

Privilege of the floor to discuss the bill was given to the following members: Messrs. Melson, Hickman, Steen and Cook.

On motion of Mr. McCullough, SB 82 for a second time, was deferred.

On motion of Mr. Cook, the Senate adjourned at 5:35 P. M. until 1:00 P. M., Tuesday, May 7, 1957, at which time the Senate was to convene in skeleton session, and at the adjournment of the same, the Senate was to convene in regular session at 2:00 P. M., Wednesday, May 8, 1957.

70TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:00 P. M., on Tuesday, May 7, 1957. President Pro Tem Steen presiding.

Prayer by Mr. Hoey.

Members present—Mr. Hoey and Mr. President Pro Tem—2.

Members absent—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Reilly, Tull, Williams—15.

There being no quorum present, the President Pro Tempore declared the Senate adjourned until 2:00 P. M., Wednesday, May 8, 1957.

71ST LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:25 P. M., on Wednesday, May 8, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Clifford L. Brain: Our Father and our God, we are again privileged to come unto Thee, for Thou hast bid us to come boldly unto Thy throne of Grace, that we may obtain Mercy, and find Grace to help in the time of need. Bless our brother Reilly, and all the sick of our number, heal and restore them to health, if it be Thy will. Cause us, we prayer, to use the gifts and facilities that Thou hast given us to their highest purpose, that those who follow us in years to come may enjoy, under Thy providential Grace, a richer, fuller, and more peaceful existence, because we have yielded to the guidance of Thy tender hand. This we pray in Jesus Blessed Name. Amen.

Members present—Messrs. Behen, Cook, Correll, Gray, Harrison, Hoey, Lammot, Tull, Mr. President Pro Tem—9.

Members absent—Messrs. Hickman, Johnson, McCullough, Melson, Nechay, Pryor, Reilly, Williams—8.

Upon motion by the Chair, motion prevailing, the reading of the Journal of the Previous Session was dispensed with, and the Journal stood approved.

Upon the request of Mr. Lammot, and without objection, SB 254 was stricken from the calendar.

The Chair announced the signing of HB 117, and SB 165, and SS 1 for SB 49.

On motion of Mr. President Pro Tem, the Senate recessed at 2:40 P. M. until call of the Chair.

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

The Hon. John N. McDowell, Secretary of State, delivered a message from the Governor, as follows:

GOVERNOR'S MESSAGE

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

Dover, May 8, 1957

To the Senate of the State of Delaware:

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

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

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

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

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

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

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

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

Respectfully submitted,

J. CALEB BOGGS, Governor

The Chair directed the reading clerk to read a letter from the Delaware State Forestry Commission, inviting the members of the Senate on a tour of state forests on Tuesday, May 28, 1957.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following bill: **HB 217**.

The Chair presented the following House Bill, which was read by title only and referred to committee as follows:

HB 217—"An Act to Appropriate Money to the State Tax Department," to Finance.

On motion of Mr. Cook, the Senate adjourned at 3:45 P. M. until 1:00 P. M., Thursday, May 9, 1957.

72ND LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:00 P. M., on Thursday, May 9, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Clifford L. Brain: Again we are privileged to call upon Thy Holy Name, our Father, and our God. We thank Thee for all Thy bountiful blessings Thou hast provided for us, for food, shelter, clothing, the right use of our minds, a measure of health, and above all for Thy Redemption through our Lord Jesus Christ. Remember us in our needs this day, and empower us to do Thy will whatever it may be. Heal, we pray, the sick and afflicted. Undertake for us in our problems, help us to be strong in our convictions, yet sympathetic toward others. Lead us unto the highest level of public service, for man's greatest good, and Your Glory. In Jesus' Name. Amen.

Members present—Messrs. Behen, Cook, Correll, Gray, Harrison, Tull, William, Mr. President Pro Tem—8.

Members absent—Messrs. Hickman, Hoey, Johnson, Lam-mot, McCullough, Melson, Nechay, Pryor, Reilly—9.

The Journal stood approved, following motion by the Chair, motion prevailing, that the reading of the same be omitted.

Asked to be marked present: Messrs. McCullough, Hoey and Williams.

On motion of the Chair, the Senate recessed at 2:05 P. M. until call of the Chair.

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

Mr. Hickman asked to be marked present.

The following bills were reported by the majority of the Committee on Municipal Corporations as follows: **HB 206**, 3 on merits, **HB 205**, 3 on merits, **SB 244**, 3 on merits, **SB 246**, 3 favorable, **SB 247**, 3 favorable, **SB 248**, 3 favorable.

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

SB 256—"An Act to Amend Chapter 7, Title 4 Delaware Code Relating to Regulatory Provisions for the Sale and Delivery of Beer for Consumption Off the Premises," by Cook; to Temperance.

Upon motion by Mr. Hickman, motion prevailing, the Senate resolved into Executive Session at 2:50 P. M.

Following the conclusion of the Executive Session, the Senate sat again in Regular Session at 3:20 P. M.

On motion of Mr. Cook, the Senate adjourned at 3:25 P. M. until 2:00 P. M., Friday, May 10, 1957.

73RD LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:10 P. M., on Friday, May 10, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Clifford L. Brain: Our Blessed God and our Heavenly Father, we pray that Thou again would hear our prayer this hour. We thank Thee for Thy manifold mercies and Thy graciousness in caring for us in all our needs. Grant us, our Father, a keen insight as to Thy nearness, and may Thy power be seen in our relationships with one another. Bless Senator Reilly, and all who are laid low by sickness, and infirmities of the flesh. Cause us to be governed by such motives and characteristics that will please Thee, and accomplish well the task before us. For we ask these favors and mercies in the Name of Jesus Christ our Lord. Amen.

Members present—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, McCullough, Tull, Mr. President Pro Tem—9.

Members absent—Messrs. Cook, Johnson, Lammot, Melson, Nechay, Pryor, Reilly, Williams—8.

By motion of the Chair, motion prevailing, the reading of the Journal of the Previous Session was omitted.

Upon motion by Mr. Hoey, motion prevailing, Senate Rule 9 was suspended for the rest of this day's session.

Mr. Hoey introduced the following joint resolution, which on further motion by him was adopted, and ordered to the House for concurrence: **SJR 5**—"Expressing Appreciation to the Cape May County Chamber of Commerce for Their Hospitality."

WHEREAS, the Cape May County Chamber of Commerce very graciously entertained the Governor and the members of the 119th General Assembly of the State of Delaware at a reception in Wildwood, New Jersey, and at a dinner in Ocean City, New Jersey, and

WHEREAS, the warm congeniality extended by this fine group was exceptional in every way, and

WHEREAS, the personal reception given to the Delaware delegation by the New Jersey State and Municipal police forces, by Senator Charles Sandman, by Governor Robert Meyner and by many other citizens of the State of New Jersey has an exemplification of the true and outstanding hospitality that the State of New Jersey extends to its visitors, and

WHEREAS, the Governor and the members of the 119th General Assembly of the State of Delaware desire to express their thanks and appreciation for the gracious hospitality extended.

NOW THEREFORE

BE IT RESOLVED by the Senate and the House of Representatives of the 119th General Assembly of the State of Delaware that the sincere appreciation of the Governor and the members of the 119th General Assembly is hereby expressed and their thanks extended to the Cape May County Chamber of Commerce for their gracious hospitality extended on May 7, 1957.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the Press, to the Cape May County Chamber of Commerce, and Senator Charles Sandman.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 88** and **SB 93**, and that the House had passed and requested the concurrence of the Senate in the following bill: **HB 221**.

The Chair presented the following House Bill, which was given reading by title only and referred to committee as follows:

HB 221—"An Act to Amend Chapter 1, Title 4, Delaware Code, Relating to the Sale of Alcoholic Liquors by Importers," to Temperance.

On motion of the President Pro Tempore, the Senate recessed at 2:20 P. M. until call of the Chair.

Senate met at expiration of recess at 4:15 P. M.

President Pro Tempore presiding.

Messrs. Cook, Lammot, Johnson, Williams and Pryor asked to be marked present.

The Chair announced the signing of **SB 88** and **SB 93**.

On behalf of young Miss Amanda Steen, daughter of the President Pro Tempore, Mr. Lammot moved that Senate Rule 22 be suspended for the rest of this day's session. Motion prevailed.

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

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

SB 258—"An Act to Amend Chapter 5, Title 4, of the Delaware Code, Relating to the Rebate of the Excise Tax of This State on Spirits and Wines Sold to an Instrumentality of the Armed Forces of the United States," by Lammot; to Temperance.

The following bills were reported by the majority of the respective committees as follows: **SB 211**, 4 on merits, **SB 219**, 4 on merits, **SB 231**, 4 on merits, **SB 239**, 4 on merits, **SB 238**, 4 on merits, by Miscellaneous; **HB 239**, 4 on merits, by Finance.

Mr. Nechay introduced the following resolution, which on further motion by him was adopted: **SR 69**—"Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 119th General Assembly."

BE IT RESOLVED, by the Senate of the 119th General Assembly of the State of Delaware, that the following amounts be and the same are hereby appropriated out of any money in the General Fund of the State Treasury for the payment of certain expenses connected with the present Session of the 119th General Assembly of the State of Delaware, up to and including the 75th Legislative Day which said expenses are hereby declared to be proper and reasonable expenses actually incurred by the President and by the respective members of the Senate for 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 President and members of the Senate, during the present Legislative Session thereof, and the Auditor of Accounts is hereby authorized and fully empowered and directed to approve and properly execute warrants for, and the State Treasurer is hereby authorized and fully empowered and directed to pay to the President and the respective members of the Senate hereinafter named, the respective amounts set opposite their respective names, viz.:

Clifford Pryor	\$180.00
John Reilly	450.00
Eugene Lammot	450.00
Peter Nechay	135.00
Allen Cook	135.00
William Behen	22.50
Jester A. Gray	108.00
Wilmer Williams	405.00
Jacob Correll	369.00
Thomas L. Johnson	396.00
S. W. Harrison	36.00
Lemuel H. Hickman	540.00
Curtis W. Steen	450.00
Calvin McCullough	414.00
Elwood F. Melson, Jr.	504.00
Walter J. Hoey	216.00

Earle M. Tull 405.00

David Buckson 90.00

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

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

On motion of Mr. Behen, **HB 183**—"An Act to Amend the Charter of the City of Dover, Chapter 158, Volume 36, Laws of Delaware, by Providing for the Borrowing of Money and Issuance of Notes in Anticipation of an Authorized Bond Issue," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Cook, Melson, Reilly—3.

So the question was decided in the affirmative and the bill: **HB 183**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Behen, **HB 184**—"An Act to Amend the Charter of the City of Dover, Chapter 158, Volume 36, Laws of Delaware, by Revising the Method of Hearing Appeals from the General Assessment," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Melson and Reilly—2.

So the question was decided in the affirmative and the bill: **HB 184**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Williams, **SB 159**—"An Act Amending Title 24 of the Delaware Code Creating a State Board of Electrical Examiners, and to Prescribe Regulations for Reduction of Fire Hazards and for Protection of Life and Property," was taken up for consideration and read a second time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Johnson, Lammot, McCullough, Pryor, Tull, Williams, Mr. President Pro Tem—11.

NAYS—Messrs. Hickman, Hoey, Nechay—3.

NOT VOTING—Mr. Behen—1.

ABSENT—Messrs. Melson and Reilly—2.

So the question was decided in the affirmative and the bill: **SB 159**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The following bills were reported by the majority of the Committee on Education as follows: **SB 240**, 1 favorable, 4 on merits, **SB 251**, 2 favorable, 3 on merits.

On motion of Mr. Johnson, **SB 167**—"An Act to Amend Chapter 196, Volume 22, Laws of Delaware, 1901, Entitled "An Act to Authorize the Commissioners of Lewes to Appoint a Board of Public Works for the Town of Lewes, Which Shall Establish, Control and Regulate an Electric Light Plant, Water Works and a Sewer System for Said Town; Prescribing the Powers and Duties of Said Board and Providing for the Election of Their Successors", by Granting to Qualified Leaseholders the Right to Vote in the Election of Members of the Said Board of Public Works," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS — Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Melson and Reilly—2.

So the question was decided in the affirmative and the bill: **SB 167**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. McCullough, **SB 82**—"An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pension Plan, Credit for Other Employment," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. McCullough, Mr. Charles Harris of the Delaware Educational Association was granted the privilege of the floor.

The Chair granted floor privilege to the following members: Messrs. Hoey, Cook and Hickman.

Mr. McCullough introduced **SA 1**, which was read and by order of the Chair a roll call taken thereon, as follows:

On the question, "Shall the Amendment to **SB 82** pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS — Messrs. Gray, Hickman, Johnson, Lammot, McCullough, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—10.

