

NAYS—Messrs. T. S. Johnson, Lawson, Snowden, Wolf, Wood—5.

ABSENT — Messrs. Brogan, Clark, Hicks, Lester, Maclary, Mattiford, Mayhew—7.

SB 64 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Queen assumed the Chair.

Mr. Shockley moved that SB 204—"An Act to Amend Chapter 55, Title 29 of the Delaware Code Relating to the Definition of "Covered Employment" Contained in the State Employers' Pension Plan," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Shockley, HA 1 to SB 204 was adopted.

Mr. Snowden introduced HA 2 to SB 204, on which the roll call revealed:

YEAS — Messrs. Deputy, Donovan, Livingston, Queen, Snowden, Mr. Speaker Quigley—6.

NAYS—Messrs. Alexander, Bostick, Eskridge, Garton, Hastings, B. W. Johnson, Lawson, Layton, Macklin, Massey, Nechay, Pepper, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood—20.

NOT VOTING—Messrs T. S. Johnson and Keel—2.

ABSENT — Messrs. Brogan, Clark, Hicks, Lester, Maclary, Mattiford, Mayhew—7.

HA 2 to SB 204 with HA 1 not having received the constitutional majority, was lost.

Mr. Garton moved that SB 204 with HA 1 be tabled.

On the question, "Shall the Bill be Tabled?" the roll call revealed:

YEAS—Messrs. Alexander, Bostick, Donovan, Eskridge, Garton, B. W. Johnson, T. S. Johnson, Keel, Livingston, Massey, Nechay, Pepper, Queen, Rowan, Smith, Walls, Mr. Speaker Quigley—17.

NAYS — Messrs. Deputy, Hastings, Lawson, Layton, Macklin, Shockley, Snowden, (Mrs.) Tunnell, Wilkinson, Wolf, Wood—11.

ABSENT — Messrs. Brogan, Clark, Hicks, Lester, Maclary, Mattiford, Mayhew—7.

The motion to table SB 204 with HA 1 prevailed, and it was tabled.

The House adjourned at 10:00 P. M. until 1:00 P. M., Thursday, April 28, 1955.

73RD LEGISLATIVE DAY

House met pursuant to adjournment at 2:00 P. M., on Thursday, April 28, 1955.

Prayer by the Chaplain, Rev. Buckley.

Members present — Messrs. Alexander, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Mr. Speaker Quigley—31.

Members absent — Messrs. Bostick, Brogan, Maclary, Wood—4.

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

The Secretary of the Senate informed the House that the Senate had concurred in: **HB 181** with **HA 1**, and that the Senate had passed and requested the concurrence of the House in the following resolution and bills, which were presented by the Chair, given first and second readings by title only and referred to committees as follows:

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

SB 328—"An Act to Amend Article 5, Section 4A of the Constitution of the State of Delaware Relating to Absentee Voting," to Elections.

SB 420—"An Act to appropriate Certain Funds to the State Highway Department in Order to Provide a Ten Per Cent Increase in Salaries for State Police Employees," to Private Corporations.

SB 450 with **SA 1**—"An Act to Regulate Professional Portrait Photographers," to Miscellaneous.

On motion of Mr. Walls, **HB 80** was stricken from the calendar.

Mr. Layton introduced the following resolution, which upon further motion by him was adopted: **HR 74**—"Relative to Printing of the Daily Calendar for the House."

BE IT RESOLVED by the House of Representatives of the 118th General Assembly of the State of Delaware that not more than 300 copies of the daily calendar for the House shall be printed for the remainder of this session.

On motion of Mr. B. W. Johnson, **SB 239** and **SB 240** were recommitted.

On motion of Mr. Massey, **HB 329** was stricken from the calendar.

The following bills were reported by the Committee on Appropriations: **HB 422**, favorably; by the Committee on Revenue and Taxation: **HB 564**, on merits; by the Committee on Claims: **SB 257**, on merits; by the Committee on Municipal Corporations: **HB 394**, favorably; **HB 402**, on merits; **HB 407**, 4 favorable, 1 on merits; **HB 457**, favorably; **HB 461**, 4 favorable, 1 on merits; **HB 471**, favorably; **SB 179**, favorably; **SB 180**, favorably; **SB 213**, 4 favorable, 1 on merits; **SB 228**, favorably; **SB 229**, 4 favorable, 1 on merits; **SB 234**, favorably; **SB 235**, favorably.

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

HS 1 for HB 479—"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 Part 3, Title 19, Delaware Code," by Quigley and T. S. Johnson; to Labor.

HS 1 for HB 489—"An Act to Amend Chapter 1, Title 26, of the Delaware Code, Pertaining to the Public Service Commission," by Garton; to Revised Statutes.

HS 1 for HB 577—"An Act to Amend Title 26, Delaware Code, Relating to Public Service Commission," by Livingston; to Revised Statutes.

On motion of Mr. Garton, **HB 408** was recommitted.

Mr. Rowan moved that **HB 441**—"An Act to Amend Chapter 5, Title 7, Delaware Code, Relative to Non-Resident Hunting and Trapping License Fees," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Clark, Deputy, Donovan, Garton, Hastings, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Smith, Snowden, (Mrs.) Tunnell, Walls Wilkinson, Wolf, Mr. Speaker Quigley—27.

NAYS—Messrs. Eskridge and Livingston—2.

ABSENT — Messrs. Bostick, Brogan, Hicks, Maclary, Shockley, Wood—6.

HB 441 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Donovan moved that **SB 246**—"An Act Authorizing the Levy Court of New Castle County to Appropriate County Moneys to the Middletown Volunteer Hose Co. for the Maintenance of a Rescue Squad," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Mr. Speaker Quigley—28.

NAYS—None.

ABSENT — Messrs. Bostick, Brogan, Hicks, Maclary, Snowden, Wood—6.

PRESENT—Mr. Shockley—1.

SB 246 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Tunnell moved that **HB 478**—"An Act to Amend Chapter 47 Title 10, Delaware Code, in Relation to the Lien of Judgments," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Mr. Speaker Quigley—30.

NAYS—None.

ABSENT — Messrs. Bostick, Brogan, Hicks, Maclary, Wood—5.

HB 478 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Tunnell moved that **SB 218**—"An Act Appropriating Funds to the Trustees of the Millsboro School No. 204 for the Current Fiscal Year on Account of Unanticipated Expenses as a Result of a New Addition to Millsboro School No. 204," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Clark, Deputy, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Lawson, Layton, Lester, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkson, Wolf, Mr. Speaker Quigley—28.

NAYS—Messrs. Donovan and Keel—2.

ABSENT — Messrs. Bostick, Brogan, Hicks, Maclary, Wood—5.

SB 218 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Rowan moved that **HS 1** for **HB 228**—"An Act to Amend Chapter 7, Title 7, Delaware Code, Relating to Regulations and Prohibitions Concerning Game and Fish, by Prohibiting the Use or Possession of Certain Sizes of Shot at Certain Times," having had its third reading, be taken up for consideration in order to pass the House.

On motion of Mr. Rowan, **HA 1** to **HS 1** for **HB 228** was adopted.

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

YEAS—Messrs. Alexander, Clark, Deputy, Garton, Hastings, B. W. Johnson, T. S. Johnson, Lawson, Macklin, Massey, Mattiford, Mayhew, Pepper, Rowan, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Mr. Speaker Quigley—19.

NAYS—Messrs. Donovan, Eskridge, Layton, Lester, Livingston, Nechay, Queen, Shockley, Smith—9.

NOT VOTING—Mr. Keel—1.

ABSENT — Messrs. Bostick, Brogan, Hicks, Maclary, Wood—5.

PRESENT—Mr. Keel—1.

HS 1 for **HB 228** with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The House recessed at 4:05 P. M.

The Speaker called the House to order at 5:45 P. M.

The Chair presented the following Senate, which was given its first and second readings by title only, and referred to committee as follows:

SB 473—"An Act to Amend Title 21 of the Delaware Code by Providing for Antique Automobile Licensing," to Miscellaneous.

The House recessed at 5:50 P. M.

The Speaker called the House to order at 7:30 P. M.

The Secretary of the Senate informed the House that the Senate submits herewith **SB 85** together with a copy of the Governor's Veto message, which was this day, April 28, 1955, passed by the Senate with a constitutional majority of three-fifths of its members, and respectfully requests constitutional concurrence of the House.

The Chair presented SB 85, together with the Governor's Veto message, which was read and ordered spread upon the Journal of the House:

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

April 27, 1955

To The Senate, 118th General Assembly
State of Delaware

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

I respectfully return herewith this Bill without my approval.

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

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

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

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

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

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

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

Respectfully submitted,

J. CALEB BOGGS, Governor

Mr. Shockley moved that **HB 381**—"An Act to Amend Chapter 26, Title 9, Delaware Code, and Entitled "Zoning", by Changing the Provisions Thereof Affecting Changes in Zoning District, Plan or Regulations; Procedure," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Massey, Mattiford, Nechay, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Wilkinson, Wolf, Mr. Speaker Quigley—24.

NAYS—None.

ABSENT—Messrs. Alexander, Bostick, Brogan, Hicks, T. S. Johnson, Maclary, Mayhew, Pepper, Queen, Walls, Woods—11.

HB 381 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. B. W. Johnson moved that **SB 255** with **SA 1**—"An Act to Amend Chapter 1, Title 15 of the Delaware Code by Abolishing the Present Department of Elections for New Castle County and Creating a New Department of Elections for New Castle County," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Layton, Livingston, Macklin, Massey, Mattiford, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—24.

NAYS—Messrs. Lawson, Lester, Snowden, Wolf—4.

ABSENT—Messrs. Bostick, Brogan, Hicks, T. S. Johnson, Maclary, Mayhew, Wood—7.

SB 255 with **SA 1** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Keel moved that **HB 369**—"An Act to Amend Chapter 1, Title 15 of the Delaware Code Relating to the Department of Elections for Sussex County," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Keel, **HA 1** to **HB 369** was adopted.

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

YEAS — Messrs. Alexander, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Layton, Livingston, Macklin, Massey, Mattiford, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—24.

NAYS—Messrs. Lawson, Lester, Snowden, Wolf—4.

ABSENT—Messrs. Bostick, Brogan, Hicks, T. S. Johnson, Maclary, Mayhew, Wood—7.

HB 369 with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Nechay moved that **HB 282**—"An Act to Amend Chapter 7, Title 7, Delaware Code, Relating to Game and Fish, by Revising the Provisions Concerning the Hunting of Deer and Penalties for Violations Thereof," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Deputy, Massey, Pepper, Queen, Smith, Walls, Mr. Speaker Quigley—7.

NAYS — Messrs. Alexander, Clark, Donovan, Hastings, B. W. Johnson, Keel, Lawson, Layton, Livingston, Macklin, Nechay, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Wilkinson, Wolf—17.

Messrs. Nechay and Wilkinson changed their votes from yea to nay for purpose of reconsideration.

NOT VOTING—Mr. Garton—1.

ABSENT—Messrs. Bostick, Brogan, Hicks, T. S. Johnson, Lester, Maclary, Mayhew, Wood—8.

PRESENT—Messrs. Eskridge and Mattiford—2.

HB 282 not having received the constitutional majority, was lost.

Mr. B. W. Johnson moved that **SB 77**—"An Act Proposing an Amendment to Section 9 of Article 3 of the Constitution of the State of Delaware Relating to the Length of the Unexpired Term to Which a Successor is Elected," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. B. W. Johnson, action was deferred.

The following bills were reported by the Committee on Labor: **HB 367**, favorably; by the Committee on Judiciary: **HB 260**, 4 on merits, 1 unfavorable.

The House adjourned at 10:00 P. M. until 1:00 P. M., Friday, April 29, 1955.

74TH LEGISLATIVE DAY

House met pursuant to adjournment at 1:45 P. M., on Friday, April 29, 1955.

Prayer by the Chaplain, Rev. Buckley.

Members present — Messrs. Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—30.

Members absent — Messrs. Alexander, Bostick, Brogan, Hicks, Rowan—5.

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

The Secretary of the Senate informed the House that the Senate had concurred in: **HCR 22** and **HCR 23**, and that the Senate had passed and requested the concurrence of the House in the following: **SCR 11**, **SB 100**, **SB 263** with **SA 1**, **SB 280**, **SB 370**.

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

HS 1 for **HB 576**—"An Act Providing for a Park Police Pension Fund for Members of the Park Police of the City of Wilmington," by Livingston; to Municipal Corporations.

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

The Chair presented the following Senate Concurrent Resolution and Bills, which were given first and second readings by title only and referred to Committees as follows:

SCR 11—"Expressing Thanks to the Young Democrats of Northern New Castle County Upon Their Hospitality," to Miscellaneous.

SB 100—"An Act to Repeal Chapter 85, Title 9, of the Delaware Code by Abolishing the Office of Collector of Delinquent County Taxes in New Castle County and Transferring All the Powers and Duties Thereof to the Receiver of Taxes and County Treasurer," to Miscellaneous.

SB 258—"An Act to Amend Title 29, Chapter 25 of the Delaware Code Relating to Attorney General by Increasing the Salaries of the Attorney General, Chief Deputy Attorney General and Deputy Attorney Generals and to Provide for Additional Deputies," to Appropriations.

SB 259—"An Act to Amend Chapter 25, Title 29, Section 2505, of the Delaware Code Relating to the Attorney General by Providing That the Attorney General and Deputies May Administer Oaths and Affirmations," to Judiciary.

SB 260 with SA 1—"An Act to Amend Chapter 87, Title 11 of the Delaware Code Relating to State Detectives by Providing for Their Appointment by the Attorney General, Fixing Their Salaries and Their Duties With Members of Police Forces to Serve Requisitions and be Paid Actual Expenses," to Appropriations.

SB 263 with SA 1—"An Act to Amend Chapter 5, Title 28 of the Delaware Code, Relating to the Award of Dates for Harness Racing Meets," to Revised Statutes.

SB 280—"An Act to Amend Chapter 19 Title 10, Delaware Code by Providing for the Appointment by the Levy Court of New Castle County of Commissioners to Examine Certain Indices in New Castle County and Satisfaction Thereof," to Municipal Corporations.

The following bills were reported by the Committee on Appropriations: **SCR 10**, favorably; **SB 274**, on merits; **HS 1** for **HB 484**, favorably; by the Committee on Claims: **HB 513**, 3 favorable, 2 on merits; **HB 517**, 3 favorable, 2 on merits; **HB 532**, favorably; by the Committee on Revenue and Taxation: **HB 588**, on merits; by the Committee on Private Corporations: **SB 109**, favorably; **SB 153**, 3 favorable, 1 on merits; **SB 154**, favorably; by the Committee on Elections: **SB 377**, 3 favorable, 1 on merits; by the Committee on Public Health: **HB 252**, favorably; **HB 272**, favorably; **HB 281**, 4 favorable, 1 on merits; **HB 365**, favorably; **HB 433**, 4 favorable, 1 on merits; **HB 434**, 3 favorable, 2 on merits.

Mr. B. W. Johnson introduced **HR 75**—"Relative to the Pay and Allowances of the Representative from the Tenth District of Sussex County."

WHEREAS, on April 7, 1955, the House, after due consideration of the arguments of the parties, decided that James W. Smith was duly elected to the office of Representative from the Tenth District of Sussex County at the general election held November 2, 1954; and

WHEREAS, Raymond M. Lank had faithfully attended the meetings of the House before the said decision of April 7, 1955, pursuant to House Resolution No. 1; NOW, THEREFORE,

BE IT RESOLVED by the House of Representatives of the 118th General Assembly of the State of Delaware that James W. Smith, as a duly elected member of the House, is entitled to all the pay and allowances of such a member, and

the State Treasurer is hereby authorized and directed to pay to the said James W. Smith all the salary due to him from November 2, 1954, to the expiration of his term, and the State Librarian is authorized and directed to make available to the said James W. Smith a copy of the Delaware Code and such stationery and other supplies as shall have been provided for members of the House; and

BE IT FURTHER RESOLVED that there is hereby appropriated to Raymond M. Lank, as an expense of this session of the House, the sum of Four Hundred Thirty Dollars and Fifty-Six Cents (\$430.56), of which the sum of \$250.00 has been already paid to him, and the State Treasurer is authorized and directed to pay to the said Raymond M. Lank the balance of said sum amounting to \$180.56, and there is also appropriated to Raymond M. Lank, as an expense of this session of the House, the copy of the Delaware Code and the stationery and other supplies previously made available to him by the State Librarian.

The House recessed at 2:30 P. M.

The Speaker called the House to order at 2:45 P. M.

On motion of Mr. B. W. Johnson for roll call on **HR 75**, the following was revealed:

YEAS—Messrs. Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Shockley, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—21.

NAYS—Messrs. T. S. Johnson, Lawson, Lester, Maclary, Snowden, Wolf—6.

NOT VOTING—Mr. Smith—1.

ABSENT—Messrs. Alexander, Bostick, Brogan, Hicks, Layton, Rowan, Wood—7.

HR 75 having received the constitutional majority, passed the House.

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

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, April 29, 1955

To The House of Representatives, 118th General Assembly
State of Delaware

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

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

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

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

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

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

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

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

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

Respectfully, submitted,

J. CALEB BOGGS, Governor

Mr. Massey moved that SB 85—"An Act to Amend Chapter 15, Title 10 of the Delaware Code Relating to the Term of the Judge of the Court of Common Pleas for Kent County," be taken up for consideration in order to pass the House, and override the Governor's Veto.

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

YEAS — Messrs. Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Layton, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—22.

NAYS — Messrs. Lawson, Lester, Maclary, Snowden, Wolf, Wood—6.

ABSENT — Messrs. Alexander, Bostick, Brogan, Hicks, Livingston, Rowan—6.

PRESENT—Mr. T. S. Johnson—1.

SB 85 having received the constitutional three-fifths majority, passed the House and was ordered returned to the Senate.

Mr. Speaker Quigley relinquished the Chair to Mr. Queen.

On motion of Mr. Garton, **HB 394** was recommitted.

The following bill was reported by the Committee on Public Buildings and Highways: **HS 1** for **HB 443**, on merits.

The House recessed at 4:30 P. M.

The Speaker called the House to order at 5:20 P. M.

Mr. Donovan introduced the following resolution, which upon further motion by him was adopted: **HR 76**—"Authorizing the Payment of Certain Expenses Relative to the Rental of Typewriters and Stands for the 118th General Assembly.

BE IT RESOLVED by the House of Representatives of the 118th General Assembly of the State of Delaware that the sum of Forty-Five Dollars (\$45.00) is hereby appropriated to Whelan's, R. D. No. 1, Dover, Delaware, for the rental of three (3) standard typewriters with stands and one (1) electric typewriter for one month, said expense being an expense connected with this session of the General Assembly.

Mr. B. W. Johnson introduced the following resolution, which upon further motion by him was adopted: **HR 77**—"Authorizing the State Librarian to Furnish Stationery and Supplies to Certain Officers and Attaches of the House of Representatives."

BE IT RESOLVED by the House of Representatives of the 118th General Assembly of the State of Delaware that the State Librarian be and she hereby is authorized and directed to furnish to the following officers and attaches of the House of Representatives stationery and other supplies as ordered by them respectively, the cost of which shall not exceed the sum of Ten Dollars (\$10.00) for each such officer or attache:

J. Thomas Collins
Charles W. Daly
Beverly Ann Evans
August Breeding
Mabel E. Layton
Constance M. Barto
Charles Warner
Dorothy B. Green
Rebecca Layfield

The following bill was reported by the Committee on Judiciary: **SB 405**, favorably.

The House adjourned at 5:30 P. M. until 1:00 P. M., Monday, May 2, 1955.

75TH LEGISLATIVE DAY

House met pursuant to adjournment at 1:45 P. M., on Monday, May 2, 1955.

Prayer by the Chaplain, Rev. Buckley.

Members present — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livings-

ton, Macklin, Maclary, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—33.

Members absent—Messrs. Hastings and Mattiford—2.

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

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

SB 329 with SA 1—"An Act to Amend Title 15 of the Delaware Code by Creating the Office of the State Election Commissioner and Defining the Powers and Duties Thereof," to Elections.

SB 330 with SA 1—"An Act to Amend Part II, Title 15, of the Delaware Code Relating to the Registration of Voters," to Elections.

SB 331—"An Act to Amend Chapter 23, Title 15 of the Delaware Code Relating to Penal and Enforcement Provisions of the Registration Laws," to Elections.

SB 332—"An Act to Amend Chapter 21, Title 15 of the Delaware Code, Relating to Registration Appeals," to Elections.

SB 333 with SA 1—"An Act to Amend Chapter 49, and Chapter 50, Title 15 of the Delaware Code Relating to the Conduct of Elections," to Elections.

SB 334 with SA 1—"An Act to Amend Chapter 31, Title 15 of the Delaware Code Relating to Primary Elections and Nominations of Candidates," to Elections.

SB 335 with SA 1 and SA 2—"An Act to Amend Chapter 55, Title 15 of the Delaware Code Relating to Absentee Voting," to Elections.

SB 336—"An Act to Amend Chapter 51, Title 15 of the Delaware Code Relating to Criminal Offenses Arising from Violations of the Election Laws," to Elections.

SB 337—"An Act to Amend Chapter 47, Title 15 of the Delaware Code Relating to Election Officers," to Elections.

SB 338 with SA 1—"An Act to Amend Chapter 45, of the Delaware Code Relating to Election Supplies to be Furnished by Departments of Elections," to Elections.

SB 339—"An Act to Appropriate Certain Funds to the State Auditor in His Capacity as State Election Commissioner for the Purpose of Enabling Him to Carry Out His Powers and Duties Under Title 15 of the Delaware Code," to Elections.

Mr. Donovan moved that **SCR 10**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Bill Appropriating Money to the State Board of Health for the Purchase and Administration of Polio Vaccine," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wolf, Wood, Mr. Speaker Quigley—30.

NAYS—None.

ABSENT—Messrs. Alexander, Hastings, Maclary, Mattiford, Wilkinson—5.

SCR 10 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The Secretary of the Senate informed the House that the Senate had concurred in the following: **HB 36, HB 37, HB 38**, and that the Senate had passed and requested the concurrence of the House in the following bills: **SB 193, SB 202, SB 281, SB 283, SB 348, SB 351, SB 364, SB 379, SB 385, SB 394, SB 402, SB 408** with **SA 1, SB 448, SB 466**.

The following bills were reported by the Committee on Municipal Corporations: **HB 303**, favorably; **HS 1** for **HB 576**, 3 favorable, 2 on merits; by the Committee on Private Corporations: **SB 420**, 3 favorable, 2 on merits; by the Committee on Judiciary: **HB 455**, favorably; by the Committee on Military Affairs: **HB 359**, 4 favorable, 1 on merits.

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

SB 193—"An Act to Amend Title 24, Delaware Code, Entitled "Professions and Occupations" in Respect to the Appointment, Qualifications and Terms of Office of the Board of Accountancy; Requirements for Obtaining Certificate; and in Respect to the Rules and Regulations of the State Board of Accountancy," to Judiciary.

SB 202—"An Act to Amend Chapter 71, Title 3 of the Delaware Code Relating to the Duties and Powers of the Board of Agriculture," to Agriculture and Forestry.

SB 281—"An Act to Amend Chapter 49, Title 10 of the Delaware Code Entitled "Courts and Judicial Procedure" in Respect to Unclaimed Funds After Execution Process in New Castle County," to Municipal Corporations.

SB 283—"An Act to Amend Chapter 19 Title 10, Delaware Code by Providing for the Appointment by the Levy Court of New Castle County of Commissioners to Examine Mortgage Satisfaction in New Castle County," to Municipal Corporations.

SB 348—"An Act to Amend Title 7, Delaware Code, Entitled "Conservation" in Relation to the State Forestry Fund," to Agriculture and Forestry.

SB 351—"An Act to Amend Chapter 41, Title 7, Delaware Code, Entitled "Drainage of Lands; Tax Ditches," to Public Buildings and Highways.

SB 364—"An Act to Appropriate Certain Funds to the Board of Game and Fish Commissioners to Purchase Certain Lands Under Haven Lake in or Near Milford, Delaware," to Fish, Oysters and Game.

SB 379—"An Act to Authorize the Levy Court of Kent County to Make Certain Tax Refunds," to Revenue and Taxation.

SB 385—"An Act Relating to Limitations of Law Affecting the Amount of Bonds Which May be Issued or Bonded Debt Which May be Incurred by "The Mayor and Council of Wilmington", Specifically Excepting from Bonded Debt in Connection With the Slum Clearance and Redevelopment Program and the Urban Renewal Program, and Repealing Inconsistent Acts or Parts of Acts," to Municipal Corporations.

SB 394—"A Bill to Amend Title 5, Chapter 1, Delaware Code, 1953, Relating to the State Bank Commissioner by Providing That the Trustees of Certain Oil Royalty and Similar Trusts Shall be Under the Supervision of the State Bank Commissioner; Providing for the Payment of Fees to the State Bank Commissioner for Examination; and Providing Penalties for Failure to Report and Submit to Examination," Insurance and Banking.

SB 402—"An Act to Amend Chapter 15, Title 10, of the Delaware Code Relating to the Court of Common Pleas for Kent County," to Judiciary.

SB 408 with SA 1—"An Act to Authorize the Mayor and Council of Wilmington to Borrow and Issue Bonds of the City for the Purpose of Aiding the Wilmington Housing Authority as the Slum Clearance and Redevelopment Authority of Slum Clearance and Redevelopment Agency, or the Local Public Agency of the City of Wilmington, Delaware in Carrying Out Its Purposes and Functions Under 31 Del. C. c. 45, and to Further Enable the Mayor and Council of Wilmington to Comply With the Provisions of the Housing Act of 1949 as Amended and the Housing Act of 1954 as the Last Two Acts Have Been Approved by the Congress of the United States of America," to Municipal Corporations.

SB 448—"An Act to Amend Chapter 23, Title 19 of the Delaware Code Relating to Workmen's Compensation," to Labor.

SB 466—"An Act to Amend Chapter 162, Volume 37 Laws of Delaware Relating to City Taxes Upon Farm Lands in the City of Milford, Delaware," to Municipal Corporations.

On motion of Mr. Wolf, House rules were suspended.

Mr. Wolf moved that **HB 303**—"An Act Amending Chapter 152, Volume 48, Laws of Delaware, Being An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the

'City of Newark' and Establishing a Charter Therefor" by Amending the Borrowing Power of the City for Current Expenses," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Eskridge, Garton, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Massey, Mayhew, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wolf, Wood, Mr. Speaker Quigley—29.

NAYS—None.

ABSENT—Messrs. Donovan, Hastings, Maclary, Mattiford, Nechay, Wilkinson—6.

HB 303 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Wolfe, the House Rules were restored.

