of that name.
3. That Article IV of the Constitution be amended to provide for the creation of a separate, independent Supreme Court.

## CONCLUSION

In entering upon my service as Governor of the State, I do so with a humble consciousness of my own limitations. I am deeply appreciative of the confidence the people of Delaware have reposed in me, and I shall do my utmost to deserve that confidence. I propose to administer the office of Governor to further the aims I attempted to state clearly during the course of my campaign for election to office. I seek no unfair advantage for my party, and I will consistently oppose any attempt to manipulate the agencies of the State for unfair partisan purposes. In the administration of a State, differences of race, creed, color or politics should not enter in. We are all citizens of the State of Delaware. We are all entitled to be treated as citizens by the State Officials. It is my sincere desire that this administration render to our citizens cheerful, courteous and efficient public service. May I invite you to call at my office here in Dover whenever you have a problem which is in the public interest. There will no doubt be occasions when I will not be able to see you as soon as you arrive but if you will be patient, I will try to give a sympathetic and attentive ear to your problems and suggestions. Our State is on the threshold of a new economic era. Certain forces have been placed into motion which will overcome the geographic handicaps which have beset us for over 300 years. Two great spans are about to bridge the Delaware and the Chesapeake which will make our State far more accessible and important than ever before. It is the desire of your administration that we be prepared to cope with the great opportunities which will be the result of this important development. In this and many other fields a great challenge and an opportunity await us. Let us all join together resolved to meet the challenge of these changing times. Where there are differences of opinion let us as intelligent people resolve them wisely, and with God as our guide and hope let us all move forward working and striving and praying for a happier and a better day for Delaware and all of its people.

Respectfully submitted,  
ELBERT N. CARVEL,  
Governor

## INAUGURATION DAY PROGRAM

Dover, January 18, 1949

Music ..... Laurel High School Band  
Arthur Kretz, Director

Invocation ..... Rt. Rev. Arthur R. McKinstry of Wilmington  
Governor's Oath of Office—Administered by the Hon. William  
Watson Harrington, Chancellor of the State of Delaware

"Our Delaware" ..... Delaware National Guard Band  
19-Gun Salute

Message to the People of the State of Delaware

Governor Elbert N. Carvel

Secretary of State's Oath of Office.....Harris B. McDowell, Jr.  
Secretary of State-Designate

Administered by the Hon. Charles L. Terry, Jr., Resident  
Judge of Kent County

"King Jesus Is A-Listenin' " ..... Delaware State College Choir  
"The Lord Bless You and Keep You"—Short Dedication to the  
Governor—Mrs. Margaret V. Swain, Director

National Anthem—Edward J. Scanlon, Jr., of Dover, Vocal  
Soloist—Delaware National Guard Band and Laurel High  
School Band

Reception in Governor's Parlor at 2 P. M.

Everyone Invited

Note: Inaugural Ball—Dover High School Field House and  
Social Hall. Grand March begins at 10:00 P. M. in the Field  
House. Semi-Formal Dress.

The Joint Session met at 2:15 in the Senate Chamber.

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

The Chair was notified that the journals had been compared  
and agreed.

Mr. Dickerson moved that the two houses separate and  
reconvene in their respective chambers. Motion prevailed.

Mr. Dickerson moved that the Senate adjourn until 11 A. M.,  
Mon., Jan. 24, 1949. Motion prevailed.

### 10TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Mon., Jan. 24, 1949,  
11 A. M., Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Wilkins.

Members present—Messrs. Bulow, Burkholder, Cannon,  
Crossley, Cabbage, David, Dickerson, Evans, Hammond,  
Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam  
President Pro Tem—17.

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

The President of the Senate invited the President Pro Tem  
to come to the Rostrum. The invitation was accepted.

Communication:

Dover, Delaware  
January 24, 1949

To the Senate, 115th General Assembly  
Dover, Delaware

Having been elected Attorney for the House of Representatives, and not having taken the oath of office as a Senate Attorney, I hereby resign from the position of Senate Attorney to which you so kindly elected me several weeks ago.

Whatever services I have performed for the Senators have been done as Executive Director of the Legislative Reference Bureau, so that I do not consider that I have performed any services at this Session as a special Senate Attorney.

Thanking you and with best wishes to all,

Respectfully yours,

EARLE D. WILLEY

The Sergeant-at-Arms announced a messenger from the Governor. Hon. Harris B. McDowell, Jr., Secretary of State being admitted, delivered a message to the Senate from the Governor.

Mr. Burkholder moved the resignation of Earle D. Willey as Senate Attorney be accepted. Motion prevailed.

On motion for leave, Mr. Burkholder introduced **SR 8**—"In Reference to Election of Officers."

**BE IT RESOLVED** by the Senate of the 115th General Assembly. that the following named person be and he is hereby elected to the office appearing opposite his name, to serve during the pleasure of the Senate:

Attorney—Howard W. Bramhall

Upon motion, the Resolution was taken up for consideration in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" the question was decided in the affirmative, and the resolution having received the required constitutional majority, was adopted.

Mr. Burkholder, on motion for leave, introduced **SB 26**—"An Act to Authorize and Direct the State Treasurer to Honor Certain Payments from the Debt Service Account of the Dover Special School District for the Purchase of Real Estate, School Facilities and Equipment for the Said Special School District," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Burkholder, on motion for leave, introduced **SB 27**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935. as Amended, Entitled, 'Fish, Oysters and Game' with Respect to the Liberation of Wildlife," which was given first and second reading, the second by title only, and referred to the Committee on Fish, Oysters and Game.

Mr. Burkholder moved the message from the Governor be submitted to the Executive Committee. Motion prevailed.

Mr. William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had concurred in the following: **SJR 1, SCR 6, SCR 7**, and returned the same to the Senate.

Mr. Burkholder moved that the Senate recess for 10 minutes. Motion prevailed.

Senate met at expiration of recess at 12:35 P. M.

Mr. Burkholder moved that the Senate recess until 2:30 P. M. Motion prevailed.

Senate met at expiration of recess at 2:35 P. M.

Mr. Cannon moved that the Senate adjourn until 11 A. M., Tues., Jan. 25, 1949. Motion prevailed.

### 11TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Tues., Jan. 25, 1949, at 11 A. M., Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Wilkins.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

Members absent—Mr. Powell—1.

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

Mr. William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had passed and requested the concurrence of the Senate in the following: **HCR 2**—"Directing the Appointment of a Joint Committee to Arrange for a Suitable Program for the Observance of Lincoln's Birthday," and presented the same to the Senate.

Mr. Burkholder demanded the Sergeant-at-Arms round up the absentee Senator.

Mr. Cannon motioned that the Sergeant-at-Arms be given three minutes to find absent Senator.

Mr. Bulow asked the Chair, Are we not due some courtesy in this chamber? He stated while a guest of the Speaker of the House, any absentee members were informed of a session in progress. He added, he thought, we of the upper House should show a good example.

Mr. Burkholder pointed out that the people of the State had elected the senators, and that those people expect them to legislate. He stated it is the duty of the President of the Senate to direct the Sergeant-at-Arms to compel the members to attend. He stated we are supposed to spend at least 6 hours a day, and on some days we had adjourned in five minutes.

Mr. Cannon arose, but Mr. Burkholder refused to yield. Mr. Burkholder stated the President has the power and would not be

fulfilling his duties as President of the Senate not to compel their attendance.

The President offered to have a vote on the proceeding.

Mr. Cannon addressing the Chair stated: "Mr. Burkholder was not discussing anything that was before the Senate." Mr. Burkholder requested that the Constitution be brought into the Senate and that section concerning attendance be read to the body. No reply.

Mr. Cannon then moved adjournment until 11 A. M., Wed., Jan. 26, 1949.

Mrs. Davis stated hour and day is debatable.

Mr. Rhodes stated time set is debatable.

Roll call for question of adjournment.

YEAS—Messrs. Cannon, Crossley, Cabbage, David, Dickerson, Klair, Reilly, Webb—8.

NAYS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Phillips, Rhodes—7.

NOT VOTING—Madam President Pro Tem—1.

Senate adjourned until Wed., Jan. 26, 1949, 11 A. M.

## 12TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Wed., Jan. 26, 1949, 11 A. M., Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Wilkins.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

Members absent—Mr. Powell—1.

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

The President of the Senate invited the President Pro Tem to come to the Rostrum. The invitation was accepted.

Mr. Dickerson moved we recess until 2 P. M.

Mrs. Davis asked if we could stay just long enough to introduce a few measures. I have no objection to the recess, but I wish we could stay long enough to get some things on our Calendar.

The President asked if Mr. Dickerson wished to yield.

Mr. Dickerson yields.

Mrs. Davis, on motion for leave, introduced **SB 28**—"An Act to Amend 'An Act Providing for the Payment of Pension Benefits to Certain State Employees Fixing Ages of Retirement, Establishing Benefits Payable and the Source of Payment Thereof, Providing for Applications for Pensions and the Procedure to Be Followed with Respect Thereto, Providing that Pension Benefits Shall Be Free of Attachment and Non-assignable. and Also Pro-

viding for the Reduction of Benefits under Certain Conditions,' Being Chapter 104 of Volume 45, Laws of Delaware, as Amended, Relating to the Manner of Determining Pension Payments," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Burkholder, on motion for leave, introduced **SB 29**—"An Act to Provide for Payments to Persons Residing in the State of Delaware Who Served in the Armed Forces of the United States during the Periods between the Declaration of War and the Cessation of Hostilities in World War I and World War II; to Create a Commission to Administer the Payments; to Define the Powers of the Said Commission," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mr. Bulow, on motion for leave, introduced **SB 30**—"An Act to Amend 'An Act Providing for the Payment of Pension Benefits to Certain State Employees, Fixing Ages of Retirement, Establishing Benefits Payable and the Source of Payment Thereof, Providing for Applications for Pensions and the Procedure to Be Followed with Respect Thereto, Providing that Pension Benefits Shall Be Free of Attachment and Non-assignable, and Also Providing for the Reduction of Benefits under Certain Conditions, Being Chapter 104 of Volume 45, Laws of Delaware, as Amended, Relating to the Manner of Determining Pension Payments," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mr. Bulow, on motion for leave, introduced **SB 31**—"An Act to Amend Chapter 20 of the Revised Code of Delaware, 1935, as Amended, Entitled, 'Insurance Department,' with Reference to Reinsurance of Certain Risks in Countries Other Than the United States, Its Territories, Possessions, or the District of Columbia," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

On motion for leave, Mr. Burkholder introduced **SR 9**—"Authorizing the State Librarian to Furnish Stationery and Other Supplies to the Lieutenant-Governor, Members of the Senate and the Attorneys."

**BE IT RESOLVED**, by the Senate of the 115th General Assembly that the State Librarian be and he hereby is authorized and directed to furnish to the Lieutenant-Governor and the members of the Senate stationery and other supplies, the cost of which shall not exceed the sum of \$25.00 for each.

**BE IT FURTHER RESOLVED** that the State Librarian be and he hereby is authorized and directed to furnish to the attorneys serving the Senate of the present session stationery and other supplies, the cost of which shall not exceed the sum of \$25.00.

Upon motion, the Resolution was taken up for consideration in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" the



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

Mr. Phillips, on motion for leave, introduced **SB 32**—"An Act to Amend Chapter 6 of the Revised Code of Delaware, 1935, as Amended, Relative to Income Taxes," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Rhodes, on motion for leave, introduced **SB 33**—"An Act to Amend Chapter 19, Volume 42, of the Laws of Delaware, Relative to Appropriating Certain Money to the University of Delaware for the Purpose of Establishing Scholarships for Delaware, at Delaware College, University of Delaware," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mrs. Davis, on motion for leave, introduced **SB 34**—"An Act to Provide for Payments to Persons Who Served in the Armed Forces of the United States between September 16, 1940, and June 30, 1946, and to Beneficiaries of Such Persons; to Create a State Administrative Board; to Prescribe the Powers and Duties of the State Administrative Board and State Officers with Respect Thereto; to Provide for Acceptance of Financial and Other Assistance from the Federal Government; to Provide for Certain Administrative Expenses; to Make Certain Appropriations; and to Prescribe Penalties for Violations of the Provisions of This Act," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Evans, on behalf of the Committee on Labor to whom had been referred **SB 25**, reported the same back to the Senate favorably.

Mr. Dickerson moved that the Senate recess until 2:30 P. M. Motion prevailed.

Senate met at expiration of recess at 2:45 P. M.

On motion for leave, Mr. Dickerson introduced **SCR 8**—"Directing the Appointment of a Committee to Arrange a Suitable Program for the Observance of Washington's Birthday."

Upon motion, the Resolution was taken up for consideration in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" the question was decided in the affirmative, and the Resolution was adopted.

On motion for leave, Mr. Dickerson introduced **SR 10**—"Extending to Senator Edwin R. Powell, the Sympathy of the Senate during His Illness."

WHEREAS, The Senate of the One Hundredth and Fifteenth General Assembly has learned with deep regret of the illness of Senator Edwin R. Powell of Ocean View, Delaware;

NOW THEREFORE BE IT RESOLVED by the Senate of the One Hundred and Fifteenth General Assembly, that the Secretary of the Senate be and he hereby is directed to extend to Senator Edwin R. Powell of Ocean View, an expression of the sympathy of the Senate for the illness suffered by Senator

Powell at this time and of the best wishes of the Senate for his speedy and complete recovery.

Upon motion, the Resolution was taken up for consideration in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" the question was decided in the affirmative, and the resolution was adopted.

On motion for leave, Mr. Burkholder introduced **SR 11**—"Authorizing Payment on Account to Attaches and Employees of the Senate."

BE IT RESOLVED by the Senate of the 115th General Assembly that the State Treasurer be and he hereby is authorized and directed to pay to any attache or employee, who has been duly appointed by Resolution of the Senate, upon the order of the President Pro Tem of the Senate, sums on account from time to time, not to exceed the total of One Hundred Dollars (\$100.00) to any one person, on account of services to the present Session of the Senate. Any such sums so paid shall be charged against the salary of the individual attache or employee to whom such sum or sums are paid, and shall be a part of the expenses of this Session of the Senate.

Upon motion, the Resolution was taken up for consideration in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" the question was decided in the affirmative, and the Resolution was adopted.

On motion for leave, Mr. Burkholder introduced **SR 12**—"Authorizing the State Librarian to Furnish Stationery and Other Supplies."

BE IT RESOLVED by the Senate of the 115th General Assembly that the State Librarian be and he hereby is authorized and directed to furnish, during the period covered by the first thirty (30) Legislative Days of the Session, to the Secretary and Assistant Secretary of the Senate, the Reading Clerks and the Bill Clerks of the Senate stationery and other supplies, the cost of which shall not exceed the sum of twelve dollars and fifty cents (\$12.50) for each; and

BE IT FURTHER RESOLVED that the State Librarian be and he hereby is authorized and directed to furnish to all other officials or attaches of the Senate, not hereby or heretofore provided for, and during the period covered by the first thirty (30) Legislative Days of the Session, stationery and other supplies the cost of which shall not exceed the sum of Seven Dollars and Fifty Cents (\$7.50) for each.

Upon motion, the Resolution was taken up for consideration in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" the question was decided in the affirmative, and the Resolution was adopted.

Mr. Burkholder, on motion for leave, introduced **SB 35**—"An Act to Amend Chapter 71 of the Revised Code of Delaware,

1935. Relating to the Limitation on the Amount of School Bonds Which May Be Issued by a School District," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Bulow, on motion for leave, introduced **SS** for **SB 21**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Fish, Oysters and Game' with Reference to the Liberation of Wildlife," which was given first and second reading, the second by title only, and referred to the Committee on Fish, Oysters and Game.

Mr. Bulow, on motion for leave, introduced **SB 36**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Fish, Oysters and Game' with Reference to the Number of Cock Pheasants Lawful to Kill," which was given first and second reading, the second by title only, and referred to the Committee on Fish, Oysters and Game.

Mr. Phillips, on motion for leave, introduced **SB 37**—"An Act to Provide for the Payment of Disability Benefits to Certain Persons with Respect to Accident and Sickness not Compensable under the Workmen's Compensation Law of This State, Supplementing Chapter 258, Volume 41, Laws of Delaware, 1937, as Amended," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

On motion of Mr. Burkholder, **HCR 2** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" the question was decided in the affirmative and the Resolution having received the required constitutional majority was adopted and ordered returned to the House.

Mr. Dickerson moved that the Senate recess until call of the Chair. Motion prevailed.

Senate met at expiration of recess at 3:30 P. M.

Mr. Dickerson read a communication before the Senate.

January 26, 1949

Mr. President:

I read this morning an editorial under the caption: "The Public Be Damned," severely criticizing the action of this body yesterday in adjourning. It seems to me that the editorial writers of our local press should inform themselves of the circumstances before embarking upon unfounded criticism of Senatorial action. With this thought in mind, I desire to acquaint the press and the people of Delaware with the motives behind the Democratic action in adjourning yesterday.

May I ask you to recall to memory the inability of the majority members of this body to agree among themselves in advance of the convening of the Legislature upon a President Pro Tem. May I ask you to recall that on the first day of this Session, after almost interminable delay, it was only through the

action of the minority members of the Senate that the initial step in organization was able to be taken. May I also ask you to recall that the chagrin and anger of some of the majority members resulted in further delay of the organization of this body.

I am sure I need not ask you to recall that the purely partisan and political spirit of some of the majority members of the Senate resulted in an entirely unprecedented, and to my mind unwarranted, increase in the number of attaches in the Senate, with the resulting necessary increase in expense.

Not content with this play of purely party politics, the majority members of the Senate then embarked upon a series of steps to load the lists of office-holders of the State of Delaware with people bitterly opposed to the present administration and its policies. Under these conditions, we of the minority party, seeking as we seek to insure that the Democratic Administration fulfills its pledges to the people, were forced to use any weapon available to us to prevent the lame duck loading of the lists of office-holders. Particularly was this so in the case of the Departments of Elections for the various counties. To our mind we could not accomplish our desire of truly honest elections, faced with Departments of Elections in each county loaded down with people who, in the past, have not only failed to take steps to reform our elections, but have also either actively or passively sat supinely by and permitted the manifest injustices in our elections to continue.

Under these conditions it was entirely proper for the minority in the Senate to prevent having the cards stacked against election reform. If our press criticizes this, that criticism is not in harmony with their stated desire to reform our election system.

In closing, let me remind you, Mr. President that since the initial meeting of this body, the Democratic members have been in their seats ready and willing to transact the business of the State. Delay has piled upon delay, and these delays are attributable solely to the inability of the majority, or Republican members, to agree among themselves on purely partisan issues. If any criticism is due, it is not due to the Democrats.

The President asked Mrs. Davis to sit on the rostrum.

In answer to the communication read by Mr. Dickerson, Mr. Burkholder stated as follows:

I was very much interested in the communication that was read to this august body. In the first place I want to say that in the communication, it stated that the Democrat members were in their seats ready to transact business. That was not true 20 minutes ago. The Republican members have been sitting here since 2:30, and the Senate was called to order at 2:45.