NAYS—None.

NOT VOTING—Messrs. Cook, Correll, Harrison, Hoey—4.

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

So the question was decided in the affirmative and SA 1 to SB 82, having received the required constitutional majority, passed the Senate.

On motion of Mr. McCullough, Mr. Charles Harris was granted the privilege of the floor.

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

YEAS — Messrs. Gray, Johnson, McCullough, Nechay, Pryor, Tull, Williams—7.

NAYS—Messrs. Cook, Correll, Harrison, Hoey, Lammot, Mr. President Pro Tem—6.

NOT VOTING—Mr. Hickman—1.

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

So the question was decided in the negative and the bill: SB 82 with SA 1, not having received the required constitutional majority, was lost.

The following bills were reported by the majority of the respective committees as follows: SB 257, 4 favorable, by Elections; SB 243, 4 favorable, HB 199, 3 unfavorable, by Buildings and Highways; SB 249, 2 favorable, 2 on merits, SB 255, 2 favorable, 2 on merits, by Revised Statutes.

On motion of Mr. Pryor, HB 156 with SA 1—"An Act to Amend Chapter 50, Title 15, Delaware Code Relating to the Use of Voting Machines in Elections," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Pryor, HB 156 as amended by SA 1, was deferred.

On motion of Mr. Pryor, SB 94—"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," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, McCullough, Nechay, Pryor, Tull, Mr. President Pro Tem—6.

NAYS—Messrs. Correll, Lammot, Williams—3.

NOT VOTING—Messrs. Gray, Harrison, Hickman, Hoey, Johnson—5.

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

So the question was decided in the negative and the bill: SB 94, not having received the required constitutional majority, was lost.

On motion of Mr. Cook, the Senate adjourned at 5:30 P. M. until 2:00 P. M., Monday, May 13, 1957.

74TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:13 P. M., on Monday, May 13, 1957. Mr. Cook presiding.

Prayer by the Chaplain, Rev. Clifford L. Brain: Again with thanksgiving upon our hearts, our Father, we come unto Thee in prayer, knowing that Thou hast always a listening ear and a loving heart from which all mercies flow. Establish our hearts this day with the remembrance of Thy provision; for our souls' need, in the Lord Jesus Christ. Enlighten our hearts and minds with Thy wisdom, that we may comprehend Thy divine purpose for each of our lives. Heal our sick, relieve the distressed. May we be quick to yield to the guidance of the Holy Spirit in the dispatch of our duties. Watch over our homes and loved ones, and cause us all to rejoice in the victories won this day in Thee. Hear this, our prayer, O God, in Jesus' Name. Amen.

Members present—Messrs. Cook, Correll, Gray, Harrison, Hickman, Lammot, Melson, Nechay, Tull, Williams—10.

Members absent—Messrs. Behen, Hoey, Johnson, McCullough, Pryor, Reilly, Mr. President Pro Tem—7.

The Journal stood approved, upon motion of the Chair, motion prevailing, to omit the reading of the same.

On motion of Mr. Lammot, the Senate recessed at 2:40 P. M. until call of the Chair.

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

Mr. Cook presiding.

Messrs. Pryor, Hoey and McCullough asked to be marked present.

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

SB 260—"An Act to Provide That Any Unused Funds Appropriated for Maintenance and Construction to the State Highway Department in the Budget Appropriation Act for the Biennium Ending June 30, 1959 Shall be Credited by the State Treasurer for the Use of the State Highway Department for the Purpose for Which They Were Originally Appropriated," by Pryor; to Buildings and Highways.

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

SB 262—"An Act to Amend Title 11, Delaware Code by Creating a Police Council," by Hoey; to Revised Statutes.

SB 263—"An Act to Amend Chapter 9, Title 4, Delaware Code Relating to Alcoholic Liquors," by Hoey; to Temperance.

SB 264—"An Act to Amend Chapter 7, Title 4, Delaware Code Relating to Sale of Service of Liquor to an Intoxicated Person," by Hoey; to Revised Statutes.

SB 265—"An Act to Amend Chapter 67, Title 21, Delaware Code, Relating to Driving a Vehicle Without the Consent of the Owner," by Hoey; to Revised Statutes.

SB 266—"An Act to Amend Chapter 3, Title 11, Delaware Code, Relating to Deadly Weapons and Firearms by Increasing the Minimum Fine for Carrying a Concealed Deadly Weapon Without a License," by Hoey; to Revised Statutes.

SB 267—"An Act to Amend Chapter 3, Title 11, Delaware Code, Relating to Deadly Weapons and Firearms by Prohibiting Former Convicts Owning a Firearm," by Hoey; to Revised Statutes.

SB 268—"An Act to Amend Chapter 25, Title 29, Delaware Code, Relating to the Attorney General by Increasing the Salaries of Certain of the Deputies of Kent and Sussex Counties," by Hoey; to Finance.

SB 269—"An Act to Amend Chapter 87, Title 11, Delaware Code, Relating to the State Detectives by Providing for Their Appointment and Fixing Their Salaries," by Hoey; to Finance.

SB 270—"An Act to Amend Chapter 23, Title 11, Delaware Code, by Granting Authority to the Attorney General, or Any Deputy Attorney General to Apply to a Judge of the Superior Court of the State of Delaware for an Order to Intercept and Record Telegraphic and Telephonic Communications of Persons Suspected of Violating the Criminal Laws of the State and Providing for Contempt Proceedings, for Improper Use of Such Authority," by Hoey; to Revised Statutes.

SB 271—"An Act to Amend Chapter 3, Title 11, Delaware Code, Relating to Wiretapping, by Exempting Additional Persons from the Penalties Therein Provided," by Hoey; to Revised Statutes.

The Chief Clerk of the House informed the Senate that the House had concurred in **SJR 5** and **SB 204**, and that the House had passed and requested the concurrence of the Senate in the following bills: **HB 106** with **HA 1**, **HB 263**, **HB 204**, **HB 272**, **HS 1** for **HB 54**.

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

HB 106 with **HA 1**—"An Act to Amend Chapter 65, Title 29, Delaware Code, by Requiring Certain Persons, Firms or Corporations Receiving Appropriations from the State to File a Financial Report," to Private Corporations.

HB 204—"An Act to Amend Chapter 39, Title 10, Delaware Code, Entitled "Pleading and Practice" by Permitting a Civil Action Against the Parents of Children Who Maliciously Destroy or Damage Property," to Judiciary.

HB 263—"An Act to Amend Title 14, Chapter 71, Delaware Code Relating to Free Public Libraries," to Miscellaneous.

HS 1 for HB 54—"An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety" by Creating an Air Pollution Authority, Prescribing Its Powers and Duties Providing Penalties and Appropriating Funds," to Revised Statutes.

HB 272—"An Act to Amend Title 14, Delaware Code Entitled "Education" in Respect to Changing of Special School District Boundaries," to Education.

Upon request of the Chair, and without objection, Mr. Hoey had stricken from the calendar the following: **SB 128, SB 129, SB 130, SB 132, SB 133, SB 134 and SB 131.**

Upon request of the Chair and without objection, Mr. Melson asked that **SB 141** be stricken from the calendar.

The following bills were reported by the majority of the respective committees as follows: **HB 312**, 4 favorable, 1 unfavorable, by Public Lands; **SB 258**, 3 favorable, 1 on merits, by Temperance; **SB 197**, 3 on merits, by Judiciary; **SB 259**, 3 favorable, 1 on merits, by Revised Statutes.

Mr. Steen asked to be marked present.

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

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

SB 273—"An Act to Amend Chapter 5, Title 24, Delaware Code, Relating to Chiropody, by Providing Injunctive Relief in the Court of Chancery Against Violations of Law," by Lammot and Melson; to Revised Statutes.

SB 274—"An Act to Amend Chapter 21, Title 24, Delaware Code, Relating to Optometry, by Providing Injunctive Relief in the Court of Chancery Against Violation of the Provisions of Said Chapter," by Lammot and Melson; to Public Health.

SB 275—"An Act to Amend Chapter 31, Title 15, Delaware Code, Relating to Primary Elections," by Hoey; to Elections.

On motion of Mr. Nechay, **HB 53**—"An Act Agreeing to the Proposed Amendment to Article IV of the Constitution of the State of Delaware, was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, Melson, Nechay, Pryor, Tull, Williams—12.

NAYS—None.

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Behen, Johnson, Reilly, Mr. President Pro Tem—4.

So the question was decided in the affirmative and the bill: **HB 53**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Lammot, the Senate adjourned at 5:25 P. M. until 2:00 P. M., Tuesday, May 14, 1957.

75TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:20 P. M., on Tuesday, May 14, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Clifford L. Brain: Hear our prayer again, our Heavenly Father, as we meet for another session here today. We thank Thee for journeying mercies, Thy loving care for us and the sense of Thy Divine presence in our midst. We pray for Thy wisdom as we undertake our service, for this our beloved State. And may all that is said and done be well pleasing in Thy sight. If there are any among us who need strength of body, soul or spirit, be pleased to supply it. May Thy healing hand be upon the sick, raising them up for Thy glory. May our contacts bring mutual blessings, one to another, and may we be better men and women because of Thy manifested power in our lives. Through Jesus Christ our Lord. Amen.

Members present—Messrs. Correll, Harrison, Hickman, Hoey, Lammot, Melson, Pryor, Tull, Mr. President Pro Tem—9.

Members absent—Messrs. Behen, Cook, Gray, Johnson, McCullough, Nechay, Reilly, Williams—8.

Upon motion by the Chair, motion prevailing, the Journal of the Previous Session stood approved, and the reading of the same was dispensed with.

The Chair announced the signing of SB 204 and of HB 183 and HB 184.

On motion of the President Pro Tem, the Senate recessed at 2:30 P. M. until call of the Chair.

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

Messrs. Williams, Cook, McCullough, Johnson and Gray asked to be marked present.

The Hon. John N. McDowell, Secretary of State, delivered a message from the Governor, as follows:

GOVERNOR'S MESSAGE

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

Dover, May 14, 1957

To the Senate of the State of Delaware:

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

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

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

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

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

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

Respectfully submitted,

J. CALEB BOGGS, Governor

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

SB 276—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" by Creating a State Agency for Surplus Property, and Prescribing Its Powers and Duties," by Lammot, Tull, Williams and Melson; to Buildings and Highways.

The following bills were reported by the majority of the respective committees as follows: **HB 48**, 4 favorable, by Education; **HB 304**, 3 favorable, **HB 305**, 3 favorable, **HB 306**, 3 favorable, by Municipal Corporations; **SB 20**, 3 unfavorable, 1 on merits, **SB 21**, 3 unfavorable, 1 on merits, by Elections; **HB 127**, 4 favorable, 1 on merits, by Public Health.

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

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

On motion by Mr. Hickman, motion prevailing, **SS 1 for SB 163** was adopted in lieu of the original bill.

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

SB 277—"An Act to Amend Title 19, Delaware Code, Entitled "Labor" by Changing the Name of the "Unemployment Compensation Commission" to "Employment Security Commission," by Hickman and Johnson; to Revised Statutes.

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

The following bills were reported by the majority of the respective committee: **HB 218**, 2 favorable, 1 on merits, **SB 216**, 3 on merits, by Fish, Oysters and Game; **HB 76**, 2 favorable, 2 on merits, **HB 147**, 4 on merits, **HB 242**, 2 favorable, 2 on merits, **HB 255**, 2 favorable, 2 on merits, **HB 261**, 2 favorable, 2 on merits, by Finance.

On motion of Mr. Johnson, **SB 212**—"An Act to Appropriate Money to the State Highway Department for the Purpose of Repairing and Replacing the Boardwalk at Rehoboth Beach," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Johnson, Lammot, McCullough, Melson, Tull, Williams, Mr. President Pro Tem—12.

NAYS—None.

NOT VOTING—Mr. Pryor—1.

ABSENT—Messrs. Behen, Hoey, Nechay, Reilly—4.

So the question was decided in the affirmative and the bill: **SB 212**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Cook, **SB 60**—"An Act to Amend Chapter 43, Title 21, Delaware Code, Relating to Equipment and Construction of Vehicles," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Johnson, Lammot, McCullough, Melson, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Behen, Hoey, Nechay, Reilly—4.

So the question was decided in the affirmative and the bill: **SB 60**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Cook, **SB 239**—"An Act to Amend Title 21, Delaware Code Relating to Fees Paid by the Department of Motor Vehicles for the Return of Number Plates," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Johnson, Lamot, Melson, Tull, Williams, Mr. President Pro Tem—11.