Mr. Deputy moved that HB 315—"An Act to Amend Chapter 5, Title 19, Delaware Code, Entitled "Child Labor", Omitting Obsolete Provisions and Changing Substantive and Administrative Provisions of the Chapter," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Eskridge, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Massey, Mayhew, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wolf, Wood, Mr. Speaker Quigley—28.

NAYS—None.

ABSENT—Messrs. Donovan, Garton, Hastings, Maclary, Mattiford, Nechay, Wilkinson—7.

HB 315 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Shockley moved that HB 342—"An Act to Amend Chapter 1, Title 19, Delaware Code, Relating to Labor Commission of Delaware by Increasing the Salary of the Labor Inspector," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Eskridge, Garton, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Lester, Livingston, Macklin, Mayhew, Pepper, Queen, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wolf, Wood, Mr. Speaker Quigley—26.

NAYS—None.

ABSENT—Messrs. Donovan, Hastings, Layton, Maclary, Mattiford, Nechay, Wilkinson—7.

PRESENT—Messrs. Massey and Smith—2.

HB 342 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Shockley moved that **HB 343**—"An Act to Amend Chapter 1, Title 19, Delaware Code, Relating to the Labor Commission of Delaware by Increasing the Salary of the State Child Labor Inspector," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Eskridge, Hicks, B. W. Johnson, Keel, Lawson, Lester, Livingston, Macklin, Maclary, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wolf, Wood, Mr. Speaker Quigley—21.

NAYS—Mr. Donovan—1.

NOT VOTING—Mr. Garton—1.

ABSENT—Messrs. Hastings, Layton, Mattiford, Nechay, Wilkinson—5.

PRESENT — Messrs. T. S. Johnson, Massey, Mayhew, Pepper, Queen, Rowan, Smith—7.

HB 343 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Wolf moved that **HB 208**—"An Act to Amend An Act Entitled 'An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor' by Permitting the Sale of Water Outside of the City Limits," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawton, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wolf, Wood, Mr. Speaker Quigley—32.

NAYS—None.

ABSENT—Messrs. Hastings, Mattiford, Wilkinson—3.

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

Mr. Lester moved that **HB 104**—"An Act to Amend Title 19, Delaware Code, Relating to Unemployment Compensation by Increasing the Maximum Weekly Benefit Amount and Maximum Benefit Eligibility, by Increasing the Tax Base and Reducing the Minimum Tax Rate," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Brogan, Deputy, Donovan, Eskridge, Garton, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mayhew, Nechay, Queen, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wolf, Wood, Mr. Speaker Quigley—28.

NAYS—None.

ABSENT—Messrs. Hastings, Mattiford, Wilkinson—3.

PRESENT — Messrs. Alexander, Clark, Pepper, Smith—4.

HB 104 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Maclary moved that **HB 187**—"An Act Appropriating Money to the Belvidere Volunteer Fire Company, at Belvidere," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Donovan, Eskridge, Garton, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wolf, Wood, Mr. Speaker Quigley—31.

NAYS—Mr. Deputy—1.

ABSENT—Messrs. Hastings, Mattiford, Wilkinson—3.

HB 187 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Donovan moved that **HB 168**—"An Act Appropriating Money to the Farmington Volunteer Fire Company, at Farmington," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Donovan, **HA 1** to **HB 168** was adopted.

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

YEAS—Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wolf, Wood, Mr. Speaker Quigley—31.

NAYS—None.

ABSENT — Messrs. Alexander, Hastings, Mattiford, Wilkinson—4.

HB 168 with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Donovan moved that **SB 173**—"An Act Appropriating Money to the Gumboro Volunteer Fire Company at Gumboro, Delaware," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Donovan, **HA 1** to **SB 173** was adopted.

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

YEAS—Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wolf, Wood, Mr. Speaker Quigley—31.

NAYS—None.

ABSENT — Messrs. Alexander, Hastings, Mattiford, Wilkinson—4.

SB 173 with **HA 1** having received the constitutional majority, passed the House and was ordered returned to the Senate for concurrence.

Mr. Mayhew moved that **SB 182**—"An Act to Amend Chapter 5, Title 18 of the Delaware Code Relating to Requirements for Issuance of Original of Renewed Certificates of Authority of Insurance Companies," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Bostick, Brogan, Clark, Deputy, Garton, Hicks, B. W. Johnson, T. S. Johnson, Keel, Layton, Livingston, Massey, Mayhew, Pepper, Queen, Rowan, Smith, (Mrs. Tunnell, Walls, Mr. Speaker Quigley—20.

NAYS—Messrs. Lawson, Macklin, Shockley—3.

ABSENT—Messrs. Alexander, Hastings, Lester, Maclary, Mattiford, Wilkinson—6.

PRESENT—Messrs. Donovan, Eskridge, Nechay, Snowden, Wolf, Wood—6.

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

Mr. Wolk moved that **HB 209** with **HA 1**—"An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Providing for the Vacation of City Streets," having had its third reading, be taken up for consideration in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston,

Macklin, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wolf, Wood, Mr. Speaker Quigley—31.

NAYS—None.

ABSENT—Messrs. Hastings, Maclary, Mattiford, Wilkinson—4.

HB 209 with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Wolf moved that **HB 211**—"An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Changing the Qualifications for Mayor and Councilmen and by Changing the Provisions for Nominating Petitions," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wolf, Wood, Mr. Speaker Quigley—31.

NAYS—None.

ABSENT—Messrs. Hastings, Maclary, Mattiford, Wilkinson—4.

HB 211 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The Chair announced that he is about to sign: **HCR 22**, **HCR 23**, **HB 181** with **HA 1**.

The House recessed at 3:45 P. M.

The Speaker called the House to order at 5:40 P. M.

The following bill was reported by the Committee on Accounts: **SB 194**, 4 favorable, 1 on merits.

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

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, May 2, 1955

To The House of Representatives, 118th General Assembly
State of Delaware

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

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

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

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

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

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

Respectfully submitted,

J. CALEB BOGGS

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

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

YEAS — Messrs. Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—31.

NAYS—None.

ABSENT—Messrs. Alexander, Bostick, Hastings, Matti-ford—4.

SB 213 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Wolk moved that **HB 212**—"An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Removing the Prohibition Against the Manufacturing or Generation of Electric Light and Power," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—31.

NAYS—None.

ABSENT—Messrs. Alexander, Bostick, Hastings, Mattiford—4.

HB 212 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following concurrent resolution was introduced, given first and second readings by title only and referred to committee:

HCR 24—"Regarding a Joint Session to Obtain Information About the New Castle County Police Force and the State Police," by Maclary and Quigley; to Miscellaneous.

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

SB 230—"An Act to Legalize and Validate Acts Done or Proceedings Taken to Establish Sanitary Sewer Districts in New Castle County and to Provide Therein Facilities for the Collection, Treatment and Disposal of Sewage, and Bonds Issued by New Castle County to Finance the Cost Thereof," to Appropriations.

SB 249—"An Act to Amend Chapter 23, Title 9, of the Delaware Code Relating to the Qualifications of Voters for Elections in Sanitary Sewer Districts," to Municipal Corporations.

SB 250—"An Act to Amend Chapter 6, Title 9 of the Delaware Code Relating to Petition of Freeholders to the Levy Court With Respect to a Proposed Suburban Park Community," to Municipal Corporations.

SB 251—"An Act to Amend Chapter 26, Title 9 of the Delaware Code Concerning the List of Non-Conforming Uses Related to Zoning in New Castle County," to Municipal Corporations.

SB 252—"An Act to Amend Chapter 83, Title 16 of the Delaware Code Relating to the Promulgation of the Building Code in New Castle County," to Municipal Corporations.

SB 253—"An Act to Amend Chapter 15, Title 9 of the Delaware Code Relating to the Powers and Duties of the Levy Court of New Castle County," to Municipal Corporations.

SB 303—"An Act to Amend Chapter 17, Title 7 of the Delaware Code Relating to Dog and Kennel License Fees," to Fish, Oysters and Game.

SB 304 with SA 1—"An Act to Amend Chapter 17, Title 7 of the Delaware Code by Establishing a Division of Dog Law Management Under the Board of Game and Fish Commissioners," to Fish, Oysters and Game.

The House adjourned at 6:00 P. M. until 1:00 P. M., Tuesday, May 3, 1955.

76TH LEGISLATIVE DAY

House met pursuant to adjournment at 1:50 P. M., on Tuesday, May 3, 1955.

Prayer by the Chaplain, Rev. Buckley.

Members present — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Ekridge, Garton, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—31.

Members absent — Messrs. Alexander, Hastings, Rowan, Snowden—4.

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

The following bills were reported by the Committee on Miscellaneous: **HCR 24**, favorably; by the Committee on Elections: **SB 328**, favorably; **SB 329 with SA 1**, favorably; **SB 330 with SA 1**, 3 favorable, 1 unfavorable; **SB 331**, favorably; **SB 336**, favorably; by the Committee on Labor: **SB 448**, 4 favorable, 1 on merits; **HB 431**, 4 favorable, 1 on merits; **HB 432**, 4 on merits, 1 favorable; **HB 523**, 4 on merits, 1 favorable.

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

SB 220—"An Act to Amend Title 11 Delaware Code by Increasing the Penalty for Contributing to the Delinquency of a Child," to Judiciary.

SB 221—"An Act to Amend Title 13, of the Delaware Code by Removing the Monetary Limits Relative to the Support of and Relative to the Medical and Lying in Expenses Incident to the Birth of an Illegitimate Child," to Judiciary.

SB 284—"An Act to Amend Chapter 67, Title 11 of the Delaware Code Relating to the New Castle County Workhouse, by Providing for the Sale or Lease of Property and Disposition of Proceeds," to Miscellaneous.

SB 300—"An Act Making a Deficiency Appropriation to the Lord Baltimore School District," to Appropriations.

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

HCR 25—"Memorializing the Federal Government of the United States of America to Dissolve Diplomatic and Commercial Relations With Soviet Russia and All Other Communist Controlled Nations, to Promote Their Expulsion from the United Nations and to Resist Certain Changes in the United Nations Charter," by Garton; to Federal Relations.

The Chair announced he is about to sign: **HB 36**, **HB 37**, **HB 38**.

On motion of Mr. Garton, **HB 591** was stricken from the calendar.

On motion of Mr. Macklin, the veto message of the Governor on **HB 56** with **SA 1** was read to the House.

Mr. Massey moved that **SB 405**—"An Act to Amend Title 29, Delaware Code, by Adding a New Chapter Providing for Pensions for Members of the State Judiciary," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Eskridge, Garton, B. W. Johnson, T. S. Johnson, Keel, Lawson, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—26.

NAYS—Messrs. Donovan and Lester—2.

ABSENT — Messrs. Alexander, Hastings, Layton, Maclary, Rowan, Snowden—6.

PRESENT—Mr. Hicks—1.

SB 405 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Donovan moved that **SB 197**—"An Act Authorizing the Levy Court of New Castle County to Appropriate County Moneys to the Wilmington Manor Fire Company, the Good Will Fire Company, the Elsmere Fire Company, and the Aetno Hook, Hose and Ladder Company for the Maintenance of a Rescue Squad," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Hicks, B. W. Johnson, T. S. Johnson, Lawson, Lester, Livingston, Macklin, Massey, Mattiford,

Mayhew, Nechay, Pepper, Queen, Shockley, Smith, (Mrs.) Tunnell, Walls, Wolf, Wood, Mr. Speaker Quigley—26.

NAYS—None.

ABSENT—Messrs. Alexander, Garton, Hastings, Keel, Layton, Maclary, Rowan, Snowden, Wilkinson—9.

SB 197 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Donovan moved that **HB 444**—"An Act to Amend Chapter 21 Title 16, Delaware Code, Relating to Mattresses, Pillows and Bedding," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hicks, B. W. Johnson, T. S. Johnson, Lawson, Lester, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—25.

NAYS—None.

ABSENT—Messrs. Alexander, Brogan, Hastings, Keel, Layton, Maclary, Queen, Rowan, Shockley, Snowden—10.

HB 444 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The Secretary of the Senate informed the House that the Senate had concurred in the following bills: **HB 296**, **HB 307**, and that the Senate had passed and requested the concurrence of the House in the following: **SB 184** with **SA 1**, **SB 261** with **SA 1**, **SB 414**, **SB 427**.

The House recessed at 3:00 P. M.

The Speaker called the House to order at 6:00 P. M.

The House adjourned at 6:01 P. M. until 1:00 P. M., Wednesday, May 4, 1955.

77TH LEGISLATIVE DAY

House met pursuant to adjournment at 1:30 P. M., on Wednesday, May 4, 1955.

Prayer by the Chaplain, Rev. Buckley.

Members present — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawton, Layton, Lester, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—34.

Member absent—Mr. Livingston—1.

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

Mr. Queen moved that **SB 420**—"An Act to Appropriate Certain Funds to the State Highway Department in Order to Provide a Ten Per Cent Increase in Salaries for State Police Employees," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Eskridge, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mattiford, Mayhew, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—31.

NAYS—None.

ABSENT — Messrs. Donovan, Garton, Livingston, Nechay—4.

SB 420 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Macklin, on behalf of Mr. Quigley, moved that **HB 362**—"An Act to Amend Chapter 5, Title 29, of the Delaware Code, by Providing for the Designation of the Official Flag of the State of Delaware," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Eskridge, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mattiford, Mayhew, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—31.

NAYS—None.

ABSENT — Messrs. Donovan, Garton, Livingston, Nechay—4.

HB 362 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Macklin, on behalf of Mr. Quigley, moved that **HB 378**—"An Act to Amend Chapter 5, Title 29 of the Delaware Code by Providing for the Designation of the Official Flower of the State of Delaware," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Clark, Deputy, Eskridge, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Macklin, Maclary, Massey, Mattiford, Mayhew, Pepper, Queen, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—28.

NAYS—None.

ABSENT — Messrs. Brogan, Donovan, Garton, Lester, Livingston, Nechay, Rowan—7.

HB 378 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Macklin, on behalf of Mr. Quigley, moved that **HB 379**—"An Act to Amend Chapter 5, Title 29 of the Delaware Code by Providing for the Designation of the Official Flag of the Governor of the State of Delaware," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Clark, Deputy, Eskridge, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mattiford, Mayhew, Pepper, Queen, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—29.

NAYS—None.

ABSENT—Messrs. Brogan, Donovan, Garton, Livingston, Nechay, Rowan—6.

HB 379 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Massey moved that **HB 328**—"An Act to Amend Chapter 39, Title 12, Delaware Code, Relating to Guardian and Ward by Providing for Waiver of Bond and Court Costs in Cases of Indigent Wards," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Clark, Deputy, Eskridge, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mattiford, Mayhew, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—30.

NAYS—None.

ABSENT—Messrs. Brogan, Donovan, Garton, Livingston, Nechay—5.

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

Mr. Maclary moved that **HCR 24**—"Regarding a Joint Session to Obtain Information About the New Castle County Police Force and the State Police," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Eskridge, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary,

Massey, Mattiford, Mayhew, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—31.

NAYS—None.

ABSENT — Messrs. Donovan, Garton, Livingston, Nechay—4.

HCR 24 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Hicks moved that **HB 414**—"An Act to Amend Chapter 7, Title 4, Delaware Code, Relating to Alcoholic Liquors, by Further Defining Holidays," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Alexander, Brogan, Deputy, Hastings, Hicks, B. W. Johnson, Keel, Layton, Lester, Pepper, Queen, Rowan, Shockley, Smith, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—18.

NAYS—Messrs. Macklin, Snowden, Mrs. Tunnell—3.

NOT VOTING—Mr. Donovan—1.

ABSENT—Messrs. Garton, Livingston, Nechay—3.

PRESENT — Messrs. Bostick, Clark, Eskridge, T. S. Johnson, Lawson, Maclary, Massey, Mattiford, Mayhew, Walls—10.

HB 414 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Hicks moved that **HB 415**—"An Act to Amend Chapter 9, Title 4, Delaware Code, Entitled Criminal Offenses and Penalties by Increasing Offenses Relating to Minors," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Alexander, Bostick, Deputy, Hicks, B. W. Johnson, Keel, Lester, Macklin, Maclary, Massey, Queen, Shockley, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—18.

NAYS — Messrs. Brogan, Clark, Donovan, Eskridge, Layton, Mattiford, Mayhew, Pepper, Rowan, Smith, Snowden—11.

NOT VOTING—Mr. Garton—1.

ABSENT—Messrs. Lawson, Livingston, Nechay—3.

PRESENT—Messrs. Hastings and T. S. Johnson—2.

HB 415 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Mayhew moved that **HB 427**—"An Act to Amend Chapter 19, Title 10, Delaware Code, Relating to Judicial Reports by Increasing Payments to Reporters for Reports," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Keel, Lawton, Layton, Lester, Macklin, Maclary, Massey, Mattiford, Mayhew, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—31.

NAYS—None.

ABSENT—Messrs. Hicks, Livingston, Nechay, Snowden—4.

HB 427 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

The House recessed at 3:00 P. M.

The Speaker called the House to order at 4:20 P. M.

The following bills were reported by the Committee on Municipal Corporations: **HB 534**, favorably; **HB 408**, favorably; by the Committee on Miscellaneous: **HB 142**, 4 favorable, 1 on merits; **HB 412**, on merits; **SB 277**, 3 favorable, 2 on merits; **SB 284**, on merits; by the Committee on Insurance and Banking: **SB 394**, favorably; by the Committee on Elections: **SB 332**, favorably; **SB 333** with **SA 1**, 3 favorable, 1 on merits; **SB 334** with **SA 1**, favorably; **SB 335** with **SA 1** and **SA 2**, favorably; **SB 337**, favorably; **SB 338** with **SA 1**, favorably; **SB 339**, favorably.

Mr. T. S. Johnson moved that **HB 225**—"An Act to Change the Corporate Name of "The Commissioners of the Town of Bethany Beach" to the "Town of Bethany Beach" and to Establish a Revised Charter Therefor," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. T. S. Johnson, **HA 1, HA 2** and **HA 3** to **HB 225** were adopted.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mattiford, Mayhew, Pepper, Rowan, Shockley, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—30.

NAYS—None.

ABSENT—Messrs. Livingston, Nechay, Snowden—3.

PRESENT—Messrs. Queen and Smith—2.

HB 225 with **HA 1, HA 2** and **HA 3** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley, **HS 1** for **HB 223** was adopted.

Mr. Shockley moved that **HS 1** for **HB 223**—"An Act to Re-Incorporate the Town of Elsmere, New Castle County," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Layton, Macklin, Massey, Mattiford, Mayhew, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—24.

NAYS—Mr. Maclary—1.

NOT VOTING—Messrs. Keel, Lester, Snowden, Wolf, Wood—5.

ABSENT—Messrs. Livingston and Nechay—2.

PRESENT—Messrs. Hicks, T. S. Johnson, Lawson—3.

HS 1 for **HB 223** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Rowan moved that **SB 148** with **SA 1**—"An Act to Amend Chapter 7 of Title 7 of the Delaware Code Relating to the Sale and Possession of Rabbits Received from Other States," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Rowan, action was deferred.

Mr. Deputy moved that **SB 257**—"An Act Appropriating Certain Moneys to Otto D. Zacharias, Trading as Lewis Hardware Store, in Payment of the Claim of the Said Otto D. Zacharias Against the State of Delaware for Merchandise Supplied to the State Highway Department," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mattiford, Mayhew, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—32.

NAYS—Mr. Donovan—1.

ABSENT—Messrs. Livingston and Nechay—2.

SB 257 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The House recessed at 6:00 P. M.

The Speaker called the House to order at 8:35 P. M.

The following bills were reported by the Committee on Public Health: **HB 280**, 4 on merits, 1 favorable; by the Committee on Revised Statutes: **HB 67**, on merits; **HB 185**, on

merits; **HB 424**, on merits; **HB 428**, favorably; by the Committee on Fish, Oysters and Game: **SB 303**, favorably; **SB 304**, favorably.

Mr. Brogan moved that **SB 194**—"An Act to Amend Chapter 95, Title 9 of the Delaware Code by Raising the Salary of the Coroner of New Castle County," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—32.

NAYS—None.

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

SB 194 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Massey moved that **HB 385**—"An Act to Amend Subchapter II, Title 24, Delaware Code, Entitled "Dentistry", by Increasing the Fees to be Charged for the Renewal of the Certificate of Registration Required for the Practice of Dentistry in the State of Delaware," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—33.

NAYS—None.

ABSENT—Messrs. Livingston and Mattiford—2.

HB 385 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Massey moved that **HB 386**—"An Act to Amend Subchapter II, Title 24, Delaware Code, Entitled "Dentistry" by Including Under Qualifications of Applicants for Licenses Service as a Dental Officer for One Year With the Armed Forces of the United States," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester,

Macklin, Maclary, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—33.

NAYS—None.

ABSENT—Messrs. Livingston and Mattiford—2.

HB 386 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Massey moved that **HB 387**—"An Act to Amend Subchapter III, Title 24, Delaware Code, Entitled "Oral Hygiene", by Providing for the Issuance of a Certificate for the Practice of Oral Hygiene to Those Applicants Who Have Graduated from a Two Year Approved Academic Course in a Training School for Oral Hygienists Without the Requirement of One Year of Clinical Work," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—32.

NAYS—None.

ABSENT—Messrs. Donovan, Livingston, Mattiford—3.

HB 387 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Massey moved that **HB 397**—"An Act to Amend Subchapter I, Title 24, Delaware Code, Entitled "State Board of Dental Examiners", by Increasing the Compensation of Members of the Board," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Brogan, Clark, Deputy, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mayhew, Pepper, Snowden, (Mrs.) Tunnell, Wilkinson, Wolf—21.

NAYS — Messrs. Alexander, Nechay, Shockley, Smith, Walls—5.

ABSENT—Messrs. Livingston and Mattiford—2.

PRESENT — Messrs. Bostick, Donovan, Keel, Queen, Rowan, Wood, Mr. Speaker Quigley—7.

HB 397 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Massey moved that **HB 398**—"An Act to Reincorporate the City of New Castle and to Repeal Chapter 216 Volume 27, Laws of Delaware, as Amended, Entitled "An Act Amending, Revising and Consolidating the Charter of the

City of New Castle" and Repealing Certain Other Acts Concerning the City of New Castle Inconsistent Herewith Relating to the Board of Education, Elections, City Clerk, Board of Water and Light Commissioners, Sewers and Disposal Works," be taken up for consideration and read for the third time in order to pass the House.

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mayhew, Nechay, Pepper, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—31.

NAYS—Messrs. Queen and Smith—2.

ABSENT—Messrs. Livingston and Mattiford—2.

HB 398 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Massey moved that HB 399—"An Act to Amend Chapter 11, Subchapter II, Title 24, Delaware Code, Providing for Certain Specific Penalties for Violation of Section 1130, of Subchapter II, Entitled "Dentistry", by Increasing the Penalty for Persons Who Repair, Construct, Adjust or Alter Any Appliance, Denture, or Denture Restoration, Without the Authorization and Responsibility of a Registered Practitioner of Dentistry, and Providing for Mandatory Jail Sentence for the Second or Further Offense," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Brogan, Clark, Deputy, Eskridge, Garton, Hastings, T. S. Johnson, Keel, Lawson, Lester, Macklin, Maclary, Massey, Mayhew, Pepper, Snowden, (Mrs.) Tunnell, Walls, Wolf, Wood—21.

NAYS — Messrs. Bostick, Donovan, Layton, Shockley, Smith—5.

NOT VOTING—Messrs. B. W. Johnson, Nechay, Queen, Wilkinson—4.

ABSENT—Messrs. Hicks, Livingston, Mattiford—3.

PRESENT—Mr. Rowan and Mr. Speaker Quigley—2.

HB 399 not having received the constitutional majority, was lost.

Mr. Brogan moved that HB 103—"An Act to Appropriate Moneys to Certain Hospitals in the State of Delaware," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Shockley, HA 1 to HB 103 was adopted.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester,

Macklin, Maclary, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—33.

NAYS—None.

ABSENT—Messrs. Livingston and Mattiford—2.

HB 103 with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Queen moved that **HB 252**—"An Act to Amend Chapter 51, Title 16, Delaware Code, by Making Provisions for the Care of Mentally Ill Persons in State Institutions Applicable to Commitment, Transfer, Care and Release of Persons Entitled to Such Services in Hospitals of the Veterans Administration," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—33.

NAYS—None.

ABSENT—Messrs. Livingston and Mattiford—2.

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

Mr. Bostick moved that **SB 256**—"An Act to Provide for the Return of Certain Funds to the Unemployment Compensation Administration Fund," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—33.

NAYS—None.

ABSENT—Messrs. Livingston and Mattiford—2.

SB 256 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Snowden, the House continued in session until 10:00 P. M. on basis of Eastern Standard Time as provided in House Rules.

Mr. Nechay moved that **HB 422**—"An Act Authorizing the State of Delaware to Make, Execute, Acknowledge and Deliver Unto Rainbow Cove, Inc., a Corporation of the State of Delaware, a Deed Conveying Whatever Interest the State

Has in Certain Lands Now Occupied by Rainbow Cove, Inc., Along the Eastern Side of Rehoboth Bay, in Sussex County, and Authorizing Rainbow Cove, Inc., to Construct a Bulkhead Along the Northwestern Side Thereof," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Brogan, Clark, Deputy, Eskridge, Hicks, B. W. Johnson, Lawson, Layton, Maclary, Pepper, Rowan, Snowden, Walls, Mr. Speaker Quigley—15.

NAYS—Messrs. Queen and Shockley—2.

Messrs. Queen and Shockley changed their votes from yea to nay for purpose of reconsideration.

NOT VOTING—Messrs. Macklin and Wolf—2.

ABSENT—Messrs. Hastings, Keel, Lester, Livingston, Cattiford, Smith—6.

PRESENT—Messrs. Bostick, Donovan, Garton, T. S. Johnson, Massey, Mayhew, Nechay, (Mrs.) Tunnell, Wilkinson, Wood—10.

HB 422 not having received the constitutional majority, was lost.

Mr. Queen moved that **HB 556**—"An Act to Amend Title 11, Delaware Code, Making the Holding of United States Wagering Stamp Prima Facie Evidence of Gambling Law Violation," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Bostick, Brogan, Deputy, Donovan, Keel, Nechay, Queen, Snowden, (Mrs.) Tunnell, Wilkinson, Wolf, Wood—12.

NAYS — Messrs. Lawson, Layton, Macklin, Mayhew, Shockley—5.

ABSENT — Messrs. Alexander, Hicks, B. W. Johnson, T. S. Johnson, Livingston, Mattiford, Walls—7.

PRESENT — Messrs. Clark, Eskridge, Garton, Hastings, Lester, Maclary, Massey, Pepper, Rowan, Smith, Mr. Speaker Quigley—11.

HB 556 not having received the constitutional majority, was lost.