2. The fact still remains, despite the communication, that the time that was lost in this Session is due to the adjournments that have been forced upon us. We adjourned on Thursday until Tuesday at 12 o'clock by a vote of the minority party. We ad-

journed one day in five minutes, by a vote of the minority party. We adjourned yesterday in 20 minutes, and again by a vote of the minority party. And I say to you that all the time that has been wasted is due to the adjournments forced by the minority party.

3. The Hon. Walter W. Bacon was Governor of the State of Delaware until 12 o'clock noon, January 18, and up to that time he had the right to make any appointments that he cared to make, and had the right to make. It was the right of this Senate to have the privilege of acting on Governor Bacon's appointments. The same courtesy, the same right is extended to Governor Carvel regardless of what the results will be in the election in 1952. Governor Carvel will be Governor until the second Tuesday of January 1953, and he will have the right to make any appointments. So that is my answer to the communication read in here.

Mr. Dickerson: I am not disputing the 45 minutes, but in the earlier days of this Session we sat in our seats until 5 o'clock in the afternoon waiting. It was so late until 5 o'clock in the afternoon, that I think the 45 minutes is nothing to compare.

Mr. Burkholder: In so far as any recesses in the earlier part of the Session is concerned, many of them were called at the request of the minority party and I am sure the minority leader will admit that on several occasions he asked me to call for a recess for the Senators on his side. So those recesses are not entirely the fault of the Republican party.

Mr. Dickerson rises.

Mr. Burkholder: The Senator has already spoken twice. He cannot speak again without the vote of the Senate.

Mr. Dickerson begs to introduce **CR 8**. Adopted.

Mr. Dickerson presents **SR 10**. Resolution read.

Mr. Phillips: I was listening to the radio last evening at 11 o'clock. The announcement was made that Senator Powell was in the hospital. However, the hospital was called at 10 A. M. yesterday and he was not there. We called in the early afternoon and no one by that name was in the hospital at that time, and before we pass a resolution of this type, we should know if the person is sick.

Mr. Dickerson: The information is that he is in Room 105 Beebe Hospital, Lewes, Delaware. If there is anything wrong, I know nothing about it.

Mr. Hitchens: I live in Sussex County, and I haven't been able to determine to my satisfaction that Mr. Powell is sick.

Mr. Klair: Call for the question on the Resolution. Resolution adopted.

Mr. Burkholder presented **SR 11**—"Authorizing payment on account to attaches and employees of the Senate." Read and adopted.

Mr. Burkholder presented **SR 12**—"Authorizing State Librarians to furnish Stationery to Supplies." Read and adopted.

Mr. Burkholder suggested we have Attorney of the Senate sworn in. Mr. Howard W. Bramhall takes oath.

Mr. Burkholder presented **SB 35**—"An Act to Amend Chapter 71, of the Revised Code of Delaware, 1935, relating to Limitation on the amount of School Bonds which may be issued by a school district."

Mr. Bulow presented **SS** for **SB 21**.

Mr. Bulow presented **SB 36**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935 as amended, entitled "Fish, Oysters & Game" with reference to the number of Cock Pheasants lawful to kill."

Mr. Phillips presented **SB 37**—"An Act to Provide for the Payment of Disability Benefits to certain persons with respect to Accident and Sickness not compensable under the Workmen's Compensation Law, of this State, supplementing Chapter 258, Vol. 41 Laws of Delaware, 1937."

The President stated that yesterday **HCR 2** was read but no action was taken at that time.

Mr. Burkholder moved the adoption of **HCR 2**.

The President stated that regarding **SB 29** introduced in skeleton form apparently before the members of the Senate knew it. Asked if Mr. Burkholder wanted this withdrawn.

Mr. Burkholder: No Sir.

Mrs. Davis asked to go to her seat.

Mrs. Davis: I have been informed that in the House yesterday, a bill was introduced in skeleton form, and also I have been informed that the Speaker of the House noticing as you have that this was the case, requested the introducer to withdraw the bill. I think the pressure of business before the Senate and House the last two days before the deadline for introducing new legislation would be time enough for skeleton bills. It would seem to me that if we are starting this early in the Session to introduce skeleton bills, it is very poor. I see no reason why the bill cannot be withdrawn. I feel that our Calendar should not be filled with skeleton bills, and if they are to be skeleton, the introducer should make it known.

Mr. Burkholder: No need to make it known, the facts are known now. I do not wish to withdraw that bill today.

Mr. Dickerson: Moved we recess to the call of the Chair.

Mr. Dickerson moved that the Senate adjourn until 11 A. M., Thurs., Jan. 27, 1949. Motion prevailed.

### 13TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Thurs., Jan. 27, 1949, 11 A. M.

Prayer by the Chaplain, Rev. Wilkins.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond,

Hitchens, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

Members absent—Mr. Powell—1.

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

Communications: 2—Requesting the repeal of **HB 212**—"An Act Regulating Labor Unions and Relations between Employers and Employees, Members of Labor and Unions."

Mr. Burkholder, on motion for leave, introduced **SJR 2**—"Senate Joint Resolution Authorizing the State Board of Education to Make a Study of the School Districts of the State and to Recommend to the General Assembly Changes That May Be in the Best Interests of the Schools, and the Most Efficient and Economic Administration Thereof, and Appropriating Funds Therefor," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Bulow, on motion for leave, introduced **SB 38**—"An Act Relating to Assessment and Fraternal Organizations," which was given first and second reading, the second by title only, and referred to the Committee on Banking and Insurance.

Mr. Bulow, on motion for leave, introduced **SB 39**—"An Act to Amend Chapter 12 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Salaries of State Officers' with Reference to the Bond of the Deputy to the Insurance Commissioner," which was given first and second reading, the second by title only, and referred to the Committee on Banking and Insurance.

Mr. Bulow, on motion for leave, introduced **SB 40**—"An Act to Amend Chapter 20 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Insurance Department,' with Reference to the Bond of the Insurance Commissioner," which was given first and second reading, the second by title only, and referred to the Committee on Banking and Insurance.

Mr. Bulow, on motion for leave, introduced **SB 41**—"An Act to Amend Chapter 20 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Insurance Department' with Respect to the Safekeeping of Securities Deposited with the Insurance Commissioner," which was given first and second reading, the second by title only, and referred to the Committee on Banking and Insurance.

Mr. Phillips, on motion for leave, introduced **SB 42**—"An Act to Provide for the Creation of a State Insurance Reserve Fund for the Purpose of Partially Financing Losses That May Be Sustained to State-Owned Property by Fire," which was given first and second reading, the second by title only, and referred to the Committee on Banking and Insurance.

Mr. Evans, on motion for leave, introduced **SB 43**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Fish, Oysters and Game' with Respect to the Penalty for Violations," which was given first and second reading,

the second by title only, and referred to the Committee on Fish, Oysters and Game.

Mr. Evans, on motion for leave, introduced **SB 44**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Fish, Oysters and Game' with Respect to Sunday Hunting," which was given first and second reading, the second by title only, and referred to the Committee on Fish, Oysters and Game.

Mr. Evans, on motion for leave, introduced **SB 45**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Fish, Oysters and Game' with Respect to Pheasants," which was given first and second reading, the second by title only, and referred to the Committee on Fish, Oysters and Game.

Mrs. Davis, on motion for leave, introduced **SB 46**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Fish, Oysters and Game' with Reference to the Possession of Game Birds, Game Animals and Game Fish," which was given first and second reading, the second by title only, and referred to the Committee on Fish, Oysters and Game.

Mr. Burkholder moved that the Senate recess until 2 P. M. Motion prevailed.

Senate met at expiration of recess.

The President of the Senate invited the President Pro Tem to come to the Rostrum. The invitation was accepted.

On motion of Mr. Burkholder, **HCR 1**—"Appropriation for Postage Stamps and Other Supplies for the 115th General Assembly," was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" the question was decided in the affirmative, and the Resolution having received the required constitutional majority, passed the Senate, and was ordered returned to the House.

Mr. Burkholder, on motion for leave, introduced **SB 47**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Fish, Oysters and Game' with Respect to the Discharge of Firearms While Hunting near Buildings or Highways," which was given first and second reading, the second by title only, and referred to the Committee on Fish, Oysters and Game.

Mr. Bulow, on motion for leave, introduced **SJR 3**—"With Reference to the Return of Funds to the Treasurer of the United States on Account of Overpayment to an Employee of the Board of Game and Fish Commissioners of Delaware by the Fish and Wildlife Service of the United States Department of the Interior," which was given first and second reading, the second by title only, and referred to the Committee on Claims.

Mr. William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had concurred in **SCR 8**, and returned the same to the Senate.



Mr. Hitchens, on behalf of the Committee on Printing and Supplies, to whom had been referred **SB 24**, reported the same back to the Senate favorably.

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred **SB 20**, reported the same back to the Senate favorably.

Mr. Burkholder, on motion for leave, introduced **SB 48**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Fish, Oysters and Game,' with Respect to the Salary of the Boat Inspector," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

On motion for leave, Mr. Phillips introduced **SR 13**—"Making an Appropriation for Telephone Service Charges and Toll Calls in Connection with the Work of the Senate in the 115th General Assembly of the State of Delaware."

BE IT RESOLVED by the Senate that the following amount be, and it is hereby appropriated, to pay for telephone service charges and toll calls in connection with the work of the Senate of the 115th session of the General Assembly of the State of Delaware, which convened January 4, A. D. 1949, and that the State Treasurer be, and he is hereby authorized and directed to pay to The Diamond State Telephone Company the total of the items listed in this resolution, as follows:

Service Connection Charge . . . . .	\$ 2.50
Toll Service from January 4 to January 10, inc. . . . .	29.65
Local Service from January 4 to January 10. . . . .	1.17
Local Service—one month in advance. . . . .	5.18
Total . . . . .	\$38.50

Upon motion, the Resolution was taken up for consideration in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Phillips.

On the question, "Shall the Resolution be adopted?" the question was decided in the affirmative, and the Resolution was adopted.

Mr. Hitchens, on motion for leave, introduced **SB 49**—"An Act to Amend 'An Act Providing for the Payment of Pension Benefits to Certain State Employees, Fixing Ages of Retirement, Establishing Benefits Payable and the Source of Payment Thereof, Providing for Applications for Pensions and the Procedure to Be Followed with Respect Thereto, Providing that Pension Benefits Shall Be Free of Attachment and Non-assignable, and Also Providing for the Reduction of Benefits under Certain Conditions,' as Amended, with Reference to Allowable Interruptions from Covered Employment," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mr. Hitchens, on motion for leave, introduced **SB 50**—"An Act Providing for the Payment of Pension Benefits to Certain State Employees, Fixing Ages of Retirement, Establishing Benefits Payable and the Source of Payment Thereof, Providing for Applications for Pensions and the Procedure to Be Followed with Respect Thereto, Providing that Pension Benefits Shall Be Free of Attachment and Non-assignable, and Also Providing for the Reduction of Benefits under Certain Conditions,' Being Chapter 104 of Volume 45, Laws of Delaware, as Amended Relating to the Manner of Determining Pension Payments," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mr. Hitchens, on motion for leave, introduced **SB 51**—"An Act to Amend 'An Act Providing for the Payment of Pension Benefits to Certain State Employees, Fixing Ages of Retirement, Establishing Benefits Payable and the Source of Payment Thereof, Providing for Applications for Pensions and the Procedure to Be Followed with Respect Thereto, Providing that Pension Benefits Shall Be Free of Attachment and Non-assignable, and Also Providing for the Reduction of Benefits under Certain Conditions,' Being Chapter 104 of Volume 45, Laws of Delaware, as Amended, Relating to the Manner of Determining Pension Payments," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mr. Hitchens, on motion for leave, introduced **SB 52**—"An Act to Amend 'An Act Providing for the Payment of Pension Benefits to Certain State Employees, Fixing Ages of Retirement, Establishing Benefits Payable and the Source of Payment Thereof, Providing for Applications for Pensions and the Procedure to Be Followed with Respect Thereto, Providing that Pension Benefits Shall Be Free of Attachment and Non-assignable, and Also Providing for the Reduction of Benefits under Certain Conditions,' as Amended, with Reference to Allowable Interruptions from Covered Employment," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mr. Phillips, on motion for leave, introduced **SB 53**—"An Act to Provide that the Former Members of the County Highway Departments of New Castle, Kent and Sussex Counties Now Serving with the State Highway Department Shall Receive Credit for the Service on Said County Highway Departments in Computing Pension Benefits," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Dickerson, on motion for leave, introduced **SB 54**—"An Act Providing for the Election of Boards of School Trustees of School Districts and Boards of Education of Special School Districts in New Castle County Exclusive of the School District of Middletown and the Claymont Special School District," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mr. Evans, on motion for leave, introduced **SB 55**—"An Act to Amend Chapter 71 of the Revised Code of Delaware, 1935, Relating to Truancy and Incurability," which was given first and second reading, the second by title only, and referred to the Committee on Judiciary.

Mr. Bulow, on motion for leave, introduced **SB 56**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Entitled Fish, Oysters and Game, with Respect to the Length of Certain Fish Lawful to Have in Possession," which was given first and second reading, the second by title only, and referred to the Committee on Fish, Oysters and Game.

Mr. Dickerson moved that the Senate recess until call of Chair. Motion prevailed.

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

Mr. Crossley, on motion for leave, introduced **SB 57**—"An Act to Repeal Chapter 193, Volume 44, Laws of Delaware, and further to Amend 5689. Sec. 151 of the Revised Code of Delaware, 1935, as Amended, Relating to Traction Engines and Tractors, by Providing for the Vehicles Which Shall Be Permitted to Be Attached Thereto and Hauled over the Public Streets, Roads and Highways," which was given first and second reading, the second by title only, and referred to the Committee on Buildings and Highways.

Mr. Dickerson moved that the Senate adjourn until 11 A. M., Fri., Jan. 28, 1949. Motion prevailed.

Communication to Senator Vera Davis and Senator Howard Dickerson:

## ELECTRICAL CONTRACTORS ASSOCIATION OF DELAWARE

Mullin Building, 600 Market Street, Wilmington. Del.

January 24, 1949

Senator Vera G. Davis  
President Pro Tem  
State House, Dover, Delaware

Dear Senator:

At a regular meeting of this association it was decided that a formal protest be entered against outright repeal of House Bill 212, AN ACT regulating Labor Unions and Relations between Employers and Employees, Members of Labor Unions.

This association wishes to go on record that it is against the outright repeal of this act but that it favors the modification of same where found necessary. Through the local press and elsewhere the various labor unions are asking for its repeal but at no time has any labor organization come forward and shown

where this act or any part of same has caused them any hardship or caused them to lose any of their gains during the two years that it has been on the books. To the contrary this act has been beneficial to them in increasing their memberships, etc. Since the enactment of House Bill 212 the local electrical workers have had their wages increased from \$2.10 to \$2.50 per hour which shows that this act has not caused them any hardship.

As an example take the electrical construction industry with which we are familiar, and about which we can give our experiences.

Before House Bill 212 became a law in and around Wilmington a very large number of men working at the electrical business were not permitted to join the union organization but were compelled to pay them 2% of their gross earnings for the privilege of working, but with no voice in the conduct of the organizations, but since the passage of this act a goodly number of these men have been admitted to membership, paying an initiation fee of \$200.00 against the \$25.00 set up in House Bill 212. They now at least have a voice in the organization. At the present time it is almost impossible to obtain membership in the union and if this bill is repealed it will give the union a virtual monopoly on the electrical workers in this state. At the present time men that the union will not admit into their organization have been able to obtain work due to the ban on the Secondary Boycott and closed shop; if it were not for this, these men would have been forced from their present employment.

The banning of the closed shop and the hiring hall has made it possible for men especially from the two lower counties to obtain employment which otherwise they could not do, due to their not having membership in an organization, which organization will not admit them.

We would therefore ask that before you consider the outright repeal of House Bill 212, that you give serious consideration to the above conditions which exist in the electrical construction industry and that if any changes are made that the following clauses be not eliminated:

1. That the Secondary Boycott be prohibited.
2. That the Hiring Hall be prohibited.
3. That the Closed Shop be banned.
4. That Labor Organizations be compelled to accept those men employed in their craft and others who can qualify.
5. That a reasonable initiation fee be set up so that if a Union Shop be permitted where a man has to join the Union then the initiation fee be also set up.

The foregoing restraints in labor will not cause any law-abiding organizations any hardships but will keep those Union Leaders who desire to make a racket out of same in their place.

In conclusion we would call your attention to recent ruling of the Supreme Court of the U. S. A. that the State ban on the Closed Shop is constitutional and that the right to work should be recognized as well as the right to organize. Since Act 20, Clause 2 of the "Universal Declaration of Human Rights," adopted by the Assembly of the United Nations reads as follows, "No one shall be compelled to belong to an Association," and since this declaration has the unqualified support of the Federal Government it is pertinent to inquire how the acceptance of the union closed shop in industry can be reconciled to this declaration.

Respectfully submitted,

HORACE J. LEGATES

Secretary

### 14TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Fri., Jan. 28, 1949, 11:00 A. M., Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Wilkins.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

Members absent—Mr. Cabbage—1.

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

### STATE OF DELAWARE INDUSTRIAL ACCIDENT BOARD WILMINGTON, DELAWARE

January 27, 1949

Mrs. Vera G. Davis, President Pro Tem  
Delaware State Senate  
To the Honorable Members of  
The General Assembly of the State of Delaware  
State House, Dover, Delaware

Pursuant to the provisions of 3193 w, Section 116 of "The Delaware Workmen's Compensation Law of 1917," as amended, Article 5, Chapter 90, Revised Code of Delaware, the Industrial Accident Board submits its biennial report for the years of 1947 and 1948.

## REPORTS OF INDUSTRIAL ACCIDENTS TO THE INDUSTRIAL ACCIDENT BOARD

1947—Twenty-one Thousand Eight Hundred and Seventy-five (21,875).

1948—Twenty-one Thousand Two Hundred and Ninety-eight (21,298).

Classifications of the same are as follows:

1947							
ARM	HAND	FINGERS	EYES	LEGS	FEET	TOE	BACK
2,084	1,969	7,493	3,391	1,493	1,298	503	758
1948							
2,109	1,928	6,905	3,349	1,507	1,262	477	828

1947						
HEAD	HERNIA	THIRD PARTY	Miscellaneous	FATAL	SKIN INFEC.	EAR
578	91	9	1,937	21	181	69
1948						
492	70	3	2,123	24	162	59

TOTAL—1947—21,875

TOTAL—1948—21,298

Agreements approved—1947—1,970

1948—2,018

	Hearings	Compensation Paid	Approximate Medical Services	Approximate Total Payments
1947	80	\$261,498.52	\$130,749.26	\$392,247.78
1948	96	\$275,190.12	\$137,595.06	\$412,785.18

## REVENUE

1947—Collections from Self Insurers.....\$10,081.30

1947—Collections from Insurance Companies..... 35,269.30

The collections from self-insurers and insurance companies will show an increase for the year 1948 and the Industrial Accident Board of the State of Delaware continues to be a profitable State Agency, whereas in other states large grants from the Legislature are required to cover the cost of operation.