NAYS—None.

NOT VOTING—Messrs. McCullough and Pryor—2.

ABSENT—Messrs. Behen, Hoey, Nechay, Reilly—4.

So the question was decided in the affirmative and the bill: **SB 239**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. McCullough, **SB 17**—"An Act to Amend Title 14 of the Delaware Code Relating to Education by Providing Uniform Regulations for the Payment of Teachers Out of Local Funds," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. McCullough, Mr. Earl McGinnis of the Delaware Educational Association, was granted the privilege of the floor.

The Chair granted the privilege of the floor to discuss the bill to the following members: Messrs. Melson, Hoey and Williams.

On motion of Mr. Williams, **SB 17** was deferred.

On motion of Mr. Cook, the Senate adjourned at 5:10 P. M. until 2:00 P. M., Wednesday, May 15, 1957.

76TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:25 P. M., on Wednesday, May 15, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Clifford L. Brain: Almighty and ever living God, we come unto Thee again, in the Name of our Saviour the Lord Jesus Christ. Deal not, we pray, with us after our iniquities, but in Thy mercy give ear unto our prayer. We would lift up at this time our sick and afflicted unto Thee. Heal, and deliver them out of all their troubles. May we be diligent in the exercise of our duties, in accomplishing the task set before us. And help us to look unto Thy wisdom when the path may be obscure, that we fall not into error. Work out in us this day Thy Divine plan and purpose, and may we be not unmindful of Your interest as well as those, whom we serve in this land of ours. Hear this our prayer, in Jesus' Name. Amen.

Members present—Messrs. Behen, Correll, Gray, Harrison, Hoey, Lamot, McCullough, Nechay, Tull, Mr. President Pro Tem—10.

Members absent—Messrs. Cook, Hickman, Johnson, Melson, Pryor, Reilly, Williams—7.

The reading of the Journal of the Previous Session stood approved, following motion by the Chair, motion prevailing, that the reading of the same be omitted and that approval be made.

Mr. Behen, upon privilege of the floor, read the following letter addressed to the members of the Senate:

STATE OF DELAWARE

SENATE

Dover, Del., May 15, 1957

President Pro Tempore and Members of the Senate:

I, William B. Behen, resign as Chairman of Miscellaneous and Municipal Corporations Committees because of business reasons beyond my control. I will not be able to attend regularly. I feel that no Chairman of any Committee should be absent from the Senate and hold any Legislation from being brought up for a vote.

I also give my written consent to the President Pro Tempore to bring up for passage any bills I have introduced.

W. B. BEHEN, Senator

On motion of the President Pro Tempore, the Senate recessed at 2:30 P. M. until call of the Chair.

Senate met at expiration of recess at 4:20 P. M.

President Pro Tempore presiding.

Messrs. Williams, Pryor, Cook, Hickman and Johnson asked to be marked present.

The following message was delivered by the Governor to the Senate, and was referred to the Chairman of the Executive Committee by the Chair:

GOVERNOR'S MESSAGE

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

Dover, May 15, 1957

To the Senate of the 119th General Assembly of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

Henry J. Ridgely, Rising Sun, to be Director of the Legislative Reference Bureau from this date to serve during the Pleasure of the Governor.

Respectfully submitted,

J. CALEB BOGGS, Governor

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 40**, **SB 70**, **SB 77** with **SA 1**, **SB 195** and **SB 201**, and that the House had passed and requested the concurrence of the Senate in the following bills: **HB 285**, **HB 133**, **HB 287**, **HB 297** and **HB 114**.

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

HB 114—"An Act to Amend Chapter 237, Volume 46, Laws of Delaware, as Amended, Entitled "City of Wilmington Employees' Retirement Act," to Municipal Corporations.

HB 133—"An Act Appropriating Funds to the State Board of Trustees of the Delaware State Hospital at Farnhurst, Delaware, to Build, Equip and Furnish a Wing for the Medical Center at the Hospital for the Mentally Retarded at Stockley, Delaware," to Finance.

HB 278—"An Act to Appropriate to the Board of Public Education in Wilmington \$175,000 for the Purpose of Purchasing Land Upon Which an Elementary School is to be Constructed and to Provide for Return Thereof," to Finance.

HB 285—"An Act Appropriating Funds to the Adjutant General of Delaware for Uniforms for National Guard Officers," to Finance.

HB 297—"An Act to Amend Chapter 63, Title 29, Delaware Code Relating to the General Powers and Duties of the Budget Commission," to Miscellaneous.

The following bills were reported by the majority of the respective committees as follows: **SB 252**, 2 favorable, 1 on merits, by Judiciary; **SB 261**, 4 favorable, **SB 262**, 3 favorable, 1 on merits, **SB 264**, 4 favorable, **SB 265**, 4 favorable, **SB 266**, 2 favorable, 2 on merits, **SB 267**, 2 favorable, 2 on merits, **SB 270**, 2 favorable, 2 on merits, **SB 271**, 4 favorable, **SB 272**, 4 on merits, **SB 273**, 4 favorable, **SB 279**, 3 favorable, **HS 1** for **HB 54**, 3 on merits, 1 favorable, **HB 202**, 4 favorable, by Revised Statutes; **HB 133**, 3 on merits, by Finance.

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

SB 279—"An Act to Amend the Charter of the Town of Delmar, Chapter 182, Volume 45, Laws of Delaware, Relative to Sewer Rentals," by Hickman for Steen; to Revised Statutes.

SB 280—"An Act to Appropriate Certain Funds to the Board of Game and Fish Commissioners for the Purpose of Eliminating Wild Dogs That Exist in the 3rd Representative District of Kent County," by Cook; to Fish, Oysters and Game.

Upon motion by Mr. McCullough, motion prevailing, the letter addressed by Mr. Behen to the members of the Senate and first read at the commencement of this day's session, and again read following the end of the recess, was tabled.

On motion of Mr. Hoey, **HB 147**—"An Act Appropriating Funds to the State Board of Corrections to Buy Land Adjacent to the Kent County Correctional Institution," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Nechay, Pryor, Tull, Williams—12.

NAYS—Mr. President Pro Tem—1.

ABSENT—Messrs. Behen, Lammot, Melson, Reilly—4.

So the question was decided in the affirmative and the bill: **HB 147**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

At the request of the President Pro Tempore, **SB 279** was placed upon the agenda.

Mr. Nechay introduced the following resolution, which on further motion by him was adopted: **SR 70**—"Authorizing Payment of Certain Bills for Expenses Incurred by the Senate."

BE IT RESOLVED by the Senate that the sum of \$124.37 is hereby appropriated to pay for telephone service charges and toll calls in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be, and she is hereby authorized and directed to pay to the Diamond State Telephone Company, 124 So. State Street, Dover, Delaware, the sum of \$124.37 for telephone service charges for the period ending April 11, 1957 and

BE IT FURTHER RESOLVED by the Senate that the sum of \$49.50 is hereby appropriated to pay for printing in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be and she is hereby authorized and directed to pay to Delaware State News, Dover, Delaware, the sum of \$49.50 in payment for printing.

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

SB 281—"An Act to Amend Title 7, Delaware Code, Entitled "Conservation" in Respect to Certain Public Lands," by Johnson; to Buildings and Highways.

SB 282—"An Act to Authorize the Levy Court of New Castle County to Plan, Construct, Equip and Furnish an Additional County Building for New Castle County and to Issue Bonds to Finance the Cost Thereof," by Pryor; to Buildings and Highways.

SB 283—"An Act to Amend Title 17, Delaware Code, Relating to the Location and Maintenance of Outdoor Advertising as Regulated by the State Highway Department," by Pryor; to Buildings and Highways.

SB 284—"An Act to Amend Chapter 15, Title 9, of the Delaware Code Relating to the Power and Duties of the Levy Court of New Castle County," by Pryor; to Buildings and Highways.

On motion of Mr. Pryor, **SB 243**—"An Act to Amend Title 15 of the Delaware Code by Transferring the Obligation to Pay Certain Registration and Election Expenses from the Counties and the City of Wilmington to the State of Delaware and Providing an Appropriation Therefore for the Next Biennium," was taken up for consideration and read a second time by title in order to pass the Senate.

Mr. Hoey introduced **SA 1**, which was read and by direction of the Chair, roll call was taken thereon, as follows:

On the question, "Shall **SA 1** to **SB 243** pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Nechay, Tull, Williams—10.

NAYS—Messrs. McCullough, Pryor, Mr. President Pro Tem—3.

ABSENT—Messrs. Behen, Lamot, Melson, Reilly—4.

So the question was decided in the affirmative and **SA 1** to **SB 243** having received the required constitutional majority, passed the Senate.

Upon motion by Mr. Pryor, motion prevailing, **SB 243** as amended by **SA 1**, was deferred.

On motion of Mr. Pryor, **SB 257**—"An Act to Amend Title 15 of the Delaware Code by Transferring the Obligation to Pay Certain Registration and Election Expenses from the Counties and the City of Wilmington to the State of Delaware and Providing an Appropriation Therefore for the Next Biennium," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Behen, Lamot, Melson, Reilly—4.

So the question was decided in the affirmative and the bill: **SB 257**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Cook, **HB 127**—"An Act to Amend Chapter 464, Volume 50, Laws of Delaware, in Regard to Mental Health Training and Research," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Cook, Mr. Alexis Tarumianz of the Delaware State Hospital, was granted the privilege of the floor.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Johnson, McCullough, Nechay, Tull, Williams, Mr. President Pro Tem—11.

NAYS—None.

NOT VOTING—Br. Hoey—1.

ABSENT—Messrs. Behen, Lammot, Melson, Pryor, Reilly—5.

So the question was decided in the affirmative and the bill: **HB 127**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Hoey, **HB 23**—"An Act Appropriating Money for the Observance of Memorial Day in Honor of the Grand Army of the Republic," was taken up for consideration and read a third time by title in order to pass the Senate.

The Chair granted the privilege of the floor to the following members to discuss the bill: Messrs. Cook, Pryor and McCullough.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Nechay, Tull, Williams—11.

NAYS—Mr. Pryor and Mr. President Pro Tem—2.

ABSENT—Messrs. Behen, Lammot, Melson, Reilly—4.

So the question was decided in the negative and the bill: **HB 23**, not having received the required constitutional majority, was lost.

On motion of Mr. Nechay, **SB 217**—"An Act to Amend Chapter 43, Title 21, Delaware Code, Relating to Equipment and Construction of Vehicles by Providing for a New Sub-Chapter Thereto Entitled "Brake Fluids," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Behen, Lammot, Melson, Reilly—4.

So the question was decided in the affirmative and the bill: **SB 217**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Hoey, the Senate adjourned at 5:35 P. M. until 2:00 P. M., Thursday, May 16, 1957.

77TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:40 P. M., on Thursday, May 16, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Clifford L. Brain: Our Father and our God, we again approach Thy Throne of Grace, because Thou hast provided the way through the Lord Jesus Christ. We praise Thee for Thy manifold blessings, that Thou hast showered upon us. Truly Thou hast blessed us above all the peoples of the earth, help us, we pray, that we may be worthy of these Thy mercies. Direct our thoughts and motives as we attack the problems of the day. May we never lose sight of our responsibility to both God and country, and may our every endeavor be looked upon with satisfaction, knowing that we have done our best. Touch with healing Grace, the sick of our number, and restore them to health and strength, and we will give You the praise and the glory for we ask it all in Jesus' Name. Amen.

Members present—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, McCullough, Melson, Nechay, Tull, Mr. President Pro Tem—11.

Members absent — Messrs. Behen, Johnson, Lammot, Pryor, Reilly, Williams—6.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session stood approved, and the reading of the same was dispensed with.

The Chair announced the signing of **SB 40**, **SB 70**, **SB 77** as amended, **SB 195** and **SB 201**, and the signing of **HB 53**, **HB 127** and **HB 147**.

Upon motion by Mr. McCullough, motion prevailing, Senate Rule 22 was suspended for the rest of the day's session.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following bills: **HB 91** and **HB 208** with **HA 1**.

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

HB 91—"An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety" in Regard to the Composition of the State Board of Health," to Public Health.

HB 208 with **HA 1**—"An Act to Amend Chapter 16, Title 10, Delaware Code Relating to the Court of Common Pleas for Sussex County," to Finance.

On motion of Mr. Cook, the Senate recessed at 2:45 P. M. until call of the Chair.

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

Messrs. Williams and Lammot asked to be marked present.

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

SB 285—"An Act to Amend Chapter 91, Title 10, Delaware Code Relating to Justices of the Peace by Providing for the Number, Location, Compensation of Justices of the Peace in Each of the Respective Counties and Imposing Upon the State of Delaware the Cost of Maintaining Such Courts, With All Fees and Costs Inuring to the State of Delaware," by Nechay; to Judiciary.