Mr. Donovan, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: On April 28, 1955—**HB 299** with **HA 1**; on May 3, 1955—**HB 36**, **HB 37**, **HB 38**, **HB 181** with **HA 1**, **HCR 22**, **HCR 23**.

The House adjourned at 9:55 P. M., Eastern Standard Time, until 1:00 P. M., E. D. T., Tuesday, May 5, 1955.

78TH LEGISLATIVE DAY

House met pursuant to adjournment at 1:40 P. M., on Thursday, May 5, 1955.

Prayer by the Chaplain, Rev. Buckley.

Members present—Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—34.

Member absent—Mr. Mattiford—1.

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

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

HS 1 for HB 558—"An Act to Appropriate a Sum of Money to the State Building and Grounds Commission for the Construction of Water Mains and Associated Equipment on State Lands at Dover," by Queen; to Appropriations.

HS 1 for HB 535—"An Act to Designate a Permanent Site in the City of Wilmington for the Farmers or Curbstone Market," by Quigley and Hicks; to Municipal Corporations.

HS 1 for HB 580—"An Act to Amend Title 25, Delaware Code of 1953, Entitled "Property" by Adding a New Chapter Relating to Off Site Improvements to be Made in Connection With the Development of Real Property, Such as Installation of Streets, Curbs, Gutters, Sidewalks, Storm Sewers, Sanitary Sewers, Water Systems and Lines as Well as Community Recreational and Commercial Shopping Areas; Providing for the Issuance of Bonds by the State to Cover the Cost Thereof, and Regulating the Installation of Such Improvements," by Quigley; to Municipal Corporations.

The Chair announced he is about to sign: **HB 296, HB 307.**

On motion of Mr. Wilkinson, **HB 288** was recommitted.

Mr. Eskridge moved that **SB 140**—"An Act to Amend Section 19 of Article 3 of the Constitution of the State of Delaware Relating to the Compensation of the Lieutenant Governor," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Hicks, T. S. Johnson, Lawson, Lester, Maclary, Snowden, Wolf—7.

NAYS — Messrs. Alexander, Brogan, Clark, Deputy, Donovan, B. W. Johnson, Layton, Livingston, Macklin, Mayhew, Queen, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—16.

ABSENT—Messrs. Bostick, Garton, Massey, Mattiford, Wood—5.

PRESENT—Messrs. Eskridge, Hastings, Keel, Nechay, Pepper, Rowan, Shockley—7.

SB 140 not having received the constitutional majority, was lost.

The Secretary of the Senate informed the House that the Senate had concurred in the following: **HB 554** with **HA 1**, and that the Senate had passed and requested the concurrence of the House in the following bills, which were presented by the Chair, given first and second readings by title only and referred to committees as follows:

SB 271—"An Act Appropriating Funds to the Trustees of the Absalom Jones School, District 106, for the Current Fiscal Year on Account of Unanticipated Expenses for Fuel, Electric and Miscellaneous Expenses," to Appropriations.

SB 317—"An Act to Amend Chapter 17, Title 11 of the Delaware Code Relating to Bonds and Recognizances," to Appropriations.

SB 397—"An Act to Amend Section 508, Title 22, Delaware Code, Relating to Parking Authorities," to Municipal Corporations.

SB 398—"An Act to Amend Section 504, Title 22, Delaware Code, Relating to Parking Authorities," to Municipal Corporations.

SB 399—"An Act to Amend Section 504, Title 22, Delaware Code, Relating to Parking Authorities," to Municipal Corporations.

SB 422—"An Act Appropriating Money to the Delaware Commission for the Blind for Direct Payments to the Needy Blind of the State of Delaware," to Revised Statutes.

SB 423—"An Act to Amend Chapter 96, Title 9, of the Delaware Code Relating to Fees Charged by the Recorder of Deeds in Kent and Sussex Counties," to Appropriations.

SB 440—"An Act Appropriating Money to the Delaware Commission for the Blind for the Education of Blind Children," to Appropriations.

SB 452—"An Act to Appropriate Certain Funds to the Trustees of the Hockessin School District," to Appropriations.

The following bills were reported by the Committee on Public Buildings and Highways: **HB 336**, 4 on merits, 1 unfavorable; **HB 355**, favorably; **HB 480**, on merits; by the Committee on Federal Relations: **HCR 25**, 2 favorable, 2 unfavorable.

Mr. Queen assumed the Chair.

Mr. Maclary moved that **HB 341**—"An Act to Amend Title 9 and Title 30 of the Delaware Code by Providing for a Municipal Street Aid Fund from the Proceeds of the State Motor Fuel Tax and the Proper Distribution of Such Fund to All Incorporated Cities and Towns for Street Purposes," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Maclary, **HA 1** to **HB 341** was adopted. Action deferred on motion of Mr. Quigley.

The House recessed at 3:00 P. M.

The Speaker called the House to order at 5:15 P. M.

The Chair announced he is about to sign: **HB 554** with **HA 1**.

On motion of Mr. Queen, the House rules were suspended.

Mr. Queen introduced **HCR 26**.

Mr. Queen moved that **HCR 26**—"Suspending House Concurrent Resolution No. 12, for the Purpose of Permitting the Introduction of a Bill Increasing the Rate of a Special Tax on Gross Premiums of Fire Insurance Companies for the Purpose of Assisting in Maintaining Fire Companies," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Queen, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—30.

NAYS—None.

ABSENT—Messrs. Hastings, Hicks, Maclary, Mattiford, Rowan—5.

HCR 26 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Garton moved that **HCR 25**—"Memorializing the Federal Government of the United States of America to Dissolve Diplomatic and Commercial relations With Soviet Russia and All Other Communist Controlled Nations, to Promote Their Expulsion from the United Nations and to Resist Certain Changes in the United Nations Charter," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Brogan, Garton, Livingston—3.

NAYS — Messrs. Macklin, Queen, Shockley, Snowden, (Mrs.) Tunnell, Wolf, Wood—7.

NOT VOTING—Messrs. Rowan, Walls, Wilkinson—3.

ABSENT—Messrs. Hastings, Hicks, Maclary, Massey—4.

PRESENT—Messrs. Alexander, Bostick, Clark, Deputy, Donovan, Eskridge, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Massey, Mayhew, Nechay, Pepper, Smith, Mr. Speaker Quigley—18.

HCR 25 not having received the constitutional majority, was lost.

On motion of Mr. Queen, the House Rules were restored.

Mr. Hastings moved that **HB 583**—"An Act to Amend Chapter 27, Title 29, Delaware Code, Relating to State Treasurer by Providing Changes in the Bond Servicing Procedure," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Hastings, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Wood, Mr. Speaker Quigley—29.

NAYS—None.

ABSENT—Messrs. Garton, Hicks, Maclary, Mattiford, Snowden, Wolf—6.

HB 583 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Layton introduced the following resolution, which upon further motion by him was adopted: **HR 78**—"Relative to the Payment on Account for Collecting Data, Compiling, Editing and Publishing the Daily Calendar for the House of Representatives of the 118th General Assembly of the State of Delaware."

BE IT RESOLVED by the House of Representatives of the 118th General Assembly of the State of Delaware that the sum of Five Thousand Seven Hundred Fifty-Six Dollars and Forty Cents (\$5,756.40) is hereby appropriated out of the moneys of the State Treasury, not otherwise appropriated, for part payment to The Sussex Countian, Inc., of Georgetown, Delaware, the lowest and responsible bidder, for collecting data, compiling, editing and publishing the daily calendar for the House of Representatives of the State of Delaware, from April 1st to and including April 29th, 1955, said calendar being necessary to the business of the House and the expense thereof being a necessary expense connected with this Session.

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

SB 307—"An Act to Amend Chapter 82, Title 9 of the Delaware Code Relating to Salaries of Members of Board of Assessment of Kent County," to Municipal Corporations.

SB 323—"An Act to Amend Chapter 21, Title 12 of the Delaware Code, Relating to Limitations of Claims Against Estates," to Judiciary.

SB 324—"An Act to Amend Chapter 23 Title 12 of the Delaware Code, Relating to Widows' Allowance," to Judiciary.

SB 342 with SA 1—"An Act to Amend Chapter 91 Title 20, Delaware Code, Relating to the Employment of Personnel by the Director of Civil Defense," to Miscellaneous.

SB 349—"An Act to Appropriate Funds to the University of Delaware for the Purpose of Establishing Scholarships at the University of Delaware to be Awarded to Students Desirous of Entering the Teaching Profession," to Appropriations.

SB 350 with SA 1—"An Act Appropriating Money to the Water Pollution Commission for Control of Stream Pollution," to Appropriations.

SB 375 with SA 1—"An Act to Amend Title 14, of the Delaware Code, by Providing for Sabbatical Leave for Professional Employees of the School Districts, the City of Wilmington, and the State Board of Education, and Providing an Appropriation," to Appropriations.

SB 376—"An Act to Appropriate Certain Funds to the State Fire Marshal to be Used for Certain Purposes," to Appropriations.

SB 384—"An Act Amending Chapter 31, Title 20, Delaware Code Relating to Local Organization for Civil Defense," to Appropriations.

SB 387—"An Act to Amend Chapter 1, Title 17 of the Delaware Code Relating to Jurisdiction, Powers and Duties of the State Highway Department," to Miscellaneous.

GOVERNOR'S MESSAGE STATE OF DELAWARE EXECUTIVE DEPARTMENT

Dover, May 5, 1955

To The House of Representatives, 118th General Assembly
State of Delaware

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,

J. CALEB BOGGS, Governor

The House recessed at 6:00 P. M.

The Speaker called the House to order at 8:00 P. M.

The following bills were reported by the Committee on Municipal Corporations: **HB 97**, favorably; by the Committee on Revised Statutes: **SB 243**, 4 favorable, 1 on merits; by the Committee on Judiciary: **SB 193**, on merits; **SB 402**, 4 favorable, 1 on merits; by the Committee on Public Health: **SB 1**, favorably; **SB 2**, *favorably*.

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

SB 414—"An Act to Amend Chapter 65, Title 29 of the Delaware Code Relating to Expenditures by State Agencies in Excess of Appropriations," to Revised Statutes.

SB 417—"An Act to Amend Chapter 7, Title 7 of the Delaware Code Relating to Protection of Deer and Penalties for Violations of the Provisions Therefore," to Fish, Oysters and Game.

SB 421—"An Act to Amend Chapter 23 Title 10 of the Delaware Code Relating to Prothonotary," to Revised Statutes.

SB 428 with SA 1—"An Act to Amend Chapter 23, Title 31 of the Delaware Code Relating to the Definition of a Blind Person," to Judiciary.

SB 436—"An Act to Amend Chapter 83, Title 11 of the Delaware Code Relating to Eligibility of State Police for Pensions," to Labor.

SB 442 with SA 1—"An Act to Amend Chapter 1, Title 16 of the Delaware Code Relating to State Board of Health by Providing for Establishment of Optometric Clinics, and Providing for an Appropriation Therefore," to Public Health.

SB 443 with SA 1—"An Act to Appropriate Certain Funds to the Delaware Commission of Shell Fisheries for the Payment of Salary Increases to Oyster Wardens," to Appropriations.

SB 444—"An Act to Amend Chapter 83, Title 11 of the Delaware Code Relating to the Eligibility for Pensions of Dependents of the State Police," to Labor.

SB 447—"An Act to Amend Chapter 21, Title 24 of the Delaware Code Relating to the Definition of Optometry, the Board of Examiners of Optometrists, the Internship and the Filling of Prescriptions," to Public Health.

SB 449—"An Act Appropriating Certain Money to the State Park Commission to Pay the Bill of Rodney H. Dann for Work at Pea Patch Island," to Appropriations.

SB 458 with SA 1—"An Act to Amend Chapter 97, Title 10 of the Delaware Code Relating to Costs in Proceedings Either Criminal or Civil Before a Justice of the Peace of This State," to Judiciary.

SB 459—"An Act to Amend Chapter 95, Title 10, Delaware Code, Relating to the Deposit for Costs in Civil Actions Brought Before a Justice of the Peace in This State," to Judiciary.

SB 464 with SA 1—"An Act to Amend Chapter 207 of Volume 17, Laws of Delaware, Entitled "An Act to Revise and Consolidate the Statutes Relating to the City of Wilmington", as Amended, With Relation to the Department of Health (Formerly Board of Health), by Reconstituting Said Department of Health, Defining Its Powers, Authority and Jurisdiction, Conferring Upon It Sole and Exclusive Power to Enact Ordinances and Regulations Relating to Public Health and Sanitation, Setting Forth the Terms and Qualifications of Its Members, Providing for a Health Commission, and Defining His Qualifications, Duties and Powers," to Municipal Corporations.

SB 467—"An Act to Amend Chapter 3, Title 14 of the Delaware Code Relating to School Board Elections," to Elections.

SB 471 with SA 1—"An Act to Authorize the Mayor and Council of Wilmington to Provide for the Planning, Acquisition, Purchase, Construction, Reconstruction, Improvement, Betterment, Extension, Operation, and Maintenance of Revenue-Producing Undertakings for the Improvement of the Water Front and to Increase the Harbor Terminal and Shipping Facilities of the City of Wilmington; Authorizing and Regulating the Issuance of Bonds for Financing Such Undertakings; Providing for the Payment of Such Bonds and the Rights of the Holders Thereof," to Municipal Corporations.

SB 478—"An Act to Amend Chapter 1 Title 16 of the Delaware Code by Exempting Barber Shops in Kent and Sussex Counties from Regulation by the State Board of Health," to Public Health.

SB 486—"An Act to Amend Chapter 19, Title 14 of the Delaware Code Relating to the Number of Persons Required in Order to Demand a School Election," to Elections.

SB 487 with SA 1—"An Act to Create a Department of Repairs and Replacements for School Buildings and Grounds; Appointing a Supervisor to Head the Department; Transferring Certain Unexpended Funds to That Department; Providing for Assistants and Secretary; Defining Certain Duties," to Appropriations.

SB 488 with SA 1—"An Act to Amend Chapter 41, Title 14 of the Delaware Code Relating to General Regulatory Provisions for Schools," to Education.

SB 489—"An Act to Amend Chapter 5, Title 7 of the Delaware Code Relating to Deer Hunting Licenses," to Fish, Oysters and Game.

On motion of Mr. Livingston, **HS 1** for **HB 576** was adopted.

Mr. Livingston moved that **HS 1** for **HB 576**—"An Act Providing for a Park Police Pension Fund for Members of the Park Police of the City of Wilmington," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Brogan, Clark, Deputy, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Layton, Macklin, Mayhew, Nechay, Pepper, Queen, Rowan, Smith, Walls, Wilkinson, Mr. Speaker Quigley—20.

NAYS—Messrs. Lester and Livingston—2.

Messrs. Lester and Livingston changed their votes from yea to nay for purpose of reconsideration.

NOT VOTING—Messrs. Shockley, Snowden, Wolf, Wood—4.

ABSENT—Messrs. Hicks, T. S. Johnson, Maclary, Mattiford—4.

PRESENT—Messrs. Bostick, Donovan, Lawson, Massey, Mrs. Tunnell—5.

HS 1 for **HB 576** not having received the constitutional majority, was lost.

On motion of Mr. Livingston, **HS 1** for **HB 576** was restored to the calendar.

Mr. Rowan moved that **HB 390**—"An Act to Amend Chapter 5, Title 7, Delaware Code, Relating to Hunting, Trapping, and Fishing Licenses, by Providing for a Non-Resident License for Hunting on Regulated Shooting Preserves," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Garton, B. W. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Massey, Nechay, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—25.

NAYS—None.

ABSENT—Messrs. Hicks, T. S. Johnson, Maclary, Mattiford—4.

PRESENT—Messrs. Donovan, Eskridge, Hastings, Mayhew, Pepper, Queen—6.

HB 390 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Rowan moved that SB 303—"An Act to Amend Chapter 17, Title 7 of the Delaware Code Relating to Dog and Kennel License Fees," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Lawson, Lester, Livingston, Macklin, Massey, Mayhew, Nechay, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—29.

NAYS—Mr. Layton—1.

ABSENT—Messrs. Hicks, T. S. Johnson, Maclary, Mattiford, Pepper—5.

SB 303 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Bostick moved that SB 276—"An Act to Amend Chapter 87, Title 10, of the Delaware Code Entitled "Courts and Judicial Procedure" in Respect to Mileage Fees for the Sheriff of New Castle County," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Brogan, Keel, Livingston, Mr. Speaker Quigley—4.

NAYS—Messrs. Bostick, B. W. Johnson, Lawson, Layton, Lester, Macklin, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wolf, Wood—14.

Messrs. Bostick, B. W. Johnson and Shockley changed their votes from yea to nay for purpose of reconsideration.

NOT VOTING—Messrs. Deputy and Wilkinson—2.

ABSENT—Messrs. Garton, Hicks, T. S. Johnson, Maclary, Mattiford—5.

PRESENT—Messrs. Alexander, Clark, Donovan, Eskridge, Hastings, Massey, Mayhew, Nechay, Pepper, Queen—10.

SB 276 not having received the constitutional majority, was lost.

On motion of Mr. Shockley, SB 276 was restored to the calendar.

Mr. Bostick moved that SB 277—"An Act to Amend Chapter 55, Title 29 of the Delaware Code by Increasing the Compulsory Retirement Age of Covered Employees of the State of Delaware," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Hastings, B. W. Johnson, Lawson, Layton, Macklin, Massey, Mayhew, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—24.

NAYS—None.

ABSENT—Messrs. Garton, Hicks, T. S. Johnson, Keel, Lester, Livingston, Maclary, Mattiford, Nechay, Pepper, Walls—11.

SB 277 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The House adjourned at 10:00 P. M. until 1:00 P. M., Friday, May 6, 1955.

79TH LEGISLATIVE DAY

House met pursuant to adjournment at 1:55 P. M., on Friday, May 6, 1955.

Prayer by the Chaplain, Rev. Buckley.

Members present — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wolf, Mr. Speaker Quigley—28.

Members absent—Messrs. Alexander, Hicks, B. W. Johnson, Maclary, Mattiford, Wilkinson, Wood—7.

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

Mr. Deputy introduced the following resolution, which upon further motion by him was adopted: **HR 79**—"Authorizing Payment on Account to Attaches and Employees of the House of Representatives."

BE IT RESOLVED by the House of Representatives of the 118th General Assembly that the State Treasurer is hereby authorized and directed to pay to each attache and employee of the House, upon order of the Speaker and Chief Clerk of the House, the sum of Ten Dollars (\$10.00) for each legislative day of service by such employee since April 25th, 1955, the seventieth legislative day.

The Secretary of the Senate informed the House that the Senate had concurred in the following: **HCR 26**, **HB 183**, **HB 121**, **HB 47**, and that the Senate had passed and requested the concurrence of the House in the following: **SS 1** for **SB 96** with **SA 1** for **SB 96** with **SA 1** and **SA 2**, **SB 309**, **SB 316**, **SB 382**, **SB 391**, **SB 465**, **SB 492**, also **SB 22** with

SA 1 and SB 102, which were vetoed by the Governor and were passed over his veto by the constitutional three-fifths majority.

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

HS 1 for HB 565—"An Act to Amend Section 40 of the Charter of the City of Wilmington, as Amended, by Changing the Provisions Relative to the Salary of the City Solicitor," by Brogan; to Municipal Corporations.

The following bills were reported by the Committee on Fish, Oysters and Game: **SB 242**, favorably; by the Committee on Judiciary: **SB 200**, favorably; by the Committee on Public Health: **SB 46**, 2 on merits, 2 unfavorable; **SB 306**, 3 on merits, 1 unfavorable; **HB 540**, on merits.

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

SS 1 for SB 96 with SA 1 and SA 2—"An Act to Amend Chapter 13, Title 14, of the Delaware Code by Increasing the Uniform State Supported Salary Schedule for Superintendents, Principals, Teachers, Nurses, Secretaries, Clerks, and Custodial Personnel of the Various Districts of the State, and by Making Additional Appropriations Therefore," to Appropriations.

SB 126—"An Act to Amend Chapter 84, Title 9 of the Delaware Code Relating to the Salary of the Receiver of Taxes and County Treasurer in Sussex County," to Revised Statutes.

SB 138 with SA 1—"An Act to Prohibit the Retail Sale of Poultry in the State of Delaware Below the Current Wholesale Price; Providing Penalty," to Miscellaneous.

SB 171—"An Act to Amend Title 25, Delaware Code, Entitled "Property" by Validating Certain Instruments as Deeds," to Revised Statutes.

SB 184 with SA 1—"An Act to Amend Part III, Title 6, Delaware Code, Entitled "Weights, Measures and Standards" by Repealing Most of the Present Provisions and Substituting New Administrative and Substantive Provisions, Defining Certain Crimes and Appropriating Funds," to Appropriations.

SB 214 with SA 1—"An Act to Amend Title 24, Delaware Code of 1953 by Providing for a State Licensing Board for General Building Contractors," to Revised Statutes.

SB 233—"An Act Authorizing and Directing the Commissioners of the Levy Court of Sussex County to Transfer Certain Described Land to the State Soil Conservation Commission for the Use of the Soil Conservation District of Sussex County," to Revised Statutes.

SB 261 with SA 1—"An Act to Appropriate Funds to the Board of Game and Fish Commissioners for the Purpose of Operating and Maintaining the Newly Acquired Youth Center at Petersburg and to Provide for Personnel, Programing and Public Education," to Appropriations.

SB 266—"An Act to Amend Title 21, Delaware Code, Entitled "Motor Vehicles" in Regard to the Fiscal Requirements of the Safety Responsibility Law," to Insurance and Banking.

SB 278—"An Act to Amend Section 3112 of Title 10 of the Delaware Code Relating to Service of Process on Non-Resident Owners, Operators or Drivers of Motor Vehicles," to Revised Statutes.

SB 282—"An Act to Amend Chapter 3, Title 11 of the Delaware Code by Increasing the Fine and Penalty for Sound-ing a False Fire Alarm," to Judiciary.

SB 291 with SA 1 and SA 3—"An Act to Amend Chapter 55 Title 29 of the Delaware Code Relating to Eligibility and Benefits Based Upon Military Service of Certain School Employees and Employers of the Department of Public In-struction in the State Employees Pension Plan," to Education.

SB 297—"An Act to Appropriate Funds to the Delaware Commission of Shell Fisheries for the Purchase of a Motor-boat," to Appropriations.

SB 298—"An Act to Amend Sub-Chapter III, Chapter 23 Title 7, Delaware Code Entitled "Oyster Watchboats": Relating to the Crew, Appointment and Salary Thereof, and Repealing Certain Provisions Relating to the Procurement of Certain Supplies," to Fish, Oysters and Game.

SB 299—"An Act to Amend Chapter 3, Title 9 of the Delaware Code Relating to the Election and Term of Levy Court Commissioners in Sussex County," to Elections.

SB 309—"An Act Authorizing and Directing the Board of Game and Fish Commissioners to Pay the Sum of \$418.90 to Arthur S. Hanby and Louise B. Hanby," to Claims.

SB 316—"An Act Transferring and Conveying All of the Right, Title and Interest of the State of Delaware in and to Certain Lands Located in the City of Milford, Kent County and State of Delaware, to the Church of God, a Religious Corporation of the State of Delaware, Therein Described," to Revised Statutes.

SB 382—"An Act to Amend Chapter 27, Title 31 of the Delaware Code Relating to the Commission on Children and Youth With Regard to Office Space, Help and Expenses; Ap-propriating Money Therefore," to Appropriations.

SB 465—"An Act Authorizing and Directing the Depart-ment of Public Welfare to Sell the Property Located at 905-907 West Street in Wilmington, Delaware," to Miscellaneous.

SB 492—"An Act to Appropriate Money to the State Board of Health for the Purpose of Purchasing Polio Vaccine and Supplies and Administering Polio Vaccine to the Children of the State," to Appropriations.

Mrs. Tunnell, on behalf of Mr. Quigley, moved that **HB 357**—"An Act to Amend Title 14, Delaware Code, Entitled "Education" in Respect to Teaching Constitutions and Government in Schools," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Hastings, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wolf, Mr. Speaker Quigley—27.

NAYS—None.

ABSENT — Messrs. Alexander, Garton, Hicks, B. W. Johnson, Maclary, Mattiford, Wilkinson, Wood—8.

HB 357 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Pepper moved that **HB 365**—"An Act to Amend Chapter 35, Title 11, Delaware Code, by Providing for the Admission in Evidence of the Weight of Alcohol in the Blood of a Person Being Tried for Operating a Motor Vehicle While Under the Influence of Intoxicating Liquor," be taken up for consideration read for the third time in order to pass the House.

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

YEAS — Messrs. Brogan, Clark, Deputy, Donovan, Eskridge, Hastings, T. S. Johnson, Keel, Lawson, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Snowden, (Mrs.) Tunnell, Walls, Wolf, Mr. Speaker Quigley—22.

NAYS—Messrs. Layton, Shockley, Smith—3.

ABSENT — Messrs. Alexander, Garton, Hicks, B. W. Johnson, Lester, Maclary, Mattiford, Wilkinson, Wood—9.

PRESENT—Mr. Bostick—1.

HB 365 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Donovan moved that **SB 274**—"An Act Making an Appropriation to the State Soil Conservation Commission for the Purchase of Heavy Earth-Moving Machinery and Other Equipment Needed in the Soil Conservation Work of the State, Making Provision for the Re-Payment Thereof, and Designating the Boards of Soil District Supervisors to Oversee the Use of Said Equipment and Machinery," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wolf, Mr. Speaker Quigley—27.

NAYS—Mr. Smith—1.

ABSENT — Messrs. Alexander, Hicks, B. W. Johnson, Maclary, Mattiford, Wilkinson, Wood—7.

SB 274 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Deputy moved that SB 76—"An Act Authorizing the Payment of the Sum of \$408.50 for Labor and Materials Supplied to the Delaware Colony," be taken up for consideration and read for the third time in order to pass the House.

Action deferred on motion of Mr. Deputy.

The House recessed at 3:15 P. M.

The Speaker called the House to order at 4:45 P. M.

On motion of Mr. Mayhew, the House Rules were suspended.

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

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

YEAS—Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, T. S. Johnson, Keel, Lawson, Layton, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Mr. Speaker Quigley—26.

NAYS—None.

ABSENT — Messrs. Alexander, Hicks, B. W. Johnson, Lester, Maclary, Mattiford, Wilkinson, Wolf, Wood—9.

SB 394 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Shockley moved that SB 243—"An Act to Amend Title 19, Delaware Code, Relating to Unemployment Compensation: to Modify Definition of "Employer", to Change Definition of "Employing Unit", to Define "Work", to Provide Benefits in Case of Illness or Disability Under Certain Conditions, to Change Certain Disqualifications for Benefits, to Change Provisions Relating to Variations from the Standard Tax Rate, to Provide for Order of Crediting Employer Con-

tribution Payments and to Provide for Jeopardy Assessments," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, T. S. Johnson, Keel, Lawson, Layton, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wolf, Mr. Speaker Quigley—26.