COSTS OF OPERATION of Industrial Accident Board:

1946-1947	1947-1948
\$21,875.40	\$23,625.86

Very truly yours,

INDUSTRIAL ACCIDENT BOARD

Francis D. Buck

Secretary

Communications: 2—Favoring the continuation of the Wilmington Board of Education in its present fiscally independent status with statutory limits as to the maximum amount that can be levied for taxes and favoring the continuation of the appointive system for the board members which has so well served Wilmington's educational needs. — A thank-you letter from Senator Powell for **SR 10**—Extending the sympathy of the Senate during his illness.

Mr. Burkholder moved that the Senate recess until the call of the Chair. Motion prevailed.

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

Mr. William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had passed and requested the concurrence of the Senate in the following:

**HJR 1**—"With Reference to Supplies Needed by the General Assembly."

**HJR 3**—"With Reference to Supplies Needed by the General Assembly," and presented the same to the Senate.

The Chair presented **HJR 1**, which was given first and second reading, the second by title only, and referred to the Committee on Printing and Supplies.

The Chair presented **HJR 3**, which was given first and second reading, the second by title only, and referred to the Committee on Printing and Supplies.

The President announced he is about to sign: **HCR1, HCR 2.**

Mrs. Davis, on motion for leave, introduced **SB 58**—"An Act to Repeal Chapter 226 of Volume 46, Laws of Delaware, 1947, Entitled, 'An Act to Amend Chapter 39 of the Revised Code of Delaware, 1935, as Amended, Relating to the Amount of Assistance Paid to Dependent Children by the State Board of Welfare,' " which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mrs. Davis, on motion for leave, introduced **SB 59**—"An Act Authorizing the State of Delaware and the State Highway Department Thereof to Transfer Certain Public Lands in the Vicinity of Dewey Beach," which was given first and second reading, the second by title only, and referred to the Committee on Public Lands.

On motion of Mrs. Davis, **SR 14**—"Relating to the Introduction of Skeleton Bills in the Present Session of the Senate."

**BE IT RESOLVED** by the Senate of the 115th General Assembly that, until the second day preceding the day which shall be fixed as the final time for receiving Bills or Joint Resolutions, except General Appropriation Bills, at this session of the General Assembly, no Bill or Joint Resolution shall be received by this Session of the Senate which does not set forth the full text of the provisions thereby proposed to be enacted.

**BE IT FURTHER RESOLVED** that all Bills and Joint Resolutions hereto received by this Session of the Senate be, and the same are hereby, stricken from the calendar.

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

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

YEAS—Messrs. Cannon, Crossley, David, Dickerson, Klair, Reilly, Mr. President, Madam Pro Tem—9.

NAYS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Phillips, Powell, Rhodes—8.

So the question was decided in the affirmative and the Resolution having received the required constitutional majority, was adopted.

By **SR 14**—"Relating to the Introduction of Skeleton Bills in the Present Session of the Senate." **SB 29** was stricken from the Calendar.

Mr. Cannon, on motion for leave, introduced **SB 60**—"An Act to Amend an Act Entitled, 'An Act to Provide for the Regulation, Control and Licensing of Harness Racing in the State of Delaware,' Being Chapter 303, Volume 45. Laws of Delaware, 1944-45, as Amended, Relating to Commissions on Pari-Mutuel or Totalizator Pools," which was given first and second reading, the second by title only, and referred to the Committee on Miscellaneous.

Mr. Bulow, on motion for leave, introduced **SB 61**—"An Act to Amend Article 8, Chapter 165 of the Revised Code of Delaware, 1935, by Limiting the Liability of Owners or Operators of a Boat, Air-plane or Other Vehicle to a Guest Transported without Payment," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

On motion of Mr. Bulow, **HCR 1** was taken up for consideration and read a third time by paragraphs, in order to pass the Senate.

On the question, "Shall the Resolution be adopted?"

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

On motion of Mr. Bulow, **HCR 2** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

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

On motion for leave, Mr. Hitchens introduced **SR 15**—"Relative to Payment for Miscellaneous Printing for the Present Session of the Senate."

BE IT RESOLVED by the Senate of the State of Delaware that the following amounts be and the same are hereby appropriated out of any money in the State Treasury, not otherwise



appropriated, for miscellaneous printing for the Senate of the State of Delaware, under contracts made in accordance with Chapter 6, Volume 46, Laws of Delaware, the same being expenses connected with the present Session of the Senate, viz:

The Harrington Journal .....	\$147.65
The Harrington Journal .....	222.87

Upon motion, the Resolution was taken up for consideration in order to pass the Senate.

By acclamation, the question was decided in the affirmative, and the resolution was adopted.

Mr. Reilly, on motion for leave, introduced **SB 62**—"An Act to Amend Chapter 83, Volume 45, Laws of Delaware, Relating to Aid for the Needy Blind, by Reducing the Residence Requirements for Financial Assistance," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mr. Reilly, on motion for leave, introduced **SB 63**—"An Act to Amend Chapter 83, Volume 45, Laws of Delaware, as Amended, Relating to Aid for the Needy Blind, by Providing an Incentive to Rehabilitation and Self-Support and by Increasing the Maximum Amount of Financial Assistance," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Klair, on motion for leave, introduced **SB 64**—"An Act to Amend Chapter 176, Volume 25, Laws of Delaware, as Amended, Entitled 'An Act to Incorporate the Town of Elsmere, New Castle County,' by Providing for Compensation for the Commissioners," which was given first and second reading, the second by title only and referred to the Committee on Municipal Corporations.

On motion of Mr. Hitchens, **SB 24** 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. Bulow, Burkholder, Cannon, Crossley, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Cabbage—1.

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

Mr. William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had passed and requested the concurrence of the Senate in the following: **HCR 3**—"Expressing Appreciation of the Citizens of Delaware to the Republic of France and Its People for the Token of Friendship as Shown by the Merci Train Containing Gifts, and presented the same to the Senate.

On motion of the Chair, **HCR 3** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" by acclamation, the question was decided in the affirmative, and the Resolution was adopted and ordered returned to the House.

On motion of Mr. Hitchens, **SB 20** 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. Bulow, Burkholder, Cannon, Crossley, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Cabbage—1.

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

Mr. Burkholder, on behalf of the Committee on Revised Statutes, to whom had been referred **SB 14**, reported the same back to the Senate favorably.

Mr. Burkholder, on behalf of the Committee on Revised Statutes to whom had been referred **SB 30**, reported the same back to the Senate favorably.

Mr. Burkholder, on behalf of the Committee on Revised Statutes, to whom had been referred **SB 12**, reported the same back to the Senate favorably.

Mr. Burkholder moved that the Senate recess 15 minutes. Motion prevailed.

Senate met at expiration of recess at 4:25 P. M.

Mr. Powell, on motion for leave, introduced **SB 65**—"An Act to Amend Chapter 166, Volume 37, Laws of Delaware, Being 'An Act to Reincorporate the Town of Selbyville' as Amended, by Increasing the Amount of Taxes That May Be Raised in Any One Year by Taxation and Providing the Method by Which Taxes and Penalties for Non-payment of the Same May Be Collected," which was given first and second reading, the second by title only, and referred to the Committee on Municipal Corporations.

Mr. Phillips, on motion for leave, introduced **SB 66**—"An Act Amending Chapter 262, Volume 46, Laws of Delaware, 1947, Entitled, 'An Act Appropriating Money to the State Board of Health for Cancer Control,' by Striking Out and Repealing Section 2 Thereof, Providing for the Creation of an Advisory Committee by the State Board of Health," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mr. Dickerson moved that the Senate adjourn until Mon., Jan. 31, 1949, 2 P. M. Motion prevailed.

Communications to Senators Dickerson and Burkholder:

THE PARENT-TEACHER ASSOCIATION  
OF THE DAVID W. HARLAN SCHOOL  
36th and Jefferson Streets, Wilmington, Delaware

504 Barrett Street  
Wilmington, Delaware  
January 27, 1949

Senator Howard H. Dickerson  
Legislative Hall  
Dover, Delaware

Dear Senator Dickerson:

As a member of the Senate Committee on Education, you are undoubtedly aware of recent proposals to change the present method of appointing the members of the Wilmington Board of Education.

This subject was discussed at a regular meeting of this Association on January 20, 1949 which was attended by about 250 members. This meeting adopted, with less than five dissenting votes, resolutions favoring the fiscal independence of the Wilmington Board of Education and the appointive system by which its members are now chosen. I am sending you herewith a copy of these resolutions.

Very truly yours,  
J. BARSHA, President

Resolutions adopted by the Parent-Teacher Association of the David W. Harlan School in Wilmington at a regular meeting on January 20, 1949.

1. RESOLVED: That the Harlan PTA favors continuation of the Wilmington Board of Education in its present fiscally independent status with statutory limits as to the maximum amount that can be levied for taxes.

2. RESOLVED: That the Harlan PTA expresses its confidence in the Wilmington Board of Education as at present constituted and that it favors continuation of the appointive system for board members which has well served Wilmington's educational needs.

A copy was sent to Mr. Burkholder.

Communication from Senator Powell:

Mr. President, Members of the Senate:

I regret that for the past few days my health has not permitted me to be present in this Senate. I take this opportunity to thank those of my colleagues who accepted my statement to the press relative to my illness as the truth and who forced through this body over the opposition of those colleagues who did not accept the statement as true a resolution extending the sympathy of the Senate to me. To those who questioned my veracity and integrity, I direct their attention to Senate Rule #17 prohibiting any Senator to impute to another Senator conduct unworthy or unbecoming a Senator.

### 15TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Mon., Jan. 31, 1949, 2:10 P. M., Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Wilkins.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

Members absent—Mr. Cabbage—1.

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

Communications: 2—Requesting the support of a Unified Legislative Program; Thank you note from Mrs. Alexis Bayard expressing her appreciation for the flowers sent to her by the members of the Senate.

On motion, Mrs. Davis presented **SS** for **SR 14**—"Relating to the Introduction of Skeleton Bills in the Present Session of the Senate."

**BE IT RESOLVED** by the Senate of the 115th General Assembly that, until the second day preceding the day which shall be fixed as the final time for receiving Bills or Joint Resolutions, except General Appropriation Bills, at this session of the General Assembly, no Bill or Joint Resolution shall be received by this Session of the Senate which does not set forth the full text of the provisions thereby proposed to be enacted.

**BE IT FURTHER RESOLVED** that all Skeleton Bills and Joint Resolutions heretofore received by this Session of the Senate be, and the same are hereby, stricken from the calendar.

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

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

**YEAS**—Messrs. Cannon, Crossley, David, Dickerson, Klair, Powell, Reilly, Webb, Madam President Pro Tem—9.

**NAYS**—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Phillips, Rhodes—7.

**ABSENT**—Mr. Cabbage—1.

So the question was decided in the affirmative and the Resolution having received the required constitutional majority, was adopted.

Mrs. Davis, on motion for leave, introduced **SB 67**—"An Act to Create and Establish a State Department of Public Welfare in Order to Provide a Coordinated Program of Public Welfare Service and in So Doing Merging Certain of the Activities of the State Old Age Welfare Commission, the State Board of Welfare, and the Delaware Commission for the Blind into a New Department to Be Known as the State Department of Public Welfare,"

which was given first and second reading, the second by title only, and referred to the Committee on Miscellaneous.

Mrs. Davis, on motion for leave, introduced **SB 68**—"An Act to Amend Article 2, Chapter 54, Revised Code of the State of Delaware, 1935, Relating to State Welfare Home," which was given first and second reading, the second by title only, and referred to the Committee on Miscellaneous.

Mr. Klair, on motion for leave, introduced **SB 69**—"An Act to Establish the Office of State Fire Marshal for the State of Delaware Outside of the City of Wilmington; Providing for His Appointment, Salary and the Expenses of His Office; Defining His Powers and Duties; Providing for His Deputies, Their Instructions, Duties and Reports; Providing for the Investigation of the Cause and Origin of Fires; Providing for Reports of Fire Insurance Companies; Providing for Regulations with Regard to Inflammable and Explosive Materials, Powers in Connection Therewith, Orders, and Penalty for Failure to Comply Therewith; Providing for Investigation and the Summoning of Witnesses; Records and Reports; Providing for Fire Drills in Public Schools; Providing an Appropriation for the Salary and Expenses of the Fire Marshal and Providing for an Appeal to the Superior Court from the Orders of the Fire Marshal," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Powell, on motion for leave, introduced **SB 70**—"An Act to Amend 1136. Sec. 1. of Chapter 42. Revised Code of Delaware, 1935 Relative to Notaries Public and Commissioners of Deeds, as Amended by Chapter 100, Volume 41, Laws of Delaware, 1937, and Chapter 97, Volume 43, Laws of Delaware, 1941, Providing for Additional Notaries Public in Sussex County," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mr. Burkholder, on motion for leave, introduced **SB 71**—"An Act to Provide for Payments to Persons Who Served in the Armed Forces of the United States in World War I and World War II and the Beneficiaries of Such Persons; to Create a State Administrative Board; to Prescribe Its Powers and Duties; to Provide for Acceptance of Financial and Other Assistance from the United States Government; to Make Certain Appropriations for Administrative Expenses and to Prescribe Penalties for Violations of This Act," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Phillips, on motion for leave, introduced **SB 72**—"An Act to Amend Chapter 167 of the Revised Code of Delaware, 1935. Relating to Aeronautics by Providing for the Development and Regulation Thereof within This State; Creating a State Aeronautics Commission and the Office of Director of Aeronautics; Prescribing the Powers and Duties of Such Commission and Director; Providing for Cooperation with Federal Government and Disposition of Federal Funds by Such Commission; Provid-

ing for Regulation of Aircraft, Airmen, Airports and Air Instruction by Such Commission; Providing for the Acquisition, by Condemnation or Otherwise, of Airports and Protection Privileges and the Leasing and Sale Thereof; Providing for the Operation of State Airports; Providing for Review of Orders of Such Commission, and Prescribing Penalties," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Hitchens, on behalf of the Committee on Printing and Supplies, to whom had been referred, **HJR 1**, reported the same back to the Senate favorably.

Mr. Hitchens, on behalf of the Committee on Printing and Supplies, to whom had been referred **HJR 3**, reported the same back to the Senate favorably.

Mr. Hammond, on behalf of the Committee on Finance, to whom had been referred, **SB 8**, reported the same back to the Senate favorably.

Mr. Powell, on behalf of the Committee on Miscellaneous, to whom had been referred **SB 60**, reported the same back to the Senate favorably.

Mr. Dickerson moved that the Senate recess one-half hour. Motion prevailed.

Senate met at expiration of recess, 3:50 P. M.

Mr. Burkholder moved that the Senate adjourn until 12:00 o'clock, Tues., Feb. 1, 1949. Motion prevailed.

Communication to Senators Burkholder and Dickerson:

Lewes, Delaware

January 28, 1949

The Honorable E. Paul Burkholder  
The Senate  
Dover, Delaware

Dear Sir:

At a meeting of the Delaware Association of School Boards last evening at the Dover High School Cafetorium, with one hundred seventy-one members present, a motion was passed by the organization, stating "that this organization go on record supporting the Unified Legislative Program, and work effectively for it."

I, as Secretary, was instructed to write the Legislature of these facts.

It is hoped that you will give the Unified Legislative Program your consideration and support.

Very truly yours,

DELAWARE ASSOCIATION OF SCHOOL BOARDS  
By Weston H. Ellis, Secretary

## 16TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Tues., Feb. 1, 1949, 12 noon, Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Wilkins.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

Members absent—Mr. Cabbage—1.

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

Communications: 4—Opposing **SB 1**; 1—Favoring **SB 14**; 1—Favoring a Unified Legislative Program; 1—Urging support of Civil Rights Bill. An invitation to the Members of the Senate to attend a luncheon at Bob Ching's Lotus Gardens. 1—Favoring **SB 1**.

## REPORT OF BUDGET COMMISSION

January 18, 1949

To the Honorable the  
House of Representatives of the State of Delaware  
Dover, Delaware

Gentlemen:

Pursuant to the provisions of Chapter 204, Volume 42, Laws of Delaware, I am transmitting to you herewith report of the Permanent Budget Commission, covering the period from January 1, 1947 to December 31, 1948.

Respectfully submitted,

PERMANENT BUDGET COMMISSION  
Walter W. Bacon  
Chairman

Report of  
PERMANENT BUDGET COMMISSION  
To The  
ONE HUNDRED AND FIFTEENTH  
GENERAL ASSEMBLY  
Of The  
STATE OF DELAWARE

To the Honorable Members of the  
115th General Assembly of the State of Delaware

Gentlemen:

Pursuant to Chapter 204, Volume 42 of the Laws of Delaware, 1939, a report is submitted herewith pertaining to the

functions and activities of the State Budget Commission for the period from January 1, 1947 to December 31, 1948.

Permanent Budget Commission, composed of the Governor, the Secretary of State, State Tax Commissioner, Auditor of Accounts and State Treasurer, held meetings at least once each month during the two year period ended December 31, 1948, for the purpose of reviewing the fiscal affairs of the State, including the agencies whose support, in whole or in part, is provided for in the State Budget.

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

During the year 1948 certain beneficial changes were made in the accounting system used by the Auditor of Accounts, including the revamping of the General Ledger and the inauguration of machine posting of the Revenue Ledger. These changes resulted from the combined efforts of the Auditor's Office and accountants of the Budget Commission.

In January, 1948, International Business Machine tabulating equipment was installed in the State Treasurer's Office, which is used for preparation of payroll and pension checks and for the reconciliation of bank statements covering such checks.

Acting on behalf of the Auditor of Accounts, Budget Commission accountants have conducted audits of all Magistrates in the State at least yearly, and while in most cases dockets are being properly recorded and fines due the State are remitted promptly to the State Treasurer, there have been several instances where Magistrate's records have not been adequate and where Magistrates have been delinquent in remitting fines to the State Treasurer.

Budget Commission accountants have conducted numerous audits and examinations of State Agencies and Schools and special effort has been made to determine whether adequate procedures for proper control of fiscal matters were being maintained. Recommendations of Budget Commission accountants for changes in record keeping to reflect more clearly and accurately all fiscal transactions have in general been well received by those concerned.

Accountants of the Budget Commission continue to render assistance to District Schools in the endeavor to maintain a uniform system of accounting in the Schools; however, Schools as a whole have made considerable progress in their record keeping.

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

We wish to express our appreciation to all agencies that



have been contacted during the period under review for their courtesy and cooperation.

Respectfully Submitted,

PERMANENT BUDGET COMMISSION

Walter W. Bacon

Chairman

William J. Storey

Secretary

Lillian I. Martin

Budget Accountant

## REPORT OF REQUESTS FOR TRANSFERS OF APPROPRIATIONS

Requests for Transfer of Appropriations presented by State Departments, Institutions and Schools for the Budget Commission's consideration totaled 215 and 213, respectively, during the calendar years ended December 31, 1947 and December 31, 1948.