The following bills were reported by the majority of the respective committees as follows: **HB 230**, 3 favorable, 1 on merits, by Revised Statutes; **SB 200**, 4 on merits, by Judiciary; **SB 168**, 3 favorable, by Banking and Insurance.

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

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Nechay, Tull, Williams.. Mr President Pro Tem—12.

NAYS—None.

ABSENT — Messrs. Behen, Johnson, Melson, Pryor, Reilly—5.

So the question was decided in the affirmative and the bill: **SB 246**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Tull, **SB 247**—"An Act to Amend Chapter 184, Volume 43, Laws of Delaware, Entitled "An Act Changing the Name of 'The Town of Seaford' to 'The City of Seaford' and Establishing a Charter Therefor" by Changing the Months of the Fiscal Year," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Nechay, Tull, Williams.. Mr President Pro Tem—12.

NAYS—None.

ABSENT — Messrs. Behen, Johnson, Melson, Pryor, Reilly—5.

So the question was decided in the affirmative and the bill: **SB 247**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Cook, **SB 71** as amended by **HA 1**—"An Act to Amend Chapter 83 Title 9 of the Delaware Code Relating to Valuation and Assessment of Property," was taken up for consideration and read a second time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Nechay, Tull, Williams,. Mr President Pro Tem—12.

NAYS—None.

ABSENT — Messrs. Behen, Johnson, Melson, Pryor, Reilly—5.

So the question was decided in the affirmative and the bill: **SB 71** as amended, having received the required constitutional majority, passed the Senate.

On motion of Mr. Cook, **SB 72** as amended by **HA 1**—"An Act to Amend Chapter 1, Title 8, Delaware Code Relating to General Corporation Law," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Nechay, Tull, Williams,. Mr President Pro Tem—12.

NAYS—None.

ABSENT — Messrs. Behen, Johnson, Melson, Pryor, Reilly—5.

So the question was decided in the affirmative and the bill: **SB 72** as amended, having received the required constitutional majority, passed the Senate.

On motion of Mr. Cook, **SB 74** as amended by **HA 1**—"An Act to Amend Chapter 5 Title 8 of the Delaware Code Relating to Corporation Franchise Tax," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Nechay, Tull, Williams,. Mr President Pro Tem—12.

NAYS—None.

ABSENT — Messrs. Behen, Johnson, Melson, Pryor, Reilly—5.

So the question was decided in the affirmative and the bill: **SB 74** as amended, having received the required constitutional majority, passed the Senate.

On motion of Mr. Cook, **SB 255**—"An Act to Amend the Delaware Code, by Abolishing the State Library and to Authorize the Transfer of Material, Office Equipment and Supplies to Other State Agencies, and to Abolish the Office of State Librarian and Transfer the Duties Connected Therewith," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Nechay, Tull, Mr. President Pro Tem—10.

NAYS—Messrs. Correll and Williams—2.

ABSENT — Messrs. Behen, Johnson, Melson, Pryor, Reilly—5.

So the question was decided in the affirmative and the bill: **SB 255**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Cook, **SB 252**—"An Act to Amend Chapter 19, Title 10, Delaware Code, Relating to Law Libraries, and to Provide for a State Law Library in Kent County Corresponding to Law Libraries in the Other Counties and to Appropriate Funds," was taken up for consideration and read a third time by title in order to pass the Senate.

The Chair granted the privilege of the floor to Messrs. Williams and Hoey to discuss the bill.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Nechay, Tull, Williams, Mr. President Pro Tem—12.

NAYS—None.

ABSENT — Messrs. Behen, Johnson, Melson, Pryor, Reilly—5.

So the question was decided in the affirmative and the bill: **SB 252**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Hoey, **HB 133**—"An Act Appropriating Funds to the State Board of Trustees of the Delaware State Hospital at Farnhurst, Delaware, to Build, Equip and Furnish a Wing for the Medical Center at the Hospital for the

Mentally Retarded at Stockley, Delaware," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Nechay, Tull, Mr. President Pro Tem—11.

NAYS—None.

ABSENT — Messrs. Behen, Johnson, Melson, Pryor, Reilly, Williams—6.

So the question was decided in the affirmative and the bill: **HB 133**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. McCullough, **SB 210**—"An Act to appropriate \$7500 to the State Highway Department for the Purpose of Constructing a Concrete Sidewalk Along the East Side of the duPont Highway Opposite the Minquadale School in New Castle County," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Nechay, Tull, Williams, Mr. President Pro Tem—12.

NAYS—None.

ABSENT — Messrs. Behen, Johnson, Melson, Pryor, Reilly—5.

So the question was decided in the affirmative and the bill: **SB 210**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Hoey, **SB 232**—"An Act Authorizing the State Board of Health to Provide Poliomyelitis Immunization and Making an Appropriation Therefor," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Nechay, Tull, Williams, Mr. President Pro Tem—12.

NAYS—None.

ABSENT — Messrs. Behen, Johnson, Melson, Pryor, Reilly—5.

So the question was decided in the affirmative and the bill: **SB 232**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. McCullough, **SB 169**—"An Act to Amend Chapter 81, Title 10 of the Delaware Code, Relating to Limitations of Actions," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. McCullough, Mr. Alexander Nichols, Attorney, of Wilmington, was granted the privilege of the floor.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Nechay, Williams, Mr. President Pro Tem—11.

NAYS—None.

ABSENT — Messrs. Behen, Johnson, Melson, Pryor, Reilly, Tull—6.

So the question was decided in the affirmative and the bill: **SB 169**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Lammot, **SB 219**—"An Act to Amend Chapter 33, Title 25, Delaware Code Relating to Factors' Liens," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Lammot, Mr. Aaron Finger, Jr., Attorney, of Wilmington, was granted the privilege of the floor.

The Chair granted floor privilege to discuss the bill to the following members: Messrs. Hickman, Hoey, Cook and McCullough.

On motion of Mr. Lammot, **SB 219** was deferred.

On motion of Mr. McCullough, **HB 74**—"An Act to Amend Chapter 1, Title 8, Delaware Code, Relating to Corporations," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. McCullough, Mr. Aaron Finger, Jr., Attorney, of Wilmington, was granted the privilege of the floor.

The Chair granted the privilege of the floor to discuss the bill to the following members: Messrs. Hoey and McCullough.

On motion of Mr. McCullough, **HB 74** was deferred.

On motion of Mr. Cook, **SB 118**—"An Act to Amend Chapter 11, Title 30, Delaware Code Relating to Income Tax," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Harrison, Hickman, Hoey, Lammot, McCullough, Nechay, Mr. President Pro Tem—9.

NAYS—None.

ABSENT—Messrs. Behen, Gray, Johnson, Melson, Pryor, Reilly, Tull, Williams—8.

So the question was decided in the affirmative and the bill: **SB 118**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Hoey, **HB 75**—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware," was taken up for consideration and read a third time by title in order to pass the Senate.

There being an insufficient number of members present for the consideration of the bill, on motion of Mr. Hoey, **HB 75** was deferred.

On motion of Mr. Lammot, **SB 12**—"An Act to Amend Subchapter V, Entitled "Controlled-Access Highways," of Chapter 3, Title 17 of the Delaware Code, as Added Thereto by Chapter (H 718), Volume 51, Laws of Delaware, to Facilitate the Establishment of Privately-Owned Competitive Commercial Enterprises for Serving Motorists on Service Roads Parallel to Controlled-Access Highways," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Lammot, Mr. Harry Cross was granted the privilege of the floor.

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

YEAS—Messrs. Cook, Correll, Harrison, Hickman, Hoey, Lammot, McCullough, Nechay, Mr. President Pro Tem—9.

NAYS—None.

ABSENT—Messrs. Behen, Gray, Johnson, Melson, Pryor, Reilly, Tull, Williams—8.

So the question was decided in the affirmative and the bill: **SB 12**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Cook, the Senate adjourned at 6:15 P. M. until 11:00 A. M., Friday, May 17, 1957.

78TH LEGISLATIVE DAY

Senate met pursuant to adjournmentt at 11:00 A. M., on Friday, May 17, 1957. Mr. Cook presiding.

Prayer by Mr. Cook.

Members present—Messrs. Cook and Hoey—2.

Members absent—Messrs. Behen, Correll, Gray, Harrison, Hickman, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Reilly, Tull, Williams, Mr. President Pro Tem—15.

There being no quorum present, on motion by Mr. Hoey, the Senate adjourned until 2:00 P. M., Monday, May 20, 1957.

79TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 3:50 P. M., on Monday, May 20, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Clifford L. Brain: Our Blessed Heavenly Father, again we draw nigh unto Thee in prayer, thanking Thee for all Thy watch and care over us; for safety from the perils of the way, for the provision for all our needs. We thank Thee for the rain that has refreshed the land in many sections of our State. Bless every home and family represented here today. Bless the leaders of our country that we may be leaders of the world in peace and prosperity, because we trust in the living God. Bless all the sick and raise them up as a testimony to Thy grace. Bless now this Session, that our efforts be a blessing to our people and a glory unto Thee. For we ask all these favors in Jesus' Name. Amen.

Members present—Messrs. Correll, Gray, Hickman, Hoey, Lammot, McCullough, Nechay, Tull, Mr. President Pro Tem—9.

Members absent—Messrs. Behen, Cook, Harrison, Johnson, Melson, Pryor, Reilly, Williams—8.

By motion of the Chair, motion prevailing, the reading of the Journal of the Previous Session was dispensed with, and the Journal for that day stood approved.

Asked to be marked present: Messrs. Harrison, Johnson, Pryor, Williams.

The Hon. John N. McDowell, Secretary of State, delivered a message from the Governor, as follows:

GOVERNOR'S MESSAGE STATE OF DELAWARE EXECUTIVE DEPARTMENT

Dover, May 20, 1957

To the Senate of the 119th General Assembly
of the State of Delaware:

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

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

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

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

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

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

Respectfully submitted,

J. CALEB BOGGS, Governor

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 110**, and that the House had passed and requested the concurrence of the Senate in the following bills: **HB 216**, **HB 253**, **HB 302**, **HB 318**, **HB 300**, **HB 307** and **HB 310**.

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

HB 216—"An Act to Amend Chapter 1, Title 12, Delaware Code Relating to Wills," to Judiciary.

HB 253—"An Act to Amend Chapter 11, Title 30, Delaware Code, by Increasing the Minimum Amount of Income Tax Payable at Which the Tax May be Paid in Installments," to Revised Statutes.

HB 300—"An Act Appropriating Funds to the Supreme Court of the State of Delaware," to Judiciary.

HB 302—"An Act Making a Supplementary Appropriation to State Board of Trustees of Delaware State Hospital at Farnhurst for the Purpose of Paying Its Share of a Sewage Treatment Plant," to Finance.

HB 307—"An Act to appropriate \$9000 to the State Highway Department for the Purpose of Constructing a Concrete Sidewalk Along the West Side of Shipley Road Between Faulk Road and the Springer Junior High School in New Castle County," to Finance.

HB 310—"An Act to Amend Chapter 81, Title 9, Delaware Code Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Hyde Park Civic Association, Inc., from Assessment and Taxation," to Private Corporations.

HB 318—"An Act Appropriating Funds to the State Park Commission for Development and Maintenance of Brandywine Springs Park," to Finance.

The following bills were reported by the majority of the respective committees as follows: **SB 278**, 2 favorable, 1 on merits, by Banking and Insurance; **SB 241**, 4 favorable, 1 on merits, by Agriculture.

On motion of Mr. Nechay, **HB 202**—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" in Respect to the Powers of the State Treasurer," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Correll, Gray, Hickman, Hoey, Johnson, Lammot, Melson, Nechay, Tull, Williams, Mr. President Pro Tem—11.

NAYS—None.

NOT VOTING—Mr. Cook—1.

ABSENT — Messrs. Behen, Harrison, Melson, Pryor, Reilly—5.

So the question was decided in the affirmative and the bill: **HB 202**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

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

SB 286—"An Act to Amend Title 10 Delaware Code, Entitled "Courts and Judicial Procedure" in Respect to Chief Deputy Prothonotaries and Registers in Chancery and Clerks of the Orphans' Court," by McCullough; to Revised Statutes.

SB 287—"An Act to Amend Title 12 of the Delaware Code Relating to Decedents' Estates and Fiduciary Relations," by McCullough; to Revised Statutes.

SB 288—"An Act to Amend Chapter 23, Title 30 of the Delaware Code Relating to the Occupation of Conveyancer," by McCullough; to Revised Statutes.