NAYS—None.

ABSENT — Messrs. Alexander, Hicks, B. W. Johnson, Lester, Maclary, Mattiford, Wilkinson, Wood—8.

SB 243 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Mayhew, the House Rules were restored.

The House adjourned at 5:15 P. M. until 1:00 P. M., Monday, May 9, 1955.

80TH LEGISLATIVE DAY

House met pursuant to adjournment at 1:45 P. M., on Monday, May 9, 1955.

Prayer by the Chaplain, Rev. Buckley.

Members present — Messrs. Alexander, Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—34.

Member absent—Mr. Brogan—1.

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

The Secretary of the Senate informed the House that the Senate had concurred in the following: **HB 81, HB 104, HB 206 with HA 1, HB 207, HB 218, HB 308, HB 309, HB 324, HS 1 for HB 361, HB 360, HB 381, HB 395, HB 416, HB 477 with HA 1, HCR 24**, and that the Senate had passed and requested the concurrence of the House in the following: **SCR 12, SB 237, SB 312, SB 325, SB 356, SB 365, SB 381, SB 416**; also the Senate had passed **SB 164**, which was vetoed by the Governor, and passed by three-fifths majority and respectfully requested the concurrence of the House therein.

On motion of Mr. Queen, the House Rules were suspended.

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

HB 597—"An Act to Amend Chapter 27, Title 18, Delaware Code, Relating to the Rate of Special Tax on Gross Premiums of Fire Insurance Companies for the Purpose of Assisting in Maintaining Fire Companies," by Queen; to Private Corporations.

On motion of Mr. Queen, the House Rules were restored.

JOINT SESSION

On motion of Mr. Macklin, the House and Senate went into Joint Session, pursuant to **HCR 24**.

The Secretary of the Senate and the Chief Clerk of the House acted as joint secretaries of the session.

On motion of Mr. Maclary, Col. Shew of the State Police, Chas. Klingmeyer, President of the New Castle County Lexvy Court and Mr. Cahalan, New Castle County Engineer, were granted the privilege of the floor.

On motion of Mr. Macklin the Secretary of the Senate and the Chief Clerk of the House compared Journals, and the Joint Session was dissolved.

The House recessed at 4:15 A. M.

The Speaker called the House to order at 4:50 P. M.

The following substitute bill and bill were introduced, given first and second readings by title only, and referred to committees as follows:

HS 1 for **HB 374**—"An Act to Provide for State Supported Salary Schedules for the Biennium Beginning July 1, 1955 and Ending June 30, 1957, for Employees of the State Board of Education, the State Board of Vocational Education and the Board of Public Education in Wilmington Who are Not Covered by Salary Schedules in Title 14, Chapter 13, Delaware Code, and to Provide Appropriation Therefor," by Macklin; to Appropriations.

HB 598—"An Act Making Appropriations for the Expenses of the State Government for Each of the Two Fiscal Years Ending June 30, 1956 and June 30, 1957," by Donovan; to Appropriations.

On motion of Mr. Queen, **HB 556** was restored to the Calendar.

On motion of Mr. Shockley, **HB 422** was restored to the calendar.

On motion of Mr. Queen, the House rules were suspended.

The following bill was reported by the Committee on Private Corporations: **HB 597**, 3 favorable, 1 unfavorable.

Mr. Queen moved that **HB 597**—"An Act to Amend Chapter 27, Title 18, Delaware Code, Relating to the Rate of Special Tax on Gross Premiums of Fire Insurance Companies for the Purpose of Assisting in Maintaining Fire Companies," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Clark, Deputy, Donovan, Eskridge, B. W. Johnson, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—21.

NAYS—Messrs. Lawson, Layton, Wolf, Wood—4.

ABSENT—Messrs. Alexander, Brogan, Garton, Hastings, Hicks, T. S. Johnson, Lester, Maclary—8.

PRESENT—Messrs. Keel and Snowden—2.

HB 597 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Queen, the House rules were restored.

Mr. B. W. Johnson moved that **SB 329** with **SA 1**—"An Act to Amend Title 15 of the Delaware Code by Creating the Office of the State Election Commissioner and Defining the Powers and Duties Thereof," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. B. W. Johnson, **HA 1** to **SB 329** with **SA 1** was adopted.

On motion of Mr. Shockley, action was deferred until Tuesday, May 10, 1955.

Mr. Tunnell moved that **HB 433**—"An Act to Amend Chapter 1 of Title 16 of the Delaware Code in Reference to the Issuance of Permits by the State Board of Health," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Clark, Deputy, Donovan, Eskridge, Hicks, B. W. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wood, Mr. Speaker Quigley—27.

NAYS—None.

ABSENT—Messrs. Alexander, Brogan, Garton, Hastings, T. S. Johnson, Livingston, Rowan, Wood—8.

HB 433 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mrs. Tunnell moved that **HB 434**—"An Act to Amend Chapter 1 of Title 16, of the Delaware Code in Reference to the Penalties for Violations of the Adopted Regulations and Orders of the State Board of Health," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hicks, B. W. Johnson, Keel, Lawson, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—27.

NAYS—Messrs. Layton, Snowden, Wolf, Wood—4.

ABSENT—Messrs. Alexander, Brogan, Hastings, T. S. Johnson—4.

HB 434 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The House adjourned at 6:00 P. M. until 1:00 P. M., Tuesday, May 10, 1955.

81ST LEGISLATIVE DAY

House met pursuant to adjournment at 1:45 P. M., on Tuesday, May 10, 1955.

Prayer by the Chaplain, Rev. Buckley.

Members present — Messrs. Alexander, Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—34.

Member absent—Mr. Brogan—1.

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

On motion of Mr. Maclary, a resolution will be introduced to recall **HB 103** with **HA 1**.

The following bills were reported by the Committee on Agriculture and Forestry: **SB 202**, favorably; **SB 348**, favorable, 1 on merits.

The Speaker, hearing no objection, granted the floor to Mr. Wolf on a point of personal privilege, and the following is his statement:

In connection with yesterday's hearing on State vs. County police protection, I would like to offer these comments as a basis of arriving at some final decision on this problem which I think can be briefly stated as follows:

1—There seems to be no problem respecting the policing of rural areas which could not be solved by increasing the size of the State Police force.

2—The State Police force is apparently not adapted to policing highly populated, unincorporated areas.

3—It is impractical to set up a separate police system to cover individual islands of unincorporated areas, which therefore requires that they be set up on a broader basis.

Therefore, the following action should be considered:

1—Meet this need of supplying protection to highly populated, unincorporated areas on a Hundred basis as at present.

2—Continue to allocate the cost of Hundred Police services on a County-wide basis because it is impractical to set up a separate accounting by Hundreds on such a small expenditure. It is less than 1/10th cent per \$100 valuation if charged individually. Further, a study of the total New Castle County budget clearly shows many items of expenditure which are not allocated on the basis of service rendered; but on the property valuation which in effect is "the ability to pay" when it comes down to the individual. To illustrate, more than 1/3 of the 1954 budget (1.1 million dollars) was allocated to the New Castle County Workhouse, Hospitals, and Relief and General Welfare activities. I doubt that the four Hundreds now receiving Hundred Police protection benefitted proportionately to the tax contribution made by these areas.

3—Make the requirements of future police candidates equal to State Police to assure that such personnel would be acceptable to State Police or Local administrators, should future incorporation of an area justify reducing or eliminating Hundred Police protection.

4—Utilize the excellent administrative and supervisory facilities of the State Police force to coordinate and up-grade the performance of the Hundred Police forces by having the State Police Administration take over the responsibility for directing the patrolling duties and assignments of the personnel.

The Secretary of the Senate informed the House that the Senate had passed and requested the concurrence of the House in the following: **HB 417** with **SA 1**, **SB 306**, **SB 485**.

The House recessed at 2:10 P. M.

The Speaker called the House to order at 5:45 P. M.

Mr. Macklin, on behalf of Mr. Quigley, introduced the following resolution, which upon further motion by him was adopted: **HR 80**—"Expressing the Sympathy of the House for the Unfortunate Accident of Mrs. Elwood F. Melson."

WHEREAS, the Members of the House have learned with concern and regret of the serious injury to Mrs. Elwood F. Melson, wife of Family Court Judge Elwood F. Melson and mother of Senator Elwood F. Melson, Jr.; NOW, THEREFORE,

BE IT RESOLVED by the House of Representatives of the 118th General Assembly of the State of Delaware that the Members thereof wish to express their sincere sympathy to Mrs. Elwood F. Melson, to her husband, Judge Elwood F.

Melson, to her son, Senator Elwood F. Melson, Jr., and to all members of her family, and their wishes for Mrs. Melson's speedy and complete recovery; and

BE IT FURTHER RESOLVED that this Resolution shall be spread upon the Journal, that a copy hereof shall be delivered to Mrs. Melson, and that copies be made available to the press.

Mr. Maclary introduced the following resolution, which upon further motion by him was adopted: **HR 81**—"Requesting Return of House Bill No. 103 with House Amendment No. 1 from the Senate of the 118th General Assembly of the State of Delaware."

BE IT RESOLVED by the House of Representatives of the 118th General Assembly of the State of Delaware, that the Senate of the 118th General Assembly of the State of Delaware be, and the same is hereby requested to return to the House of Representatives for reconsideration House Bill No. 103 with House Amendment No. 1.

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

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, May 10, 1955

To The House of Representatives, 118th General Assembly
State of Delaware

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

May 5, 1955, Senate Bill No. 117—An Act Authorizing and Directing the Levy Court of Sussex County to Make Available to the Board of Soil District Supervisors of the Soil Conservation District of Sussex County Certain Funds for the Employment of an Equipment Manager.

May 10, 1955, Senate Bill No. 32 with H. A. No. 1—An Act to Amend Chapter 41, Title 7, of the Delaware Code, Pertaining to the Collection of Taxes Levied by Tax Ditches.

May 30, 1955, Senate Bill No. 33—An Act to Amend Chapter 84, Title 9, of the Delaware Code, Pertaining to the Duty of the Receiver of Taxes and the County Treasurer to Collect School Taxes.

May 10, 1955, Senate Bill No. 34 with H. A. No. 1—An Act to Amend Chapter 21, Title 14, of the Delaware Code, Pertaining to the Assessment, Levy and Collection of School Taxes.

May 10, 1955, Senate Bill No. 35 with S. A. 1 and H. A. 1 and H. A. 2—An Act Amending Chapter 91, Title 9, of the Delaware Code, Pertaining to the Disposition of and Accounting for Fees of County Officers.

May 10, 1955, Senate Bill No. 40—An Act to Amend Title 15, Delaware Code, by Changing the Qualifications of Members of Departments of Election and the Secretaries Thereof.

May 10, 1955, Senate Bill No. 86—An Act to Amend Chapter 39, Title 12 of the Delaware Code, Relating to Records to be Kept by the Clerk of the Orphans' Court.

May 10, 1955, Senate Bill No. 182—An Act to Amend Chapter 5, Title 18 of the Delaware Code Relating to Requirements for Issuance of Original or Renewed Certificates of Authority of Insurance Companies.

May 10, 1955, Senate Bill No. 207—An Act to Amend Chapter 28, Title 31 of the Delaware Code by Requiring the State Welfare Home to Set Aside and Maintain a Certain Area for the Purpose of Burial of Bodies from Kent County.

May 10, 1955, House Bill No. 36—An Act to Amend Chapter 17, Title 9, Delaware Code Relating to Employees' Pensions; Disability Pension Benefits; Employees Receiving Compensation from New Castle County and City of Wilmington; Pension Benefits.

May 10, 1955, House Bill No. 37—An Act to Amend Chapter 17, Title 9, Delaware Code, Relating to Employees' Pensions; Retirement Pension Benefits; Disability Pension Benefits; Employees Receiving Compensation from New Castle County and City of Wilmington; Pension Benefits.

May 10, 1955, House Bill No. 38—An Act to Amend Chapter 230, Volume 49, Laws of Delaware, as Amended, Entitled "City of Wilmington Employees' Retirement Act"; Pension Benefits.

May 10, 1955, House Bill No. 296—An Act to Amend Chapter 1, Title 23, Delaware Code, Relating to Pilotage Rates, by Increasing the Rate for the Pilotage of Vessels.

May 10, 1955, House Bill No. 307—An Act to Amend Chapter 1, Title 23 Delaware Code, Relating to Pilots by Providing for an Increase in the Draught of a Ship to be Piloted by a Third Class Pilot.

Respectfully submitted,

J. CALEB BOGGS, Governor

The Chair announced he is about to sign: SB 194, SB 197, SB 243, SB 256, SB 257, SB 274, SB 277, SB 303, SB 394, SB 405, SB 420.

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

HS 1 for HB 506—"An Act to Amend Chapter 21, Title 21, Delaware Code, by Providing for the Issuance of Temporary Registration Plates Under Certain Conditions and for Certain Purposes," by Eskridge; to Revised Statutes.

The House adjourned at 6:00 P. M. until 1:00 P. M., Wednesday, May 11, 1955.

82ND LEGISLATIVE DAY

House met pursuant to adjournment at 1:45 P. M., on Wednesday, May 11, 1955.

Prayer by the Chaplain, Rev. Buckley.

Members present — Messrs. Alexander, Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Mr. Speaker Quigley—33.

Members absent—Messrs. Brogan and Wood—2.

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

The Chair announced he is about to sign: **HCR 24, HCR 26, HB 47, HB 81, HB 104, HB 121, HB 183, HB 206 with HA 1, HB 207, HB 218, HB 308, HB 309, HB 324, HB 360, HS 1 for HB 361, HB 381, HB 395, HB 416, HB 477 with HA 1.**

The following bills were reported by the Committee on Revised Statutes: **SB 422**, favorably; by the Committee on Charities: **SB 288**, 4 favorable, 1 on merits; by the Committee on Public Buildings and Highways: **SB 351**, favorably; **HB 518**, 3 on merits, 1 unfavorable; by the Committee on Judiciary: **SB 221**, favorably.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 303, HB 319, HB 405 with HA 1, HB 436**, and that the Senate had passed and requested the concurrence of the House in the following: **SB 104 with SA 1, SB 132 with SA 1, SB 158 with HA 1, SB 165 with SA 1, SB 170 with HA 1, SB 310, SB 311 with SA 1, SB 386, SJR 5.**

Mr. Eskridge moved that **HB 189**—"An Act to Amend Chapter 27, Title 21, Section 2712, Delaware Code, Relating to the Special Examination of Persons Involved in More Than One Accident During Any 24 Month Period," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Eskridge, **HA 1 to HB 189** was adopted.

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

YEAS — Messrs. Clark, Deputy, Eskridge, Lawson, Livingston, Macklin, Maclary, Massey, Mattiford, Nechay, Pepper, Queen, Rowan, Smith, Snowden, (Mrs.) Tunnell, Wolf, Mr. Speaker Quigley—18.

NAYS—Messrs. Donovan, Hicks, B. W. Johnson, Layton, Lester, Shockley, Walls, Wilkinson—8.

ABSENT—Messrs. Alexander, Bostick, Brogan, Garton, Hastings, Mayhew, Wood—7.

PRESENT—Messrs. T. S. Johnson and Keel—2.

HB 189 with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The Chair presented **HB 417** with **SA 1**.

Mr. Shockley moved the adoption of **SA 1** to **HB 417**.

The roll call revealed:

YEAS—Messrs. Deputy, Eskridge, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lester, Livingston, Macklin, Maclary, Massey, Rowan, Shockley—13.

NAYS—Messrs. Donovan, Lawson, Layton, Queen, Snowden, (Mrs.) Tunnell, Wolf—7.

ABSENT—Messrs. Alexander, Bostick, Brogan, Clark, Garton, Hastings, Wolf—7.

PRESENT—Messrs. Mattiford, Mayhew, Nechay, Pepper, Smith, Walls, Wilkinson, Mr. Speaker Quigley—8.

SA 1 to **HB 417** not having received the constitutional majority, was lost.

The Chair presented the following Senate bills and Senate Joint Resolution, which were given first and second readings by title only and referred to committees as follows:

SB 237—"An Act Providing for Repairs, Replacements and Additions to the Boardwalk in the City of Rehoboth Beach, in Sussex County, and Appropriating Money Therefore," to Appropriations.

SB 306—"An Act to Appropriate Certain Funds to the Selbyville School District to Enable It to Purchase Certain Lands Adjoining the Selbyville School Property," to Appropriations.

SB 312—"An Act to Amend Chapter 21, Title 12 of Delaware Code Relating to Order of Preference of Claims Against Estates," to Judiciary.

SB 325—"An Act to Amend Chapter 3, Title 10, Delaware Code, Relating to the General Jurisdiction and Powers of the Court of Chancery With Reference to Compelling Appearance of Non-Resident Defendants," to Judiciary.

SB 356—"An Act to Amend Title 5, Delaware Code, Relating to Building and Loan Associations," to Insurance and Banking.

SB 365—"An Act to Appropriate Certain Funds to the Bridgeville Special School District to Enable It to Purchase Certain Lands for Recreational Purposes," to Appropriations.

SB 381—"An Act to Amend Chapter 81, Title 10 of the Delaware Code Relating to Limitations of Actions for Personal Injuries," to Judiciary.

SB 416—"An Act to Amend Chapter 65, Title 29 of the Delaware Code by Requiring All Persons, Firms or Corporations Receiving Appropriations from the State to File a Financial Report," to Revised Statutes.

SB 485—"An Act to Amend Chapter 21, Title 14 of the Delaware Code Relating to Ballots Used in Special Elections to Authorize School Bonds," to Elections.

SJR 5—"In Reference to the Visit of the Earl and Countess de la Warr," to Miscellaneous.

Mr. B. W. Johnson moved that **SB 329** with **SA 1**—"An Act to Amend Title 15 of the Delaware Code by Creating the Office of the State Election Commissioner and Defining the Powers and Duties Thereof," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. B. W. Johnson, **HA 1** to **SB 329** with **SA 1** was adopted.

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

YEAS — Messrs. Clark, Deputy, Donovan, Eskridge, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—24.

NAYS—Mr. Snowden—1.

NOT VOTING—Mr. Lester—1.

ABSENT—Messrs. Alexander, Bostick, Brogan, Garton, Hastings, Hicks, Wood—7.

PRESENT—Messrs. Maclary and Wolf—2.

SB 329 with **SA 1** and **HA 1** having received the constitutional majority, passed the House and was ordered returned to the Senate for concurrence.

Mr. B. W. Johnson moved that **SB 330** with **SA 1**—"An Act to Amend Part II, Title 15, of the Delaware Code Relating to the Registration of Voters," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. B. W. Johnson, **HA 1** to **SB 330** with **SA 1** was adopted.

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

YEAS — Messrs. Alexander, Clark, Deputy, Donovan, Eskridge, Garton, B. W. Johnson, Keel, Lawson, Layton, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Queen, Rowan, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—24.

NAYS—Messrs. Lester and Maclary—2.

ABSENT—Messrs. Bostick, Brogan, Hastings, Pepper, Shockley, Wood—6.

PRESENT—Messrs. Hicks, T. S. Johnson, Wolf—3.

SB 330 with **SA 1** and **HA 1** having received the constitutional majority, passed the House and was ordered returned to the Senate for concurrence.

Mr. B. W. Johnson moved that **SB 331**—"An Act to Amend Chapter 23, Title 15 of the Delaware Code Relating to Penal and Enforcement Provisions of the Registration Laws," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—31.

NAYS—None.

ABSENT—Messrs. Bostick, Brogan, Wood—3.

PRESENT—Mr. Wolf—1.

SB 331 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. B. W. Johnson moved that SB 332—"An Act to Amend Chapter 21, Title 15 of the Delaware Code, Relating to Registration Appeals," was taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—30.

NAYS—None.

ABSENT—Messrs. Bostick, Brogan, Livingston, Wood—4.

PRESENT—Mr. Wolf—1.

SB 332 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. B. W. Johnson moved that SB 333 with SA 1—"An Act to Amend Chapter 49, and Chapter 50, Title 15 of the Delaware Code Relating to the Conduct of Elections," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. B. W. Johnson, HA 1 to SB 333 with SA 1 was adopted.

On motion of Mr. B. W. Johnson, action was deferred.

Mr. B. W. Johnson moved that SB 334 with HA 1—"An Act to Amend Chapter 31, Title 15 of the Delaware Code Relating to Primary Elections and Nominations of Candidates," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Clark, Deputy, Donovan, Eskridge, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Massey, Matti-

ford, Mayhew, Nechay, Pepper, Rowan, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—27.

NAYS—None.

ABSENT — Messrs. Bostick, Brogan, Garton, Queen, Shockley, Wolf, Wood—7.

PRESENT—Mr. Maclary—1.

SB 334 with SA 1 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. B. W. Johnson moved that SB 335 with SA 1 and SA 2—"An Act to Amend Chapter 55, Title 15 of the Delaware Code Relating to Absentee Voting," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Clark, Deputy, Eskridge, Hastings, B. W. Johnson, Keel, Layton, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—23.

NAYS—Messrs. Lester, Maclary, Snowden—3.

NOT VOTING—Mr. Hicks—1.

ABSENT—Messrs. Brogan, Donovan, Garton, Shockley, Wood—5.

PRESENT—Messrs. T. S. Johnson, Lawson, Wolf—3.

SB 335 with SA 1 and SA 2 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. B. W. Johnson moved that SB 336—"An Act to Amend Chapter 51, Title 15 of the Delaware Code Relating to Criminal Offenses Arising from Violations of the Election Laws," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Clark, Deputy, Eskridge, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Lawson, Layton, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—27.

NAYS—Mr. Lester—1.

ABSENT — Messrs. Brogan, Donovan, Garton, Keel, Shockley, Wood—6.

PRESENT—Mr. Wolf—1.

SB 336 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. B. W. Johnson moved that SB 337—"An Act to Amend Chapter 47, Title 15 of the Delaware Code Relating to Election Officers," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Mr. Shockley—1.

NAYS—Messrs. Alexander, Bostick, Clark, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Mr. Speaker Quigley—29.

NOT VOTING—Mr. Deputy—1.

ABSENT—Messrs. Brogan, Donovan, Keel, Wood—4.

SB 337 not having received the constitutional majority, was lost.

Mr. B. W. Johnson moved that SB 338 with SA 1—"An Act to Amend Chapter 45 of the Delaware Code Relating to Election Supplies to be Furnished by Departments of Elections," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—32.

NAYS—None.

ABSENT—Messrs. Brogan and Wood—2.

PRESENT—Mr. Wolf—1.

SB 338 with SA 1 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. B. W. Johnson moved that SB 328—"An Act to Amend Article 5, Section 4A of the Constitution of the State of Delaware Relating to Absentee Voting," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Layton, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—26.

NAYS—Messrs. Hicks, Lawson, Lester, Maclary, Snowden, Wolf—6.

ABSENT—Messrs. Brogan and Wood—2.

PRESENT—Mr. T. S. Johnson—1.

SB 328 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. B. W. Johnson moved that SB 339—"An Act to Appropriate Certain Funds to the State Auditor in His Capacity as State Election Commissioner for the Purpose of Enabling Him to Carry Out His Powers and Duties Under Title 15 of the Delaware Code," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—30.

NAYS—Mr. Lester—1.

NOT VOTING—Mr. Wolf—1.

ABSENT—Messrs. Brogan and Wood—2.

PRESENT—Mr. Maclary—1.

SB 339 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Nechay moved that SB 285 with SA 1—"An Act to Amend Chapter 1, Title 17 of the Delaware Code by Abolishing the Present State Highway Department and Creating a New State Highway Department and Transferring the Powers, Duties and Property," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Deputy, Donovan, Eskridge, B. W. Johnson, Layton, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Smith, (Mrs.) Tunnell, Walls, Mr. Speaker Quigley—19.

NAYS—Messrs. Hicks, T. S. Johnson, Lawson, Lester, Livingston, Maclary, Snowden, Wolf—8.

NOT VOTING—Mr. Shockley—1.

ABSENT — Messrs. Brogan, Garton, Keel, Wilkinson, Wood—5.

PRESENT—Messrs. Clark and Hastings—2.

SB 285 with SA 1 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Clark moved that SB 1—"An Act to Amend Title 31, Delaware Code, Entitled "Welfare" in Respect to Visitation to Institutions Wherein Blind Children of This State are Maintained or Instructed," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Clark, Deputy, Donovan, Eskridge, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wolf, Mr. Speaker Quigley—25.

NAYS—None.

ABSENT—Messrs. Alexander, Bostick, Brogan, Garton, Keel, Livingston, Mattiford, Smith, Wilkinson, Wood—10.

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

Mr. Clark moved that SB 2—"An Act to Amend Chapter 55, Title 29, Delaware Code, Entitled "State Employees Pension Plan" by Providing That Employees of the Delaware Commission for the Blind be Included in Covered Employment," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Clark, Deputy, Donovan, Eskridge, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Mr. Speaker Quigley—26.

NAYS—None.

ABSENT—Messrs. Alexander, Bostick, Brogan, Garton, Keel, Livingston, Mattiford, Smith, Wood—9.

SB 2 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Pepper, the House rules were suspended.

Mr. Pepper moved that SB 422—"An Act Appropriating Money to the Delaware Commission for the Blind for Direct Payments to the Needy Blind of the State of Delaware," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Clark, Deputy, Donovan, Eskridge, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Mr. Speaker Quigley—27.

NAYS—None.

ABSENT — Messrs. Brogan, Garton, Hastings, Hicks, Livingston, Mattiford, Smith, Wood—8.

SB 422 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Pepper, the House rules were restored.

The following bills were reported by the Committee on Education: **SB 291** with **SA 1** and **SA 3**, 4 on merits, 1 favorable; **SB 302**, 4 on merits, 1 favorable; **SB 488** with **SA 1**, 4 favorable, 1 on merits.

The following concurrent resolutions were introduced, given first and second readings by title only and referred to committees as follows:

HCR 27—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Bill Regulating the Sale of Comic Books," by Snowden; to Miscellaneous.

HCR 28—"Suspending House Concurrent Resolution No. 12 and Permitting the Introduction of New Bills for the Period of One Hour on Monday, May 16, 1955," by Eskridge; to Rules.

The House recessed at 5:05 P. M.

The Speaker called the House to order at 8:00 P. M.

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

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, May 11, 1955

To The House of Representatives, 118th General Assembly
State of Delaware

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

May 11, 1955, Senate Bill No. 64—An Act Directing the Department of Elections of New Castle County to Create a New Election District in New Castle Hundred.

May 11, 1955, Senate Bill No. 177 with H. A. 1—An Act to Amend Chapter 55, Title 29 of the Delaware Code Relating to Certain Definitions Contained in the State Employees' Pension Plan.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. T. S. Johnson, **HS 1** for **HB 479** was stricken from the calendar.