Under the law, Transfers of Appropriations not in excess of ten per cent of total appropriations to any district, exclusive of salaries and fuel, may be made by Boards of School Trustees and Boards of Education without the consent of the Budget Commission. There were 256 such transfers during the calendar year 1947 and 283 during the calendar year 1948.

## BUDGET PREPARATION

Budget Commission accountants personally delivered to State Agencies, Institutions and Schools which receive State aid the forms used for submitting requests for appropriations for the next biennium and instructed various personnel in the preparation of their requests for appropriations.

Each Agency, Institution and School was invited to attend the Budget hearing when their request for appropriations was reviewed by the Budget Commission. Personnel representing 85 Agencies, Institutions and Schools attended Budget hearings and presented additional information in support of their requests for appropriations.

Since requests for appropriations as submitted to the Budget Commission for the biennium amounted to approximately 175 per cent of total anticipated revenue for the biennium, it obviously was considered necessary in many cases to reduce amounts requested in determining upon recommended appropriations.

## AUDITING FUNCTIONS

Within the period from January 1, 1947 to December 31, 1948 audits and special investigations have been made of the records of the following State Agencies and Schools. The date specified is the ending period of the examination.

## AGENCIES

Secretary of State .....	June 30, 1947
State Treasurer .....	December 31, 1947
Auditor of Accounts .....	September 30, 1948
State Revenue Collector .....	December 31, 1947
State Insurance Commissioner .....	December 31, 1947
Oyster Revenue Collector .....	December 31, 1947
Boat Inspector .....	December 31, 1947
State Bank Commissioner .....	December 31, 1947
Delaware Liquor Commission .....	May 31, 1948
Delaware State Employees Pension Act ....	September 9, 1948
Medical Council of Delaware .....	December 31, 1947
State Board of Pharmacy.....	December 31, 1947
State Board of Dental Examiners .....	December 31, 1947
State Board of Examiners for Barbers ....	December 31, 1947
Board of Veterinary Examiners .....	December 31, 1947
State Board of Accountancy .....	December 31, 1947
Board of Examiners in Optometry .....	December 31, 1947
Board of Examiners for Registered Nurses .....	June 30, 1947
State Board of Examiners in Undertaking .....	June 30, 1947
Delaware Real Estate Commission .....	December 31, 1947
State Board of Examiners and Registrations of Architects .....	June 30, 1948
State Athletic Commission .....	June 30, 1948
Board of Registration for Professional Engineers and Land Surveyors .....	December 31, 1947
Council of State Agencies .....	June 30, 1948
Labor Commission of Delaware .....	December 31, 1947
Board of Boiler Rules .....	December 31, 1947
Regulators of Weights and Measures .....	December 31, 1947
Industrial Accident Board .....	December 31, 1947
National Guard—Adjutant General .....	December 31, 1947
Delaware Commission of Shell Fisheries .....	June 30, 1948
Public Archives Commission .....	June 30, 1948
State Highway Department (All Divisions) ....	June 30, 1947
State Board of Health .....	December 31, 1947
State Board of Agriculture (All Divisions) ..	December 31, 1947
State Forestry Department (Two Divisions) ....	June 30, 1948
Game and Fish Commission .....	December 31, 1947
State Board of Welfare .....	June 30, 1948
Old Age Welfare Commision— Pension Account .....	December 31, 1947
Old Age Welfare Commission— State Welfare Home .....	June 30, 1948
Delaware State Hospital .....	June 30, 1948
Delaware Commission for the Feeble-Minded .....	December 31, 1946
Ferris School for Boys .....	June 30, 1948
Kruse School .....	September 30, 1948

Old Age Welfare Commission—	
Relief Department .....	June 30, 1948
State Board of Health—	
Edgewood Sanatorium .....	June 30, 1948
State Board of Health—	
Brandywine Sanatorium .....	June 30, 1948
Woods Haven School for Girls .....	June 30, 1948
Governor Bacon Health Center .....	June 30, 1948

## EDUCATION

### Special School Districts

Mount Pleasant .....	June 30, 1948
Claymont .....	April 30, 1948
Alexis I. duPont .....	June 30, 1948
Newark .....	June 30, 1948
New Castle .....	June 30, 1948
Smyrna .....	May 31, 1948
Dover .....	June 2, 1948
Caesar Rodney .....	May 31, 1948
Harrington .....	April 30, 1948
Milford .....	June 17, 1948
Lewes .....	April 30, 1948
Laurel .....	April 30, 1948
Seaford .....	June 30, 1947
Rehoboth .....	June 30, 1947

### State Board Units

Arden No. 3 .....	April 30, 1948
Alfred I. duPont No. 7 .....	April 30, 1948
Richardson Park No. 20 .....	April 30, 1948
Newport No. 21 .....	April 30, 1948
Hockessin No. 29 .....	April 30, 1948
Stanton No. 38 .....	April 30, 1948
Christiana No. 44 .....	April 30, 1948
Rose Hill-Minquadale No. 47 .....	June 1, 1948
Delaware City No. 52 .....	April 30, 1948
Middletown No. 60 .....	April 30, 1948
Oak Grove No. 130 .....	April 30, 1948
Henry C. Conrad No. 131 .....	April 30, 1948
Newport No. 106-C .....	April 30, 1948
Marshallton No. 108-C .....	April 30, 1948
Middletown No. 120-C .....	May 12, 1948
Millside No. 132-C .....	May 12, 1948
Frederica No. 32 .....	April 30, 1948
Farmington No. 39 .....	May 24, 1948
Magnolia No. 50 .....	May 18, 1948
Felton No. 54 .....	April 30, 1948
Hartly No. 96 .....	April 30, 1948
Clayton No. 119 .....	April 30, 1948
Houston No. 125 .....	May 24, 1948

Lincoln No. 3 .....	June 30, 1948
Milton No. 8 .....	June 30, 1948
Millsboro No. 23 .....	June 30, 1948
Lord Baltimore No. 28 .....	April 30, 1948
Roxana No. 31 .....	June 30, 1948
Selbyville No. 32 .....	May 24, 1948
Gumboro No. 37 .....	June 30, 1948
Bridgeville No. 90 .....	June 30, 1948
Greenwood No. 91 .....	June 30, 1948
John M. Clayton No. 97 .....	June 30, 1948
Ellendale No. 125 .....	June 30, 1948
Delmar No. 163 .....	June 30, 1948
Blades No. 172 .....	June 30, 1948
Slaughter Neck No. 193-C .....	June 30, 1948
Millsboro No. 204-C .....	June 30, 1948
Frankford No. 206-C .....	June 30, 1948
State Board of Education .....	December 3, 1947

#### EXPENDITURES FROM STATE EMERGENCY FUND

Pursuant to Section 6, Chapter 57, of Volume 44, 1943, Laws of the State of Delaware, a statement of expenditures made from the State Emergency Fund for the period from July 1, 1947 to December 31, 1948, is presented herewith.

The expenditures shown on this statement were approved by Permanent Budget Commission only after an emergency was deemed to exist, and after proof of said emergency was presented to the Commission. Such proof included examination of evidence and testimony as was warranted by each individual case, and in all instances a notarized affidavit was provided by a duly authorized representative of the agency making application setting forth the facts supporting the claim.

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

#### STATEMENT OF EMERGENCY FUND EXPENDITURES FISCAL YEAR ENDED JUNE 30, 1948

AGENCY	EXPENDITURES
Governor	
Contingent Expenses .....	\$ 242.30
Total Governor .....	<u>242.30</u>
State Treasurer	
Salaries .....	1,043.00

Office Expense .....	535.71
Operations .....	59.42
Total State Treasurer .....	1,638.13
State Tax Department	
Equipment .....	711.74
Total State Tax Department .....	711.74
Attorney General	
Office Expense .....	4,100.00
Total Attorney General .....	4,100.00
Council of State Governments	
Office Expense .....	38.38
Travel .....	119.57
Total Council of State Governments .....	157.95
National Guard—Adjutant General	
Office Expense .....	1,186.54
Travel .....	577.53
Operations .....	9,179.29
Repairs .....	1,331.94
Total National Guard—Adjutant General ....	12,275.30
Custodian	
Repairs .....	6,505.76
Total Custodian .....	6,505.76
Public Archives Commission	
Salaries .....	1,200.00
Total Public Archives Commission .....	1,200.00
State Highway Department	
Construction—Selbyville School .....	614.00
Total State Highway Department .....	614.00
State Board of Health	
Salaries .....	3,892.79
Citizens Food Committee .....	106.00
Total State Board of Health .....	3,998.79

State Board of Agriculture	
Livestock Sanitation .....	8,418.91
Farm Products Inspection and Grading Laws ...	2,296.94
Controlling Contagious Diseases of Livestock ..	1,276.43
Total State Board of Agriculture .....	<u>11,992.28</u>
Game and Fish Commission	
Operations .....	5,000.00
Total Game and Fish Commission .....	<u>5,000.00</u>
State Board of Welfare	
Direct Care .....	18,076.56
Hardship Cases .....	2,182.81
Total State Board of Welfare .....	<u>20,259.37</u>
Old Age Welfare Commission	
Relief Department—New Castle County .....	132,490.79
Relief Department—Kent County .....	7,528.93
Relief Department—Sussex County .....	9,980.28
Total Old Age Welfare Commission .....	<u>150,000.00</u>
Ferris School	
Repairs .....	1,470.00
Total Ferris School .....	<u>1,470.00</u>
Kruse School	
Repairs .....	1,520.00
Total Kruse School .....	<u>1,520.00</u>
Edgewood Sanatorium	
Operations .....	2,500.00
Total Edgewood Sanatorium .....	<u>2,500.00</u>
Woods Haven School	
Repairs .....	1,535.00
Total Woods Haven School .....	<u>1,535.00</u>
Detention Home for Juveniles	
Repairs .....	1,352.00
Total Detention Home for Juveniles .....	<u>1,352.00</u>

Pensions for Retired and Disabled Teachers	
Pensions .....	189.74
	<hr/>
Total Pensions for Retired and Disabled Teachers .....	189.74
	<hr/>
Delaware State College	
Salaries .....	10,000.00
Repairs .....	7,547.90
Equipment .....	1,000.00
Permanent Improvements .....	1,550.00
	<hr/>
Total Delaware State College .....	20,097.90
	<hr/>
State Board of Education	
Instructional Service	
Salaries .....	3,400.00
Travel .....	400.00
Other Costs .....	200.00
Teachers' Salary Increments .....	12,521.94
Fuel .....	487.61
Maintenance	
Supplies and Replacements .....	933.50
Delayed Repairs Expense .....	450.00
Vocational Education	
Salaries .....	8,818.58
Travel .....	1,335.25
Other Vocational Costs .....	773.60
Capital Outlay for Vocational Education .....	500.00
Transportation—Contract Service .....	13,700.00
Fire Equipment .....	460.80
Scholarships .....	166.01
Student Driving	
Administrative Salaries .....	2,516.27
Administrative Office Supplies .....	100.00
Administrative Travel .....	376.58
Instructional Salaries .....	12,420.00
Instructional Supplies .....	150.00
Instructional Travel .....	1,779.42
Instructional Text Books .....	200.00
Instructional Other Costs .....	330.00
Insurance .....	712.00
Equipment .....	3,000.00
War Assets Administration .....	1,100.00
Volunteer Firemen .....	406.62
	<hr/>
Total State Board of Education .....	67,238.18
	<hr/>
Vocational Education Rehabilitation Division	
Veterans Clearing Bureau .....	2,503.45

Veterans Case Service .....	624.50
Case Service .....	19,004.92
<hr/>	
Total Vocational Education	
Rehabilitation Division .....	22,132.87
<hr/>	
Mount Pleasant Special School	
Administrative Control	
Office Supplies .....	50.00
Telephone and Telegraph .....	100.00
Other Costs .....	50.00
Instructional Service	
Salaries .....	27,191.38
Supplies .....	300.00
Text Books .....	200.00
Other Costs .....	150.00
Operation of Plant	
Salaries .....	1,500.00
Supplies .....	100.00
Fuel .....	1,200.00
Water, Electric and Gas .....	500.00
Other Costs .....	100.00
Maintenance .....	549.30
Rent of Building .....	5,000.00
Capital Outlay	
Equipment .....	9,250.00
Library Books .....	300.00
Other Costs .....	5,000.00
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Total Mount Pleasant Special School .....	51,540.68
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Claymont Special School	
Instructional Service—Salaries .....	7,082.25
Fuel .....	500.00
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Total Claymont Special School .....	7,582.25
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Alexis I. duPont Special School	
Instructional Service—Salaries .....	3,174.11
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Total Alexis I. duPont Special School .....	3,174.11
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Newark Special School	
Instructional Service—Salaries .....	2,060.95
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Total Newark Special School .....	2,060.95
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New Castle Special School	
Administrative Control—Telephone and	
Telegraph .....	70.00



Rent .....	500.00
Instructional Service	
Salaries .....	9,910.89
Supplies .....	849.84
Text Books .....	465.00
Operation of Plant	
Salaries .....	1,800.00
Fuel .....	2,547.75
Water, Electric and Gas .....	100.00
Maintenance .....	3,585.00
Equipment .....	2,110.44
	<hr/>
Total New Castle Special School.....	21,938.92
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Smyrna Special School	
Instructional Service—Salaries .....	925.60
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Total Smyrna Special School .....	925.60
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Dover Special School	
Instructional Service—Salaries .....	4,627.93
Fuel .....	500.00
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Total Dover Special School .....	5,127.93
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Caesar Rodney Special School	
Instructional Service—Salaries .....	1,785.84
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Total Caesar Rodney Special School .....	1,785.84
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Harrington Special School	
Instructional Service—Salaries .....	3,844.50
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Total Harrington Special School .....	3,844.50
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Milford Special School	
Instructional Service—Salaries .....	2,385.89
Fuel .....	748.37
Maintenance .....	1,041.00
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Total Milford Special School .....	4,175.26
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Georgetown Special School	
Instructional Service—Salaries .....	3,763.02
Fuel .....	1,290.00
Maintenance .....	750.00
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Total Georgetown Special School .....	5,803.02
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Lewes Special School	
Instructional Service—Salaries .....	2,485.10
Total Lewes Special School .....	<u>2,485.10</u>
Seaford Special School	
Instructional Service—Salaries .....	3,326.76
Total Seaford Special School .....	<u>3,326.76</u>
Laurel Special School	
Instructional Service	
Salaries .....	7,910.51
Supplies .....	70.00
Fuel .....	1,580.45
Maintenance .....	999.94
Total Laurel Special School .....	<u>10,560.90</u>
Rehoboth Special School	
Instructional Service—Salaries .....	1,700.00
Total Rehoboth Special School .....	<u>1,700.00</u>
Wilmington Board of Education	
Instructional Service—Salaries .....	14,000.00
Total Wilmington Board of Education .....	<u>14,000.00</u>
Arden School No. 3	
Maintenance .....	885.00
Equipment .....	116.00
Total Arden School No. 3 .....	<u>1,001.00</u>
Alfred I. duPont School No. 7	
Fuel .....	649.93
Total Alfred I. duPont School No. 7 .....	<u>649.93</u>
Richardson Park School No. 20	
Maintenance .....	1,700.00
Total Richardson Park School No. 20 .....	<u>1,700.00</u>
Stanton School No. 38	
Instructional Service—Salaries .....	2,000.00
Total Stanton School No. 38 .....	<u>2,000.00</u>

Christiana School No. 44	
Fuel .....	160.50
Total Christiana School No. 44 .....	160.50
Rose Hill-Minquadale School No. 47	
Maintenance .....	5,495.00
Total Rose-Hill-Minquadale School No. 47 ....	5,495.00
Delaware City School No. 52	
Instructional Service	
Salaries .....	4,200.00
Text Books .....	19.40
Maintenance .....	820.00
Vocational Education—Travel .....	25.00
Equipment .....	2,441.48
Total Delaware City School No. 52 .....	7,505.88
Commodore MacDonough School No. 53	
Fuel .....	554.74
Total Commodore MacDonough School No. 53 .	554.74
Marshallton School No. 77	
Fuel .....	211.67
Total Marshallton School No. 77 .....	211.67
Townsend School No. 81	
Fuel .....	559.10
Maintenance .....	400.00
Total Townsend School .....	959.10
Henry C. Conrad School No. 131	
Fuel .....	278.88
Total Henry C. Conrad School No. 131 .....	278.88
Newport School No. 106-C	
Maintenance .....	3,569.92
Total Newport School No. 106-C .....	3,569.92
Hockessin School No. 107-C	
Maintenance .....	134.00
Total Hockessin School No. 107-C .....	134.00

Christiana School No. 111-C	
Fuel .....	17.60
Total Christiana School No. 111-C .....	17.60
Iron Hill School No. 112-C	
Fuel .....	36.97
Total Iron Hill School No. 112-C .....	36.97
Delaware City School No. 118-C	
Fuel .....	172.08
Total Delaware City School No. 118-C .....	172.08
Middletown School No. 120-C	
Fuel .....	346.03
Maintenance .....	150.00
Total Middletown School No. 120-C .....	496.03
Millside School No. 132-C	
Instructional Service—Salaries .....	2,000.00
Fuel .....	183.18
Maintenance .....	3,365.00
Total Millside School No. 132-C .....	5,548.18
Kenton School No. 9	
Delayed Repairs .....	82.75
Total Kenton School No. 9 .....	82.75
Magnolia School No. 50	
Fuel .....	224.18
Total Magnolia School No. 50 .....	224.18
Felton School No. 54	
Instructional Service—Salaries .....	1,308.19
Maintenance .....	8,638.50
Total Felton School No. 54 .....	9,946.69
Cheswold School No. 83	
Fuel .....	37.20
Total Cheswold School No. 83 .....	37.20
Clayton School No. 119	
Fuel .....	549.07

Maintenance .....	960.00
Total Clayton School No. 119 .....	1,509.07
Lockwood School No. 142-C	
Fuel .....	16.00
Total Lockwood School No. 142-C .....	16.00
Cheswold School No. 143-C	
Fuel .....	172.33
Maintenance .....	86.11
Total Cheswold School No. 143-C .....	258.44
Fork Branch School No. 145-C	
Fuel .....	27.51
Maintenance .....	69.52
Total Fork Branch School No. 145-C .....	97.03
Parker's Chapel School No. 153-C	
Fuel .....	15.00
Total Parker's Chapel School No. 153-C .....	15.00
Woodside School No. 154-C	
Fuel .....	17.35
Total Woodside School No. 154-C .....	17.35
Mt. Olive School No. 155-C	
Maintenance .....	31.36
Total Mt. Olive School No. 155-C .....	31.36
Viola School No. 156-C	
Fuel .....	65.41
Total Viola School No. 156-C .....	65.41
Lincoln School No. 3	
Fuel .....	100.86
Total Lincoln School No. 3 .....	100.86
Milton School No. 8	
Fuel .....	400.00
Total Milton School No. 8 .....	400.00