SB 289—"An Act Proposing an Amendment to the Constitution of the State of Delaware to Abolish the Office of Coroner in New Castle County," by McCullough; to Revised Statutes.

SB 290—"An Act to Amend Chapter 3, Title 5, Delaware Code, Relating to the Bank Advisory Board," by McCullough; to Banking and Insurance.

SB 291—"An Act Proposing an Amendment to the Constitution of the State of Delaware to Abolish the Office of Clerk of the Peace in New Castle County," by McCullough; to Revised Statutes.

SB 292—"An Act to Repeal Section 582, Title 4, of the Delaware Code Relating to the Exemption of Instrumentalities of the United States Armed Forces from the Tax Upon the Purchase and Receipt of Beer," by Cook; to Finance.

SB 293—"An Act to Amend Chapter 53, Title 30, Delaware Code Relating to the Cigarette Tax Levy and Rate," by Cook; to Finance.

SB 294—"An Act to Amend Title 28, Delaware Code, by Providing for Referendums, Licensing, Regulation and Control of Dog Racing in the State of Delaware," by Cook; to Revised Statutes.

SB 295—"An Act to Reincorporate the Town of Bridgeville," by Hoey; to Municipal Corporations.

Upon motion by Mr. Cook, motion prevailing, Senate Rule 22 was suspended for the rest of this day's session.

The Chair announced the signing of **SB 110**.

On motion of Mr. Hoey, SB 261—"An Act to Amend Chapter 3, Title 11, Delaware Code Relating to Lotteries, Gambling and Betting," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Hoey, Messrs. Jas. Williams and John B. Jessup of the New Castle County Grand Jury, were granted the privilege of the floor.

Privilege of the floor was also given to Mr. Marvel Lynch of the Sussex County Grand Jury, and to the Hon. Donald Craven, Attorney-General of the State of Delaware.

Mr. Lammot moved that SB 261 be deferred.

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

YEAS—Messrs. Lammot and Pryor—2.

NAYS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, McCullough, Nechay, Tull, Williams, Mr. President Pro Tem—11.

ABSENT—Messrs. Behen, Johnson, Melson, Reilly—4.

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

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, McCullough, Nechay, Tull, Williams, Mr. President Pro Tem—11.

NAYS—None.

NOT VOTING—Messrs. Lammot and Pryor—2.

ABSENT—Messrs. Behen, Johnson, Melson, Reilly—4.

So the question was decided in the negative and the bill: SB 261, not having received the required constitutional majority, was lost.

On motion of by Mr. Hoey, motion prevailing, roll call on SB 261 was tabled.

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

SB 296—"An Act to Amend Chapter 9, Title 13, Delaware Code Relating to Adoption," by Lammot; to Revised Statutes.

On motion of Mr. Hoey, the Senate adjourned at 5:30 P. M. until 2:00 P. M., Tuesday, May 21, 1957.

80TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:15 P. M., on Tuesday, May 21, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Clifford L. Brain: Almighty God and our Creator and Preserver, we invoke Thy blessing upon this gathering here today in the Name of Thy Son the Lord Jesus Christ. Help us, we pray, that our labours be

acceptable before Thee as well as before man. Bless all who have a part in the making of laws and setting the policies of this State, and make us keenly aware that we hold the well being and prosperity of multitudes in our hands. Remember our Father in Love and Grace the sick, and heal their bodies. Direct us all this day, into a higher plane of life and living, that we might be worthy to be leaders of men, and thus contribute something to the easing of the plight of some poor mortal in his struggle for existence. In Jesus' Name. Amen.

Members present — Messrs. Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Nechay, Mr. President Pro Tem—9.

Members absent—Messrs. Behen, Cook, Johnson, Melson, Pryor, Reilly, Tull, Williams—8.

Upon motion by the Chair, motion prevailing, the Journal of the Previous Session stood approved, and the reading of the same was dispensed with.

On motion of Mr. Lammot, the Senate recessed at 2:20 P. M. until call of the Chair.

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

Messrs. Cook, Tull, Williams, Johnson, Melson, Pryor and Behen asked to be marked present.

The Chair announced the signing of **HB 133**.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following bills: **HB 58**, **HB 225** and **HB 341**.

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

HB 58—"An Act Amending the Charter of the City of New Castle by Placing the Appointment and Operation of Police Constables Under the Jurisdiction of the City Council, by Requiring the Mayor to be a Bonafide Owner of Property Within the City Limits and to Give the Mayor Authority to Prescribe the Same Punishment for Criminal Violations as May be Prescribed by Justices of the Peace," to Municipal Corporations.

HB 225—"An Act Directing the State Highway Department to Fill and Resurface Route 441 and a Portion of Route 424, Near Odessa, New Castle County, Delaware," to Buildings and Highways.

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

Mr. Nechay introduced the following resolution, which on further motion by him was adopted: **SR 71**—"Authorizing Payment on Account to Attaches and Employees of the Senate."

BE IT RESOLVED by the Senate of the 119th General Assembly, that the State Treasurer be and she hereby is authorized and directed to pay to any attache or employee, who has been duly appointed by Resolution of the Senate, upon the order of the President Pro Tem of the Senate, sums on account from time to time not to exceed the total of One Hundred Dollars (\$100.00) to any one person, on account of services to the present Session of the Senate, excepting the Senate attorneys who shall receive the sums on account from time to time, not to exceed the total of Two Hundred Dollars (\$200.00) to any one attorney. Any such sums so paid shall be charged against the salary of the individual attache or employee to whom such sum or sums are paid, and shall be a part of the expenses of this Session of the Senate.

The following bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **HB 318**, 4 on merits, **HB 160** as amended, **SB 298**, 4 on merits, by Finance; **HB 162**, **SB 274**, **HS 1** for **HB 15**, by Public Health; **SB 146**, 4 favorable, 1 on merits, by Agriculture; **SB 198**, 1 favorable, 3 on merits, **SB 203**, 1 favorable, 3 on merits, by Judiciary; **SB 245**, 4 favorable, 1 on merits, by Banking and Insurance; **SB 250**, 1 favorable, 3 on merits, **SB 289**, 4 on merits, **SB 291**, 4 on merits, **SB 294**, 2 on merits, 2 unfavorable, **SS 1** for **SB 243**, 3 favorable, 1 on merits, by Revised Statutes; **SB 276**, 1 favorable, 2 on merits, by Buildings and Highways.

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

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

On motion by Mr. Cook, motion prevailing, **SS 1** for **SB 243** was adopted in lieu of the original bill.

SB 297—"An Act to Amend Title 7, Delaware Code Entitled "Conservation" by Providing for a Tax on Oysters Taken from the Waters of the Mispillion River, Daily Catch Limits and Periods That Oysters May be Taken Therefrom; Appropriation for Planting of Seed Oysters Therein," by Hoey; to Fish, Oysters and Game.

Mr. Hoey introduced the following Joint Resolution, which on his further motion was adopted and ordered to the House for concurrence: **SJR 6**—"Urging the Federal Communications Commission to Revise Certain Regulations Concerning Radio-Telephones."

WHEREAS, the Federal Communications Commission requires a written examination for anyone that desires a third class radio telephone operators license; and

WHEREAS, small vessel owners and operators of many years experience on the water are required to take this examination if they desire to operate a radio-telephone; and

WHEREAS, many of these watermen have a limited education to the degree of being unable to take such a written examination; and

WHEREAS, the livelihood of these watermen depend on owning and operating of small vessels with radio-telephones installed thereon; and

WHEREAS, the State of Delaware is particularly interested in protecting the welfare of its citizens; and

WHEREAS, it is the opinion of the General Assembly of the State of Delaware that an oral examination rather than a written one would better suffice and be to the best interest of the State of Delaware; and

WHEREAS, it is further the opinion of the General Assembly that the regulation set out by the Federal Communications Commission requiring a minimum wattage for radio-telephones be revised so that all small vessels would be equipped with radio-telephones of the wattage power adequate to the distance to be traveled by the vessel.

NOW THEREFORE,

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE that it shall be the manifest expression of this body that oral examinations for third class radio-telephone operators license be given rather than written examinations and that minimum wattage for radio-telephones be eliminated and require all small vessels to be equipped with radio-telephones of the wattage power adequate to the distance to be traveled by the vessel.

On motion of Mr. Williams, **SB 91**—"An Act to Amend Title 19, Delaware Code, Entitled "Labor" in Respect to Wage Payments," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Gray, Harrison, Lammot, Melson, Tull, Williams, Mr. President Pro Tem—7.

NAYS—Messrs. Behen, Cook, Correll, Hickman, McCullough, Nechay—6.

ABSENT—Messrs. Hoey, Johnson, Pryor, Reilly—4.

So the question was decided in the negative and the bill: **SB 91**, not having received the required constitutional majority, was lost.

On motion of Mr. Gray, **HB 200**—"An Act to Amend Title 7, Relating to the Muskrat Season," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Nechay, Tull, Mr. President Pro Tem—10.

NAYS—None.

ABSENT—Messrs. Behen, Correll, Johnson, Melson, Pryor, Reilly, Williams—7.

So the question was decided in the affirmative and the bill: **HB 200**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Tull, **SB 278**—"An Act to Amend Title 18, Delaware Code Relating to the Insurance Commissioner," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Tull, Mr. Harry Smith of the State Banking Commission, was granted the privilege of the floor.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Johnson, Lammot, McCullough, Melson, Nechay, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Hoey, Pryor, Reilly—3.

So the question was decided in the affirmative and the bill: **SB 278**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Behen, **SB 122**—"An Act to Amend Chapter 27, Title 10 of the Delaware Code Relating to Constables," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Melson, Nechay, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Lammot, Pryor, Reilly—3.

So the question was decided in the affirmative and the bill: **SB 122**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

Upon the request of the Chair, by Mr. McCullough, and without objections, **SB 91** was restored to the calendar.

On motion of Mr. Behen, **SB 137**—"An Act to Authorize the Levy Court of Kent County to Refund Overpayments of Taxes Paid to the County; Conditions," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Melson, Nechay, Tull, Williams—12.

NAYS—None.

NOT VOTING—Mr. Pryor—1.

ABSENT—Messrs. Lammot, McCullough, Reilly, Mr. President Pro Tem—4.

So the question was decided in the affirmative and the bill: **SB 137**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The Chair announced the signing of the following bills: **SB 71** as amended, **SB 72** as amended, and **SB 74** as amended.

On motion of Mr. Steen, **SB 279**—"An Act to Amend the Charter of the Town of Delmar, Chapter 182, Volume 45, Laws of Delaware, Relative to Sewer Rentals," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Melson, Nechay, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

NOT VOTING—Mr. Pryor—1.

ABSENT—Messrs. Lammot and Reilly—2.

So the question was decided in the affirmative and the bill: **SB 279**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

Upon motion by Mr. Steen, motion prevailing, Senate Rule 9 was suspended for the consideration and passage of **SS 1** for **SB 243**.

On motion of Mr. Steen, **SS 1** for **SB 243**—"An Act to Amend Chapter 1, Title 17, Delaware Code by Authorizing the State Highway Department to Reimburse Public Utilities for the Cost of Relocating Facilities Required by Road Improvements, Where the State Receives Federal Funds," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Lammot and Reilly—2.

So the question was decided in the affirmative and the bill: **SS 1** for **SB 243**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Hoey, **SB 174**—"An Act to Amend Chapter 1, Title 22 Relating to the Qualifications of Voters in Municipal Elections and Referendums," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Reilly—1.

So the question was decided in the affirmative and the bill: **SB 174**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Hoey, **HB 75**—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Reilly—1.

So the question was decided in the affirmative and the bill: **HB 75**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Hoey, **HB 237**—"An Act Appropriating Funds to the American Legion and American Legion Auxiliary for Expenses to be Incurred in Connection With the Holding of Boy's State and Girl's State," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Williams—15.

NAYS—None.

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

So the question was decided in the affirmative and the bill: **HB 237**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Hoey, **SB 233**—"An Act to Appropriate \$23,500 to the State Highway Department to be Used for the Purpose of Dredging Out the "Old Inlet" of the Broadkilm River," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Tull, Williams—13.

NAYS—Mr. Gray—1.

NOT VOTING—Mr. Pryor—1.

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

So the question was decided in the affirmative and the bill: **SB 233**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Lammot, **SB 39**—"An Act to Amend Chapter 31 Title 19, Delaware Code, Relating to Unemployment Compensation, by Changing Certain of the Administrative Provisions Thereof," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Lammot, **SB 39** was deferred.

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

SB 298—"An Act to Appropriate Funds to the Board of Game and Fish Commissioners for the Fiscal Year Ending June 30, 1957," by Cook and Johnson; to Finance.