The following bills were reported by the Committee on Municipal Corporations: **SB 249**, favorably; **SB 250**, favorably; **SB 251**, favorably; **SB 252**, favorably; **SB 253**, favorably; **HS 1** for **HB 535**, favorably; by the Committee on Revised Statutes: **HB 332**, 3 on merits, 2 unfavorable; **HS 1** for **HB 506**, favorably; **SB 126**, favorably; **SB 171**, favorably; **SB 214** with **SA 1**, on merits; **SB 233**, 4 on merits, 1 unfavorable; **SB 278**, favorably; **SB 316**, 3 favorable, 2 on merits; **SB 414**, on merits; **SB 421**, favorably; by the Committee on

Revenue and Taxation; **SB 379**, favorably; by the Committee on Miscellaneous; **SJR 5**, favorably; **SB 84**, 4 favorable, 1 on merits; **SB 342** with **SA 1**, 3 on merits, 2 favorable; **SB 473**, favorably; by the Committee on Judiciary: **SB 259**, favorably; **SB 282**, 3 favorable, 2 on merits; **SB 428** with **SA 1**, 4 favorable, 1 on merits; **SB 458** with **SA 1**, on merits; **SB 459**, 4 favorable, 1 on merits; by the Committee on Public Health: **HB 368**, 3 on merits, 2 favorable; by the Committee on Insurance and Banking: **SB 266**, favorably; **SB 356**, favorably.

On motion of Mr. Eskridge, the House rules were suspended.

The following concurrent resolution was reported by the Committee on Rules: **HCR 28**, favorably.

Mr. Eskridge moved that **HCR 28**—"Suspending House Concurrent Resolution No. 12 and Permitting the Introduction of New Bills for the Period of One Hour on Monday, May 16, 1955," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Clark, Deputy, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Keel, Lawson, Lester, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Smith, Snowden, (Mrs.) Tunnell, Wilkinson, Wolf, Mr. Speaker Quigley—3.

NAYS—Messrs. Alexander, Pepper, Walls—3.

ABSENT — Messrs. Brogan, Donovan, Hicks, Layton, Livingston, Queen, Rowan, Shockley, Wood—9.

HCR 28 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Garton moved that **HCR 21**—"Expressing the Appreciation of the General Assembly to Merton B. Tice, Commander-in-Chief of the Veterans of Foreign Wars of the United States," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Clark, Deputy, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Keel, Lawson, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Rowan, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Mr. Speaker Quigley—27.

NAYS—None.

NOT VOTING—Mr. Smith—1.

ABSENT — Messrs. Brogan, Donovan, Hicks, Layton, Queen, Shockley, Wood—7.

HCR 21 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Eskridge, the House rules were restored.

On motion of Mr. Snowden, **HCR 27** was stricken from the calendar.

On motion of Mr. Mayhew, **HB 231** was recommitted.

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

HS 1 for HB 231—"An Act Amending Chapter 23, Title 31, Delaware Code, Entitled "Aid to the Blind", by Defining Assistance to be Given to Totally Blind Persons," by Mayhew and Bostick; to Miscellaneous.

Mr. Deputy moved that **SB 49**—"An Act Authorizing a Rebate of an Overpayment by Murray's Feed Service, Inc., of the Feed Tonnage Tax in the Years 1951 and 1952," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Deputy, Action was deferred.

Mr. Pepper moved that **HB 514**—"An Act to Amend Chapters 31 and 39, Title 11, Delaware Code, by Providing a New Procedure for Charging and Sentencing Repeating Criminal Offenders," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Pepper, **HA 1 to HB 514** was adopted.

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

YEAS — Messrs. Alexander, Bostick, Clark, Deputy, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Keel, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Pepper, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf—24.

NAYS—Messrs. Lawson and Smith—2.

NOT VOTING—Messrs. Lester and Nechay—2.

ABSENT — Messrs. Brogan, Donovan, Hicks, Layton, Queen, Wood—6.

PRESENT—Mr. Speaker Quigley—1.

HB 514 with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Tunnell moved that **SB 127**—"An Act to Amend Chapter 19, Title 14 of the Delaware Code by Changing the Time During Which the Polls are to Remain Open for Purposes of Holding an Election Before the Levy of a Tax for School Purposes," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Clark, Deputy, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Keel, Lawson, Lester, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Mr. Speaker Quigley—28.

NAYS—None.

ABSENT — Messrs. Brogan, Donovan, Hicks, Layton, Maclary, Queen, Wood—7.

SB 127 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Macklin moved that **HB 281**—"An Act to Amend Chapter 31, Title 16, Delaware Code, Relating to Vital Statistics; Fees for Issuance of Certificates and Searches," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Macklin, action was deferred.

Mr. Rowan moved that **SB 304** with **SA 1**—"An Act to Amend Chapter 17, Title 7 of the Delaware Code by Establishing a Division of Dog Law Management Under the Board of Game and Fish Commissioners," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Deputy, Eskridge, Hastings, B. W. Johnson, Lawson, Lester, Livingston, Macklin, Maclary, Massey, Mayhew, Nechay, Pepper, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Mr. Speaker Quigley—23.

NAYS—None.

ABSENT—Messrs. Alexander, Brogan, Clark, Donovan, Garton, Hicks, T. S. Johnson, Keel, Layton, Mattiford, Queen, Wood—12.

SB 304 with **SA 1** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Rowan assumed the Chair.

On motion of Mr. Wilkinson, **HB 288** was stricken from the calendar.

The House adjourned at 9:40 P. M. until 1:00 P. M., Thursday, May 12, 1955.

83RD LEGISLATIVE DAY

House met pursuant to adjournment at 1:45 P. M., on Thursday, May 12, 1955.

Prayer by Mr. Macklin.

Members present — Messrs. Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—32.

Members absent—Messrs. Alexander, Brogan, Queen—3.

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

The Secretary of the Senate informed the House that the Senate had concurred in **HR 81**, and was returning **HB 103** with **HA 1**; also **HB 62**, **HB 85**, **HB 93**, **HB 98**, **HB 111**, **HB 112**, **HB 141**, **HB 208**, **HB 211**, **HB 212**, **HB 285**, **HB 325** and **HB 326**, and that the Senate had passed and requested the concurrence of the House in the following: **SB 156** and **SS 1** for **SB 424**.

On motion of Mr. Eskridge, the House reconsidered **HB 103** with **HA 1**.

On motion of Mr. Mayhew, **HA 1** to **HB 103** was stricken from the Bill.

Mr. Eskridge moved that **HB 103**—"An Act to Appropriate Moneys to Certain Hospitals in the State of Delaware," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Bostick, Deputy, Donovan, Eskridge, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Rowan, Smith, Snowden, (Mrs.) Tunnell, Walls, Wolf, Wood, Mr. Speaker Quigley—27.

NAYS—None.

NOT VOTING—Mr. Shockley—1.

ABSENT—Messrs. Alexander, Brogan, Clark, Garton, Maclary, Queen, Wilkinson—7.

HB 103 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Br. B. W. Johnson moved that **SB 333 with SA 1 and HA 1**—"An Act to Amend Chapter 49, and Chapter 50, Title 15 of the Delaware Code Relating to the Conduct of Elections," having been read for the third time, be taken up for consideration in order to pass the House.

On motion of Mr. B. W. Johnson **HA 2** to **SB 333 with SA 1 and HA 1** was adopted.

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

YEAS—Messrs. Bostick, Deputy, Eskridge, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Rowan, Smith, Snowden, (Mrs.) Tunnell, Walls, Wood, Mr. Speaker Quigley—24.

NAYS—None.

ABSENT—Messrs. Alexander, Brogan, Clark, Donovan, Garton, Lester, Maclary, Queen, Shockley, Wilkinson—10.

PRESENT—Mr. Wolf—1.

SB 333 with SA 1 and HA 1 and HA 2 having received the constitutional majority, passed the House and was ordered returned to the Senate for concurrence.

Mr. Macklin moved that HB 269—"An Act to Amend Chapter 31, Title 20, Delaware Code, Relating to Civil Defense; Powers of the Governor," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Bostick, Clark, Deputy, Eskridge, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Lawson, Layton, Lester, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Rowan, Smith, Snowden, (Mrs.) Tunnell, Walls, Wolf, Wood, Mr. Speaker Quigley—26.

NAYS—None.

NOT VOTING—Mr. Keel—1.

ABSENT—Messrs. Alexander, Brogan, Garton, Maclary, Queen, Shockley, Wilkinson—7.

PRESENT—Mr. Donovan—1.

HB 269 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Eskridge, HS 1 for HB 506 was adopted.

Mr. Eskridge moved that HS 1 for HB 506—"An Act to Amend Chapter 21, Title 21, Delaware Code, by Providing for the Issuance of Temporary Registration Plates Under Certain Conditions and for Certain Purposes," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wolf, Wood, Mr. Speaker Quigley—31.

NAYS—None.

ABSENT—Messrs. Alexander, Brogan, Queen, Wilkinson—4.

HS 1 for **HB 506** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The House recessed at 2:30 P. M.

The Speaker called the House to order at 5:05 P. M.

On motion of Mr. Bostick, the Governor's Veto Message on **SB 164** was read:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, May 5, 1955

To The Senate of The State of Delaware:

On April 27, 1955, I received Senate Bill No. 164, entitled:

AN ACT TO AMEND CHAPTER 119, VOLUME 28,
LAWS OF DELAWARE ENTITLED "AN ACT
PROVIDING FOR THE COLLECTION OF TAXES
FOR THE CITY OF WILMINGTON BY INCREAS-
ING THE SALARY OF THE COLLECTORS OF
TAXES FOR THE CITY OF WILMINGTON AND
PROVIDING A SALARY FOR THE CLERKS IN
THE OFFICE OF THE SAID COLLECTORS."

I respectfully return this Bill without my approval.

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

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

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

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

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mrs. Tunnell, **HB 417** with **SA 1** was restored to the calendar.

The Chair presented the following Senate Concurrent Resolution, which was given first and second readings by title only and referred to committee as follows:

SCR 12—"In Reference to an Adjournment of the Senate and House of Representatives," to Miscellaneous.

Mr. Garton moved that SB 234—"An Act to Amend An Act Entitled "An Act Changing the Name of 'The Town of Milford', to 'The City of Milford' and Establishing a Charter Therefor", Being Chapter 162, Volume 37, Laws of Delaware, as Amended," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Lawson, Layton, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wood, Mr. Speaker Quigley—27.

NAYS—None.

ABSENT — Messrs. Alexander, Brogan, Hicks, T. S. Johnson, Lester, Queen, Wilkinson, Wolf—8.

SB 234 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Garton moved that SB 235—"An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Milford' to 'The iCty of Milford' and Establishing a Charter Therefor", Being Chapter 162 of Volume 37, Laws of Delaware, as Amended, Relating to Floating Debt," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Lawson, Layton, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wood, Mr. Speaker Quigley—27.

NAYS—None.

ABSENT — Messrs. Alexander, Brogan, Hicks, T. S. Johnson, Lester, Queen, Wilkinson, Wolf—8.

SB 235 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Mayhew moved that SB 58—"An Act to Amend Chapter 29, Title 24 of the Delaware Code Relating to Eligibility for Taking Examination to be Real Estate Broker," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Deputy, Hastings, B. W. Johnson, Layton, Massey, Mayhew, Nechay, Pepper, Rowan, Walls—10.

NAYS—Messrs. Donovan, Eskridge, Lawson, Macklin, Maclary, Shockley, Smith, Snowden, (Mrs.) Tunnell, Wilkinson, Wood—11.

Messrs. Donovan and Eskridge changed their votes from yea to nay for purpose of reconsideration.

ABSENT — Messrs. Alexander, Brogan, Hicks, T. S. Johnson, Lester, Queen, Wolf—7.

PRESENT—Messrs. Bostick, Clark, Garton, Keel, Livingston, Mattiford, Wood—7.

SB 58 not having received the constitutional majority, was lost.

The following bills were reported by the Committee on Revenue and Taxation: **HB 90**, on merits; by the Committee on Appropriations: **HB 32**, favorably; **HB 401**, favorably; **SB 371**, on merits; **SB 300**, 4 on merits, 1 favorable; **SB 440**, favorably; **SB 452**, on merits; **SB 492**, favorably.

The House recessed at 5:40 P. M.

The Speaker called the House to order at 7:50 P. M.

On motion of Mr. Mayhew, the Governor's Veto Message on **SB 22** with **SA 1** was read:

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

April 29, 1955

To The Senate, 118th General Assembly
State of Delaware

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

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

I respectfully return herewith this bill without my approval.

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

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

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

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

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

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

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

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

Respectfully submitted,

J. CALEB BOGGS, Governor

Mr. Garton moved that SB 228—"An Act to Amend Chapter 6, Title 9 of the Delaware Code Relating to the Time of Submission to the Levy Courts of the Recommendation of County Park and Recreation Commissions with Respect to

Proposed Suburban Park Community Plans," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Lawson, Layton, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wood, Mr. Speaker Quigley—25.

NAYS—None.

ABSENT — Messrs. Alexander, Bostick, Brogan, Hicks, T. S. Johnson, Lester, Livingston, Queen, Rowan, Wolf—10.

SB 228 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Shockley moved that SB 448—"An Act to Amend Chapter 23, Title 19 of the Delaware Code Relating to Workmen's Compensation," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Shockley, HA 1 and HA 1 to SB 448 were adopted.

On motion of Mr. Wood, action was deferred.

Mr. Garton moved that SB 229—"An Act to Amend Chapter 6, Title 9 of the Delaware Code Relating to the Preparation of Surveys, Plans, Specifications and Estimates for Suburban Park Communities," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Lawson, Layton, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wood, Mr. Speaker Quigley—27.

NAYS—None.

ABSENT — Messrs. Alexander, Brogan, Hicks, T. S. Johnson, Lester, Livingston, Queen, Wolf—8.

SB 229 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Wilkinson moved that HB 370—"An Act to Amend Chapter 37, Title 11, Delaware Code, Relating to the Crimes of Larceny and Driving Vehicle Without Consent of Owner," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mattiford,

Mayhew, Nechay, Pepper, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wood, Mr. Speaker Quigley—28.

NAYS—None.

ABSENT — Messrs. Alexander, Brogan, Hicks, T. S. Johnson, Livingston, Queen, Wolf—7.

HB 370 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mrs. Tunnell moved that **SB 87**—"An Act to Amend Title 14 of the Delaware Code by Providing for the Continued Employment of Employees in Districts That are Consolidated or Changed," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Bostick and Deputy—2.

NAYS—Messrs. Clark, Donovan, Garton, B. W. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wood, Mr. Speaker Quigley—23.

ABSENT — Messrs. Alexander, Brogan, Hicks, T. S. Johnson, Livingston, Queen, Rowan, Wolf—8.

PRESENT—Messrs. Eskridge and Hastings—2.

SB 87 not having received the constitutional majority, was lost.

Mrs. Tunnell moved that **HB 526**—"An Act to Amend Chapter 61, Title 9, Delaware Code, Relating to Authorized Appropriations for Ambulance Service," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wood, Mr. Speaker Quigley—28.

NAYS—None.

ABSENT — Messrs. Alexander, Brogan, Hicks, T. S. Johnson, Livingston, Queen, Wolf—7.

HB 526 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Pepper moved that **HB 384**—"An Act to Amend Chapter 31, Title 11, Delaware Code, by Providing That in Any Indictment or Information Where it is Necessary to Allege an Intent to Defraud it Shall be Unnecessary to Name the Person Intended to be Defrauded and That it Shall Not be a Variance and Shall be Sufficient if Intent to Defraud Any

Person or Group of Persons or Legal Entity is Proved," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wood, Mr. Speaker Quigley—28.

NAYS—None.

ABSENT — Messrs. Alexander, Brogan, Hicks, T. S. Johnson, Livingston, Queen, Wolf—7.

HB 384 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Bostick moved that **SB 84**—"An Act to Provide for the Construction, Equipment, and Furnishing of Several New Buildings for Patients, a New Kitchen and Dining Room for Employees, Two Doctors' Residences and Six Employees' Apartments, and a Receiving and Warehouse Building, and for the Additional Repairing, Remodeling, and Equipping of Two Existing Buildings and the Enlarging of One Existing Building at the State Hospital at Farnhurst and Making an Appropriation Therefor," be taken up for consideration and read for the third time in order to pass the House.

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

On motion of Mr. Maclary, **HA 1** to **SB 84** was adopted.

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

YEAS — Messrs. Bostick, Clark, Deputy, Donovan, Eskridge, Garton, B. W. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wood, Mr. Speaker Quigley—26.

NAYS—Mr. Smith—1.

ABSENT—Messrs. Alexander, Brogan, Hastings, Hicks, T. S. Johnson, Livingston, Queen, Wolf—88.

SB 84 with **HA 1** having received the constitutional majority, passed the House and was ordered returned to the Senate for concurrence.

Mr. Wilkinson moved that **HB 347**—"An Act to Amend An Act Entitled "An Act Changing the Corporate Name of 'The Commissioners of Wyoming' to 'The Town of Wyoming' and Establishing a Charter Therefor", Being Chapter 189, Volume 43, Laws of Delaware, 1941 as Amended by Chapter 87, Volume 47, Laws of Delaware, 1949, by Increasing the Amount of Money Which May be Raised Each Year in Taxes," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Wilkinson, **HA 1** to **HB 347** was adopted.

On motion of Mr. Wilkinson, action was deferred.

Mr. Rowan moved that **SB 148** with **SA 1**—"An Act to Amend Chapter 7 of Title 7 of the Delaware Code Relating to the Sale and Possession of Rabbits Received from Other States," having been read for the third time, be taken up for consideration in order to pass the House.

On motion of Mr. Rowan, **HA 1** to **SB 148** with **SA 1** was adopted.

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

YEAS — Messrs. Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Lawson, Layton, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Wood, Mr. Speaker Quigley—26.

NAYS—Mr. Lester—1.

ABSENT — Messrs. Alexander, Brogan, Hicks, T. S. Johnson, Livingston, Queen, Wolf—7.

PRESENT—Mr. Snowden—1.

SB 148 with **SA 1** and **HA 1** having received the constitutional majority, passed the House and was ordered returned to the Senate for concurrence.

Mr. Eskridge moved that **SB 288**—"An Act to Amend Chapter 17, Title 9 of the Delaware Code Relating to Employees Pensions Affecting the City of Wilmington and New Castle County," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Lawson, Layton, Lester, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wood, Mr. Speaker Quigley—26.

NAYS—None.

ABSENT — Messrs. Alexander, Brogan, Hicks, T. S. Johnson, Livingston, Maclary, Queen, Smith, Wolf—9.

SB 288 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The following bills were reported by the Committee on Municipal Corporations: **SB 281**, 3 favorable, 1 on merits; **SB 283**, 3 favorable, 1 on merits; **SB 466**, favorably; by the Committee on Fish, Oysters and Game: **HB 445**, on merits; **SB 212**, on merits; **SB 298**, on merits; **SB 364**, on merits; **SB 417**, 3 on merits, 1 favorable; **SB 489**, favorably.

The House adjourned at 9:40 P. M. until 1:00 P. M., Friday, May 13, 1955.

84TH LEGISLATIVE DAY

House met pursuant to adjournment at 1:45P. M., on Friday, May 13, 1955.

Prayer by Mr. Macklin.

Members present — Messrs. Bostick, Clark, Donovan, Garton, Hastings, T. S. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—25.

Members absent—Messrs. Alexander, Brogan, Deputy, Eskridge, Hicks, B. W. Johnson, Livingston, Massey, Wolf, Wood—10.

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

Mr. Bostick moved that **SJR 5**—"In Reference to the Visit of the Earl and Countess de la Warr," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Bostick, Donovan, Hastings, T. S. Johnson, Keel, Lawson, Layton, Macklin, Maclary, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Mr. Speaker Quigley—21.

NAYS—None.

ABSENT—Messrs. Alexander, Brogan, Clark, Deputy, Eskridge, Garton, Hicks, B. W. Johnson, Lester, Livingston, Massey, Wilkinson, Wolf, Wood—14.

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

The Chair announced he is about to sign: **SJR 5, HB 62, HB 85, HB 93, HB 98, HB 111, HB 112, HB 141, HB 208, HB 211, HB 212, HB 285, HB 303, HB 319, HB 325, HB 326, HB 436, HB 504.**

The Secretary of the Senate informed the House that the Senate had concurred in the following: **HCR 21** and **HB 597**, and that the Senate had passed and requested the concurrence of the House in the following bills, which were presented by the Chair, given first and second readings by title only, and referred to committees as follows:

SB 292—"An Act to Amend Title 13 Delaware Code by Providing That the Superior Court of the State of Delaware in and for New Castle County May Within Its Discretion Refer Proceedings for Divorce or Annulment of Marriage to the Family Court for New Castle County for Attempted Reconciliation," to Judiciary.

SB 293—"An Act to Amend Chapter 9 Title 10 Delaware Code by Granting to the Family Court for New Castle County, Special Jurisdiction With Equitable Powers in Civil Action, Arising in New Castle County for Support of Minor Children and/or Separate Maintenance of a Wife and Removing Jurisdiction Over Said Actions from the Court of Chancery of the State of Delaware," to Judiciary.

SB 294—"An Act to Amend Chapter 9 of Title 10 Delaware Code Entitled "Family Court for New Castle County" by Granting Jurisdiction to the Family Court Over Any Child Found in New Castle County; by Empowering Said Court to Prosecute Persons Charged With Any Offense Except Felonies Against Children; by Granting Jurisdiction to Said Court of the Crime Commonly Known as "Wife-Beating"; by Granting Jurisdiction to the Said Court of the Offense of Selling or Delivering Alcoholic Liquors to a Minor; by Granting Jurisdiction to Said Court of the Crime of Harboring or Using a Child for Sexual Purposes; by Empowering Said Court to Punish Any Person Attempting to Evade the Jurisdiction of the Court by Removing from the State a Child Concerning Whose Custody or Possession Proceedings Have Been Filed With the Court," to Judiciary.

SB 295—"An Act to Amend Title 13 Delaware Code by Abrogating the Rule of Law Which Prohibits a Wife from Testifying to the Fact of Non-Access by Her Husband," to Judiciary.

SB 472 with SA 2, SA 3 and SA 4—"An Act to Amend Chapter 3, Title 17 of the Delaware Code Entitled "The Delaware Memorial Bridge" by Reorganizing and Reconstituting the Delaware Memorial Bridge Division of the State Highway Department as the Delaware Interstate Highway Division; by Authorizing Said Division to Issue Revenue Bonds to Finance the Construction and Reconstruction of Highways in the Interstate System, Bridge Approaches, By-Passes, for the Construction of Toll Crossings Over and Under the Delaware River, and for Refunding Purposes; and by Vesting in the Delaware Interstate Highway Division the Maintenance, Repair and Operation of the Delaware Memorial Bridge," to Private Corporations.

The House recessed at 2:10 P. M.

The Speaker called the House to order at 2:30 P. M. and the House joined the Senate in the Senate Chamber pursuant to SJR 5.

JOINT SESSION

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

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

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

Mr. Lammot moved that the President appoint a committee to escort His Excellency the Governor and The Earl de la Warr to the Senate Chamber. Motion prevailed.

The Chair appointed Messrs. Lammot, Johnson, Macklin and Maclary to escort the Governor and Earl de la Warr to the Senate Chamber.

The appointed committee returned, escorting His Excellency the Governor and the Earl de la Warr.

The President Pro Tem of the Senate turned the ceremonies over to the Governor, the Honorable J. Caleb Boggs, who in turn introduced the Earl and Countess de la Warr. The Earl spoke to the Joint Session.

The appointed committee escorted His Excellency the Governor and the Earl de la Warr from the Chamber.

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

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

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

The House returned to its chamber at the conclusion of the Joint Session and recessed at 3:20 P. M.

The Speaker called the House to order at 4:10 P. M.

The House adjourned at 4:11 P. M. until 1:00 P. M., Monday, May 16, 1955.

85TH LEGISLATIVE DAY

House met pursuant to adjournment at 1:20 P. M., on Monday, May 16, 1955.

Prayer by the Chaplain, Rev. Buckley.

Members present — Messrs. Alexander, Bostick, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—32.

Members absent—Messrs. Brogan, Clark, B. W. Johnson—3.

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

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

SB 104 with SA 1—"An Act Amend Title 24 of the Delaware Code Creating a State Board of Electrical Examiners, and to Prescribe Regulations for Reduction of Fire Hazards and for Protection of Life and Property," to Appropriations.

SB 132 with SA 1—"An Act to Amend Chapter 84, Title 9 of the Delaware Code Relating to the Salary of the Receiver of Taxes and County Treasurer of Kent County," to Municipal Corporations.

SB 156—"An Act to Amend Chapter 17, Title 24, Delaware Code, Entitled, "Medicine, Surgery and Osteopathy" by Consolidating the Boards of Medical Examiners and Generally Revising the Provisions of the Said Chapter," to Public Health.

SB 158 with SA 1—"An Act to Amend Chapter 31, Title 24, Delaware Code, by Providing for the Refusal to Grant or Renew and the Suspension or Revocation of Certificates to Engage in the Undertaking Business," to Public Health.

SB 165 with SA 1—"An Act to Amend Chapter 31, Title 24, of the Delaware Code Relating to the Qualifications and Apprenticeship Requirements for Applicants for a Certificate to Engage in the Undertaking Business," to Public Health.

SB 170 with SA 1—"An Act Amending Title 11, Delaware Code, Relating to Prisons and Prisoners, and Creating a State Board of Corrections Having Responsibility for the Care, Supervision and Administration of Prisoners, Correctional Facilities and Prisoners in Lieu of County Boards and Officers and the Transferring of Property and Prisoners to the Jurisdiction of the State, Defining Certain Crimes, Appropriating Funds and Repealing Contrary Provisions," to Revised Statutes.

SB 310—"An Act to Amend Chapter 71, Title 29 of the Delaware Code Relating to the Mileage Rate for State Employees," to Revised Statutes.

SB 311 with SA 1—"An Act to Establish the Office of Building Inspector for Kent County; and Providing for Certain Operations and Procedure; Requiring Building Permits; Penalties," to Municipal Corporations.

SB 386—"An Act to Amend Section 15 of Article 2 of the Constitution of the State of Delaware Relating to Cost of Operation of the General Assembly With Reference to Salary and Expenses of the Members Thereof," to Charities.

SS 1 for SB 424—"An Act to Prevent Insurance Companies from Asserting the Defense of Sovereignty Where Property of the State of Delaware or Any Political Subdivision Thereof is Insured," to Insurance and Banking.

SB 426—"An Act to Appropriate Certain Funds to the Trustees of the Hartly School District to Enable It to Build an Addition to the Hartly School," to Appropriations.

Mr. Deputy moved that **HCR 10**—"Requesting School Authorities to Properly Supervise Burning of Refuse on School Property," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Alexander, Bostick, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Nechay, Pepper, Queen, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—29.