Lord Baltimore School No. 28	
Fuel .....	125.48
Total Lord Baltimore School No. 28 .....	125.48
Selbyville School No. 32	
Fuel .....	853.76
Total Selbyville School No. 32 .....	853.76
Stockley School No. 34	
Fuel .....	50.40
Total Stockley School No. 34 .....	50.40
Greenwood School No. 91	
Maintenance .....	1,068.81
Total Greenwood School No. 91 .....	1,068.81
John M. Clayton School No. 97	
Fuel .....	900.00
Maintenance .....	190.30
Total John M. Clayton School No. 97 .....	1,090.30
Ellendale School No. 125	
Fuel .....	386.84
Total Ellendale School No. 125 .....	386.84
Slaughter Neck School No. 193-C	
Fuel .....	113.03
Total Slaughter Neck School No. 193-C .....	113.03
Lincoln School No. 194-C	
Instructional Service	
Salaries .....	1,800.00
Supplies .....	30.00
Fuel .....	76.76
Total Lincoln School No. 194-C .....	1,906.76
Drawbridge School No. 197-C	
Fuel .....	30.83
Total Drawbridge School No. 197-C .....	30.83

Nassau School No. 198-C	
Fuel .....	10.50
Total Nassau School No. 198-C .....	10.50
Rehobeth School No. 200-C	
Fuel .....	39.00
Total Rehoboth School No. 200-C.....	39.00
Frankford School No. 206-C	
Instructional Service—Salaries .....	1,681.03
Fuel .....	54.63
Total Frankford School No. 206-C .....	1,735.66
Owens Corner School No. 213-C	
Fuel .....	26.61
Total Owens Corner School No. 213-C .....	26.61
Portsville School No. 214-C	
Fuel .....	18.94
Total Portsville School No. 214-C .....	18.94
Blocksom's School No. 218-C	
Fuel .....	8.25
Total Blocksom's School No. 218-C .....	8.25
Greenwood School No. 222-C	
Fuel .....	24.44
Total Greenwood School No. 222-C .....	24.44
Hollyville School No. 224-C	
Fuel .....	8.00
Total Hollyville School No. 224-C .....	8.00
Warwick School No. 225-C	
Fuel .....	19.38
Total Warwick School No. 225-C .....	19.38
Total Emergency Fund Expenditures	
for Fiscal Year Ended June 30, 1948 ....	<u>\$527,572.94</u>

STATEMENT OF EMERGENCY FUND EXPENDITURES  
FOR THE PERIOD  
JULY 1, 1948 TO DECEMBER 31, 1948

AGENCY	EXPENDITURES
State Treasurer	
Salaries .....	\$ 938.08
Office Expense .....	1,760.72
Out-dated Checks .....	276.27
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Total State Treasurer .....	2,975.07
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State Tax Department	
Repairs .....	530.00
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Total State Tax Department .....	530.00
	<hr/>
Attorney General	
Office Expense .....	2,500.00
	<hr/>
Total Attorney General .....	2,500.00
	<hr/>
National Guard—Adjutant General	
Office Expense .....	525.78
Repairs .....	1,166.38
Airport Account .....	10,026.84
	<hr/>
Total National Guard—Adjutant General .....	11,719.00
	<hr/>
Public Archives Commission	
Salaries .....	600.00
	<hr/>
Total Public Archives Commission .....	600.00
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State Board of Agriculture	
Controlling Contagious Diseases of Livestock....	177.49
	<hr/>
Total State Board of Agriculture .....	177.49
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State Board of Welfare	
Operations .....	616.82
	<hr/>
Total State Board of Welfare .....	616.82
	<hr/>
Old Age Welfare Commission	
Grants .....	3,084.34
Relief Department—New Castle County .....	65,932.46
Relief Department—Kent County .....	5,711.89
	<hr/>
Total Old Age Welfare Commission .....	74,728.69
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Delaware State College	
Operations .....	6,875.50
Total Delaware State College .....	<u>6,875.50</u>
State Board of Education	
Instructional Service	
Salaries .....	271.25
Travel .....	350.71
Other Costs .....	148.91
Maintenance	
Salaries .....	2,964.23
Supplies .....	1,178.99
Travel .....	738.26
Vocational Education—Other Costs .....	1,148.06
Firemen Training .....	231.11
Veterans Training .....	1,470.03
Student Driving	
Administrative Control	
Salaries .....	1,125.00
Office Supplies .....	40.68
Travel .....	129.47
Instructional Service	
Salaries .....	6,560.00
Supplies .....	97.60
Travel .....	629.79
Text Books .....	200.00
Other Costs .....	219.90
Insurance .....	291.48
Equipment .....	565.26
Total State Board of Education .....	<u>18,360.72</u>
State Board for Vocational Education	
Rehabilitation Division .....	398.37
Total State Board for Vocational Education	
Rehabilitation Division .....	<u>398.37</u>
Mount Pleasant Special School	
Administrative Control	
Office Supplies .....	100.00
Telephone and Telegraph .....	36.12
Other Costs .....	7.95
Instructional Service	
Salaries .....	14,855.06
Supplies .....	500.00
Text Books .....	300.00
Other Costs .....	150.00

Operation of Plant	
Salaries .....	1,762.59
Supplies .....	200.00
Fuel .....	1,420.90
Water, Electric and Gas .....	788.77
Other Costs .....	300.00
Maintenance—Upkeep of Grounds .....	100.00
Equipment .....	5,000.00
Library Books .....	300.00
	<hr/>
Total Mount Pleasant Special School .....	25,821.39
	<hr/>
Claymont Special School	
Instructional Service—Salaries .....	2,400.00
Total Claymont Special School .....	2,400.00
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New Castle Special School	
Administrative Control	
Telephone and Telegraph .....	33.90
Instructional Service	
Salaries .....	3,520.00
Supplies .....	420.00
Text Books .....	210.00
Operation of Plant	
Salaries .....	1,044.30
Fuel .....	367.20
Water, Electric and Gas .....	44.85
Rent .....	600.00
	<hr/>
Total New Castle Special School .....	6,240.25
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Dover Special School	
Maintenance—Repairs .....	2,522.00
	<hr/>
Total Dover Special School .....	2,522.00
	<hr/>
Harrington Special School	
Instructional Service—Salaries .....	445.41
	<hr/>
Total Harrington Special School .....	445.41
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Milford Special School	
Maintenance—Repairs .....	325.00
	<hr/>
Total Milford Special School .....	325.00
	<hr/>
Georgetown Special School	
Instructional Service—Salaries .....	880.00
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Total Georgetown Special School .....	880.00
	<hr/>

Lewes Special School	
Fuel .....	791.15
Total Lewes Special School .....	<u>791.15</u>
Stanton School No. 38	
Instructional Service—Salaries .....	800.00
Total Stanton School No. 38 .....	<u>800.00</u>
Rose Hill-Minquadale School No. 47	
Capital Outlay .....	2,300.00
Total Rose Hill-Minquadale School No. 47 ....	<u>2,300.00</u>
Delaware City School No. 52	
Instructional Service—Salaries .....	2,040.00
Total Delaware City School No. 52 .....	<u>2,040.00</u>
Oak Grove School No. 130	
Maintenance—Supplies .....	3,179.84
Total Oak Grove School No. 130 .....	<u>3,179.84</u>
Millside School No. 132-C	
Instructional Service—Salaries .....	800.00
Total Millside School No. 132-C .....	<u>800.00</u>
Felton School No. 54	
Instructional Service—Salaries .....	800.00
Total Felton School No. 54 .....	<u>800.00</u>
Kenton School No. 140-C	
Maintenance—Supplies .....	73.75
Total Kenton School No. 140-C .....	<u>73.75</u>
Cheswold School No. 143-C	
Maintenance—Supplies .....	385.33
Total Cheswold School No. 143-C .....	<u>385.33</u>
Bridgeville School No. 90	
Maintenance—Supplies .....	162.00
Total Bridgeville School No. 90 .....	<u>162.00</u>

Frankford School No. 206	
Instructional Service—Salaries .....	800.00
Total Frankford School No. 206 .....	800.00
Lincoln School No. 194-C	
Instructional Service—Salaries .....	800.00
Total Lincoln School No. 194-C .....	800.00
Nanticoke Indian School	
Permanent Improvements .....	5,500.00
Total Nanticoke Indian School .....	5,500.00
Total Emergency Fund Expenditures for Period July 1, 1948 to December 31, 1948..	\$176,547.78

Mr. Dickerson moved that the Senate recess until 2:30 P. M.  
Motion prevailed.

Senate met at expiration of recess, 2:45 P.M.

Mrs. Davis, on motion for leave, introduced **SB 73**—"An Act to Amend Chapter 158, Volume 36, Laws of Delaware, 1929, Entitled 'An Act Changing the Name of "The Town of Dover" to "The City of Dover" and Establishing a Charter Therefor, Providing for the Election of Members of the Council of the City of Dover by the Voters of Each District and Establishing a Voting Place in Each Voting District of the City of Dover," which was given first and second reading, the second by title only, and referred to the Committee on Elections.

On motion of Mr. Burkholder, **HJR 1** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" by acclamation, the question was decided in the affirmative and the resolution was adopted, and ordered returned to the House.

On motion of Mr. Burkholder, **HJR 3** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" by acclamation, the question was decided in the affirmative, and the Resolution was adopted and ordered returned to the House.

Messrs. Burkholder and Dickerson, on motion for leave, introduced **SB 74**—"An Act Making an Appropriation to the State Board of Education for the Purpose of Allocation and Reallocation to Certain School Districts, for the Purchase and Construction of New and Improved School Buildings, and/or Additions or Alterations to Present School Buildings, Grounds and Equipment, Providing the Conditions of Allocation or Reallocation and Providing for the Issue of Bonds of the State of

Delaware, and of School Districts," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Phillips, on motion for leave, introduced **SB 75**—"An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Motor Vehicles,' Relating to Cranes," which was given first and second reading, the second by title only, and referred to the Committee on Buildings and Highways.

Messrs. Dickerson and Burkholder, on motion for leave, introduced **SB 76**—"An Act to Appropriate Funds for the Maintenance and Operation of the Four Following Schools for the School Year 1950-51—namely: Oak Grove School No. 130, New Castle County, Addition or Additional Building; Comprehensive High School for Negro Pupils in New Castle County; Comprehensive High School for Negroes in Kent County; Comprehensive High School for Negroes in Sussex County," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Bulow, on motion for leave, introduced **SB 77**—"An Act to Amend Chapter 65 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Corporations,' with Reference to the Power of a Railroad to Borrow Money." which was given first and second reading, the second by title only, and referred to the Committee on Banking and Insurance.

On motion of Mr. Cannon, **SB 60** 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. Bulow, Burkholder, Cannon, Crossley, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Webb, Madam Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Cabbage, Powell.

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

On motion of Mrs. Davis, **SB 8** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Dr. Heim.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Cabbage—1.

So the question was decided in the affirmative, and the bill

having received the required constitutional majority, was adopted and ordered to the House for concurrence.

On motion of Mr. Bulow, **SB 30** 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. Bulow, Burkholder, Crossley, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Cannon, Cubbage—2.

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

Mr. Dickerson moved that the Senate recess for 15 minutes. Motion prevailed.

Senate met at expiration of recess, 3:55 P. M.

Mr. Webb, on motion for leave, introduced **SB 78**—"An Act Appropriating Certain Monies to the University of Delaware for the Purpose of Establishing and Maintaining a Short Course in Agriculture and Horticulture at the University of Delaware," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Dickerson moved that the Senate adjourn until 12 noon, Wed., Feb. 2, 1949. Motion prevailed.

Communications from: Delaware Retail Liquor Association, Inc.; Delaware Council of Farmer Cooperatives, Inc.; Sussex Farms; C. M. Spargo, for Commission of Feeble-minded; Delaware Association of School Boards; Wilmington Federation of Teachers; Bob Ching's Seaside Inn.

## 17TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Wed., Feb. 2, 1949, 12 noon, Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Wilkins.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

Members absent—Mr. Cubbage—1.

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

Communications: 3—Favoring **SB 1**; 1—Opposing **SB 1**; 1—Favoring the fiscal independence of the Wilmington Board of Education and the Appointive System by which its members are now chosen.

Madam Pres. Pro Tem, being very much impressed with

the Chaplain's prayers requested that they be made a part of the Senate Journal.

Mr. Bulow, on motion for leave, introduced **SB 79**—"An Act to Amend Chapter 20 of the Revised Code of Delaware, 1935, as Amended, Relating to Insurance Department, by Increasing Requirements for Certificate of Authority," which was given first and second reading, the second by title only, and referred to the Committee on Banking and Insurance.

Mr. Klair, on motion for leave, introduced **SB 80**—"An Act to Amend Chapter 176, Volume 25, Laws of Delaware, as Amended, Entitled 'An Act to Incorporate the Town of Elsmere, New Castle County,' by Increasing the Amount Which May Be Raised Annually as Taxes in the Town of Elsmere," which was given first and second reading, the second by title only, and referred to the Committee on Municipal Corporations.

Mr. Phillips, on motion for leave, introduced **SB 81**—"An Act Providing for the Planning, Acquisition, Purchase, Construction, Reconstruction, Improvement, Betterment, Extension, Operation, and Maintenance of Revenue-Producing Undertakings for the Collection, Treatment, and Disposal of Sewage, Waste, Garbage, and Storm Water by Any County, Incorporated City or Town of the State of Delaware; Authorizing the Exercise of the Power of Eminent Domain and the Fixing of Rates in Connection with Such Undertakings; Authorizing and Regulating the Issuance of Revenue Bonds for Financing Such Undertakings; and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof," which was given first and second reading, the second by title only, and referred to the Committee on Public Health.

Mr. Dickerson moved that the Senate recess until 2:30 P. M. Motion prevailed.

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

Mr. Burkholder, on motion for leave, introduced **SB 82**—"An Act to Make an Appropriation to the State Board of Education, Division of Special Education and Mental Hygiene, for the Education of Handicapped Children for the School Years Beginning July 1, 1949 and July 1, 1950, and Ending June 30, 1950 and June 30, 1951, Respectively," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Hitchens, on motion for leave, introduced **SB 83**—"An Act to Amend Chapter 100 of the Revised Code of Delaware, 1935. Entitled 'General Provisions Respecting the Police' by Providing that No More than Four Telephones Shall Be Connected with Any One Line for Which the Regular Charge for Separate Telephones Is Fifteen Dollars (\$15.00) or More Per Year," which was given first and second reading, the second by title only, and referred to the Committee on Miscellaneous.

Mr. Bulow, on motion for leave, introduced **SB 84**—"An Act to Amend Chapter 176 of the Revised Code of Delaware, 1935, as Amended, Entitled, 'Alcoholic Liquor, Wines and Beer,' by

Making Provision for State Liquor Stores," which was given first and second reading, the second by title only, and referred to the Committee on Temperance.

Mr. Dickerson, on motion for leave, introduced **SB 85**—"An Act to Amend Chapter 48, Volume 46, Laws of Delaware, 1947, by Providing a Uniform State Supported Salary Schedule for Superintendents, Principals, Teachers, Nurses, Secretaries, and Clerks, in the Various School Districts of the State, and Providing Appropriations Therefor," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Dickerson, on motion for leave, introduced **SB 86**—"An Act to Amend Chapter 71 of the Revised Code of Delaware, 1935, to Authorize the Consolidation of School Districts and to Provide for the Transfer of Titles of School Property and the Validation of School Bonds and Collection of Taxes," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mr. Hammond, on motion for leave, introduced **SJR 4**—"Appointing Directors on the Part of the State for the Farmers Bank of the State of Delaware," which was given first and second reading, the second by title only, and referred to the Committee on Banking and Insurance.

Mr. Burkholder, on behalf of the Committee on Revised Statutes, to whom had been referred, **SB 61**, reported the same back to the Senate favorably.

Mr. Burkholder moved that the Senate recess for 30 minutes. Motion prevailed.

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

Mr. Burkholder, on behalf of the Committee on Revised Statutes, to whom had been referred **SB 62**, reported the same back to the Senate favorably.

Mr. Burkholder, on behalf of the Committee on Revised Statutes to whom had been referred **SB 66**, reported the same back to the Senate favorably.

Mr. Burkholder, on behalf of the Committee on Revised Statutes to whom had been referred **SB 37**, reported the same back to the Senate favorably.

Mr. Burkholder, on behalf of the Committee on Revised Statutes to whom had been referred **SB 50**, reported the same back to the Senate favorably.

Mr. Burkholder, on behalf of the Committee on Revised Statutes to whom had been referred **SB 13**, reported the same back to the Senate favorably.

On motion for leave, Mr. Hitchens introduced **SR 16**—"Authorizing the Printing of 400 Copies of the Senate Calendar."

WHEREAS, the bid of the Sussex Countian, for the printing of the calendars for this Session of the Senate, submitted to the Committee on Printing in accordance with Chapter 6, Volume 46, Laws of Delaware, 1947, was accepted by the Senate by Senate Resolution No. 5; and



WHEREAS, the Committee on Printing has found that 300 copies of the said calendar, the number ordered by the said Committee to be printed, are insufficient for the needs of this Session of the Senate; Now, Therefore,

BE IT RESOLVED by the Senate of the 115th General Assembly that the Committee on Printing be and it is hereby authorized to order to be printed by the Sussex Countian, at the price per page contained in the bid of the Sussex Countian and accepted by Senate Resolution No. 5, or at such lesser price as shall be agreed upon, 400 copies of the Calendar for this Session of the Senate.

Upon motion the Resolution was taken up for consideration in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" the question was decided in the affirmative, and the Resolution having received the required constitutional majority, was adopted.

Mr. Hitchens, on motion for leave, introduced **SB 87**—"An Act Proposing an Amendment to Article VIII of the Constitution of the State of Delaware and Creating a State Highway Fund," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mr. Hitchens, on behalf of the Committee on Buildings and Highways to whom had been referred **SB 57**, reported the same back to the Senate favorably.

Mr. Hammond, on behalf of the Committee on Banking and Insurance to whom had been referred **SB 17**, reported the same back to the Senate favorably.

Mr. Hammond, on behalf of the Committee on Banking and Insurance to whom had been referred **SB 18**, reported the same back to the Senate favorably.

Mr. Hammond, on behalf of the Committee on Banking and Insurance to whom had been referred **SB 19** reported the same back to the Senate favorably.

Mr. Hammond, on behalf of the Committee on Banking and Insurance to whom had been referred **SB 15**, reported the same back to the Senate favorably.

Mr. Dickerson, on motion for leave, introduced **SB 88**—"An Act Authorizing the State Board of Education to Purchase Land for, to Build, to Establish, and to Maintain a Comprehensive High School for Negroes in New Castle County," which was given first and second reading, the second by title only, and referred to the Committee on Education.

Mr. Burkholder moved that the Senate adjourn until 12 noon, Thurs., Feb. 3, 1949. Motion prevailed.

### 18TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Thurs., Feb. 3, 1949, 12 noon, Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Wilkins.