On motion of Mr. Hoey, **HB 112**—"An Act Making an Appropriation to the Lewes Chamber of Commerce for the Celebration of the Anniversary of Lewes," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

NOT VOTING—Mr. Pryor—1.

ABSENT—Mr. Reilly—1.

So the question was decided in the affirmative and the bill: **HB 112**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Behen, **SB 154**—"An Act to Amend Chapter 51, Title 11, Delaware Code, Relating to the Appointment of Counsel for Indigent Material Witnesses," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Gray and Reilly—2.

So the question was decided in the affirmative and the bill: **SB 154**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Behen, **SB 185**—"An Act Appropriating Money to the State Highway Department for the Purpose of Covering Up Trash Dumping Areas in the State," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Reilly—1.

So the question was decided in the affirmative and the bill: **SB 185**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Behen, **HB 205**—"An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Authorizing the Imposition of a Mercantile License Fee," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Reilly—1.

So the question was decided in the affirmative and the bill: **HB 205**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Behen, **HB 206**—"An Act to Amend An Act Entitled "An Act Changing the Name of the "Town of Newark" to the "City of Newark" and Establishing a Charter Therefor" by Clarifying the Provisions for the Fiscal Year and the Tax Year," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Reilly—1.

So the question was decided in the affirmative and the bill: **HB 206**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Nechay, **SB 259**—"An Act Proposing an Amendment to the Constitution of the State of Delaware to Increase the Annual Salaries of the Members of the General Assembly," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—15.

NAYS—Mr. Gray—1.

ABSENT—Mr. Reilly—1.

So the question was decided in the affirmative and the bill: **SB 259**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Hoey, **SB 251**—"An Act to Appropriate Certain Funds to the Milton Consolidated School for the Purpose of Filling, Grading and Seeding 21½ Acres Around the School Property," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Melson, Nechay, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Johnson, Pryor, Reilly—3.

So the question was decided in the affirmative and the bill: **SB 251**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

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

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Johnson and Reilly—2.

So the question was decided in the affirmative and the bill: **HB 304**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Tull, **HB 305**—"An Act to Amend Chapter 184, Volume 43, Laws of Delaware, Entitled "An Act Changing the Name of 'The Town of Seaford' to 'The City of Seaford' and Establishing a Charter Therefor", by Increasing the Annual Salary of the Mayor and Councilmen," was taken up for consideration and read a second time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Johnson and Reilly—2.

So the question was decided in the affirmative and the bill: **HB 305**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Tull, **HB 306**—"An Act Extending the Corporate Limits of the City of Seaford," was taken up for consideration and read a second time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Behen and Reilly—2.

So the question was decided in the affirmative and the bill: **HB 306**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Hickman, **SB 162**—"An Act to Amend Chapter 212, Volume 25, Laws of Delaware, 1909, Entitled "An Act to Incorporate the Town of Bethany Beach and Give It Authority to Issue Bonds" by Providing for an Increase in Fines and Penalties for the Violations of a Town Ordinance and by Increasing the Jurisdiction of the Town Alderman in That Respect," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Reilly—1.

So the question was decided in the affirmative and the bill: **SB 162**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. McCullough, **SB 272**—"An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pension Plan, Credit for Other Employment," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Correll, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—11.

NAYS—None.

NOT VOTING—Messrs. Cook, Gray, Harrison, Hickman, Hoey—5.

ABSENT—Mr. Reilly—1.

So the question was decided in the affirmative and the bill: **SB 272**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Hickman, **SS 1 for SB 163**—"An Act to Amend Chapter 212, Volume 25, Laws of Delaware, 1909 Entitled "An Act to Incorporate the Town of Bethany Beach and Give It Authority to Issue Bonds," by Providing for an Increase in Fines and Penalties for the Violations of a Town Ordinance," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Reilly and Williams—2.

So the question was decided in the affirmative and the bill: **SS 1 for SB 163**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Hickman, **SB 164**—"An Act to Amend Chapter 212, Volume 25, Laws of Delaware, 1909, Entitled "An Act to Incorporate the Town of Bethany Beach and Give It Authority to Issue Bonds", as Amended by Providing for

an Increase in the Amount to be Raised by Taxtion," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS — Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Reilly and Williams—2.

So the question was decided in the affirmative and the bill: **SB 164**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Behen, **HB 70**—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Edgemoor Terrace Civic Association, Incorporated, from Assessment and Taxtion," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS — Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Tull—12.

NAYS—Messrs. Nechay, Pryor, Mr. President Pro Tem—3.

ABSENT—Messrs. Reilly and Williams—2.

So the question was decided in the affirmative and the bill: **HB 70**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Behen, **SB 139**—"An Act to Amend Chapter 27, Title 10 of the Delaware Code Relating to Constables," was taken up for consideration and read a second time by title in order to pass the Senate.

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

YEAS — Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Reilly and Williams—2.

So the question was decided in the affirmative and the bill: **SB 139**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

Upon motion by Mr. Cook, motion prevailing, Senate Rule 9 was suspended for the consideration and passage of **HS 1** for **HB 15**.

On motion of Mr. Cook, **HS 1** for **HB 15**—"An Act to Appropriate Moneys to Certain Hospitals in the State of Delaware," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Tull, Mr. President Pro Tem—14.

NAYS—None.

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

So the question was decided in the affirmative and the bill: **HS 1** for **HB 15**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Behen, **SB 100**—"An Act to Repeal Section 2712 of Title 10 of the Delaware Code Entitled "Deputies; Appointment by Certin Constables; Duties," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Lammot, Reilly, Williams—3.

So the question was decided in the affirmative and the bill: **SB 100**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

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

SB 299—"An Act to Amend Title 11, of the Delaware Code Entitled "Crimes and Criminal Procedure" by Abolishing Capital Punishment," by Melson, Correll, Johnson, Pryor and McCullough; to Revised Statutes.

On motion of Mr. Hoey, **SB 238**—"An Act to Amend Part VI, Title 29, Delaware Code by Adding a New Chapter 75 Thereto Entitled "General Provisions for State Agencies," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Hoey, **SB 238** was deferred.

On motion of Mr. Tull, **SB 98**—"An Act to Amend Title 7, Delaware Code, Entitled "Conservation" for a Water Resources Commission, Define Its Powers and Duties, Provide for Hearings and Appeals, Provide Penalties and Appropriate Funds," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Cook, **SB 98** was deferred.

On motion of Mr. Hoey, SB 262—"An Act to Amend Title 11, Delaware Code by Creating a Police Council," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Hoey, Mr. Samuel Russell, Senate Attorney, was granted the privilege of the floor.

On motion of Mr. Pryor, SB 262 was deferred.

Upon motion by Mr. Melson, motion prevailing, the roll call of SB 261, previously tabled, was lifted, and on his further motion, roll call on said bill, entitled: "An Act to Amend Chapter 3, Title 11, Delaware Code, Relating to Lotteries, Gambling and Betting," was resumed, as follows:

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Melson, Nechay, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

NOT VOTING—Messrs. Lammot and Pryor—2.

ABSENT—Messrs. Behen and Reilly—2.

So the question was decided in the affirmative and the bill: SB 261, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

Upon privilege of the floor, Mr. Tull announced that there would be a public hearing on SB 98 in the Senate Chamber on Wednesday, May 29, 1957, at 10:00 A. M.

On motion of Mr. Cook, the Senate adjourned at 6:10 P. M. until 2:00 P. M., Wednesday, May 22, 1957.

81ST LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:25 P. M., on Wednesday, May 22, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Clifford L. Brain: Our God and Heavenly Father, we thank Thee, that again we may approach Thy Throne of Grace, to be blessed and receive Thy mercies. Accept our profound gratitude for every remembrance of our needs, and meet them all in Christ. We thank Thee for the improvement in the health of our brother, Mr. Reilly, and touch the bodies of all the sick, we pray, with healing effect. We thank Thee for the victories of yesterday, but today's tasks are still many, so may we be keen and warm-hearted in our deliberations, and may we be willing to consult Thy Word (the Bible) as in it are found the basis of all good government. Bless all our homes and loved ones, and hear this our prayer, in Jesus' Name. Amen.

Members present—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Melson, Tull, Mr. President Pro Tem—11.

Members absent—Messrs. Behen, Johnson, Nechay, Pryor, Reilly, Williams—6.

By direction of the Chair and without objection, the reading of the Journal of the Previous Session was omitted, and the Journal stood approved.

Asked to be marked present: Messrs. Williams and Behen.

On motion of Mr. Lammot, **SB 102**—"An Act to Appropriate Money to the Supreme Court of the State of Delaware for the Purpose of Printing and Indexing the Transcripts of Debates and Proceedings of the Constitutional Convention of 1897," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Harrison, Hickman, Hoey, Lammot, McCullough, Melson, Tull, Mr. President Pro Tem—10.

NAYS—Mr. Gray—1.

ABSENT—Messrs. Behen, Johnson, Nechay, Pryor, Reilly, Williams—6.

So the question was decided in the affirmative and the bill: **SB 102**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

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

SB 300—"An Act to Amend Chapter 81, Title 9, Delaware Code, by Defining the Conditions Under Which House Trailers and Other Mobile Homes Shall be Taxed as Real Property," by McCullough; to Revised Statutes.

SB 301—"An Act to Amend Chapter 29, Title 21, Delaware Code Relating to the Director of Safety Responsibility," by Cook; to Banking and Insurance.

On motion of Mr. Lammot, **SB 274**—"An Act to Amend Chapter 21, Title 24, Delaware Code, Relating to Optometry, by Providing Injunctive Relief in the Court of Chancery, Against Violation of the Provisions of Said Chapter," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Melson, Tull, Mr. President Pro Tem—12.

NAYS—None.

ABSENT—Messrs. Johnson, Nechay, Pryor, Reilly, Williams—5.

So the question was decided in the affirmative and the bill: **SB 274**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Hoey, **HB 76**—"An Act Appropriating Money to American Legion, Sussex Post Number 8, in Sussex County, With Which to Operate and Maintain an Ambulance," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Melson, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Johnson, Nechay, Pryor, Reilly—4.

So the question was decided in the affirmative and the bill: **HB 76**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Behen, **SB 144**—"An Act to appropriate Funds to the State Board of Health for the Purpose of Carrying Out the Provisions of Chapter 79, Title 16 of the Delaware Code Entitled "Basic Plumbing Principles" in Kent County," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Behen, **SB 144** was deferred.

On motion of Mr. Lammot, **SB 157**—"An Act Appropriating Money to the Mayor and Council of Wilmington for Use in Maintenance of Fire Apparatus and Equipment in Wilmington," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Melson, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Johnson, Nechay, Pryor, Reilly—4.

So the question was decided in the affirmative and the bill: **SB 157**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following bills: **HB 135**, **HB 301**, **HB 322** and **HB 346**.

HB 135—"An Act to Require the State Highway Department to Install a Traffic Light Control for the Talleyville Fire Company, Inc., at Talleyville, New Castle County, Delaware," to Buildings and Highways.

HB 301—"An Act Appropriating Funds to the State Board of Corrections to Provide Visiting Rooms at Kent and Sussex Correctional Institutions, and Additional Visiting Facilities at New Castle Correctional Institution," to Finance.

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

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

On motion of Mr. Melson, **SB 198**—"An Act to Amend Chapter 15, Title 13, Delaware Code by Removing New Castle County from the Original Territorial Jurisdiction of the Superior Court With Respect to Distribution, Care and Maintenance of Children in an Action for Annulment of Marriage or Divorce," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Melson, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Johnson, Nechay, Pryor, Reilly—4.

So the question was decided in the affirmative and the bill: **SB 198**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The following bills were reported by the majority of the respective committees as follows: **HB 272**, 3 favorable, by Education; **SB 256**, 4 favorable, 1 on merits, by Temperance; **SB 283**, 3 favorable, 2 on merits, **SB 281**, 2 favorable, 3 on merits, **SB 284**, 2 favorable, 2 on merits, **SB 260**, 2 favorable, 2 on merits, **SB 282**, 2 favorable, 3 on merits, **HB 135**, 2 favorable, 2 on merits, **HB 225**, 1 favorable, 4 on merits, by Buildings and Highways; **SB 302**, 5 on merits, **HB 181**, 5 on merits, by Finance; **HB 252**, 4 favorable, 1 on merits, by Public Health; **HB 207**, 4 on merits, **HB 216**, 4 on merits, by Judiciary.

On motion of Mr. Williams, **HB 318**—"An Act Appropriating Funds to the State Park Commission for Development and Maintenance of Brandywine Springs Park," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Johnson, Lammot, McCullough, Melson, Tull, Williams—12.