NAYS—None.

ABSENT—Messrs. Brogan, Clark, B. W. Johnson, Mattiford, Mayhew, Rowan—6.

HCR 10 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Tunnell moved that **HB 97**—"An Act to Amend An Act Entitled, "An Act Amending, Revising and Consolidating the Charter of the Town of Georgetown", Being Chapter 166, Volume 43, Laws of Delaware, as Amended, by Increasing the Limitation Upon Borrowing for Current Expenses," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Alexander, Bostick, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Pepper, Queen, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—28.

NAYS—None.

ABSENT—Messrs. Brogan, Clark, B. W. Johnson, Mattiford, Mayhew, Nechay, Rowan—7.

HB 97 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Nechay, **HB 314** was stricken from the calendar.

On motion of Mr. Walls, **HB 437** was stricken from the calendar.

On motion of Mr. Macklin, the House rules were suspended for the purpose of reading in the bills by number only.

Pursuant to **HCR 28**, the following bills were introduced, given first and second readings by title only and referred to committees as follows:

HB 599—"An Act to Amend An Act Entitled "An Act Changing the Name of "The Town 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," by Eskridge; to Municipal Corporations.

HB 600—"An Act to Legalize and Validate the Acts Done and Proceedings Taken by the City of Seaford, a Municipal Corporation, and by Its Officers and Agents, in Relation to the Issuance of the "\$195,000 Seaford Bond Issue of 1955", and to Legalize and Validate Said Bonds and to Provide for the Payment of Said Bonds," by Eskridge; to Municipal Corporations.

HB 601—"An Act Appropriating Money to John De Prisco in Payment of the Claim of the Said John De Prisco Against the State of Delaware," by Quigley and Deputy; to Claims.

HB 602—"An Act Amending Chapter 19, Title 9, Delaware Code, Relating to the Appointment of County Police by the Levy Court of New Castle County," by Lester; to Municipal Corporations.

HB 603—"An Act to Encourage Manufacturing in the State of Delaware by Providing Certain Temporary Tax Exemptions," by Quigley; to Revenue and Taxation.

HB 604—"An Act to Amend Subchapter XXXV, Chapter 3, Title 11, Delaware Code, Pertaining to Lotteries, Gambling and Betting and Relating to Bingo Games Conducted by Volunteer Fire Companies, Veterans' Organizations, Religious or Charitable Organizations or Fraternal Societies," by Garton; to Municipal Corporations.

HB 605—"An Act to Amend Subchapter II of Chapter 75 of Title 15 of the Delaware Code, Making All the Provisions of Title 15 Applicable to Municipal Elections Held in the City of Wilmington, Defining Political Parties, Providing Certification of Nominations, Device of Party, Ballots, Vacancies After Printing of Ballots and Contests of Elections," by Shockley; to Elections.

HB 606—"An Act to Amend the Charter of the City of Wilmington as Amended by Changing the Term of Office of Mayor and Certain Other Elected Officers of the Said City of Wilmington, by Reconstituting "The Council" and by Changing the Number of Election Offices of Said City of Wilmington," by Shockley; to Municipal Corporations.

HB 607—"An Act to Repeal Chapter 727, Volume 19, Laws of Delaware, and Any and All Laws Amendatory Thereto, and Pertaining to the Holding and Conducting of Municipal Elections in the City of Wilmington," by Shockley; to Elections.

HB 608—"An Act Creating a Department of Traffic Engineering in the City of Wilmington Under the Supervision of the Mayor and Council of Wilmington, Prescribing the Rights and Duties of Said Department, Providing for the

Employment of Personnel Within Said Department, and Authorizing the Office of the Mayor and Council of the City of Wilmington to Dispose of Parking Meter Collections," by Shockley; to Municipal Corporations.

HB 609—"An Act to Amend Section 40 of the Charter of the City of Wilmington, as Amended, by Changing the Provisions Relative to the Salary of the City Solicitor," by Shockley; to Municipal Corporations.

HB 610—"An Act to Provide for State Supported Salary Schedules for the Biennium Beginning July 1, 1955 and Ending June 30, 1957, for Employees of the State Board of Education, the State Board for Vocational Education, and the Board of Public Education in Wilmington Who are Not Covered by the Salary Schedules in Title 14, Chapter 13, Delaware Code, and to Provide Appropriation Therefor," by Tunnell and Wilkinson; to Education.

HB 611—"An Act to Amend Title 11, Delaware Code, Entitled "Crimes and Criminal Procedure" by Forbidding the Sale of Crime Comic Books to Minors," by Snowden; to Revised Statutes.

HB 612—"An Act Authorizing the State Highway Department to Erect, Build, Rebuild, Replace and Repair Dykes Along the Shore of Bethany Beach to Protect the Highways and Lands Near Bethany Beach from Inundation by the Waters of the Atlantic Ocean, and Appropriating Funds Therefor," by T. S. Johnson and Macklin; to Appropriations.

HB 613—"An Act to Amend Chapter 77, Title 11, Delaware Code, Pertaining to the Board of Parole," by Queen (by request); to Judiciary.

HB 614—"An Act to Amend Chapter 370, Volume 48, Laws of Delaware, So as to Permit the Use of a Portion of the Funds Borrowed Thereunder for Additions to the Department of Public Welfare Facilities in Kent County," by Queen (by request); to Municipal Corporations.

HB 615—"An Act to Amend Chapter 290, Volume 47, Laws of Delaware, So as to Permit the Use of a Portion of the Funds Borrowed Thereunder for a Cottage for Employees at Ferris School for Boys," by Queen; to Revised Statutes.

HB 616—"An Act to Authorize the Levy Court of Kent County to Make Certain Tax Refunds," by Queen; to Revenue and Taxation.

HB 617—"An Act Providing for the Use of the Unexpended Portions of Certain Funds Appropriated to Delaware State College and Amending Chapter 408, Volume 47, and Chapter 231, Volume 48, Laws of Delaware to the Extent of Any Inconsistency," by Queen and Garton; to Appropriations.

HB 618—"An Act to Amend Chapter 3, Title 11, Delaware Code, Relating to "Crimes and Criminal Procedure", Defining Common Gambler and Making It a Misdemeanor for a Person to be a Common Gambler," by Queen; to Revised Statutes.

HB 619—"An Act Providing for Pensions to be Paid to Certain Deserving Citizens of the State of Delaware," by Rowan; to Charities.

HB 620—"An Act Making an Appropriation to the Board of Trustees of the Milton Consolidated School Number 8 for the Purchase of Equipment for Certain Departments of the School," by Macklin and Smith; to Appropriations.

HB 621—"An Act to Amend Title 21 Delaware Code, Entitled "Motor Vehicles", Relating to Notice by Commissioner of Revocation or Suspension of Driving Privilege," by Nechay; to Revised Statutes.

HB 622—"An Act to Amend Chapter 43, Title 21, Delaware Code, Relating to Motor Vehicles by Changing the Markings of Vehicles Used to Transport Explosives in Order to Conform With the Interstate Commerce Commission Regulation," by Nechay; to Federal Relations.

HB 623—"An Act Calling for the Submission to the Qualified Electors of the State at the Next General Election of the Question of a Convention to Revise and Amend the Constitution," by Quigley and Macklin; to Revised Statutes.

HB 624—"An Act Creating an Emergency Fund for the Care and Protection of Beach Lands by the State Highway Department," by Snowden; to Appropriations.

HB 625—"An Act to Amend Chapter 83, Title 9, Delaware Code, by Repealing the Capitation Tax," by Lawson; to Revenue and Taxation.

HB 626—"An Act to Amend Chapter 43, Title 21, Delaware Code, Relative to the Transportation of Flammable Liquids," by Wilkinson and Nechay; unassigned.

HB 627—"An Act to Amend Chapter 5, Title 8, Delaware Code by Increasing the Maximum Franchise Tax Upon Corporations," by Donovan; to Revenue and Taxation.

HS 1 for HB 531—"An Act to Amend Chapter 5, Title 31, Delaware Code, Relating to Old Age Welfare," by Mayhew and Massey; to Revised Statutes.

HS 1 for HB 559—"An Act to Appropriate a Sum of Money to the State Building and Grounds Commission for Construction of Sidewalks and Street Lights on State Lands at Dover," by Queen; to Private Corporations.

Pursuant to **HCR 28**, the Speaker declared that the time for introduction of new bills had expired.

On motion of Mr. Mayhew, **SB 58** was restored to the calendar.

On motion of Mr. Queen, **HB 521** was stricken from the calendar.

The Secretary of the Senate informed the House that the Senate had concurred in: **HCR 28**, and that the Senate had passed **SR 74** and requested the concurrence of the House therein.

On motion of Mr. Massey, **HB 177** was returned to committee.

The following bills were reported by the Committee on Municipal Corporations: **SB 397**, on merits; **SB 398**, on merits; **SB 399**, on merits; by the Committee on Revenue and Taxation: **HB 87**, on merits; **HB 123**, on merits; by the Committee on Miscellaneous: **HB 487**, on merits; **HB 503**, favorably; **HB 511**, on merits.

The House recessed at 3:10 P. M.

The Speaker called the House to order at 5:10 P. M.

Mr. Lawson moved that **HB 270**—"An Act to Amend Chapter 31, Title 20, Delaware Code, Entitled "Civil Defense", by Increasing the Salary of the Director of Civil Defense," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Deputy, Macklin, Queen, (Mrs.) Tunnell, Walls, Wood—6.

NAYS—Messrs. Donovan, Eskridge, Garton, Hastings, Hicks, Keel, Lawson, Layton, Maclary, Massey, Mayhew, Nechay, Pepper, Shockley, Smith, Wolf, Mr. Speaker Quigley—17.

Messrs. Lawson and Wolf changed their votes from yea to nay for purpose of reconsideration.

NOT VOTING—Mr. Lester—1.

ABSENT — Messrs. Alexander, Brogan, Clark, B. W. Johnson, Mattiford, Rowan—6.

PRESENT—Messrs. Bostick, T. S. Johnson, Livingston, Snowden, Wilkinson—5.

HB 270 not having received the constitutional majority, was lost.

Mr. Bostick moved that **SB 168**—"An Act to Amend Chapter 31, Title 20, Delaware Code Relating to Civil Defense; Definitions," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Deputy, Eskridge, Garton, Hastings, Hicks, T. S. Johnson, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mayhew, Pepper, Queen, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—25.

NAYS—Messrs. Donovan, Nechay, Smith—3.

ABSENT — Messrs. Alexander, Brogan, Clark, B. W. Johnson, Mattiford, Rowan—6.

PRESENT—Mr. Keel—1.

SB 168 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Pepper moved that **SB 169** with **HA 1**—"An Act Amending Title 20, of the Delaware Code by Providing for Compensation for Civil Defense Workers While in Training," having had its third reading, be taken up for consideration in order to pass the House.

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

YEAS — Messrs. Deputy, Lawson, Queen, Snowden, (Mrs.) Tunnell, Walls, Wolf, Wood—8.

NAYS — Messrs. Eskridge, Layton, Macklin, Maclary, Nechay, Pepper, Shockley, Smith, Mr. Speaker Quigley—9.

Messrs. Macklin and Pepper changed their votes from yea to nay for purpose of reconsideration.

ABSENT—Messrs. Alexander, Brogan, Clark, Donovan, Hicks, B. W. Johnson, T. S. Johnson, Lester, Mattiford, Rowan—10.

PRESENT — Messrs. Bostick, Garton, Hastings, Keel, Livingston, Massey, Mayhew, Wilkinson—8.

SB 169 with **HA 1** not having received the constitutional majority, was lost.

Mr. Bostick moved that **SB 342** with **SA 1**—"An Act to Amend Chapter 31 Title 20, Delaware Code, Relating to the Employment of Personnel by the Director of Civil Defense," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Bostick, Deputy, Lawson, Lester, Queen, Snowden, (Mrs.) Tunnell, Walls, Wood—9.

NAYS—Messrs. Donovan, Eskridge, Layton, Livingston, Macklin, Maclary, Massey, Mayhew, Nechay, Pepper, Shockley, Smith, Wolf, Mr. Speaker Quigley—14.

Messrs. Pepper and Wolf changed their votes from yea to nay for purpose of reconsideration.

ABSENT — Messrs. Alexander, Brogan, Clark, Hicks, B. W. Johnson, T. S. Johnson, Mattiford, Rowan—8.

PRESENT—Messrs. Garton, Hastings, Keel, Wilkinson—4.

SB 342 with **SA 1** not having received the constitutional majority, was lost.

On motion of Mr. Lawson, **HB 270** was restored to the calendar.

On motion of Mr. Pepper, **SB 169** with **HA 1** was restored to the calendar.

On motion of Mr. Wolf, **SB 342** with **SA 1** was restored to the calendar.

Mr. Mayhew moved that **SJR 3**—"Appointing Directors on the Part of the State for the Farmers Bank of the State of Delaware," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Hastings, Keel, Mayhew, Pepper, (Mrs.) Tunnell, Wood—6.

NAYS — Messrs. Bostick, Donovan, Garton, Lawson, Macklin, Massey, Nechay, Queen, Shockley, Snowden, Walls, Wilkinson, Wolf, Mr. Speaker Quigley—14.

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

NOTVOTING—Mr. Deputy—1.

ABSENT — Messrs. Alexander, Brogan, Clark, Hicks, B. W. Johnson, T. S. Johnson, Layton, Lester, Livingston, Maclary, Mattiford, Rowan, Smith—13.

PRESENT—Mr. Eskridge—1.

SJR 3 not having received the constitutional majority, was lost.

On motion of Mr. Macklin, **SJR 3** was restored to the calendar.

The House adjourned at 6:30 P. M. until 1:00 P. M., Tuesday, May 17, 1955.

86TH LEGISLATIVE DAY

House met pursuant to adjournment at 1:45 P. M., on Tuesday, May 17, 1955.

Prayer by the Chaplain, Rev. Buckley.

Members present — Messrs. Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—33.

Members absent—Messrs. Alexander and Brogan—2.

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

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

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, May 17, 1955

To The House of Representatives, 118th General Assembly
 State of Delaware

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

May 13, 1955, House Bill No. 477 with H. A. No. 1—An Act to Amend An Act Entitled, "An Act Amending, Revising and Consolidating the Charter of the Town of Georgetown", Being Chapter 166, Volume 43, Laws of Delaware, as Amended, Relative to the Power of the Town Council of Georgetown to Borrow Money and Issue Bonds.

May 16, 1955, Senate Bill No. 194—An Act to Amend Chapter 95, Title 9 of the Delaware Code by Raising the Salary of the Coroner in New Castle County.

May 16, 1955, Senate Bill No. 197—An Act Authorizing the Levy Court of New Castle County to Appropriate County Moneys to the Wilmington Manor Fire Company, the Good Will Fire Company, the Elsmere Fire Company, and the Aetno Hook, Hose and Ladder Company for the Maintenance of a Rescue Squad.

May 16, 1955, Senate Bill No. 256—An Act to Provide for the Return of Certain Funds to the Unemployment Compensation Administration Fund.

May 16, 1955, Senate Bill No. 257—An Act Appropriating Certain Moneys to Otto D. Zacharias, Trading as Lewis Hardware Store, in Payment of the Claim of the Said Otto D. Zacharias Against the State of Delaware for Merchandise Supplied to the State Highway Department.

May 16, 1955, Senate Bill No. 274—An Act Making an Appropriation to the State Soil Conservation Commission for the Purchase of Heavy Earth-Moving Machinery and Other Equipment Needed in the Soil Conservation Work of the State, Making Provision for the Re-Payment Thereof, and Designating the Boards of Soil District Supervisors to Oversee the Use of Said Equipment and Machinery.

May 16, 1955, Senate Bill No. 277—An Act to Amend Chapter 55, Title 29 of the Delaware Code by Increasing the Compulsory Retirement Age of Covered Employees of the State of Delaware.

May 16, 1955, Senate Bill No. 303—An Act to Amend Chapter 17, Title 7 of the Delaware Code Relating to Dog and Kennel License Fees.

May 16, 1955, Senate Bill No. 394—A Bill to Amend Title 5, Chapter 1, Delaware Code, 1953, Relating to the State Bank Commissioner by Providing That the Trustees of Certain

Oil Royalty and Similar Trusts Shall be Under the Supervision of the State Bank Commissioner; Providing for the Payment of Fees to the State Bank Commissioner for Examination; and Providing Penalties for Failure to Report and Submit to Examination.

May 16, 1955, House Bill No. 47—An Act to Amend Chapter 33, Title 14, Delaware Code, Entitled "Vocational Rehabilitation and Education" to Clarify the Duties of the State Board of Vocational Education and to Facilitate Federal Aid.

May 16, 1955, House Bill No. 121—An Act Amending Chapter 7 and Chapter 13, Title 14, Delaware Code, by Providing an Optional Ten or Twelve Month Salary Payment Plan for Teachers Employed on Ten Month Contract.

May 16, 1955, House Bill No. 183—An Act Amending Chapter 33, Title 19, Delaware Code, Relating to Payment of Employer's Contributions Under Unemployment Compensation Law; Limitation of Actions.

May 16, 1955, House Bill No. 206 with H. A. No. 1—An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Changing the Provisions for Paving of Sidewalks.

May 16, 1955, House Bill No. 207—An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Permitting the Assessor to Use the County Assessment List.

May 16, 1955, House Bill No. 218—An Act Making a Deficiency Appropriation to the Board of School Trustees of the William W. M. Henry Comprehensive High School.

May 16, 1955, House Bill No. 308—An Act to Amend the Charter of the City of Seaford by Permitting the City Council to Post the Assessment List Within Sixty (60) Days After Receiving the Same from the Board of Assessment Rather Than Within Five (5) Days.

May 16, 1955, House Bill No. 309—An Act to Amend the Charter of the City of Seaford by Deleting the Requirement That the Auditor's Report Must be Printed or Published or Posted at Least Ten Days Prior to the Annual Election.

May 16, 1955, House Bill No. 324—An Act to Amend the Charter of the Town of Houston Chapter 240, Volume 27, Laws of Delaware, With Respect to the Election of Commissioners and Meetings Thereof.

May 16, 1955, House Bill No. 360—An Act to Amend the Charter of the Town of Houston, Chapter 240, Volume 27, Laws of Delaware, With Respect to Town Police.

May 16, 1955, House Bill No. 416—An Act to Amend Chapter 277, Volume 49, Laws of Delaware, Being the Charter of the Town of Laurel, in Relation to Capitation Taxes.

May 16, 1955, House Bill No. 554 with H. A. No. 1—An Act to Amend Chapter 61, Title 9, Delaware Code, Relating to the Borrowing Power of the Levy Court of Sussex County.

May 16, 1955, House Concurrent Resolution No. 24—Regarding a Joint Session to Obtain Information About the New Castle County Police Force and the State Police.

May 16, 1955, House Concurrent Resolution No. 26—Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Bill Increasing the Rate of a Special Tax on Gross Premiums of Fire Insurance Companies for the Purpose of Assisting in Maintaining Fire Companies.

Respectfully submitted,

J. CALEB BOGGS, Governor

The Secretary of the Senate informed the House that the Senate had concurred in **HB 115**, **HB 143** and **HCR 10**, and that the Senate had passed and requested the concurrence of the House in the following: **SB 236**, **SB 268**, **SB 269**, **SB 270**, **SB 273** and also **SB 255** with **SA 1**, which was passed over the Governor's veto with three-fifths majority of the Senate.

The House recessed at 2:55 P. M.

The Speaker called the House to order at 4:10 P. M.

The following bills were reported by the Committee on Municipal Corporations: **HB 599**, favorably; **HB 600**, favorably; **HB 604**, 3 favorable, 1 on merits; by the Committee on Public Health: **HB 292**, 3 favorable, 2 on merits; **HB 421**, on merits; **HB 515**, on merits; by the Committee on Elections: **HB 605**, favorably; **HB 607**, favorably.

Mr. B. W. Johnson moved that **SB 377**—"An Act to Amend Chapter 13, Title 10 of the Delaware Code Relating to the Court of Common Pleas for New Castle County," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. B. W. Johnson, **HA 1** to **SB 377** was adopted.

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

YEAS—Messrs. Bostick, Clark, Deputy, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Layton, Livingston, Macklin, Massey, Mattiford, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—23.

NAYS—Messrs. Hicks, Lawson, Lester, Maclary, Snowden, Wolf, Wood—7.

NOT VOTING—Mr. T. S. Johnson—1.

ABSENT—Messrs. Alexander, Brogan, Donovan—3.

PRESENT—Mr. Mayhew—1.

SB 377 with **HA 1** having received the constitutional majority, passed the House and was ordered returned to the Senate for concurrence.

Mr. Shockley moved that **HB 417** with **SA 1**—"An Act to Amend Chapter 1, Title 4, Delaware Code, Entitled "Alcoholic Liquors", by Changing the Definition of "Importer", having had its third reading, be taken up for consideration in order to pass the House.

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

YEAS — Messrs. Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—32.

NAYS—None.

ABSENT—Messrs. Alexander and Brogan—2.

PRESENT—Mr. T. S. Johnson—1.

HB 417 with **SA 1** having received the constitutional majority, passed the House.

Mr. Bostick moved that **SB 164**—"An Act to Amend Chapter 119, Volume 28, Laws of Delaware Entitled "An Act Providing for the Collection of Taxes for the City of Wilmington by Increasing the Salary of the Collectors of Taxes for the City of Wilmington and Providing a Salary for the Clerks in the Office of the Said Collectors," be taken up for consideration in order to pass the House over the veto of the Governor.

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

YEAS — Messrs. Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Layton, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—25.

NAYS—Messrs. Lawson, Maclary, Snowden, Wolf, Wood—5.

ABSENT—Messrs. Alexander and Brogan—2.

PRESENT—Messrs. Hicks, T. S. Johnson, Lester—3.

SB 164 having received the constitutional three-fifths majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Hicks, **HS 1** for **HB 535** was adopted.

Mr. Hicks moved that **HS 1** for **HB 535**—"An Act to Designate a Permanent Site in the City of Wilmington for the Farmers or Curbstone Market," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Layton, Lester, Livingston, Macklin, Maclary,

Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—31.

NAYS—Mr. Lawson—1.

NOT VOTING—Mr. Snowden—1.

ABSENT—Messrs. Alexander and Brogan—2.

HS 1 for **HB 535** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Wood moved that **HB 534**—"An Act to Amend Chapter 3, Title 9, of the Delaware Code Relating to Staggered Terms of Office of Levy Court Commissioners of New Castle County," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Clark, Garton, Hicks, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood—21.

NAYS—Messrs. Shockley and Smith, Mr. Speaker Quigley—3.

NOT VOTING—Messrs. Queen and Rowan—2.

ABSENT—Messrs. Alexander and Brogan—2.

PRESENT—Messrs. Bostick, Deputy, Donovan, Eskridge, Hastings, B. W. Johnson, Pepper—7.

HB 534 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. B. W. Johnson moved that **HB 280**—"An Act to Amend Chapter 1, Title 16, Delaware Code, Relating to the State Board of Health by Increasing the Power of the Board in Reference to Sewage Disposal," be taken up for consideration and read for the third time in order to pass the Senate.

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

YEAS — Messrs. Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—32.

NAYS—None.

ABSENT—Messrs. Alexander and Brogan—2.

PRESENT—Mr. Rowan—1.

HB 280 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Queen moved that **HB 428**—"An Act to Amend Chapter 51, Title 29, Delaware Code, Relative to Meetings of State Boards and Commissions," be taken up for consideration and read for the third time in order to pass the House.

HA 1 to HB 428, introduced by Mr. Wolf, was lost.

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

YEAS — Messrs. Clark, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Layton, Livingston, Massey, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Walls, Wilkinson, Mr. Speaker Quigley—18.

NAYS—Messrs. Deputy, Hicks, Lawson, Lester, Macklin, Maclary, Snowden, (Mrs.) Tunnell, Wolf, Wood—10.

ABSENT—Messrs. Alexander, Bostick, Brogan—3.

PRESENT — Messrs. T. S. Johnson, Keel, Mattiford, Mayhew—4.

HB 428 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The Chair announced he is about to sign: **HB 115, HB 143, HB 597, HCR 10, HCR 21, HCR 28.**

Mr. Mayhew assumed the Chair.

Mr. B. W. Johnson moved that the Governor's Veto Message on **SB 255** with **SA 1** be read and spread upon the Journal:

STATE OF DELAWARE EXECUTIVE DEPARTMENT

Dover, May 12, 1955

To The Senate of The State of Delaware:

On May 4, 1955, I received Senate Bill No. 255 with Senate Amendment No. 1, entitled:

**AN ACT TO AMEND CHAPTER 1, TITLE 15 OF
THE DELAWARE CODE BY ABOLISHING THE
PRESENT DEPARTMENT OF ELECTIONS FOR
NEW CASTLE COUNTY AND CREATING A NEW
DEPARTMENT OF ELECTIONS FOR NEW CAS-
TLE COUNTY.**

I respectfully return this bill without my approval.

No logical reason is known to exist for ripping out the present Department of Elections for New Castle County. The only apparent reason which can be attributed to such action is partisan politics.

The Department of Elections for New Castle County has done an excellent job of administering the registration and election laws of the State. During a period of great growth in population and important changes in the election laws this Department has efficiently performed its duties. The transition from paper ballots to voting machines, with its many difficult administrative problems, was smoothly carried out by the Department.

It is right and proper to abolish, alter or temporarily suspend public agencies only when the public interest is to be served. This bill, however, reflects a complete disregard

for the public interest, as there has been no suggestion or charge of any unlawful action or misconduct of any kind on the part of the Department as presently constituted.

The members of the Department of Elections for New Castle County are persons of experience and integrity. They have performed their duties conscientiously and well, often under difficult circumstances. Such public service deserves commendation rather than summary dismissal.

The abolition of properly functioning public agencies solely in an effort to acquire political advantage, rightly deserves and will surely receive public condemnation. It is for that reason that responsible leaders of both parties have been outspoken in opposition to this type of legislation.

This bill finds no support in any political platform and, in fact, is contrary to a specific pledge in the platform of the Democratic Party.

There is also no justification for depriving a Governor of the right to appoint the members of administrative and executive bodies. Therefore, the reason for doing so must be political expediency. Those favoring the bill themselves reveal this is to be true by providing that the Governor shall make such appointments after the initial ones have been made.

Two years ago, upon the strong urging of the party representing the minority members of this Department, the number of members of the Department was increased to assure each party that it will be represented by at least five of the twelve members. Now the same party reverses its position by endorsing this bill which would establish a much less favorable balance between the parties. Even from a purely political point of view there can be no justification for this backward step.

Respectfully submitted,

J. CALEB BOGGS, Governor

Mr. Rowan moved that SB 161—"An Act to Amend Chapter 21, Title 18, of the Delaware Code Relating to Agents and Brokers, by Providing for Regulations and Examinations in Licensing of Agents and Brokers: Non-Resident Brokers; Appropriation," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf—29.