Prayer, Feb. 3, 1949: May the Grace of Almighty God our Creator be upon us and uplift us. Remind us of the example of those twelve who centuries ago left their daily tasks and interests to fulfill God's will and serve all people. Help us to follow their example and hold back our own personal and group desires in order that all mankind may be served. This we bring to thy attention in the name of thy Son.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

Members absent—Mr. Cabbage—1.

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

Communications: 5—Urging support of **SB 1**; 1—Opposing **SB 1**; 1—Sponsoring an open meeting in regard to **SB 54**.

Mr. William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had passed and requested the concurrence of the Senate in the following: **HB 1**—"An Act to Repeal Chapter 196, Volume 46, Laws of Delaware, Entitled 'An Act Regulating Labor Unions and Relations between Employers and Employees, Members of Labor Unions,'" and presented the same to the Senate.

The Chair presented **HB 1**, which was given first and second reading, the second by title only, and referred to the Committee on Labor.

Mr. Klair, on motion for leave, introduced **SB 89**—"An Act Conferring upon 'The Town Commissioners of Elsmere' Certain Additional Powers Relating to Issuing Licenses and Collection of License Fees," which was given first and second reading, the second by title only, and referred to the Committee on Municipal Corporations.

Mr. Burkholder moved that the Senate recess until 2:30 P. M. Motion prevailed.

Senate met at expiration of recess, 2:45 P. M.

The Chair appointed a Committee of Mrs. Davis, Mr. Burkholder and Mr. Dickerson on **HCR 2**.

Mr. Dickerson moved that Mr. Dickerson and Mr. Webb be co-sponsors of **SB 88**.

Mr. Burkholder moved that the Senate recess for 30 minutes. Motion prevailed.

Senate met at expiration of recess, 3:30 P. M.

The President announced he is about to sign: **HJR 1** and **HJR 3**.

Mrs. Davis, on motion for leave, introduced **SB 90**—"An Act Making an Appropriation for an Elevator in the Legislative Building at Dover," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mrs. Davis, on motion for leave, introduced **SB 91**—"An Act to Amend Chapter 156 of the Revised Code of Delaware, 1935, as Amended, with Respect to the Compensation of Bailiffs in Kent County," which was given first and second reading, the second by title only, and referred to the Committee on Judiciary.

Mrs. Davis, on motion for leave, introduced **SB 92**—"An Act to Amend Chapter 158, Volume 36, Laws of Delaware, 1929, as Amended, Entitled, 'An Act Changing the Name of "The Town of Dover" to "The City of Dover" and Establishing a Charter Therefor' Providing for Salaries for the Mayor and Members of Council," which was given first and second reading, the second by title only, and referred to the Committee on Municipal Corporations.

Mr. Burkholder, on behalf of the Committee on Revised Statutes, to whom had been referred **SB 87**, reported the same back to the Senate favorably.

Mr. Burkholder, on behalf of the Committee on Revised Statutes to whom had been referred **SB 31**, reported the same back to the Senate favorably.

Mr. Hammond, on behalf of the Committee on Banking and Insurance, to whom had been referred **SB 77**, reported the same back to the Senate favorably.

Mr. Hammond, on behalf of the Committee on Banking and Insurance to whom had been referred **SJR 4**, reported the same back to the Senate favorably.

Mr. Dickerson moved that the Senate adjourn until 11:00 A. M., Fri., Feb. 4, 1949. Motion prevailed.

## 19TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Fri., Feb. 4, 1949, 11 A. M., Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Wilkins—Our heavenly Father we ask Thy blessing upon our State and Nation that we may stand as a light before the world and our leaders be blessed with courage and insight to serve the future. Help us to dedicate ourselves to the service of all people and make the promise of the years bear fruit in our day that we may fulfill the trust placed in us. May we transcend personal and group interests where the benefit of all may be achieved. In all things may we seek to do the will of God as seen best in the life of his son Jesus Christ. Amen.

Members present — Messrs. Bulow, Burkholder. Cannon, Crossley, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

Members absent—Mr. Cabbage—1.

The Secretary proceeded to read the Journal of the previous session, when Mr. Burkholder moved so much be considered the

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

Communications: 2—Favoring **SB 1**.

Mr. Burkholder, on motion for leave, introduced **SB 93**—“An Act Regulating the Installation and Use of Television Receivers or Screens in Motor Vehicles and Providing a Penalty for the Violation Thereof,” which was given first and second reading, the second by title only, and referred to the Committee on Miscellaneous.

Mr. Burkholder moved that the Senate recess until 2 P. M. Motion prevailed.

Senate met at expiration of recess, 2:05 P. M.

The Chair invited the Speaker of the House to sit on the Rostrum. The Speaker of the House made a few remarks.

Mr. Klair requested that **SB 89** be stricken from the Calendar. Request granted.

Mr. Evans requested that **SB 25** be stricken from the Calendar. Request granted.

Mr. Webb, on motion for leave, introduced **SB 94**—“An Act to Amend Chapter 176, as Amended, Revised Code of Delaware, 1935. Relating to Alcoholic Liquor, Wines and Beer by Creating a Liquor Commission Composed of Four Members and Providing for the Appointment, Term of Office, Salaries and Duties of Its Members,” which was given first and second reading, the second by title only, and referred to the Committee on Temperance.

Mr. Powell, on behalf of the Committee on Miscellaneous to whom had been referred **SB 68**, reported the same back to the Senate favorably.

Mr. Powell, on behalf of the Committee on Miscellaneous to whom had been referred **SB 67**, reported the same back to the Senate favorably.

Mr. Powell, on behalf of the Committee on Miscellaneous to whom had been referred **SB 23**, reported the same back to the Senate favorably.

Mr. Powell, on behalf of the Committee on Miscellaneous to whom had been referred **SB 83**, reported the same back to the Senate favorably.

Mr. Powell, on motion for leave, introduced **SB 95**—“An Act to Amend Chapter 212, Volume 25, Laws of Delaware, 1909, as Amended, Entitled ‘An Act to Incorporate the Town of Bethany Beach and Giving It Authority to Issue Bonds’ by Changing the Time for the Election of Municipal Officers, which was given first and second reading, the second by title only, and referred to the Committee on Miscellaneous.

On motion for leave, Mr. Dickerson introduced **SR 17**—“Extending to Senator William O. Cabbage the Sympathy of the Senate during His Illness.”

WHEREAS, The Senate of the One Hundred and Fifteenth General Assembly has learned with deep regret of the illness of Senator William O. Cabbage;

NOW, THEREFORE, BE IT RESOLVED by the Senate of

the One Hundred and Fifteenth General Assembly that the Secretary of the Senate be and he hereby is directed to extend to Senator William O. Cabbage an expression of the sympathy of the Senate for the illness suffered by Senator William O. Cabbage at this time and of the best wishes of the Senate for his speedy and complete recovery.

Upon motion the Resolution was taken up for consideration in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" by acclamation, the question was decided in the affirmative, and the resolution was adopted.

Mr. Hitchens, on behalf of the Committee on Buildings and Highways to whom had been referred **SB 75**, reported the same back to the Senate favorably.

Mr. Hammond, on behalf of the Committee on Finance to whom had been referred **SB 63**, **SB 32**, and **SB 2**, reported the same back to the Senate favorably.

Mr. Burkholder moved that the Senate recess until 3 P. M. Motion prevailed.

Senate met at expiration of recess, 3:05 P. M.

Mr. Phillips, on motion for leave, introduced **SB 96**—"An Act to Require Railroad Companies Owning and Controlling the Tracks Crossing State Highway 13 Leading from Wilmington to Chester, at Naaman's Corner, to Widen the Underpass and Providing Procedure for Enforcement of the Provisions of This Act," which was given first and second reading, the second by title only, and referred to the Committee on Building and Highways.

Messrs. Dickerson and Rhodes, on motion for leave, introduced **SB 97**—"An Act Appropriating Certain Money to the University of Delaware for the Erection of Buildings for the School of Agriculture on the University Farm and Providing for a Bond Issue for the Payment Thereof; Providing that the Proceeds of the Sale of Said Bonds Shall Be Deposited in a Special Account to the Credit of the University of Delaware; Providing for the Payment of Principal and Interest and Pledging the Full Faith and Credit of the State of Delaware for the Payment Thereof," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Klair moved that the Senate adjourn until Mon., Feb. 7, 1949, 12 noon. Motion prevailed.

## 20TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Mon., Feb. 7, 1949, 12 noon, Lt.-Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Edge: Gracious God our father we thank thee for this day and the opportunities we have of service to our fellow man and thy will. With much of the world in distress, nations falling apart, and people lost in despair.

we have been fortunate to be spared much of the world's misery. Help us to secure the future for ourselves and others and bring prosperity to all, and may the glory be thine. Amen.

Members present—Messrs. Bulow, Burkholder. Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro tem—16.

Members absent—Mr. Powell—1.

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

Mr. William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had passed and requested the concurrence of the Senate in the following:

**HB 2**—"An Act Appropriating Money to the American Legion, Department of Delaware."

**HB 3**—"An Act Appropriating Money to the United Spanish War Veterans, Department of Delaware."

**HB 9**—"An Act Appropriating Money to Layton Home for Aged Colored Persons."

**HB 10**—"An Act Making an Appropriation to the Layton Home for Aged Colored Persons to Supplement the State Appropriation Made to Said Home for the Fiscal Year Ending June 30, 1949."

**HB 12**—"An Act Appropriating Money for the Observance of Memorial Day in Honor of the Deceased Members of the Grand Army of the Republic."

**HB 16**—"An Act Appropriating Money to the Veterans of Foreign Wars, Department of Delaware."

**HB 17**—"An Act to Amend Chapter 8 of the Revised Code of Delaware, 1935, as Amended, with Reference to the Burial of Indigent Veterans of the Wars in Which the United States Has Engaged."

**HB 56**—"An Act to Amend an Act Entitled 'An Act to Amend Chapter 43 of the Revised Code of Delaware, 1935, by Striking Out and Repealing All of 1194. Sec. 48. Thereof and Inserting in Lieu Thereof a New Section to Be Styled 1194. Sec. 48. Said New Section Directing the Levy Court of Kent County to Appropriate Certain Money to Kent County Volunteer Firemen's Association for Distribution Equally Among Member Companies"; and presented the same to the Senate.

Mr. William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had concurred in **SB 20**, and returned the same to the Senate.

Mr. Klair, on motion for leave, introduced **SB 98**—"An Act Creating a Commission to Study the State of Delaware's Fish and Game Laws, to Recommend Needed Changes, to Formulate a Modern Fish and Game Statute and to Submit a Complete Report Embodying Its Findings to the 1951 Session of the General Assembly of the State of Delaware," which was given first

and second reading, the second by title only, and referred to the Committee on Fish, Oysters and Game.

Mr. Burkholder moved that the Senate recess until 2 P. M. Motion prevailed.

Senate met at expiration of recess 2:05 P. M.

The Chair presented **HB 2**, which was given first and second reading, the second by title only, and referred to the Committee on Finance.

The Chair presented **HB 3, HB 9, HB 10, HB 12, HB 16, and HB 17**, which were given first and second reading, the second by title only, and referred to the Committee on Finance.

The Chair presented **HB 56**, which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

On motion for leave, Mr. Klair introduced **SCR 9**—"Authorizing the Appointment of a Joint Committee to Arrange for the Showing of the Movie 'The Snake Pit' to the Members of the 115th General Assembly."

Upon motion the resolution was taken up for consideration in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" by acclamation, the question was decided in the affirmative, and the Resolution was adopted and ordered to the House for concurrence.

Mr. Hitchens, on motion for leave, introduced **SB 99**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, Entitled 'Fish, Oysters, and Game' by Deleting the Residence Requirement of the Collector of the Oyster Revenue." which was given first and second reading, the second by title only, and referred to the Committee on Fish, Oysters and Game.

Mr. Burkholder moved that the Senate recess until 3:40 P. M. Motion prevailed.

Senate met at expiration of recess, 3:55 P. M.

Mr. Burkholder moved that the Senate go into Executive Session. Motion prevailed.

Mr. Burkholder moved that the Senate adjourn until Tues., Feb. 8, 9 A. M. Motion prevailed.

COMMUNICATION  
STATE OF DELAWARE  
SENATE  
Dover, Del.

Feb. 7, 1949

The President of the Senate  
The President Pro Tem of the Senate  
Fellow Members of the Senate  
of the One Hundred and Fifteenth General Assembly:

Dear Friends:

I would like to offer to you my deepest appreciation of your

interest in my health and the warm wishes for my speedy recovery.

I thank you very much for the beautiful flowers and the wonderful basket of such luscious fruit.

I earnestly hope I can continue to merit your respect and friendship.

Yours,

Wm. O. Cabbage,

4th Senatorial District, Kent County

### **21ST LEGISLATIVE DAY**

Senate met pursuant to adjournment, Tues., Feb. 8, 1949, 11:10 A. M., President Pro Tem presiding.

In the absence of the Chaplain the members recited the Lord's Prayer.

Members present—Messrs. Burkholder, Cannon, Hammond, Powell, Madam President Pro Tem—5.

Members absent—Messrs. Bulow, Crossley, Cabbage, David, Dickerson, Evans, Hitchens, Klair, Phillips, Reilly, Rhodes, Webb—12.

Mr. Burkholder moved that the Senate adjourn until Wed., Feb. 9, 1949 at 9 A. M.

There being no quorum present, the President Pro Tem declared the Senate adjourned until Wed., Feb. 9, 1949 at 9 A. M.

The members of the General Assembly made their official visit to the following State Institutions: Delaware State Hospital, University of Delaware.

### **22ND LEGISLATIVE DAY**

Senate met pursuant to adjournment, Wed., Feb. 9, 1949, 9:30 A. M., Mr. Burkholder presiding.

Members present—Messrs. Burkholder, Hammond, Powell—3.

Members absent—Messrs. Bulow, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hitchens, Klair, Phillips, Reilly, Rhodes, Webb, Madam President Pro Tem—14.

Mr. Powell moved the Senate adjourn until Thurs., Feb. 10, at 9 A. M.

There being no quorum present, the presiding officer declared the Senate adjourned until Thurs., Feb. 10, 1949, 9 A. M.

The members of the General Assembly made their official visit to the following State Institutions: Governor Bacon Health Center, Kruse School, New Castle Workhouse.



### 23RD LEGISLATIVE DAY

Senate met pursuant to adjournment, Thurs. Feb. 10, 1949,  
9:30 A. M., Mr. Burkholder presiding.

Members present—Messrs. Burkholder, Hammond—2.

Members absent—Messrs. Bulow, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—15.

Mr. Hammond moved the Senate adjourn until 12 noon, Fri., Feb. 11, 1949.

There being no quorum present, the presiding officer declared the Senate adjourned until Fri., Feb. 11, 1949, 12 noon.

The members of the General Assembly made their official visit to the following State Institutions: Brandywine, Woods Haven, Blind Shop.

### 24TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Fri., Feb. 11, 1949,  
12:35 P. M., Lt.-Gov. Bayard presiding.

Prayer by the Guest Chaplain, Rev. Thomas C. Mulligan.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Madam President Pro Tem—16.

Members absent—Mr. Webb—1.

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

#### Communications

Mr. Reilly presented communication from Mrs. E. T. Lynch, favoring Oleo. Bill.

Mr. Reilly presented communication from Mrs. Arthur Cook, favoring **SB 4**.

Communication from J. Paul Green, Chairman of Distinguished Guest Committee inviting the members of the Senate to attend French Gratitude Train, Feb. 12, 1949 at 2 o'clock in Rodney Square.

Mr. Bulow presented communication from Joseph M. Danes, opposing Civil Rights Bill.

Mr. Bulow presented communication from J. Holland Prettyman, opposing **SB 6**. Dr. Rhodes explained this Bill.

Senator Dickerson presented communication from J. L. Halderman, Supt. of Dover Public School in regard to Welfare of Public Education.

Mrs. Davis presented communication from Miss Murial Swartz, daughter of owner of Capital Theater, inviting them to attend a performance of "The Snake Pit," any morning that is convenient to the members of the General Assembly.

A letter was read to Assembly from Angelo Fagnani, Wilmington, Del.

Angelo Fagnani  
507 Madison Street  
Wilmington, Del.

I am proprietor of the house at 507 Madison Street, Wilmington, Delaware. Last May of 1947—one Frank C. Zeron, contractor for Alvis and Anne Leinen, in order to do some changes on the party wall dividing my property from his property, demolished and partly wrecked said wall, covering same with a piece of tar paper and left the fire chimney so covered, without repairing anything, and of course after a few days rain seeped through the wall ruining the wall paper, and partly filling the room with water.

This situation damaged the wall and the floor damaging way down to the cellar. The same morning I went to see Mr. M. Fidance, our building inspector. I told him the full story of what happened, and he answered me—to do what I pleased with the case, in order to get reimbursed for my big loss, either by law suit or by arrest. The Police department refused to arrest this man Frank Zeron, but suggested to bring law suit against him. I sued him in court of Common Pleas and in Sept. 1947 the court ruled against me, taking in consideration Mr. M. Fidance's opinion that Zeron the Contractor has done by placing a piece of tar paper over the wall—all that the law required of him.

As a result I cannot rent part of my house on account of the dampness and other bad conditions arising out of such action.

What right had the said Zeron to knock any fire chimney out and cover with tar paper?

It looks like justice is very much at fault in this case.

I am an American citizen and property owner. I pay my taxes when due. Why should I be treated this way? This is an injustice.

Angelo Fagnani

P. S. I would like this letter read before the Senate Body of the 1949 General Assembly.

The President Pro Tem announced he is about to sign: **SB 20, HCR 3.**

Mr. William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had concurred in the following: **SCR 9**, and returned the same to the Senate.

Mr. William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had passed and requested the concurrence of the Senate in the following:

**HCR 4**—"Providing that the Motor Fuel Tax Department of the State Highway Department Shall Furnish Monthly to All Distributors and Commission Agents Engaged in the Transportation and Sale of Oil and Gasoline in This State a List of All Gasoline Taxes Paid by All Bonded Gasoline Distributors in This State."

**HB 6**—"An Act Making an Appropriation to the Board of Parole of the State of Delaware for the Purpose of Enabling the Said Board to Perform Its Duties during the Remainder of the Fiscal Year Ending June 30, 1949."

**HB 11**—"An Act Authorizing the Levy Court of Sussex County to Appropriate County Monies to the Rehoboth Beach Volunteer Fire Company, Inc., for the Maintenance of Ambulance."

**HB 70**—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware."

**HB 105**—"An Act Appropriating Money to the Delaware Society for the Prevention of Cruelty to Animals."

And presented the same to the Senate.

Mr. Burkholder, on behalf of the Committee on Revised Statutes to whom had been referred **SB 70**, reported the same back to the Senate favorably.

On motion for leave, Mr. Burkholder introduced **SCR 10**—"Providing for a Joint Session to Attend the Exercises Arranged in Commemoration of the Birthday Anniversary of Abraham Lincoln."

Upon motion the Resolution was taken up for consideration in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" the question was decided in the affirmative, and the Resolution having received the required constitutional majority, was adopted and ordered to the House for concurrence.

Mr. Burkholder moved that the Senate recess until 2:30 P. M. Motion prevailed.