NAYS—Mr. President Pro Tem—1.

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. Nechay, Pryor, Reilly—3.

So the question was decided in the affirmative and the bill: **HB 318**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

The Hon. John N. McDowell, Secretary of State, delivered a message from the Governor, as follows:

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

To the Senate of the 119th General Assembly
of the State of Delaware:

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

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

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

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

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

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

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

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

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Behen, **SB 144**—"An Act to Appropriate Funds to the State Board of Health for the Purpose of Carrying Out the Provisions of Chapter 79, Title 16 of the Delaware Code Entitled "Basic Plumbing Principles" in Kent County," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Behen, Dr. Floyd I. Hudson of the Delaware State Board of Health, was granted the privilege of the floor.

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

YEAS—Messrs. Behen, Cook, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

NOT VOTING—Mr. Correll—1.

ABSENT—Messrs. Nechay, Pryor, Reilly—3.

So the question was decided in the affirmative and the bill: **SB 144**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Tull, **SB 146**—"An Act to Amend Title 3, Delaware Code, Entitled "Agriculture" by Providing for the Regulation of Sales of Livestock and Swine," was taken up for consideration and read a third time by title in order to pass the Senate.

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

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Nechay, Pryor, Reilly—3.

So the question was decided in the affirmative and the bill: **SB 146** as amended, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Melson, **SB 203**—"An Act to Amend Title 13, Delaware Code by Removing New Castle County from the Original Territorial Jurisdiction of the Superior Court With Respect to the Charge and Custody of Minor Children Whose Parents Live in a State of Separation Without Being Divorced," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, Melson, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. McCullough, Nechay, Pryor, Reilly—4.

So the question was decided in the affirmative and the bill: SB 203, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Lammot, the Senate recessed at 3:45 P. M. until call of the Chair.

Senate met at expiration of recess at 5:15 P. M.

President Pro Tempore presiding.

Messrs. Johnson and Pryor asked to be marked present.

Mr. Cook introduced the following resolution, which on further motion by him was adopted: SR 72—"Expressing the Best Wishes of the Senate of the 119th General Assembly to Senator Eugene Lammot on His Birthday."

WHEREAS, the Members of the Senate of the 119th General Assembly have learned that today is the birthday of Senator Eugene Lammot, and

WHEREAS, the Members of the Senate wish to express their best wishes to Senator Lammot,

NOW THEREFORE,

BE IT RESOLVED by the Senate of the 119th General Assembly of the State of Delaware that the best wishes of its members for the good health and happiness of Senator Lammot are hereby extended to Senator Lammot on his birthday, and

BE IT FURTHER RESOLVED, that a copy of this Resolution be entered on the Journal of the Senate, a copy delivered to the press, and a copy be given to Senator Lammot.

On motion of Mr. McCullough, SS 1 for SB 14—"An Act to Amend Chapter 1, Title 5, Delaware Code, Relating to the State Bank Commissioner," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Nechay, Pryor, Reilly—3.

So the question was decided in the affirmative and the bill: SS 1 for SB 14, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

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

SB 302—"An Act to Amend Chapter 11, Title 31, Delaware Code Entitled, "Welfare Agencies and Recipients of Assistance," by Hoey; to Finance.

SB 303—"An Act to Amend the Delaware Code by Increasing the Salaries of Certain County Officers in New Castle County," by Pryor; to Revised Statutes.

SB 304—"An Act to Amend Chapter 85, Title 10, Delaware Code Relating to an Allowance by the Court of the Cost of Legal Services Rendered to a Defendant in an Unsuccessful Action Brought by the State," by Hoey; to Judiciary.

On motion of Mr. Melson, **SB 238**—"An Act to Amend Part VI, Title 29, Delaware Code by Adding a New Chapter 75 Thereto Entitled "General Provisions for State Agencies," was taken up for consideration and read a third time by title in order to pass the Senate.

Mr. Melson introduced **SA 1**, which was read and by order of the Chair, roll call taken thereon.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Pryor, Tull, Williams—14.

NAYS—None.

NOT VOTING—Mr. President Pro Tem—1.

ABSENT—Messrs. Nechay and Reilly—2.

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

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Pryor, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Nechay and Reilly—2.

So the question was decided in the affirmative and the bill: **SB 238** as amended, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Cook, the Senate adjourned at 5:45 P. M. until 11:00 A. M., Thursday, May 23, 1957.

82ND LEGISLATIVE DAY

Senate met pursuant to adjournment at 11:05 A. M., on Thursday, May 23, 1957. President Pro Tem Steen presiding.

Prayer by Mr. Cook.

Members present—Messrs. Behen, Cook, Mr. President Pro Tempore—3.

Members absent—Messrs. Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Reilly, Tull, Williams—14.

There being no quorum present, upon motion by Mr. Cook, the Senate adjourned until 10:00 A. M., Friday, May 24, 1957.

83RD LEGISLATIVE DAY

Senate met pursuant to adjournment at 10:45 A. M., on Friday, May 24, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Clifford L. Brain: We again are privileged to come unto Thee in prayer our Father and our God, knowing Thou hast the answer to all our problems and the Grace for all our needs. We thank Thee that Thou hast provided for our Salvation in and through the Lord Jesus Christ. Bless, we pray Thee this assembly this morning, and bring us to a full realization of a constant need of Thy Divine Guidance, in the duties before us. We bear up before Thee, all our sick and afflicted, and may they know Thy healing touch. Strengthen and encourage the hearts of all in our midst; and grant us that measure of Thy mighty Power that will express Thy Holy Presence in our hearts and lives, thus making us much more than equal to any obstacle that may confront us. For we ask these things all in Jesus' Name. Amen.

Members present—Messrs. Behen, Cook, Gray, Harrison, McCullough, Tull, Mr. President Pro Tem—7.

Members absent — Messrs. Correll, Hickman, Hoey, Johnson, Lammot, Melson, Nechay, Pryor, Reilly, Williams—10.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session was not made, and the Journal was approved.

On motion of the President Pro Tempore, the Senate recessed at 10:50 A. M. until call of Chair.

Senate met at expiration of recess at 11:45 A. M.

President Pro Tem presiding.

Messrs. Melson and Correll asked to be marked present.

On motion by Mr. Behen, motion prevailing, Senate Rule 9 was suspended for the rest of this day's session.

On motion of Mr. Behen, **SB 5**—"An Act Relating to the Interstate Compact on Mental Health," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS — Messrs. Behen, Cook, Correll, Gray, Harrison, McCullough, Melson, Tull, Mr. President Pro Tem—9.

NAYS—None.

ABSENT — Messrs. Hickman, Hoey, Johnson, Lammot, Nechay, Pryor, Reilly, Williams—8.

So the question was decided in the affirmative and the bill: **SB 5**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The following bills were reported by the majority of the respective committees as follows: **HB 33**, 4 favorable, **HB 263**, 1 favorable, 4 on merits, **HB 297**, 4 on merits, by Miscellaneous; **HB 114**, 3 favorable, by Municipal Corporations; **SB 236**, 3 favorable, by Judiciary.

On motion of Mr. Behen, **HB 33**—"An Act to Amend Title 9, Delaware Code, Entitled "Counties" to Increase the Bond Required of the Prothonotary in New Castle County," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS — Messrs. Behen, Cook, Correll, Gray, Harrison, McCullough, Melson, Tull, Mr. President Pro Tem—9.

NAYS—None.

ABSENT — Messrs. Hickman, Hoey, Johnson, Lammot, Nechay, Pryor, Reilly, Williams—8.

So the question was decided in the affirmative and the bill: **HB 33**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Behen, **HB 263**—"An Act to Amend Title 14, Chapter 71, Delaware Code Relating to Free Public Libraries," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS — Messrs. Behen, Cook, Correll, Gray, Harrison, McCullough, Melson, Tull, Mr. President Pro Tem—9.

NAYS—None.

ABSENT — Messrs. Hickman, Hoey, Johnson, Lammot, Nechay, Pryor, Reilly, Williams—8.

So the question was decided in the affirmative and the bill: **HB 263**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Behen, **HB 297**—"An Act to Amend Chapter 63, Title 29, Delaware Code Relating to the General Powers and Duties of the Budget Commission," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, McCullough, Melson, Tull, Mr. President Pro Tem—9.

NAYS—None.

ABSENT—Messrs. Hickman, Hoey, Johnson, Lammot, Nechay, Pryor, Reilly, Williams—8.

So the question was decided in the affirmative and the bill: **HB 297**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

The following bills were reported by the majority of the respective committees as follows: **HB 310**, 1 favorable, 3 on merits, by Municipal Corporations; **SB 170**, 2 favorable, 2 on merits, by Education; **SB 285**, 4 on merits, by Judiciary; **SB 299**, 3 on merits, by Revised Statutes.

On motion of Mr. Melson, **SB 236**—"An Act to Amend Chapter 9, Title 10, Delaware Code, Entitled "Family Court for New Castle County" by Re-Defining Qualifications and Duties of the Director and Duties of the Judges Acting Jointly; Providing for Representation by Counsel of a Prosecuting Witness; and Amending the Law With Respect to Appeals and Reviews," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, McCullough, Melson, Tull, Mr. President Pro Tem—9.

NAYS—None.

ABSENT—Messrs. Hickman, Hoey, Johnson, Lammot, Nechay, Pryor, Reilly, Williams—8.

So the question was decided in the affirmative and the bill: **SB 236**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. McCullough, **HB 272**—"An Act to Amend Title 14 Delaware Code Entitled "Education" in Respect to Changing of Special School District Boundaries," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, McCullough, Melson, Tull, Mr. President Pro Tem—9.

NAYS—None.

ABSENT—Messrs. Hickman, Hoey, Johnson, Lammot, Nechay, Pryor, Reilly, Williams—8.

So the question was decided in the affirmative and the bill: **HB 272**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Cook, **HB 252**—"An Act to Amend Chapter 11, Title 16, Delaware Code Relating to Definition of Sanatoria, Rest Homes, Nursing Homes, Boarding Homes and Related Institutions," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Cook, motion prevailing, **HB 252** was deferred.

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

SB 305—"An Act to Appropriate Funds to the Levy Courts of the State of Delaware to Repay Suburban Streets Improvement Bonds and Interest," by McCullough; to Buildings and Highways.

SB 306—"An Act to Amend Chapters 5 and 21, Title 18, Delaware Code Relating to Non-Resident Insurance Agents and Brokers," by Tull; to Banking and Insurance.

On motion of Mr. President Pro Tempore, the Senate recessed at 12:10 P. M. until 1:30 P. M.

Senate met at expiration of recess at 2:15 P. M.

President Pro Tempore presiding.

The following members asked to be marked present: Messrs. Hoey, Nechay, Johnson, Williams, Pryor and Hickman.

The Chair announced the signing of the following **HS 1** for **HB 15**, **HB 70**, **HB 112**, **HB 75**, **HB 205**, **HB 202**, **HB 237**, **HB 206**, **HB 304**, **HB 305** and **HB 306**.

Upon request of the Chair, by Mr. Hoey, and without objection, **SB 268** was stricken from the calendar.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following bill: **HB 323**.

The Chair presented the following House Bill, which was given reading by title only and referred to committee as follows:

HB 323—"An Act to Amend Title 14, Delaware Code, Entitled "Education" in Respect to Use of Tax Revenues," to Education.

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

SB 307—"An Act to Amend Chapter 25, Title 29, Delaware Code, Relating to the Attorney General by Increasing the Salaries of the Deputies of Sussex County," by Hoey; to Revised Statutes.

Mr. Nechay introduced the following concurrent resolution, which on further motion by him was adopted and sent to the House for concurrence: **SCR 23**—"Providing for Adjournment of the Senate and House Until Monday, June 3, 1957."

BE IT RESOLVED by the Senate of the 119th General Assembly of the State of Delaware, the House of Representatives concurring therein, that at the close of business on May 24, 1957, both Houses shall adjourn until Monday, June 3, 1957, at 1 O'clock P. M.

On motion of Mr. Hoey, **HB 181**—"An Act to Appropriate Funds to the Department of Public Welfare for the Fiscal Year Ending June 30, 1957," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Behen, Lammot, Reilly, Tull—4.

So the question was decided in the affirmative and the bill: **HB 181**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. McCullough, **HB 74**—"An Act to Amend Chapter 1, Title 8, Delaware Code, Relating to Corporations," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. McCullough, Mr. Aaron Finger, Jr., Attorney, of Wilmington, was granted the privilege of the floor.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

NOT VOTING—Mr. Behen—1.