NAYS—None.

ABSENT — Messrs. Alexander, Brogan, Hicks, T. S. Johnson, Wood, Mr. Speaker Quigley—6.

SB 161 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Queen moved that **HB 569**—"An Act Proposing an Amendment to Section 21 of Article 3 of the Constitution of the State of Delaware, Relating to the Election and Term of Office of the Attorney-General," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Lawson, Layton, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wood, Mr. Speaker Quigley—28.

NAYS—Mr. Wolf—1.

ABSENT — Messrs. Alexander, Brogan, Hicks, T. S. Johnson, Lester, Maclary—6.

HB 569 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Bostick moved that **SB 276** with **HA 1**—"An Act to Amend Chapter 87, Title 10, of the Delaware Code Entitled "Courts and Judicial Procedure" in Respect to Mileage Fees for the Sheriff of New Castle County," having had its third reading, be taken up for consideration in order to pass the House.

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

YEAS — Messrs. Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Lawson, Layton, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wood, Mr. Speaker Quigley—27.

NAYS—Messrs. Hicks and Wolf—2.

ABSENT—Messrs. Alexander, Brogan, T. S. Johnson, Lester, Maclary, Mattiford—6.

SB 276 with **HA 1** having received the constitutional majority, passed the House and was ordered returned to the Senate for concurrence.

On motion of Mr. Queen, **HS 1** for **HB 561** was adopted.

Mr. Queen moved that **HS 1** for **HB 561**—"An Act to Amend Chapter 13, Title 24, Delaware Code, by Revising the Provisions for the Licensing and Regulation of Private Detectives and Detective Agencies," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey,

Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—31.

NAYS—None.

ABSENT — Messrs. Alexander, Brogan, Hicks, T. S. Johnson—4.

HS 1 for **HB 561** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Rowan moved that **HB 522**—"An Act to Appropriate Funds for the Payment of State Contributions for Employee Coverage Under the Social Security Act for the Current Fiscal Year," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—31.

NAYS—None.

ABSENT — Messrs. Alexander, Brogan, Hicks, T. S. Johnson—4.

HB 522 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley, **SB 87** was restored to the calendar.

The House adjourned at 6:00 P. M. until 1:00 P. M., Wednesday, May 18, 1955.

87TH LEGISLATIVE DAY

House met pursuant to adjournment at 1:45 P. M., on Wednesday, May 18, 1955.

Prayer by the Chaplain, Rev. Buckley.

Members present — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—35.

Members absent—None.

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

The Chair announced he is about to sign: **SB 1**, **SB 2**, **SB 84**, **SB 127**, **SB 148** with **SA 1** and **HA 1**, **SB 168**, **SB 228**, **SB 229**, **SB 234**, **SB 235**, **SB 285** with **SA 1**, **SB 288**, **SB 304** with **SA 1**, **SB 422**.

The Secretary of the Senate informed the House that the Senate had concurred in: **HB 127**, and that the Senate had passed and requested the concurrence of the House in the following: **SB 162** and **SB 267**.

The House recessed at 2:15 P. M.

The Speaker called the House to order at 4:20 P. M.

The following bills were reported by the Committee on Education: **HB 610**, 2 favorable, 2 on merits; by the Committee on Municipal Corporations: **HB 606**, favorably; **HB 608**, 3 favorable, 1 on merits; **HB 609**, 3 favorable, 1 on merits; by the Committee on Appropriations: **HB 406**, favorably; **HB 437**, on merits; **HB 617**, favorably; **HB 622**, 4 on merits, 1 favorable; **SB 306**, 4 favorable, 1 on merits; **SB 317**, on merits; **SB 365**, 4 on merits, 1 favorable; **SB 426**, on merits.

Mr. Eskridge moved that **HB 599**—"An Act to Amend An Act Entitled "An Act Changing the Name of 'The Town 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," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, T. S. Johnson, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Pepper, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wolf, Wood., Mr. Speaker Quigley—28.

NAYS—None.

ABSENT — Messrs. Alexander, B. W. Johnson, Keel, Nechay, Queen, Rowan, Wilkinson—7.

HB 599 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Pepper moved that **SB 126**—"An Act to Amend Chapter 84, Title 9 of the Delaware Code Relating to the Salary of the Receiver of Taxes and County Treasurer in Sussex County," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay,

Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—34.

NAYS—None.

ABSENT—Mr. Alexander—1.

SB 126 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Macklin moved that **HB 401**—"An Act Creating the New Castle Historic Buildings Commission, Defining Its Duties and Powers; Appropriations," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—33.

NAYS—None.

ABSENT—Messrs. Alexander and Livingston—2.

HB 401 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Livingston moved that **HS 1** for **HB 576**—"An Act Providing for a Park Police Pension Fund for Members of the Park Police of the City of Wilmington," having had its third reading be taken up for consideration in order to pass the House.

On motion of Mr. Livingston, **HA 1** to **HS 1** for **HB 576** was adopted.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Layton, Lester, Livingston, Macklin, Maclary, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—29.

NAYS—Mr. Massey—1.

ABSENT—Mr. Alexander—1.

PRESENT—Messrs. Lawson, Snowden, Wolf, Wood—4.

HS 1 for **HB 576** with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Donovan moved that **HB 113**—"An Act Appropriating Certain Moneys to Kent and Sussex County Fair, Incorporated, for Prizes," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—33.

NAYS—None.

ABSENT—Messrs. Alexander and Nechay—2.

HB 113 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. B. W. Johnson moved that **SB 255** with **SA 1**—"An Act to Amend Chapter 1, Title 15 of the Delaware Code by Abolishing the Present Department of Elections for New Castle County and Creating a New Department of Elections for New Castle County," be taken up for consideration in order to pass the House over the Governor's veto.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Layton, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—26.

NAYS — Messrs. Lawson, Lester, Maclary, Snowden, Wolf, Wood—6.

ABSENT—Messrs. Alexander and Hicks—2.

PRESENT—Mr. T. S. Johnson—1.

SB 255 with **SA 1** having received the constitutional three-fifths majority, passed the House and was ordered returned to the Senate.

Mr. Eskridge moved that **HB 600**—"An Act to Legalize and Validate the Acts Done and Proceedings Taken by the City of Seaford, a Municipal Corporation, and by Its Officers and Agents, in Relation to the Issuance of the "\$195,000 Seaford Bond Issue of 1955", and to Legalize and Validate Said Bonds and to Provide for the Payment of Said Bonds," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wolf, Wood, Mr. Speaker Quigley—32.

NAYS—None.

ABSENT—Messrs. Alexander, Nechay, Wilkinson—3.

HB 600 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mrs. Tunnell moved that **HB 336**—"An Act Making an Appropriation to the Public Archives Commisison for the Operation and Maintenance of the John Dickinson Mansion as an Historic Site," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wolf, Wood, Mr. Speaker Quigley—31.

NAYS—Mr. Donovan—1.

ABSENT—Messrs. Alexander and Wilkinson—2.

PRESENT—Mr. Smith—1.

HB 336 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Mayhew moved that **SB 22** with **SA 1**—"An Act to Amend Title 14, of the Delaware Code, Relating to "Education" by Providing for the Issuance of a Professional Status Certificate for Teachers and for Regulations Concerning Certificate Renewal," be taken up for consideration in order to pass the House over the Governor's veto.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Layton, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Shockley, Smith, Walls, Wilkinson, Mr. Speaker Quigley—24.

NAYS — Messrs. Lawson, Maclary, Rowan, Snowden, (Mrs.) Tunnell, Wolf, Wood—7.

ABSENT—Mr. Alexander—1.

PRESENT—Messrs. Hicks, T. S. Johnson, Lester—3.

SB 22 with **SA 1** having received the constitutional three-fifths majority, passed the House and was ordered returned to the Senate.

Mr. B. W. Johnson introduced the following resolution, and moved for its adoption: **HR 82**—"Requesting the Motor Vehicle Commissioner to Have the Special License Plates Issued to Raymond M. Lank Surrendered."

WHEREAS, the Motor Vehicle Department furnished to Raymond M. Lank special license plates bearing his initials thereon pursuant to Section 2123, Title 21 of the Delaware Code; and

WHEREAS, the said Raymond M. Lank is no longer entitled to the use and possession of said special license plates; NOW, THEREFORE,

BE IT RESOLVED by the House of Representatives of the 118th General Assembly that the Motor Vehicle Commissioner be requested to take any necessary action to have any special license plates issued to Raymond M. Lank pursuant to Section 2123, Title 21 of the Delaware Code surrendered or delivered up to the Motor Vehicle Department.

BE IT FURTHER RESOLVED that a copy of this resolution be delivered to the Motor Vehicle Commissioner.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Hastings, B. W. Johnson, Keel, Layton, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Walls, Wilkinson—22.

NAYS—Messrs. Hicks, Lawson, Lester, Maclary, Snowden, Wolf, Wood—7.

NOT VOTING—Messrs. Garton and Smith—2.

ABSENT—Mr. Alexander—1.

PRESENT—Mr. T. S. Johnson, Mrs. Tunnell, Mr. Speaker Quigley—3.

HR 82 having received the constitutional majority, passed the House.

Mr. Macklin moved that HB 56 with SA 1—"An Act Directing and Requiring the State Highway Department to Remove a Sluice Gate, Including Its Foundation, in the Canal at or Near Slaughter Beach Canal Bridge; Earth or Dirt Removed to be Used for Parking Accommodation," be taken up for consideration in order to pass the House over the Governor's veto.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Hastings, B. W. Johnson, Keel, Layton, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—23.

NAYS—Messrs. Hicks, Lawson, Maclary, Snowden, Wolf, Wood—6.

NOT VOTING—Mr. T. S. Johnson—1.

ABSENT—Messrs. Alexander, Garton, Mattiford—3.

PRESENT—Messrs. Lester and Queen—2.

HB 56 with SA 1 having received the constitutional three-fifths majority, passed the House and was ordered to the Senate for concurrence.

Mr. Deputy moved that **SB 76**—"An Act Authorizing the Payment of the Sum of \$408.50 for Labor and Materials supplied to the Delaware Colony," having had its third reading, be taken up for consideration in order to pass the House.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Eskridge, Hastings; Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mayhew, Nechay, Pepper, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—29.

NAYS—Messrs. Donovan and Snowden—2.

ABSENT—Messrs. Alexander, Garton, Mattiford, Queen—4.

SB 76 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The Chair announced he is about to sign: **HB 127**, **HB 417** with **SA 1**.

The House recessed at 5:30 P. M.

The Speaker called the House to order at 8:10 P. M.

The following substitute bill was introduced, given first and second reading by title only and referred to committee:

HS 1 for **HB 585**—"An Act to Amend Section 6901, Chapter 69, Title 16, Delaware Code, Relating to the Selling or Possessing of Fireworks; Exceptions; by Providing for the Manufacture, Distribution and Sale of Caps, Sparklers, Torches and Colored Lights and the Licensing of Such Manufacturers, Distributors and Retailers," by Donovan; to Revised Statutes.

Mr. Garton moved that **SB 250**—"An Act to Amend Chapter 6, Title 9 of the Delaware Code Relating to Petition of Freeholders to the Levy Court With Respect to a Proposed Suburban Park Community," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Garton, Hastings, T. S. Johnson, Keel, Layton, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson—23.

NAYS—Messrs. Snowden, Wolf, Mr. Speaker Quigley—3.

ABSENT — Messrs. Eskridge, Hicks, B. W. Johnson, Lawson, Lester, Maclary, Mattiford, Queen, Wood—9.

SB 250 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Pepper moved that **SB 316**—"An Act Transferring and Conveying All of the Right, Title and Interest of the State of Delaware in and to Certain Lands Located in the City of

Milford, Kent County and State of Delaware, to the Church of God, a Religious Corporation of the State of Delaware, Therein Described," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Keel, Layton, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Mr. Speaker Quigley—27.

NAYS—None.

ABSENT — Messrs. Hicks, Lawson, Lester, Maclary, Mattiford, Queen, Wood—7.

PRESENT—Mr. Snowden—1.

SB 316 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mrs. Tunnell moved that SB 302—"An Act to Appropriate Certain Funds to the State Board of Education for the Education, Training or Transportation of Handicapped Children," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Garton, action was deferred.

The House adjourned at 9:45 P. M. until 1:00 P. M., Thursday, May 19, 1955.

88TH LEGISLATIVE DAY

House met pursuant to adjournment at 1:45 P. M.; on Thursday, May 19, 1955.

Prayer by the Chaplain, Rev. Buckley.

Members present — Messrs. Brogan, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—31.

Members absent — Messrs. Alexander, Bostick, Clark, Mattiford—3.

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

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

HS 1 for HB 520—"An Act to Permit the Use of Certain Funds for Capital Improvements at Delaware State College," by Queen and Garton; to Appropriations.

On motion of Mr. Walls, HB 202 was recalled to committee.

The following bills were reported by the Committee on Federal Relations: **HB 622**, favorably; by the Committee on Claims: **SB 178**, on merits.

On motion of Mr. Massey, **HB 177** was stricken from the calendar.

Mr. T. S. Johnson moved that **HB 260**—"An Act Authorizing and Directing the Secretary of State of the State of Delaware to Convey Any Interest in Certain Real Property in Baltimore Hundred, Sussex County, Delaware, Which May Have Escheated or be Subject to Escheat to the State of Delaware, be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Brogan, Deputy, Donovan, Eskridge, Hastings, Hicks, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Queen, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wolf, Wood, Mr. Speaker Quigley—26.

NAYS—None.

ABSENT — Messrs. Alexander, Bostick, Clark, Garton, B. W. Johnson, Maclary, Mattiford, Rowan, Wilkinson—9.

HB 260 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. T. S. Johnson moved that **HB 503**—"An Act to Amend Chapter 166, Volume 37, Laws of Delaware, Entitled "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," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Brogan, Deputy, Donovan, Eskridge, Hastings, Hicks, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Queen, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wolf, Wood, Mr. Speaker Quigley—26.

NAYS—None.

ABSENT — Messrs. Alexander, Bostick, Clark, Garton, B. W. Johnson, Maclary, Mattiford, Rowan, Wilkinson—9.

HB 503 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Queen moved that **SB 109**—"An Act to Amend Chapter 69, Title 11 of the Delaware Code With Respect to the Removal of the Warden of the Kent County Jail and With Respect to the Filling of Any Vacancies," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Brogan, Deputy, Donovan, Eskridge, Hastings, Keel, Lawson, Layton, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Queen, Shockley, Smith, (Mrs.) Tunnell, Walls, Wolf, Mr. Speaker Quigley—21.

NAYS—None.

ABSENT — Messrs. Alexander, Bostick, Clark, Garton, B. W. Johnson, Maclary, Mattiford, Rowan, Wilkinson—9.

PRESENT—Messrs. Hicks, T. S. Johnson, Lester, Snowden, Wood—5.

SB 109 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 102** with **HA 1**, **HB 192**, **HB 209** with **HA 1**, **HB 283**, and that the Senate had passed and requested the concurrence of the house in: **SB 248**, **SB 344**, **SB 367**, **SB 454**, **SB 456** with **SA 1**, and **HS 1** for **HB 223** with **SA 1**.

The House recessed at 2:35 P. M.

The Speaker called the House to order at 4:45 P. M.

On motion of Mr. Donovan, the following was ordered spread upon the Journal:

Since a number of State Agencies have seen fit to attack the budget proposals of the Joint Finance Committee in a manner calculated to arouse the resentment of the public without in any manner enlightening them as to the problems which confronted the Committee, we have decided to make this statement in order to set the record straight.

Since requests for appropriations as submitted to the Budget Commission for the next biennium exceed the anticipated income during the same period by approximately \$18,000,000, the enormity of the problem which confronted the Joint Finance Committee becomes immediately apparent.

Before commencing its deliberations, the Committee agreed that it should be guided by these principles:

1. That current operating costs should be paid out of current revenue.
2. That the present surplus, being of a non-recurring type, should not be used to pay current operating costs, but should rather be applied toward capital improvements.
3. That it is the duty of the Joint Finance Committee to present a balanced budget on the basis of the present tax structure.
4. That it is the duty of the General Assembly to decide upon additional appropriations, since such appropriations will necessarily require increased taxes.

In accordance with these principles, the Committee presented the bill which has been the object of so many attacks recently. The members of the committee regretted the necessity which required drastic cuts in many of the requests. They are willing to support bills requesting additional appropriations where hardships of a serious nature may otherwise result; provided, however, that the taxpayers are fully informed that such appropriations will mean increased taxes and signify their assent to the levy of such taxes by the votes of their elected representatives. Any other course of action would, in our opinion, be improper.

The following bills were reported by the Committee on Municipal Corporations: **HS 1** for **HB 493**, favorably; **SB 280**, 3 favorable, 1 on merits.

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

HCR 29—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a Bill Appropriating Money for the Observance of Memorial Day in Honor of the Grand Army of the Republic," by Donovan; to Appropriations.

On motion of Mr. Macklin, the request of the Senate contained in **SR 74** was granted and **SB 403** will be returned to the Senate.

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

SB 162—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" in Respect to the Printing, Binding and Distribution of the Session Laws," to Rules.

SB 236—"An Act Extending the Corporate Limits of the City of Seaford," to Municipal Corporations.

SB 267—"An Act to Appropriate Additional Funds for the Construction of a State Detention Home for Juveniles and to Authorize the Sale of the Present Detention Home," to Appropriations.

SB 268—"An Act Appropriating Money to the State Park Commission of Delaware for Capital Improvements and Equipment at Brandywine Springs Park," to Appropriations.

SB 269—"An Act Making an Emergency Appropriation to the State Park Commission of Delaware to Enable the Said Commission to Open Brandywine Springs Park," to Appropriations.

SB 270—"An Act Appropriating Money to the State Park Commission of Delaware for the Improvement of the House at Brandywine Springs Park," to Appropriations.

SB 273—"An Act Appropriating Money to the State Park Commission of Delaware for the Partial Restoration of the Building and for the Construction of a Boat Landing and the Purchase of Equipment at Fort Delaware," to Appropriations.

The House recessed at 5:00 P. M.

The Speaker called the House to order at 8:10 P. M.

The following bills were reported by the Committee on Revised Statutes: **HB 529**, on merits; **HS 1** for **HB 531**, favorably; **HB 555**, on merits; **HB 615**, on merits; **HB 618**, on merits; **HB 621**, on merits; **HB 623**, on merits; **SB 416**, on merits; by the Committee on Appropriations: **HB 598**, favorably.

Mr. Massey moved that **SB 220**—"An Act to Amend Title 11 Delaware Code by Increasing the Penalty for Contributing to the Delinquency of a Child," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Brogan, Deputy, Donovan, Eskridge, Garton, B. W. Johnson, T. S. Johnson, Lawson, Lester, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—25.

NAYS—None.

ABSENT—Messrs. Alexander, Bostick, Clark, Hastings, Hicks, Keel, Layton, Maclary, Mattiford, Smith—10.

SB 220 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Massey moved that **SB 193**—"An Act to Amend Title 24, Delaware Code, Entitled "Professions and Occupations" in Respect to the Appointment, Qualifications and Terms of Office of the Board of Accountancy; Requirements for Obtaining Certificate; and in Respect to the Rules and Regulations of the State Board of Accountancy," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Brogan, Deputy, Eskridge, Garton, B. W. Johnson, T. S. Johnson, Lawson, Lester, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Queen, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—23.

NAYS—Messrs. Donovan and Rowan—2.

ABSENT—Messrs. Alexander, Bostick, Clark, Hastings, Hicks, Keel, Layton, Maclary, Mattiford, Smith—10.

SB 193 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Pepper moved that **SB 171**—"An Act to Amend Title 25, Delaware Code Entitled "Property" by Validating Certain Instruments as Deeds," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Brogan, Deputy, Donovan, Eskridge, Garton, B. W. Johnson, T. S. Johnson, Lawson, Lester, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—24.

NAYS—None.

ABSENT—Messrs. Alexander, Bostick, Clark, Hastings, Hicks, Keel, Layton, Maclary, Mattiford, Shockley, Smith—11.

SB 171 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Pepper moved that SB 233—"An Act Authorizing and Directing the Commisisoners of the Levy Court of Sussex County to Transfer Certain Described Land to the State Soil Conservation Commisison for the Use of the Soil Conservation Commission for the Use of the Soil Conservation District of Sussex County," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Brogan, Deputy, Donovan, Eskridge, Garton, B. W. Johnson, T. S. Johnson, Lawson, Lester, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wood, Mr. Speaker Quigley—23.

NAYS—None.

ABSENT—Messrs. Alexander, Bostick, Clark, Hastings, Hicks, Keel, Layton, Maclary, Mattiford, Shockley, Smith, Wolf—12.

SB 233 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Pepper moved that SB 414—"An Act to Amend Chapter 65, Title 29 of the Delaware Code Relating to Expenditures by State Agencies in Excess of Appropriations," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Brogan, Deputy, Eskridge, Garton, B. W. Johnson, Livingston, Nechay, Rowan, Shockley, Wilkinson, Mr. Speaker Quigley—11.

NAYS — Messrs. Donovan, Lawson, Lester, Macklin, Massey, Mayhew, Pepper, Queen, Snowden, (Mrs.) Tunnell, Walls, Wolf, Wood—13.

Messrs. Donovan and Queen changed their votes for purpose of reconsideration.

ABSENT—Messrs. Alexander, Bostick, Clark, Hastings, Hicks, Keel, Layton, Maclary, Mattiford, Smith—10.

PRESENT—Mr. T. S. Johnson—1.

SB 414 not having received the constitutional majority, was lost.

On motion of Mr. Queen, SB 414 was restored to the calendar.

Mr. Garton moved that SB 46—"An Act to Amend Chapter 23, Title 19, Delaware Code, to Permit Chiropractic Services to be Compensated for Under the Workmen's Compensation Law," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Brogan, Deputy, Donovan, Eskridge, Garton, B. W. Johnson, Lester, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—21.

NAYS—Mr. T. S. Johnson—1.

ABSENT—Messrs. Alexander, Bostick, Clark, Hastings, Hicks, T. S. Johnson, Keel, Lawson, Maclary, Mattiford, Smith—11.

PRESENT—Mr. Snowden and Mrs. Tunnell—2.

SB 46 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The House adjourned at 9:00 P. M. until 1:00 P. M., Friday, May 20, 1955.

89TH LEGISLATIVE DAY

House met pursuant to adjournment at 2:00 P. M., on Friday, May 20, 1955.

Prayer by the Chaplain, Rev. Buckley.

Members present — Messrs. Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Keel, Layton, Lester, Macklin, Maclarw, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, Walls, Wolf, Mr. Speaker Quigley—25.

Members absent — Messrs. Alexander, Bostick, Hicks, Lawson, Livingston, Massey, Mattiford, (Mrs.) Tunnell, Wilkinson, Wood—10.

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

The Chair announced he is about to sign: SJR 5, SB 76, SB 126, SB 160, SB 250, SB 276 with HA 1, SB 316, SB 328, SB 329 with SA 1 and HA 1, SB 330 with SA 1 and HA 1, SB 331, SB 332, SB 333 with SA 1 and HA 1 and HA 2, SB 334 with SA 1, SB 335 with SA 1 and SA 2, SB 336, SB 338 with SA 1, SB 339, SB 377 with HA 1, and also HB 192 and HB 283.

Mr. Deputy introduced the following resolution, which upon further motion by him was adopted: **HR 83**—"Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 118th General Assembly."

BE IT RESOLVED, by the House of Representatives of the 118th General Assembly of the State of Delaware, that the following amounts are appropriated out of any money in the General Fund of the State Treasury for the payment of certain expenses connected with the present session of the 118th General Assembly of the State of Delaware, up to and including the Ninetieth Legislative Day, which expenses are declared proper and reasonable expenses actually incurred by the respective members of the House of Representatives for traveling expenses, commonly called mileage expenses, in traveling from their respective homes to Dover and in returning from Dover to their respective homes in the performance of their duties as members of the House of Representatives, during the present Legislative Session thereof, and the Auditor of Accounts is directed to approve and properly execute warrants for, and the State Treasurer is directed to pay to the respective members of the House of Representatives herein-after named, the respective amounts set opposite their respective names, viz.:

Mrs. Mildred Tunnell	\$216.00
Mr. George T. Macklin	142.00
Mr. Leon E. Donovan	138.00
Mr. Charles W. Bostick	75.00
Mr. Ernest S. Mattiford	90.00
Mr. Joseph B. Walls	291.00
Mr. J. Earl Pepper	276.00
Mr. B. Walter Johnson	210.00
Mr. Roland H. Wilkinson	30.00
Mr. Earl N. Keel	192.00
Mr. Peter Nechay	12.00
Mr. Paul F. Livingston	300.00
Mr. Daniel J. Queen, Jr.	6.00
Mr. James L. Hastings	300.00
Mr. Ebe T. Layton	300.00
Mr. Irving H. Garton	12.00
Mr. Nelson Massey	30.00
Mr. Harry E. Mayhew	120.00
Mr. H. Clifford Clark	66.00
Mr. Thomas C. Rowan	150.00
Mr. Edgar Alexander	150.00
Mr. Earl Deputy	180.00
Mr. Norman A. Eskridge	210.00
Mr. John J. Brogan	300.00
Mr. Paul E. Shockley	300.00
Mr. James R. Quigley	270.00

Mr. James H. Snowden	300.00
Mr. Henry H. Wolf	270.00
Mr. Tilghman S. Johnson	339.00
Mr. Benjamin E. Hicks	300.00
Mr. William E. Lester	204.00
Mr. Harry G. Lawson	300.00
Mr. Robert R. Wood	360.00
Mr. Robert P. Maclary	320.00
Mr. James W. Smith	222.00

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

BE IT RESOLVED by the House of Representatives of the 118th General Assembly that the State Treasurer is hereby authorized and directed to pay to each attache and employee of the House, upon order of the Speaker and Chief Clerk of the House, the sum of Ten Dollars (\$10.00) for each legislative day of service by such employee since May 9th, 1955, the eightieth legislative day.

The following bills were reported by the Committee on Appropriations: **SB 82**, on merits; **HCR 29**, favorably; **HB 17**, favorably; **HB 25**, favorably.

On motion of Mr. Donovan, the House rules were suspended.

Mr. Donovan moved that **HCR 29**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a Bill Appropriating Money for the Observance of Memorial Day in Honor of the Grand Army of the Republic," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Brogan, Clark, Deputy, Donovan, Eskridge, Hastings, B. W. Johnson, T. S. Johnson, Keel, Layton, Lester, Macklin, Maclary, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, Walls, Mr. Speak-Quigley—23.

NAYS—None.

ABSENT — Messrs. Alexander, Bostick, Garton, Hicks, Lawson, Livingston, Massey, Mattiford, (Mrs.) Tunnell, Wilkinson, Wood—11.