Senate met at expiration of recess, 2:45 P. M.

Mr. Reilly, on motion for leave, introduced **SB 100**—"An Act Proposing an Amendment to Section 9 of Article III of the Constitution of the State of Delaware Vesting in the Governor Sole and Exclusive Power to Appoint State Officers and Thereby Removing from the General Assembly and the Judiciary Any and All Power of Appointment," which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

Mr. William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had concurred in the following: **SCR 10**, and returned the same to the Senate.

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

The President asked the Speaker to sit on the Rostrum.

Mr. Burkholder moved that the President of the Senate preside over the Joint Session of the two Houses. Motion carried.

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

The President stated that if there was no other business before the Joint Session at that time, we would proceed with the program arranged in celebration of Lincoln's Birthday.

The President announced that first we would hear music by the mixed chorus of the Delaware State College.

The President asked the Sergeant-at-Arms to notify the chorus that the Joint Session was ready for them.

The Director of the Chorus announced the three selections would be as follows:

I Can't Hear Nobody Pray.  
King Jesus Is A Listening.  
The Lord Bless You And Keep You.

The President of the Senate spoke as follows:

We are now honored to hear today from a man who a couple of days ago received us, the members of the Legislature, as his guests. He is known to us as a friend, a first-rate educator, a man who commands the respect of all, and we are deeply honored to have with us today to address us in celebration of Lincoln's birthday. Without more ado, I am going to call on Dr. Carlson, the President of the University of Delaware.

Dr. Carlson delivered his address.

The President of the Senate then stated that on behalf of the members of the House and Senate, he would like to thank Dr. Carlson for his magnificent address.

The President then stated that we hoped to hear again from the Delaware State College chorus.

The Director announced the chorus would sing a spiritual—"Honor, Honor."

Mrs. Davis moved that the Joint Session give a rising vote of thanks to Dr. Carlson and the Delaware State College Chorus. Motion carried.

Mr. Burkholder stated that he did not want to detract from Abraham Lincoln's birthday celebration, but wanted the members of both Houses and their friends to know that this is the birthday of the President of the Senate.

Mr. Burkholder moved that the Chief Clerk of the House and the Secretary of the Senate compare their Journals.

The Secretary of the Senate informed the President that the Journals have been compared and they agree.

Mr. Burkholder moved that the Joint Session dissolve, and the members of the House and the members of the Senate reassemble in their respective chambers. Motion carried.

The Chair presented **HCR 4**—"Providing that the Motor Fuel Tax Department Shall Furnish Monthly to All Distributors

and Commission Agents Engaged in the Transportation and Sale of Oil and Gasoline in This State a List of All Gasoline Taxes Paid by All Bonded Gasoline Distributors in This State," which was referred to the Committee on Buildings and Highways.

The Chair presented **HB 6**, which was given first and second reading, the second by title only, and referred to the Committee on Finance.

The Chair presented **HB 11**, which was given first and second reading, the second by title only, and referred to the Committee on Finance.

The Chair presented **HB 70**, which was given first and second reading, the second by title only, and referred to the Committee on Finance.

The Chair presented **HB 105**, which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Bulow, on motion for leave, introduced **SB 101**—"An Act to Amend Chapter 90, Article 3, of the Revised Code of Delaware, 1935, Relating to Child Labor; by Changing the Hours of Employment in Certain Cases," which was given first and second reading, the second by title only, and referred to the Committee on Labor.

Mr. Cannon, on motion for leave, introduced **SB 102**—"An Act to Amend an Act Entitled 'An Act Changing the Name of "The Town of Seaford" to "The City of Seaford" and Establishing a Charter Therefor,' Being Chapter 184, Volume 43, Laws of Delaware, as Amended, by Increasing the Amount of Money Which May Be Raised Each Year in Taxes," which was given first and second reading, the second by title only, and referred to the Committee on Municipal Corporations.

Mr. Cannon, on motion for leave, introduced **SB 103**—"An Act to Amend an Act Entitled 'An Act Changing the Name of the "Town of Seaford" to the "City of Seaford" and Establishing a Charter Therefor,' Being Chapter 184, Volume 43, Laws of Delaware, as Amended, by Directing the City Council to Establish and Maintain Reserve or Sinking Funds to Be Used for the Replacement, Enlargement, or Improvement of the Municipal Light and Power Plant and Distribution System and Designating Such Reserves as Trust Funds for the Purposes for Which They were So Set Aside," which was given first and second reading, the second by title only, and referred to the Committee on Municipal Corporations.

Mr. Powell, on motion for leave introduced **SB 104**—"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 the Increase in the Amount to Be Raised by Taxation," which was given first and second reading, the second by title only, and referred to the Committee on Municipal Corporations.

Mr. Cannon, on motion for leave, introduced **SB 105**—"An Act Proposing an Amendment to Section 3 of Article IV of the

Constitution of the State of Delaware Relating to the Appointment of Members of the State Judiciary by Requiring the Governor to Announce Publicly the Name or Names of Certain Judicial Appointments at Least Ten Days in Advance of Submission of the Name or Names to the Senate for Confirmation," which was given first and second reading, the second by title only, and referred to the Committee on Judiciary.

Mr. Powell, on behalf of the Committee on Miscellaneous to whom had been referred **SB 95** and **SB 93**, reported the same back to the Senate favorably.

On motion for leave, Mrs. Davis, introduced **SR 18**—"Authorizing Payment on Account to Attaches and Employees of the Senate."

**BE IT RESOLVED** by the Senate of the 115th General Assembly that the State Treasurer be and he hereby is authorized and directed to pay to any attache or employee, who has been duly appointed by Resolution of the Senate, upon the order of the President Pro Tem of the Senate, sums on account from time to time, not to exceed the total of Two Hundred Dollars (\$200.00) 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.

Upon motion, the resolution was taken up for consideration in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" the question was decided in the affirmative, and the Resolution having received the required constitutional majority, was adopted.

Mr. Cabbage, on motion for leave, introduced **SB 106**—"An Act to Amend Chapter 146 of the Revised Code of Delaware, 1935 as Amended, Relating to Limitation of Personal Actions by Repealing the Limitation of Actions for the Recovery of Wages, Salary or Other Benefits for Work, Labor or Personal Services Performed," which was given first and second reading, the second by title only, and referred to the Committee on Labor.

Mr. Klair requested that **SB 80** be stricken from the Calendar. Request granted.

Mr. Dickinson, on motion for leave, introduced **SB 107**—"An Act to Authorize Mayor and Council of Laurel to Borrow Not Exceeding One Hundred and Five Thousand and Five Hundred Dollars, and to Issue Bonds to Secure the Payment Thereof, for the Purpose of Paying, Redeeming and Refunding Certain Outstanding Bonds of the Town of Laurel," which was given first and second reading, the second by title only, and referred to the Committee on Municipal Corporations.

Mr. Dickerson, on motion for leave, introduced **SB 108**—"An Act to Amend Chapter 19, Volume 42, Laws of Delaware, 1939, Relative to Appropriating Certain Money to the University of Delaware for the Purpose of Establishing Scholarships at the

University of Delaware; Providing for the Appointment of a Scholarship Committee; and Providing That at Least Two-Thirds of the Said Scholarships be Awarded to Students Desirous of Entering the Teaching Profession," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Crossley, on motion for leave, introduced **SB 109**—"An Act to Amend Chapter 60, Revised Code of Delaware, 1935, as Amended, Relating to General Elections by Providing That the General Election Shall Be Opened at 7 o'clock A. M. and Shall Continue Open until 8 O'clock P. M., which was given first and second reading, the second by title only, and referred to the Committee on Elections.

Mr. Klair, on motion for leave, introduced **SB 110**—"An Act to Amend Chapter 176, Volume 25, Laws of Delaware, as Amended, Entitled 'An Act to Incorporate the Town of Elsmere, New Castle County,' by Increasing the Amount Which May Be Raised Annually as Taxes in the Town of Elsmere," which was given first and second reading, the second by title only, and referred to the Committee on Municipal Corporations.

Mr. Dickerson, on motion for leave, introduced **SB 111**—"An Act to Amend an Act Entitled 'An Act to Reincorporate the Town of Laurel,' as Amended, in Relation to the Vote of Members of Council Required for the Passage of Certain Ordinances," which was given first and second reading, the second by title only, and referred to the Committee on Municipal Corporations.

Mr. Dickerson, on motion for leave, introduced **SB 112**—"An Act to Amend an Act Entitled 'An Act to Re-incorporate the Town of Laurel,' Being Chapter 164, Volume 29, Laws of Delaware, as Amended by Chapter 105, Volume 38, Laws of Delaware, by Providing an Additional Member at Large of the Town Council of Laurel, and the Election or Appointment of Such Additional Member," which was given first and second reading, the second by title only, and referred to the Committee on Municipal Corporations.

Mr. Dickerson, on motion for leave, introduced **SB 113**—"An Act Proposing an Amendment to Article IV of the Constitution of the State of Delaware Relating to the Number of State Judges, and the Creation of the Constitutional Office of Vice Chancellor," which was given first and second reading, the second by title only, and referred to the Committee on Judiciary.

Mr. Dickerson, on motion for leave, introduced **SB 114**—"An Act to Amend an Act Entitled 'An Act to Reincorporate the Town of Laurel,' Being Chapter 164, Volume 29, Laws of Delaware, as Amended by Chapter 105, Volume 38, Laws of Delaware, by Providing an Additional Member at Large of the Town Council of Laurel, and the Election of Such Additional Member," which was given first and second reading, the second by title only, and referred to the Committee on Municipal Corporations.

Mr. Dickerson, on motion for leave, introduced **SB 115**—"An Act to Amend an Act Entitled 'An Act to Reincorporate the Town of Laurel' Being Chapter 164 Volume 29, Laws of Delaware, by Providing for the Establishment of the Office of Town Superintendent," which was given first and second reading, the second by title only, and referred to the Committee on Municipal Corporations.

Mr. Burkholder, on motion for leave, introduced **SB 116**—"An Act Appropriating Certain Moneys to the Library Commission for the State of Delaware for the Purchase, Operation and Maintenance of a Book-Mobile, and for the Salary of an Operator-Librarian Thereof," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Burkholder moved that the Senate adjourn until 12:00 noon, Mon., Feb. 14, 1949. Motion prevailed.

## 25TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Mon., Feb. 14, 1949, 12:40 P. M.

Prayer by the Chaplain, Rev. Wilkins: God our heavenly Father, as we remember the great leaders of our state and nations past, remind us of their vision and courage. Help us to follow in their example of seeking to do the will of God as seen by them. Grant us the privilege of continued service to Thee and the state we represent. We pray that we will continue to be faithful servants and follow in the footsteps of the Master, who has given us a picture of perfect life. In his name. Amen.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

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

Communications: 1—Urging passage of **SB 69**, from Harrington Volunteer Fire Co.

Mr. Burkholder moved that all communications be presented at one time and only one read when there are duplicates. Motion prevailed.

Mr. Rhodes, on behalf of the Committee on Public Health to whom had been referred **SB 1**, reported the same back to the Senate on its merits.

Mr. Powell, on motion for leave introduced **SB 117**—"An Act Requiring the Removal of Obstacles in Recognized, Natural and Legal Waterways of the State," which was given first and



second reading, the second by title only, and referred to the Committee on Miscellaneous.

Mr. Webb, on motion for leave, introduced **SB 118**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Relating to Fish, Oysters and Game, by Providing for the Season within Which Diamond Back Terrapin May Be Taken and Killed," which was given first and second reading, the second by title only, and referred to the Committee on Fish, Oysters and Game.

Mr. Burkholder moved that the Senate recess until 2 P. M. Motion prevailed.

Senate met at expiration of recess, 2:15 P. M.

Mr. Burkholder moved that Senate recess for one hour in order to hold Committee meetings.

Mr. Burkholder moved that the Senate recess until 3:15 P. M. Motion prevailed.

Senate met at expiration of recess, 3:50 P. M.

Mr. Burkholder, on behalf of the Committee on Revised Statutes to whom had been referred **SB 52**, **SB 86**, and **HB 56**, reported the same back to the Senate favorably.

Mr. Burkholder, on behalf of the Committee on Revised Statutes to whom had been referred **SB 54**, reported the same back to the Senate on its merits.

Mr. William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had passed and requested the concurrence of the Senate in the following:

**HCR 5**—"Making an Appropriation for Postage Stamps and Other Supplies for the 115th General Assembly";

**HCR 6**—"Relating to Observance of National Security Week"; and presented the same to the Senate.

The Chair presented **HCR 5**, which was given first and second reading, the second by title only, and referred to the Committee on Printing and Supplies.

The Chair presented **HCR 6**, which was given first and second reading, the second by title only, and referred to the Committee on Miscellaneous.

Mr. Hammond, on behalf of the Committee on Finance to whom had been referred **SB 90**, reported the same back to the Senate on its merits.

Mr. Hammond, on behalf of the Committee on Finance to whom had been referred **SB 78**, **HB 105**, **HB 70**, **HB 17**, **HB 16**, **HB 12**, **HB 3**, and **HB 2**, reported the same back to the Senate favorably.

Mr. Evans, on behalf of the Committee on Labor to whom had been referred **SB 101**, and **SB 106**, reported the same back to the Senate favorably.

Mr. Evans, on behalf of the Committee on Passed Bills, reported to the Senate that he had delivered to the Governor the following: **SB 20**.

Mr. Burkholder moved that the Senate recess until 4:15 P. M. Motion prevailed.

Senate met at expiration of recess, 4:35 P. M.

On motion for leave, Mr. Burkholder introduced **SCR 11**—"Expressing Appreciation to Those Who Assisted in the Program Commemorating the Birthday of Abraham Lincoln."

Upon motion the Resolution was taken up for consideration in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" by acclamation, 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 for leave, Mr. Cannon introduced **SJR 5**—"Making an Appropriation to Defray the Balance of the Expenses of the Joint Inaugural Committee Incident to the Inauguration of the Honorable Elbert N. Carvel, as Governor of the State of Delaware, and for Representation of the State of Delaware at the Inauguration of the Honorable Harry S. Truman. as President of the United States."

On the question, "Shall the Resolution be adopted?" by acclamation, 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.

Mr. Burkholder moved that the Senate adjourn until 12 noon, Tues., Feb. 15, 1949. Motion prevailed.

## 26TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Tues., Feb. 15, 1949, 12:05 P. M.

Prayer by the Chaplain, Rev. Wilkins.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

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

Communications: 1—Opposing **SB 6** from S. W. Cabbage, Wyoming, Del.; 1—Favoring Bonus Bill as presented by the Veterans of Foreign Wars calling for a cash payment for Veterans from Ladies' Auxiliary V. F. W., Dept. Del., Middletown; 1—Opposing **SB 92** and **SB 73** from City Council of Dover; 1—Urging passage of Bills providing for Special Fire Police; 1—To Legalize Gambling for the benefit of charitable institutions and Volunteer Fireman; 1—To create the office of a State Fire Marshal, from Good Will Fire Co., New Castle, Del.; 1—Opposing **SB 34** and **SB 71**, from Chamber of Commerce of Wilmington, Del.

STATE OF DELAWARE  
Executive Department, Dover

Senator James H. Evans Chairman  
Passed Bills Committee  
Legislative Hall  
Dover, Delaware

Dear Senator Evans:

I am hereby notifying you that **SB 20** was signed and approved by the Governor on February 15, 1949.

Very sincerely,

CLAUDE B. PRETTYMAN,

Administrative Assistant to Governor E. N. Carvel

James S. Evans, chairman and all Committee.

Mr. Rhodes, on motion for leave, introduced **SB 119**—"An Act to Amend an Act Entitled 'An Act to Re-Incorporate the Town of Newark,' Increasing the Amount to Be Raised in Said Town by Taxation," which was given first and second reading, the second by title only, and referred to the Committee on Municipal Corporations.

Mr. Rhodes, on motion for leave, introduced **SB 120**—"An Act to Amend Chapter 149 of the Revised Code of Delaware, 1935 as Amended, by Providing That the Court May Upon a Recommendation of Mercy by the Jury Reduce the Penalty Therefor and by Further Providing That It Shall Be Lawful for the Jury to Find a Verdict of Guilty of Assault" which was given first and second reading, the second by title only, and referred to the Committee on Judiciary.

Mr. Rhodes, on motion for leave, introduced **SB 121**—"An Act to Amend an Act Entitled 'An Act to Re-Incorporate the Town of Newark,' as Amended, by Changing the Provisions Regarding the Borrowing of Money by the Council of the Town of Newark to Meet Current Expenses," which was given first and second reading, the second by title only, and referred to the Committee on Municipal Corporations.

Mr. Reilly, on motion for leave, introduced **SB 122**—"An Act to Amend Chapter 624, Volume 18, Laws of Delaware, Relating to the Charter of the 'The Lombardy Cemetery Company,' of Brandywine Hundred, New Castle County and State of Delaware, by providing for the Sale of Lands Considered Undesirable for Cemetery Purposes by the Board of Directors and Stockholders," which was given first and second reading, the second by title only, and referred to the Committee on Miscellaneous.

Mr. Powell, on motion for leave, introduced **SB 123**—"An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, as Amended, Relative to Motor Vehicles, by Providing for the Revocation of Licenses of Any Person upon His Conviction

or Forfeiture of Bail upon 3 Charges of Reckless Driving in the Discretion of the Commissioner of Motor Vehicles," which was given first and second reading, the second by title only, and referred to the Committee on Miscellaneous.

Mr. Hammond, on motion for leave, introduced **SB 124**—"An Act to Amend Chapter 163 of the Revised Code of Delaware, 1935, Entitled 'Delaware Racing Commission,' as Amended, Relating to Days of Racing, by Authorizing the Delaware Racing Commission to Authorize a Sole Licensee to Hold One or More Meetings a Year for an Aggregate of Thirty-Three Days," which was given first and second reading, the second by title only, and referred to the Committee on Miscellaneous.

Mrs. Davis and Mr. Webb, on motion for leave, introduced **SB 125**—"An Act to Amend Chapter 190, Volume 46, Laws of Delaware, 1947, Reducing the Capacity of the Building to Be Erected and Utilized as a Department for Criminally Insane and Criminally Inclined Adults and Juveniles, at the Delaware State Hospital, at Farnhurst," which was given first and second reading, the second by title only, and referred to the Committee on Buildings and Highways.

Mrs. Davis and Mr. Webb, on motion for leave, introduced **SB 126**—"An Act for the Construction, Equipping and Furnishing of Several New Buildings and the Remodeling and Refurnishing of Several Old Buildings at the Delaware State Hospital at Farnhurst; Making an Appropriation Therefor and Authorizing the State of Delaware to Borrow Money and Issue Bonds for the Payment of the Money So Appropriated," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Evans, on motion for leave, introduced **SB 127**—"An Act to Amend Chapter 206, of Volume 26, Laws of Delaware, 1911, as Amended, Entitled, 'An Act to Create a Board of Public Utility Commissioners for the City of Wilmington and Prescribe Its Duties,' by Giving the Board of Public Utility Commissioners of the City of Wilmington Control over Electric Trackless Trolley Coach Companies and Bus Companies Coordinated or Interconnected Therewith," which was given first and second reading, the second by title only, and referred to the Committee on Municipal Corporations.

Mr. Burkholder, on behalf of the Committee on Municipal Corporations to whom had been referred **SB 65**, reported the same back to the Senate favorably.

Mr. Dickerson, on motion for leave, introduced **SB 128**—"An Act Making an Appropriation to the State Soil Conservation Commission for the Maintenance of the Trap Pond Project in Sussex County by the Board of Soil District Supervisors of Sussex County," which was given first and second reading, the second by title only, and referred to the Committee on Finance.

Mr. Cabbage moved that the Senate recess until 2:30 P. M. Motion prevailed.

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

On motion of Mr. Burkholder, **HB 2** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request the privilege of the floor was given to Mr. Burkholder.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Burkholder, **HB 3** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Burkholder.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Burkholder, **HB 12** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Burkholder.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

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

On motion of Mrs. Davis, **HB 16** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mrs. Davis.

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

YEAS—Messrs. Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Bulow—1.

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

On motion of Mr. Burkholder, **HB 17** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Burkholder.

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

YEAS—Messrs. Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Bulow—1.

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

On motion of Mr. Burkholder, **HB 56** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Burkholder and Mr. Dickerson.

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

YEAS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Rhodes, Madam President Pro Tem—10.

NAYS—Messrs. Cannon, Crossley, Cubbage, David, Dickerson, Reilly, Webb—7.

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

The Sergeant-at-Arms admitted the Secretary of State with a message from the Governor, which was referred to the Executive Committee.

On motion of Mrs. Davis, **HB 70** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mrs. Davis.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Burkholder, **HB 105** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Burkholder.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

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

On motion for leave, Mr. Hammond introduced **SJR 4**.

Upon motion, the Resolution was taken up for consideration in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Hammond.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Burkholder, **SB 2** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Burkholder.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Phillips, **SB 13** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Mr. Phillips moved the Bill be withdrawn. Motion carried.

On motion of Mr. Burkholder, **HB 56** 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. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Phillips—1.

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

On motion of Mr. Hammond, **SB 15** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Hammond.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Phillips—1.

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

On motion of Mr. Hammond, **SB 18** 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. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

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

On motion of Mr. Hammond, **SB 19** was taken up for con-



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

Upon request, the privilege of the floor was given to Mr. Hammond.

On the question, "Shall the Bill pass the Senate?" action was deferred.

On motion of Mr. Webb, **SB 78** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

Upon request from Mr. Webb, the privilege of the floor was given to Dr. Carlson.

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

YEAS—Messrs. Bulow, Burkholder, Cannon, Crossley, Cabbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

NAYS—None.

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

Mr. Burkholder moved that the Senate recess until 5 P. M. Motion prevailed.

Senate met at expiration of recess, 5:55 P. M.

Mr. Burkholder moved **SR 19** be tabled.

On the question, "Shall the Resolution be tabled?" on motion for leave, Mr. Cannon introduced **SR 19**—"Authorizing a Committee of the Senate to Investigate Conditions at Delaware State College and Providing for the Expenses Thereof."

WHEREAS, it has come up to the attention of the Senate that today four pamphlets have been distributed by the students of Delaware State College expressing their grievances against the present administration of the said College and against the facilities furnished at State College for their use; and

WHEREAS, it is desirable that full information on this existing condition be acquired by Members of the Senate; NOW, THEREFORE,

BE IT RESOLVED, by the Senate, that a Committee of four (4) members of the Senate consisting of two (2) from the majority side and two (2) from the minority side be appointed by the President of the Senate and be authorized and directed to examine the accounts of the Institution, visit and inspect the premises, interrogate Members of the Student Body and of the administration of the Institution, and to employ such technical assistance as in the opinion of the Committee is deemed necessary and report their findings to this body; and

BE IT FURTHER RESOLVED that there is hereby appropriated the sum of Twenty-Five Hundred Dollars (\$2,500.00) in order to carry out the purpose of this Resolution. This money shall be paid by the State Treasurer upon warrants signed by

the Chairman and Secretary of said Committee out of any money in the General Fund not otherwise appropriated, and such portion of the sum hereby appropriated which shall remain unexpended at the time of the final report of the said Committee to the Senate shall revert to the General Fund.

Upon motion, the Resolution was taken up for consideration in order to pass the Senate.

Upon request, the privilege of the floor was given to Mr. Cannon and Mr. Burkholder.

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

YEAS—Messrs. Bulow, Burkholder, Evans, Hammond, Hitchens, Phillips, Powell, Rhodes—8.

NAYS—Messrs. Cannon, Crossley, Cabbage, David, Dickerson, Klair, Reilly, Webb, Madam President Pro Tem—9.

On motion for leave. Mr. Cannon, introduced **SR 19**—"Shall the Resolution be Referred to Committee on Finance?"

Upon motion, the Resolution was taken up for consideration in order to pass the Senate.

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

YEAS—Messrs. Bulow, Burkholder, Cabbage, Evans, Hammond, Hitchens, Phillips, Powell, Rhodes, Madam President Pro Tem—10.

NAYS—Messrs. Cannon, Crossley, David, Dickerson, Klair, Reilly, Webb—7. Mr. Cabbage changed to "yea."

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.

Mr. Cannon moved that the following be made part of the Senate Journal.

Students: Are you satisfied with your School? What does Delaware State College mean to you?

Do you know that there is a move on to get rid of your President?

Do you know that you are being cheated out of an education?

Do you know that Delaware State College is the worst land grant college in the country?

Do you know that it is assumed by the people of the State of Delaware that you students are satisfied with what you have?

Do you know that students' voices will be heard where others will not?

Do you know that as long as your President stays here none of the conditions will be changed?

You have been promised, promised, promised.

How do you stack up in your development? Social? Intellectual? Physical?

Do you realize that college life is supposed to be designed to enrich your development in these categories?

Do you realize that some of the buildings you live in are fire hazards?

Gregg gave us the run around—now let's run him out.  
Delaware's dark ages, 1942-1948.

Delaware's age of enlightenment, 1949-until—

D.S.C.'s subjugation, 1942; D.S.C.'s liberation, 1949.

Lincoln freed the slaves—what's Gregg trying to do?

We want a *new* President.

We are tired of dictatorial practices. We are tired of having a second rate school.

Students, *act now!* Demand a new president.

Don't be afraid of spies—Gregg is over the barrel, let's roll him.

Yesterday, words—today, *action!*

W.P.S.

### STUDENTS !!!

Can you add to these grievances?

*Dining Hall*—Dirty dishes, shortage of dishes, shortage of silverware, shortage of glasses, poorly prepared food, spoiled food, not enough food, monotonous diet, Dining Hall dirty, poor waiter system, no table cloths.

*Physical Plant*—Inadequate dormitories, Veterans' Buildings fire hazards, plaster falling from the ceilings in the girls' dormitories and Delaware Hall, no lounge furniture in the Vet. Bldg., dilapidated furniture in the girls' Dormitories, must paint your own rooms to make them livable, grounds dirty most of the time.

### General

No return for student activity fee of \$60.

No intellectual programs sponsored by the school.

No cultural programs sponsored by the school.

No social programs sponsored by the school.

No medical setup on campus.

No transportation for student to go in town to the doctor.

Library closed on Saturday afternoon—why?

Books sold to school at discount so the student may benefit.

Do they?

School store disgrace; inadequate seating and luncheoning facilities.

Prices 1 to 2 cents higher than anywhere else.

Store filthy most of the time.

Articles such as peanuts, pennants, stickers, shields, soap, ink, writing paper.

No recreational facilities; no social facilities.

Intimidation by president; no democracy (Student).

No school paper; no student representation in school govt.

Key deposit \$1.50—no key. No veteran organization.

No beauty parlor for girls.

Have to make our own repairs. Have to buy lamps for light.

President acts as a DICTATOR.

Subjects listed in catalogue not taught.  
 Conflicts always exist in students' study program.  
 Exploitation of student labor when an inspection is foreseen.  
 STUDENTS: Are you satisfied with these conditions?  
 ACT NOW! PROTEST!

Enlist your aid to the cause of good old D.S.C. Stand up for your rights and fulfill your duties as students. Learn to be useful citizens, by being useful students who will fight for their rights! The American way is a way of action! Does a man sell his soul for an education! Let's refuse to be intimidated. Let us stand up for rights irrespective of consequences!

W.P.S.

Dear Students:

From time to time we've all griped about one thing or another—of course we've done nothing about the situation and naturally nothing has been done to alleviate or correct the evils.

On the other hand a few individuals have voiced their dissatisfaction and it is generally known what happened to them. Remember the "SCREENING PROCESS" referred to by your President? This screening process incidentally lost some of the best students that have ever attended the institution. We all know of the intimidating threats that hang over our heads. We've all been exploited, threatened, discouraged, disillusioned, disgusted, we've been treated like children one and all, subjugated, dominated, deprived of the rights of freedom of speech, assembly, etc. We've all done nothing about it because of one reason or another. The predominant reason is however, I venture to say, that we've all felt that there was nothing that could be done about it. Well, now we've awakened to the realization that something can be done about it. By US: The time is NOW. We must act NOW. How? Well, first of all we need not gather as a group for discussions. We don't need a leader. We don't need to speak out individually. We need not picket or strike. All we need to do is to tell the facts if we're asked questions by visitors. We can miss a meal or two by walking out of the dining hall simultaneously (it was done before). Such an act would cause great repercussions if it would happen during this time—this week.

I know that you've noticed the step up in job activity around the campus—students cleaning—maintenance men repairing and painting, etc. WHY? Members of the legislative of the State of Delaware are coming around to inspect the physical plant of the School. We have been told by our President that the reason for the inspection is that he had asked for appropriations for new buildings and one of the requisites for new buildings is that the old ones be kept well. This is no doubt true. That is, in regard to requisites, but your President's job is at STAKE. He hasn't done a good job as President as is evident by things we all know about. He is not PROGRESSIVE. He is not for the School.

He is attempting to cover up his evils by deceiving these legislators. LET US ALL AIR OUR GRIEVANCES. WE ALL KNOW THEM. LET'S NOT DECEIVE THESE LEGISLATORS AND OURSELVES TOO.

W.P.S.

The student body of Delaware State College, upon sampling without exception, voice a definite and emphasized disgust over conditions at the sole institution designated by the State of Delaware to prepare youth for service in the State. What are the probable effects of the conditions as reflected in the intellectual development of the students?

Dr. Gregg holds a position to which men look with respect and an expectation of guidance. Students coming to Delaware State College, being for the first time initiated into an atmosphere which is supposed to promote intellectual development, look to the President as a symbol of achievement and within them burns a flame of hope for their success. It is a disgrace to state herein that he who has originally been a symbol of good becomes the very symbol of corruption. It is not hard to see or envision the disillusionment of the student. A seeking mind loses its initiative and in this perplexed state evolves an attitude of disdain for that which he has started to seek. Is this not possible? A hypothesis needs proof. Here it is. It is in the mind of the students of Delaware State College. It is demonstrated in the active rebellion, one stage of reaction, taking place in November 1948. The proof is individual, it is mass.

What one definite incident may be cited as an example of the corrupt policy of Dr. Gregg. It is common knowledge that the president's own son graduated only because of the pressure put on faculty members by him. Professors Taylor and Frazier, themselves men of integrity, refusing to be bulldozed, left the institution as a symbol of protest to the president. The loss of these men to Delaware State College was the loss of every student and indirectly to the citizens of Delaware.

One to prove or disprove the foregoing statements needs only to use investigative procedures to credit or discredit them. THIS PAPER DECLARES THEM TRUE. In the interest of every student of D.S.C., of every citizen of Delaware, in the interest of intellectual development, and in the interest of all that is right, Dr. Gregg must be eliminated from Delaware State College. Delaware State College has a bright future. Will it be denied by ONE MAN?

The will of YOU AND YOU AND YOU WILL DECIDE.

W.P.S.

Mr. Burkholder moved that the Senate go into Executive Session. Motion prevailed.

Senate met at expiration of recess, 6:30 P.M.

Mr. Burkholder moved that the Senate adjourn until 10 A.M., Wed., Feb. 16, 1949. Motion prevailed.

**27TH LEGISLATIVE DAY**

Senate met pursuant to adjournment, Wed., Feb., 16, 1949, 10 A. M., President Pro Tem presiding.

The Chaplain not being present the members recited the Lord's Prayer.

Members present—Messrs. Burkholder, Hammond, Madam President Pro Tem—3.

Members absent—Messrs. Bulow, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb—14.

Mr. Burkholder moved that the Senate adjourn until 10 A. M., Thurs., Feb. 17th. There being no quorum present, the President Pro Tem declared the Senate adjourned until 10 A. M., Thurs., Feb. 17, 1949.

**28TH LEGISLATIVE DAY**

Senate met pursuant to adjournment, Thurs., Feb. 17, 1949, 10 A. M., President Pro Tem presiding.

The Chaplain not being present, the members recited the Lord's Prayer.

Members present—Burkholder, Evans, Hammond, Madam President Pro Tem—4.

Members absent—Messrs. Bulow, Cannon, Crossley, Cubbage, David, Dickerson, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb—13.

Mr. Burkholder moved the Senate adjourn until 12 noon, Fri., Feb. 18. There being no quorum present, the President Pro Tem declared the Senate adjourned until Fri., Feb. 18, 1949 at 12 o'clock.

**29TH LEGISLATIVE DAY**

Senate met pursuant to adjournment, Fri., Feb. 18, 1949, 12 noon.

Prayer by the Chaplain, Rev. Wilkins: Almighty God our Heavenly Father, we thank Thee for the opportunity of this bright day. May this be like the opening of gates and closing those on the night of past failures and mistakes. May we see new vistas and forget trifling and transient desires of old. overcoming the little hates, slights and resentments. Let the vision of a better day lead us on that we may see the gates of eternity and find them open to us. Amen.

Members present—Messrs. Bulow, Burkholder, Cannon, Crossley, Cubbage, David, Dickerson, Evans, Hammond, Hitchens, Klair, Phillips, Powell, Reilly, Rhodes, Webb, Madam President Pro Tem—17.

The Secretary proceeded to read the Journal of the previous session, when Mr. Dickerson moved so much be considered the

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

Communications: 3—Favoring **SB 4**, **SB 28**, **SB 30**, **SB 35**, **SB 49**, **SB 50**, **SB 51**, and **SJR 2**, and **HB 27**, **HB 28**, and **HB 55**. 1—Opposing **SB 37**; 2—Favoring **SB 1**; 1—Favoring **SB 15**; 1—Opposing **SB 13**; 1—Opposing **SB 1**; 1—Favoring **SB 87**. From Wilmington Branch A.A.U.W.; Chamber of Commerce, Wilmington, Del.; Branche C. Morris, Rehoboth, Del.; Ladies' Auxiliary V.F.W., Middletown, Del.; Dr. Tarumianz, Delaware State Hospital; Warner P.T.A. of Wilmington, Del.; Leon Tarburton, Dover, Del.; Camden-Wyoming Fire Company, Camden, Del.; Mrs. James P. McCarthy, Wilmington, Del.; Adams-Simpler-Ware Aux. V.F.W., Felton, Del.; Alfred I. du Pont School P.T.A., Wilmington, Del.

William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had passed and requested the concurrence of the Senate in the following:

**HCR 7**—"Accepting the Lowest Responsible Bids for Electric Ditto or Duplicating Machines and File Cases Required by the General Assembly and Purchased, as Directed by House Joint Resolutions 1 and 3, and Making an Appropriation for Payment";

**HB 27**—"An Act to Amend Chapter 71 of the Revised Code of Delaware, 1935, Relating to the Length of a School Term";

**HB 34**—"An Act to Amend Chapter 68, Volume 46, Laws of Delaware, 1947, with Respect to Vocational Rehabilitation";

**HB 66**—"An Act to Amend Chapter 149 of the Revised Code of Delaware, 1935, Relating to the Offense of Toying with a Female Child under the Age of Sixteen Years by Omitting the Word "Female"; by Making the Penalty Discretionary Rather Than Mandatory";

**HB 99**—"An Act Authorizing the Levy Court of Kent County to Appropriate County Monies for the Control of Diseases of Hogs in Kent County"; and presented the same to the Senate.

Mr. William W. Spruance, Clerk of the House, being admitted, informed the Senate that the House had concurred in the following: **SCR 11**, **SB 24**, and returned the same to the Senate.

The Chair presented **HB 27**, which was given first and second reading, the second by title only, and referred to the Committee on Education.

The Chair presented **HB 34**, which was given first and second reading, the second by title only, and referred to the Committee on Revised Statutes.

The Chair presented **HB 66**, which was given first and second reading, the second by title only, and referred to the Committee on Judiciary.

The Chair presented **HB 99**, which was given first and second reading, the second by title only, and referred to the Committee on Agriculture.

On motion of the Chair, **HCR 7** was taken up for consideration and read a third time, by paragraphs, in order to pass the Senate.

On the question, "Shall the Resolution be adopted?" the question was decided in the affirmative, and the Resolution having received the required constitutional majority passed the Senate and was ordered returned to the House.

On motion for leave, Mr. Phillips introduced **SR 20**—"Making an Appropriation for Telephone Service Charges and Toll Calls in Connection with the Work of the Senate in the 115th General Assembly of the State of Delaware."

BE IT RESOLVED by the Senate that the following amount be, and it is hereby appropriated, to pay for telephone service charges and toll calls in connection with the work of the Senate of the 115th session of the General Assembly of the State of Delaware, which convened January 4, A. D. 1949, and that the State Treasurer be, and he is hereby authorized and directed to pay to The Diamond State Telephone Company the total of the items listed in this resolution, as follows:

Local Service and Equipment from 1/11 to 2/10/49	\$ 5.18
Toll Service and Telegrams from 1/11 to 2/10/49	124.65
Total .....	<u>\$129.83</u>

Upon motion, the Resolution was taken up for consideration in order to pass the Senate.

The question was decided in the affirmative, and the Resolution having received the required constitutional majority was adopted.

Mr. Burkholder moved that the Senate recess until 2:30 P. M. Motion prevailed.

Senate met at expiration of recess, 2:30 P. M.

Mr. Burkholder moved that the Senate recess for one hour in order to hold Committee meetings.

Mr. Burkholder moved that the Senate recess until 3:30 P. M. Motion prevailed.

Senate met at expiration of recess, 4:10 P. M.

The President announced he is about to sign: **SB 24, SCR 11, SCR 9, HB 2, HB 3, HB 12, HB 16, HB 17, HB 56, HB 70, and HB 105.**

Mr. Burkholder moved that the Senate adjourn until 12 noon, Mon., Feb. 21, 1949. Motion prevailed.

### 30TH LEGISLATIVE DAY

Senate met pursuant to adjournment, Mon., Feb. 21, 1949, 12 noon.

Prayer by the Chaplain Rev. Wilkins: Gracious God our Creator and Sustainer be with us as we enter into the opportunities of another week. Be with those who need thy care and