PRESENT—Mr. Wolf—1.

HCR 29 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Donovan, the House rules were restored.

Mr. Walls moved that **SB 348**—"An Act to Amend Title 7, Delaware Code, Entitled "Conservation" in Relation to the State Forestry Fund," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Brogan, Clark, Deputy, Donovan, Eskridge, Hastings, B. W. Johnson, T. S. Johnson, Keel, Layton, Lester, Macklin, Maclary, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, Walls, Mr. Speak-Quigley—23.

NAYS—Mr. Wolf—1.

ABSENT — Messrs. Alexander, Bostick, Garton, Hicks, Lawson, Livingston, Massey, Mattiford, (Mrs.) Tunnell, Wilkinson, Wood—11.

SB 348 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 103**, **HB 330** and **HB 366**, and that the Senate had passed and requested the concurrence of the House in the following: **SB 343**, **SS 1** for **SB 352**, **SB 368**, **SB 369** with **SA 1**, **SB 499** with **SA 1**, **SB 503**, **SB 504**.

Mr. Deputy moved that the Governor's Veto Message on **HS 1** for **HB 361** be read into the Journal:

STATE OF DELAWARE EXECUTIVE DEPARTMENT

May 17, 1955

To the House of Representatives of the State of Delaware:

On May 11, 1955, I received House Substitute No. 1 for House Bill No. 361, entitled:

AN ACT TO AMEND CHAPTER 27, TITLE 18 OF THE DELAWARE CODE BY PROVIDING FOR A SPECIAL TAX ON CERTAIN GROSS PREMIUMS OF INSURANCE COMPANIES, THE DISTRIBUTION THEREOF, AND REQUIRING CERTAIN POLICE DEPARTMENTS OR BUREAUS TO MAKE CERTAIN REGISTRATIONS WITH THE STATE TREASURER.

I respectfully return this Bill without my approval.

It is apparent from the face of this Bill that it did not receive the required Constitutional vote in the Senate.

The funds raised under the provisions of this Bill are to "be paid out by the State Treasurer to the proper officers in charge of any State, County or Municipal police department or bureau having a pension fund . . ." This is an express appropriation. Section 4, Article VIII of our State Constitution provides that no appropriation of public money shall be made to any county, municipality or corporation otherwise than pursuant to an act of the General Assembly passed with the concurrence of three-fourths of all the members elected to each House.

This Bill received ten votes in the Senate. Therefore, it did not receive the votes of three-fourths of the members elected to the Senate, which would be at least thirteen votes.

Respectfully submitted,

J. CALEB BOGGS, Governor

Mr. Mayhew moved that **SB 266**—"An Act to Amend Title 21, Delaware Code, Entitled "Motor Vehicles" in Regard to the Fiscal Requirements of the Safety Responsibility Law," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Clark, Deputy, Hastings, T. S. Johnson, Layton, Maclary, Nechay, Queen, Rowan, Shockley, Smith, Snowden, Walls, Wolf—14.

NAYS—Messrs. Lester, Macklin, Mayhew, Pepper, Mr. Speaker Quigley—5.

Messrs. Macklin, Mayhew and Pepper changed their votes from yea to nay for purpose of reconsideration.

NOT VOTING—Messrs. Brogan and Keel—2.

ABSENT — Messrs. Alexander, Bostick, Garton, Hicks, Lawson, Livingston, Massey, Mattiford, (Mrs.) Tunnell, Wilkinson, Wood—11.

PRESENT—Messrs. Donovan, Eskridge, B. W. Johnson—3.

SB 266 not having received the constitutional majority, was lost.

Mr. Macklin moved that **HB 459**—"An Act to Regulate the Expansion of Facilities and Services of Water Companies Doing Business in New Castle County," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Brogan, Clark, Deputy, Donovan, Eskridge, Hastings, B. W. Johnson, T. S. Johnson, Keel, Layton, Lester, Macklin, Maclary, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, Walls, Wolf, Mr. Speaker Quigley—24.

NAYS—None.

ABSENT — Messrs. Alexander, Bostick, Garton, Hicks, Lawson, Livingston, Massey, Mattiford, (Mrs.) Tunnell, Wilkinson, Wood—11.

HB 459 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Queen moved that the Governor's Veto Message on HB 405 with HA 1 be read into the Journal:

STATE OF DELAWARE
EXECUTIVE DEPARTMENT

May 20, 1955

To The House of Representatives of The State of Delaware

On May 17, 1955, I received House Bill No. 405 with House Amendment No. 1, entitled:

AN ACT TO AMEND CHAPTER 1, TITLE 15,
DELAWARE CODE, RELATING TO THE DE-
PARTMENT OF ELECTIONS FOR KENT COUN-
TY.

I respectfully return this bill without my approval.

Partisan political advantage seems to be the sole objective of this ripper legislation wherein the public interest is given no consideration.

The Department of Elections for Kent County has done an excellent job of administering the registration and election laws of the State in the best interest of the public and through a difficult period of transition from paper ballots to voting machines. Again it may be said that such public service deserves commendation rather than summary dismissal.

This bill finds no support in any political platform and, in fact, as contrary to a specific pledge in the platform of the Democratic Party.

House Bill No. 405 removes the appointive power from the Governor and places it in the Levy Court of Kent County. On this point it may be said again that there is no justification for depriving a Governor of the appointive power of the Chief Executive as contemplated in the Constitution.

But in this bill not only is the Governor permanently deprived of the appointive power which is properly his, but such power is delegated to a county administrative body to appoint those who will be responsible for conducting elections pertaining to National and State-wide offices. Although this may not be illegal, it certainly seems inappropriate.

Furthermore, uniformity in the administration of the election laws is seriously jeopardized by the requirement that the Department of Elections in Kent County be selected by a different method and by an entirely different governmental body than are similar Departments in the other counties. If good reasons exist for depriving the State government of its present part in the administration of State and National elections, surely such reasons apply in all counties.

This bill is defective in that it fails to make any provision whatsoever for the filling of vacancies which may occur after July 1, 1959.

If the reports carried in the public press are correct, there were several misstatements made in connection with this bill on the floor of the House of Representatives which tend to indicate that the bill was misunderstood and the proponents uninformed. For example, a statement made on the floor by a member indicated that the bill would result in a net saving by reducing the salaries of the members from \$750 per year to \$500. No such saving would result, since the amount now spent annually for salaries is \$2250 whereas under this bill it would be \$3500.

The same member also reportedly referred to the five present members. His knowledge of the law which he urged to be amended was clearly limited, for the present Department consists, by law, of only three members.

It is also reported that a member stated "Any seven men would be better than what we now have." In the absence of any charges against any present member of the Department, this statement merely indicates that legislator's advocacy of ripper legislation.

The abolition of properly functioning public agencies solely in an effort to acquire political advantage rightly deserves and will surely receive public condemnation.

Respectfully submitted,

J. CALEB BOGGS, Governor

Mr. Eskridge assumed the Chair.

Mr. Garton moved that SB 249—"An Act to Amend Chapter 23, Title 9, of the Delaware Code Relating to the Qualifications of Voters for Elections in Sanitary Sewer Districts," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Brogan, Clark, Deputy, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Layton, Macklin, Maclary, Mayhew, Nechay, Pepper, Rowan, Smith, Snowden, Walls, Wolf, Mr. Speaker Quigley—20.

NAYS—Mr. Donovan—1.

ABSENT — Messrs. Alexander, Bostick, Hicks, Lawson, Livingston, Massey, Mattiford, Queen, (Mrs.) Tunnell, Wilkinson, Wood—11.

PRESENT—Messrs. Keel, Lester, Shockley—3.

SB 249 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Garton moved that SB 252—"An Act to Amend Chapter 83, Title 16 of the Delaware Code Relating to the Promulgation of the Building Code in New Castle County," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Garton, action was deferred.

On motion of Mr. Garton, **HS 1** for **HB 493** was adopted.

Mr. Garton moved that **HS 1** for **HB 493**—"An Act to Amend the Charter of the City of Dover, Chapter 158, Volume 36, Laws of Delaware, Relative to the Power to Borrow Money and Issue Bonds," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Garton, action was deferred.

Mr. Garton moved that **SB 253**—"An Act to Amend Chapter 15, Title 9 of the Delaware Code Relating to the Powers and Duties of the Levy Court of New Castle County," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Brogan, Clark, Deputy, Donovan, Eskridge, Garton, B. W. Johnson, T. S. Johnson, Keel, Lester, Macklin, Maclary, Mayhew, Nechay, Pepper, Rowan, Shockley, Smith, Snowden, Walls, Wolf, Mr. Speaker Quigley—22.

NAYS—None.

ABSENT—Messrs. Alexander, Bostick, Hastings, Hicks, Lawson, Layton, Livingston, Massey, Mattiford, Queen, (Mrs.) Tunnell, Wilkinson, Wood—13.

SB 253 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Garton moved that **SB 251**—"An Act to Amend Chapter 26, Title 9 of the Delaware Code Concerning the List of Non-Conforming Uses Related to Zoning in New Castle County," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Shockley, action was deferred.

Mr. Pepper moved that **SB 421**—"An Act to Amend Chapter 23, Title 10 of the Delaware Code Relating to Prothonotary," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Maclary, Snowden, Wolf—3.

NAYS—Messrs. Deputy, B. W. Johnson, Keel, Layton, Lester, Macklin, Mayhew, Pepper, Rowan, Shockley, Smith, Walls, Mr. Speaker Quigley—13.

ABSENT—Messrs. Alexander, Bostick, Donovan, Hicks, Lawson, Livingston, Massey, Mattiford, (Mrs.) Tunnell, Wilkinson, Wood—11.

PRESENT—Messrs. Brogan, Clark, Eskridge, Garton, Hastings, T. S. Johnson, Nechay, Queen—8.

SB 421 not having received the constitutional majority, was lost.

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

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, May 20, 1955

To The Senate, 118th General Assembly
State of Delaware

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

May 17, 1955, Senate Bill No. 243—An Act to Amend Title 19, Delaware Code, Relating to Unemployment Compensation: to Modify Definition of "Employer", to Change Definition of "Employing Unit", to Define "Work", to Provide Benefits in Case of Illness or Disability Under Certain Conditions, to Change Certain Disqualifications for Benefits, to Change Provisions Relating to Variations from the Standard Tax Rate, to Provide for Order of Crediting Employer Contribution Payments and to Provide for Jeopardy Assessments.

May 17, 1955, House Bill No. 104—An Act to Amend Title 19, Delaware Code, Relating to Unemployment Compensation by Increasing the Maximum Weekly Benefit Amount and Maximum Benefit Eligibility, by Increasing the Tax Base and Reducing the Minimum Tax Rate.

May 17, 1955, House Bill No. 381—An Act to Amend Chapter 26, Title 9, Delaware Code, and Entitled "Zoning", by Changing the Provisions Thereof Affecting Changes in Zoning District, Plan or Regulations; Procedure.

May 18, 1955, Senate Bill No. 405—An Act to Amend Title 29, Delaware Code, by Adding a New Chapter Providing for Pensions for Members of the State Judiciary.

May 18, 1955, House Bill No. 62—An Act Appropriating Money to Layton Home for Aged Colored Persons.

May 18, 1955, House Bill No. 85—An Act Appropriating Money to Certain Fire Companies in the State of Delaware Which Maintain and Operate an Ambulance.

May 18, 1955, House Bill No. 93—An Act Appropriating Money to the United Spanish War Veterans, Department of Delaware.

May 18, 1955, House Bill No. 98—An Act to Amend An Act Entitled, "An Act Amending, Revising and Consolidating the Charter of the Town of Georgetown", Being Chapter 166, Volume 43, Laws of Delaware, as Amended, by Authorizing the Town Council of Georgetown to Appoint a Vice-Mayor and Prescribing His Duties.

May 18, 1955, House Bill No. 111—An Act Appropriating Certain Money to the State Soil Conservation Commisison for the Drainage of Tax Ditches in Kent County.

May 18, 1955, House Bill No. 112—An Act Authorizing and Directing the Levy Court of Kent County to Make Available to the Board of Soil District Supervisors of the Soil Conservation District of Kent County Certain Funds for the Employment of an Equipment Manager.

May 18, 1955, House Bill No. 141—An Act Making an Appropriation to the State Board of Education to Provide for the Payment of Costs and Expenses for the Transportation of School Children for the Year Ending June 30, 1954, Over and Above the Appropriations Which Were Available to the State Board of Education for That Purpose.

May 18, 1955, House Bill No. 208—An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Permitting the Sale of Water Outside of the City Limits.

May 18, 1955, House Bill No. 212—An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Removing the Prohibition Against the Manufacturing or Generation of Electric Light and Power.

May 18, 1955, House Bill No. 285—An Act to Amend the Charter of the Town of Bridgeville, Chapter 158, Volume 43, Laws of Delaware, by Increasing the Amount Permitted to be Raised by Taxation.

May 18, 1955, House Bill No. 211—An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Changing the Qualifications for Mayor and Councilmen and by Changing the Qualifications for Mayor and Councilmen and by Changing the Provisions for Nominating Petitions.

May 18, 1955, House Bill No. 303—An Act Amending Chapter 152, Volume 48, Laws of Delaware, Being An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Amending the Borrowing Power of the City for Current Expenses.

May 18, 1955, House Bill No. 325—An Act to Amend An Act Entitled "An Act to Incorporate the Town of Ocean View in Sussex County, Delaware", Being Chapter 645, Volume 18, Laws of Delaware and All Acts Amendatory Thereof and Supplementary Thereto.

May 18, 1955, House Bill No. 326—An Act to Amend Chapter 212 Volume 25, Laws of Delaware, 1909, Entitled "An Act to Incorporate the Town of Bethany Beach and Give It Authority to Issue Bonds", as Amended, Providing for an Increase in the Amount to be Raised by Taxation.

May 18, 1955, House Concurrent Resolution No. 21—Expressing the Appreciation of the General Assembly to Merton B. Tice, Commander-in-Chief of the Veterans of Foreign Wars of the United States.

May 19, 1955, Senate Bill No. 1—An Act to Amend Title 31, Delaware Code, Entitled "Welfare" in Respect to Visitation to Institutions Wherein Blind Children of This State are Maintained or Instructed.

May 19, 1955, Senate Bill No. 2—An Act to Amend Chapter 55, Title 29, Delaware Code, Entitled "State Employees Pension Plan" by Providing That Employees of the Delaware Commisison for the Blind be Included in Covered Employment.

May 19, 1955, Senate Bill No. 84 with H. A. No. 1—An Act to Provide for the Construction, Equipping, and Furnishing of Several New Buildings for Patients, a New Kitchen and Dining Room for Employees, Two Doctors' Residences and Six Employees' Apartments, and a Receiving and Warehouse Building, and for the Additional Repairing, Remodeling, and Equipping of Two Existing Buildings, and the Enlarging of One Existing Building at the State Hospital at Farnhurst and Making an Appropriation Therefor.

May 19, 1955, Senate Bill No. 127—An Act to Amend Chapter 19, Title 14 of the Delaware Code by Changing the Time During Which the Polls are to Remain Open for Purposes of Holding an Election Before the Levy of a Tax for School Purposes.

May 19, 1955, Senate Bill No. 168—An Act to Amend Chapter 31, Title 20, Delaware Code Relating to Civil Defenses: Definitions.

May 19, 1955, Senate Bill No. 228—An Act to Amend Chapter 6, Title 9 of the Delaware Code Relating to the Time of Submission to the Levy Courts of the Recommendation of County Park and Recreation Commissions With Respect to Proposed Suburban Park Community Plans.

May 19, 1955, Senate Bill No. 229—An Act to Amend Chapter 6, Title 9 of the Delaware Code Relating to the Preparation of Surveys, Plans, Specifications and Estimates for Suburban Park Communities.

May 19, 1955, Senate Bill No. 148 with S. A. No. 1 and H. A. No. 1—An Act to Amend Chapter 7 of Title 7 of the Delaware Code Relating to the Sale and Possession of Rabbits Received from Other States.

May 19, 1955, Senate Bill No. 234—An Act to Amend An Act Entitled "An Act Changing the Name of 'The Town of Milford', to 'The City of Milford' and Establishing a Charter Therefor", Being Chapter 162, Volume 37, Laws of Delaware, as Amended.

May 19, 1955, Senate Bill No. 235—An Act to Amend An Act Entitled "An Act Changing the Name of 'The Town of Milford', to 'The City of Milford' and Establishing a Charter Therefor", Being Chapter 162 of Volume 37, Laws of Delaware, as Amended, Relating to Floating Debt.

May 19, 1955, Senate Bill No. 422—An Act to Amend Chapter 23, Title 31 of the Delaware Code Relating to the Definition of a Blind Person.

May 19, 1955, Senate Bill No. 304 with S. A. No. 1—An Act to Amend Chapter 17, Title 7 of the Delaware Code by Establishing a Division of Dog Law Management Under the Board of Game and Fish Commissioners.

May 19, 1955, Senate Bill No. 288—An Act to Amend Chapter 17, Title 9 of the Delaware Code Relating to Employees Pensions Affecting the City of Wilmington and New Castle County.

May 19, 1955, House Concurrent Resolution No. 10—Requesting School Authorities to Properly Supervise Burning of Refuse on School Property.

Respectfully submitted,

J. CALEB BOGGS, Governor

The House recessed at 4:00 P. M.

The Speaker called the House to order at 4:35 P. M.

The House adjourned at 4:40 P. M. until 1:00 P. M., Monday, May 23, 1955.

90TH LEGISLATIVE DAY

House met pursuant to adjournment at 1:30 P. M., on Monday, May 23, 1955.

Prayer by the Chaplain, Rev. Buckley.

Members present — Messrs. Alexander, Bostick, Brogan, Clark, Deputy Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wolf, Wood, Mr. Speaker Quigley—33.

Members absent—Messrs. Snowden and Wilkinson—2.

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

At the request of Mr. Speaker Quigley, Mr. Donovan acted as Speaker.

Mr. Mayhew moved that SB 356—"An Act to Amend Title 5, Delaware Code, Relating to Building and Loan Associations," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Quigley, action was deferred.

Mr. Brogan moved that **HB 467**—"An Act to Amend Chapter 50, Title 15, Delaware Code, by Eliminating the Use of Official Paper Ballots in New Castle County," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Eskridge, Garton, Hastings, B. W. Johnson, Lawson, Layton, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, (Mrs.) Tunnell, Walls, Wolf, Wood—24.

NAYS—Messrs. Lester and Smith—2.

ABSENT—Messrs. Alexander, Maclary, Snowden, Wilkinson—4.

PRESENT — Messrs. Donovan, Hicks, T. S. Johnson, Keel, Mr. Speaker Quigley—5.

HB 467 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The House recessed at 2:15 P. M.

The Speaker called the House to order at 3:00 P. M.

Mr. Deputy moved that **HB 349**—"An Act to Amend Chapter 21, Title 21, Delaware Code, Relative to Registration of Vehicles, by Lowering the Minimum Penalties for First Offenses," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Deputy, Pepper, Mrs. Tunnell—3.

NAYS — Messrs. Donovan, Eskridge, Garton, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Shockley, Wolf, Wood, Mr. Speaker Quigley—18.

NOT VOTING—Mr. T. S. Johnson—1.

ABSENT—Messrs. Alexander, Hastings, Hicks, Rowan, Smith, Snowden, Wilkinson—7.

PRESENT — Messrs. Bostick, Brogan, Clark, B. W. Johnson, Queen, Walls—6.

HB 349 not having received the constitutional majority, was lost.

Mr. Deputy moved that **HB 364**—"An Act to Amend Title 11, Delaware Code, Relating to the Crimes of Embezzlement, Receiving of Embezzled Goods and Larceny," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mattiford, Mayhew, Pepper, Queen, Shockley, (Mrs.) Tunnell, Walls, Wolf, Wood, Mr. Speaker Quigley—27.

NAYS—Mr. Livingston—1.

ABSENT — Messrs. Hicks, Rowan, Smith, Snowden, Wilkinson—5.

PRESENT—Messrs. Donovan and Nechay—2.

HB 364 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Brogan moved that **HB 468**—"An Act to Amend Chapter 71, Title 15, Delaware Code, to Provide the Necessary Costs and Expenses in Special Elections Shall be Paid by the State Treasurer Out of the State Treasury," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Shockley, (Mrs.) Tunnell, Walls, Wolf, Wood, Mr. Speaker Quigley—30.

NAYS—None.

ABSENT — Messrs. Hicks, Rowan, Smith, Snowden, Wilkinson—5.

HB 468 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Brogan moved that **HB 509**—"An Act to Amend Chapter 45, Title 15, Delaware Code by Repealing the Provisions of the Law Requiring the Printing and Distribution of Official Paper Ballots and Other Election Supplies in New Castle County," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Shockley, (Mrs.) Tunnell, Walls, Wolf, Wood, Mr. Speaker Quigley—30.

NAYS—Mr. Lester—1.

ABSENT—Messrs. Rowan, Smith, Snowden, Wilkinson—4.

HB 509 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Garton **HS 1** for **HB 493** was adopted.

Mr. Garton moved that **HS 1** for **HB 493**—"An Act to Amend the Charter of the City of Dover, Chapter 158, Volume 36, Laws of Delaware, Relative to the Power to Borrow Money and Issue Bonds," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Shockley, (Mrs.) Tunnell, Walls, Wolf, Wood, Mr. Speaker Quigley—30.

NAYS—None.

ABSENT — Messrs. Layton, Rowan, Smith, Snowden, Wilkerson—5.

HS 1 for **HB 493** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The Chair announced he is about to sign: **SB 46, SB 109, SB 171, SB 193, HB 220, SB 233, SB 249, SB 253, SB 348 and HB 102 with HA 1, HB 103, HB 209 with HA 1, HB 330 and HB 366.**

On motion of Mr. Mayhew, **SB 266** was restored to the calendar.

Mr. Wood's request was granted to have the following statement spread upon the Journal:

MAYFIELD CIVIC ASSOCIATION

1224 Wilson Road

Wilmington, Delaware

Representative Robert R. Wood, State House
Dover, Delaware Re: Senate Bill 227

My dear Mr. Wood:

The residents of Mayfield, comprising eighty (80) families, situated in Brandywine Hundred of New Castle County, have during the past year experienced considerable shortage of water supply during the critical hours of the day.

Through our contacts with the Delaware Engineering Association, we have learned that this shortage is caused by an inadequate system of distributing mains. This shortage is so serious that at times we have no water and the health of this community is impaired.

It is our understanding that the subject bill has been written to provide extra monies for the Levy Court of New Castle County to authorize the Regional Planning Commis-

sion to have a comprehensive engineering study made, by a competent engineering firm, of the water supply systems of New Castle County.

We respectfully request that favorable action be taken by you and your associates for the passing of this bill, in order that this situation may be alleviated in New Castle County as rapidly as possible.

Very truly yours,

EDWARD BROOKS, President
Mayfield Civic Association
1224 Wilson Road
Wilmington, Dela.

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

SB 248—"An Act to Amend Chapter 5, Title 4 of the Delaware Code Relating to License Fees for Sale of Alcoholic Liquors," to Temperance.

SB 343—"An Act Making an Appropriation to the Delaware Commission of Shell Fisheries for the State's Share of the Initial Cost of the Improvement of a Channel Across Rehoboth Bay to the Channel Leading from Millsboro Through Indian River to the Inlet, and Authorizing and Empowering Said Commission to Act as the Agent of the State of Delaware," to Appropriations.

SB 344—"An Act to Further Amend Chapter 208, Volume 26, Laws of Delaware, as Amended, Entitled "An Act to Establish a Retirement Fund for Pensioning Teachers of the Public Schools in the City of Wilmington, and to Regulate the Collection, Management and Disbursement Thereof, by Increasing the Maximum Amount of the Annual Contributions by Teachers to Said Fund," to Education.

SS 1 for SB 352—"An Act to Appropriate Certain Funds to the Board of Education of the Laurel Special School District to be Used for Certain Purposes," to Appropriations.

SB 367—"An Act to Amend Title 13, Delaware Code, Entitled "Domestic Relations" by Enacting a Uniform Reciprocal Enforcement of Support Act," to Revised Statutes.

SB 368—"An Act to Amend Title 31, Delaware Code, Entitled "Welfare" in Respect to the Organization and Administration of the State Department of Public Welfare; Appropriating Funds," to Appropriations.

SB 369 with SA 1—"An Act to Amend Title 31, Delaware Code, Entitled "Welfare" by Establishing a Public Assistance Code for the State Department of Public Welfare and Repealing Inconsistent Provisions," to Revised Statutes.

SB 454—"An Act to Amend Chapter 17 Title 9 Delaware Code Relating to Employees Pensions in New Castle County," to Municipal Corporations.

SB 456 with SA 1—"An Act to Amend Chapter 42 Title 9 Delaware Code Relating to Indigent Sick in Kent County," to Municipal Corporations.

SB 499 with SA 1—"An Act Appointing a Legislative Advisory Committee to Study the Needs of the General Assembly and to Report to the Next Regular Session Thereof and Providing an Appropriation Therefore," to Appropriations.

SB 503—"An Act to Appropriate Money to Certain Volunteer Fire Companies," to Appropriations.

SB 504—"An Act to Amend Chapter 23, Title 29, Delaware Code, Entitled "Secretary of State" to Permit the Secretary of State to Purchase New Seals of Office and Requiring That the Old Seals be Destroyed," to Miscellaneous.

The House recessed at 4:00 P. M.

The Speaker called the House to order at 5:15 P. M.

On motion of Mr. Lester, **SB 421** was restored to the calendar.

The House adjourned at 5:16 P. M. until 1:00 P. M., Tuesday, May 24, 1955.

91ST LEGISLATIVE DAY

House met pursuant to adjournment at 1:45 P. M., on Tuesday, May 24, 1955.

Prayer by the Chaplain, Rev. Buckley.

Members present — Messrs. Bostick, Brogan, Clark, Deputy, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Mr. Speaker Quigley—31.

Members absent—Messrs. Alexander, Donovan, Snowden, Wood—4.

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

On motion of Mr. Garton, **HB 407** was recalled to committee.

The Secretary of the Senate informed the House that the Senate had concurred in: **HB 107, HB 229, HB 244, HB 328, HB 336, HB 365, HB 383, HB 385, HB 386, HB 387, HB 398, HB 401, HB 427** and **HCR 29**, and that the Senate had passed and requested the concurrence of the House in the following: **SB 319, SB 353 with SA 1 and SA 2, SB 469, SS 1 for SB 470, SB 494, SB 496, SB 497, SB 498, SB 500.**

Mr. Garton moved that **HB 604**—"An Act to Amend Subchapter XXXV, Chapter 3, Title 11, Delaware Code, Pertaining to Lotteries, Gambling and Betting and Relating to Bingo Games Conducted by Volunteer Fire Companies, Veterans'