ABSENT—Messrs. Lammot and Reilly—2.

So the question was decided in the affirmative and the bill: **HB 74**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

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

SB 308—"An Act to Amend Title 19, Delaware Code Entitled "Labor" by Providing for an Anti-Union-Shop Law," by Gray; to Labor.

On motion of Mr. McCullough, **HB 207**—"An Act to Amend Chapter 39, Title 11, Delaware Code Relating to the Sentence in Capital Cases in Which the Jury Recommends Mercy, was taken up for consideration and read a second time by title in order to pass the Senate.

On motion of Mr. McCullough, Mr. Alex Nichols, Attorney, of Wilmington, was granted the privilege of the floor.

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

YEAS — Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Lammot and Reilly—2.

So the question was decided in the affirmative and the bill: **HB 207**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

The following bills were reported by the majority of the Committee on Revised Statutes: **SB 287**, 4 on merits, **SB 288**, 4 on merits.

On motion of Mr. McCullough, **HB 216**—"An Act to Amend Chapter 1, Title 12, Delaware Code Relating to Wills," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. McCullough, Mr. Alex Nichols, Attorney, of Wilmington, was granted the privilege of the floor.

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

YEAS — Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Lammot and Reilly—2.

So the question was decided in the affirmative and the bill: **HB 216**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. McCullough, **SB 168**—"An Act to Amend Section 3521, Title 12, Delaware Code Relating to Accounting and Distribution of Trust Funds," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. McCullough, Mr. Alex Nichols, Attorney, of Wilmington, was granted the privilege of the floor.

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

YEAS — Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Lammot and Reilly—2.

So the question was decided in the affirmative and the bill: **SB 168**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. McCullough, **SB 220**—"An Act to Amend Title 12, Delaware Code Relating to Decedents' Estates and Fiduciary Relations," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. McCullough, Mr. Alex Nichols, Attorney, of Wilmington, was granted the privilege of the floor.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

NOT VOTING—Mr. Hoey—1.

ABSENT—Messrs. Lammot and Reilly—2.

So the question was decided in the affirmative and the bill: **SB 220**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 36** and **SCR 23**.

On motion of Mr. McCullough, **SB 287**—"An Act to Amend Title 12 of the Delaware Code Relating to Decedents' Estates and Fiduciary Relations," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. McCullough, Mr. Alex Nichols, Attorney, of Wilmington, was granted the privilege of the floor.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Johnson, Lammot, Reilly—3.

So the question was decided in the affirmative and the bill: **SB 287**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Cook, **HB 270**—"An Act to Amend Part II, Title 7, Delaware Code, Entitled "Shellfish" by Consolidating the Delaware Commission of Shell Fisheries and the Collector of Oyster Revenue and Generally Revising the Provisions Pertaining to Shellfish," was taken up for consideration and read a third time by title in order to pass the Senate.

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

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Lammot and Reilly—2.

So the question was decided in the affirmative and the bill: **HB 270** with **SA 1**, having received the required constitutional majority, passed the Senate and was ordered returned to the House for concurrence.

On motion of Mr. Cook, **HB 228**—"An Act Appropriating Money to the Delaware Society for the Prevention of Cruelty to Animals," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Melson, Nechay, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

NOT VOTING—Mr. Pryor—1.

ABSENT—Messrs. Lammot and Reilly—2.

So the question was decided in the affirmative and the bill: **HB 228**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

Mr. Nechay introduced the following resolution, which on further motion by him was adopted: **SR 73**—"Authorizing an Appropriation for Telephone Service Charges and Toll Calls in Connection With the Work of the Senate of the 119th General Assembly of the State of Delaware."

BE IT RESOLVED by the Senate that the amount of \$62.11 is hereby appropriated to pay for telephone service charges, and toll calls in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be, and she is hereby authorized and directed to pay to the Diamond State Telephone Company, 124 S. State Street, Dover, Delaware, the sum of \$62.11 for telephone service charges for the period ending May 11, 1957.

Mr. Hickman introduced the following concurrent resolution, which on his further motion was adopted and ordered to the House for concurrence: **SCR 24**—"Appropriating Money to the State Librarian to Cover Cost of Legislative Supplies."

BE IT RESOLVED by the Senate, the House of Representatives concurring therein that the sum of \$1,310.10 be appropriated to the State Librarian to cover cost of legislative supplies.

Upon privilege of the floor, Mr. Tull announced that a public hearing on SB 98 would be held in the Senate Chamber at 10:00 A. M., Wednesday, June 5, 1957.

Upon motion by Mr. Cook, motion prevailing, and pursuant to the provisions of SCR 23, adopted this day by the Senate and the House of Representatives, the Senate adjourned at 5:30 P. M. until Monday, June 3, 1957, at 1:00 P. M.

84TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:55 P. M., on Monday, June 3, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Clifford L. Brain: We thank Thee our Heavenly Father for permitting us again to meet with Thee in prayer. Our hearts are warmed and blessed at every remembrance of Thy loving kindness and Thy tender mercies, bringing forth praise and thanksgiving unto Thy Holy Name. We thank Thee also for guidance and protection for our travels this day, and bring us safely home again. Bless our sick, and encourage their hearts by the touch of the Hand of the Great Physician the Lord Jesus Christ, in healing Power, upon their person. Give us, we pray, Clearness of mind and steadfastness of heart, as we put forth our convictions this session, and may our speech be well flavored with Thy wisdom, to the highest good of all men. Forget not the needs of our individual lives, in our hearts and homes, and meet them all in Christ. Bless and enrich all of our lives with the answers to this our prayer, in Jesus' Name. Amen.

Members present—Messrs. Behen, Correll, Gray, Harrison, Hickman, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—12.

Members absent—Messrs. Cook, Hoey, Johnson, Lammot, Reilly—5.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session was not made, and the Journal stood approved.

Mr. Nechay introduced the following resolution, which on further motion by him was adopted: SR 74—"Authorizing Payment on Account to Attaches and Employees of the Senate."

BE IT RESOLVED by the Senate of the 119th General Assembly, that the State Treasurer be and she hereby is authorized and directed to pay to any attache or employee, who has been duly appointed by Resolution of the Senate, upon the order of the President Pro Tem of the Senate, sums on account from time to time not to exceed the total of One Hundred Dollars (\$100.00) to any one person, on account of services to the present Session of the Senate, excepting the Senate attorneys who shall receive the sums on account from time to time, not to exceed the total of Two Hundred Dollars

(\$200.00) to any one attorney. Any such sums so paid shall be charged against the salary of the individual attache or employee to whom such sum or sums are paid, and shall be a part of the expenses of this Session of the Senate.

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

SB 309—"An Act to Amend Title 14, Delaware Code, Entitled "Education" Relative to School District Boundaries and Relating to the Procedure for Changing the Same," by McCullough; to Education.

The Chair announced the signing of **SB 36**.

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

SS 1 for SB 240—"An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees and Making Appropriation," by McCullough and Steen; to Education.

Upon motion by Mr. McCullough, motion prevailing, **SS 1 for SB 240** was adopted in lieu of the original bill.

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

SB 310—"An Act to Appropriate Money to the State Examining Board of Physical Therapists for Operating Expenses in the Next Biennium," by McCullough (by request); to Public Health.

The Hon. John N. McDowell, Secretary of State, delivered a message from the Governor, as follows:

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, June 3, 1957

To the Senate of the 119th General Assembly
of the State of Delaware:

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

May 22, 1957—Senate Bill No. 40—An Act to Amend Chapter 13, Title 15 of the Delaware Code Relating to Registration of Voters.

May 22, 1957—Senate Bill No. 77 with S. A. #1—An Act to Amend Chapter 31, Title 15 of the Delaware Code, Relating to Primary Elections, by Providing for Changes in the Procedure for Holding Primary Elections.

May 27, 1957—House Substitute No. 1 for House Bill No. 15—An Act to Appropriate Moneys to Certain Hospitals in the State of Delaware.

May 27, 1957—House Bill No. 70—An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Edgemoor Terrace Civic Association, Incorporated, from Assessment and Taxation.

May 27, 1957—House Bill No. 75—An Act Appropriating Money to Certain Fire Companies in the State of Delaware.

May 27, 1957—House Bill No. 112—An Act Making an Appropriation to the Lewes Chamber of Commerce for the Celebration of the Anniversary of Lewes.

May 27, 1957—House Bill No. 202—An Act to Amend Title 29, Delaware Code, Entitled "State Government" in Respect to the Powers of the State Treasurer.

May 27, 1957—House Bill No. 205—An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Authorizing the Imposition of a Mercantile License Fee.

May 27, 1957—House Bill No. 206—An Act to Amend An Act Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor" by Clarifying the Provisions for the Fiscal Year and the Tax Year.

May 27, 1957—House Bill No. 237—An Act Appropriating Funds to the American Legion and American Legion Auxiliary for Expenses to be Incurred in Connection With the Holding of Boy's State and Girl's State.

May 27, 1957—House Bill No. 304—An Act to Amend Chapter 184, Volume 43, Laws of Delaware, Entitled "An Act Changing the Name of 'The Town of Seaford' to 'The City of Seaford' and Establishing a Charter Therefor" by Changing the Period Covered by the Annual Audit.

May 27, 1957—House Bill No. 305—An Act to Amend Chapter 184, Volume 43, Laws of Delaware, Entitled "An Act Changing the Name of 'The Town of Seaford' to 'The City of Seaford' and Establishing a Charter Therefor", by Increasing the Annual Salary of the Mayor and Councilmen.

May 27, 1957—House Bill No. 306—An Act Extending the Corporate Limits of the City of Seaford.

Respectfully submitted,

J. CALEB BOGGS, Governor

The Hon. John N. McDowell, Secretary of State, delivered the following message from the Governor addressed to the Senate, which message the Chair directed to the Chairman of the Executive Committee:

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, June 3, 1957

To the Senate of the 119th General Assembly
of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

Edward Horgan, Wilmington, to be a member of the Department of Elections for New Castle County for a term to expire April 1, 1959.

Helen Faust, Lewes, to be a Justice of the Peace in and for Sussex County for a term of four years to expire June 8, 1961.

Sara E. Pennington, Wilmington, to be a Justice of the Peace in and for New Castle County for a term of four years to expire June 8, 1961.

Theodore R. Dick, Rehoboth, to be a Justice of the Peace in and for Sussex County for a term of four years to expire June 3, 1961.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of the President Pro Tempore, the Senate recessed at 2:10 P. M. until call of Chair.

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

The President Pro Tempore presiding.

Mr. Cook asked to be marked present.

The Chair announced the signing of the following:
HB 181, HB 207, HB 318, HB 297, HB 272, HB 263, HB 228, HB 216, HB 76, HB 74 and HB 33.

The following bills were reported by the majority of the respective committees: **SS 1** for **SB 240**, 4 favorable, 1 on merits, by Education; **HB 19**, 1 favorable, 2 on merits, by Finance; **HB 341**, 3 favorable, by Municipal Corporations.

On motion of Mr. Behen, **HB 310**—"An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Hyde Park Civic Association, Inc., from Assessment and Taxtion," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, McCullough, Melson, Tull, Williams, Mr. President Pro Tem—10.

NAYS—Messrs. Nechay and Pryor—2.

ABSENT—Messrs. Hickman, Hoey, Johnson, Lammot, Reilly—5.

So the question was decided in the affirmative and the bill: **HB 310**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

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

SB 311—"An Act to Establish a State Employees' Pension Plan to Supplement Benefits Payable Under the Social Security Act," by Behen for Steen; to Revised Statutes.

SB 312—"An Act to Amend Chapter 3, Title 9, Delaware Code, Relating to the Number of Levy Court Districts and Commissioners in New Castle County," by Melson; to Revised Statutes.

On motion of Mr. Tull, **SB 276**—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" by Creating a State Agency for Surplus Property, and Prescribing Its Powers and Duties," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Hoey, Johnson, Lammot, Reilly—4.

So the question was decided in the affirmative and the bill: **SB 276**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Cook, the Senate adjourned at 4:15 P. M. until 2:00 P. M., Wednesday, June 5, 1957.

85TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:25 P. M., on Wednesday, June 5, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Clifford L. Brain: Almighty and ever living God, we beseech Thee to look with favor upon our prayer again this afternoon. Help us in our labours and give us the ability to use that which Thou hast given us, to the highest good of all. We pray that the sick may know Thy healing power, and help them to lean upon Thy promises.

Bless our Nation and all that have a part in its earthly destiny, that we may have Thy Divine Sanction upon all our ways. Cast from us those thoughts and intents of our hearts that would cause us to sin against Thee. That all that is said and done in our midst might be well pleasing in Thy sight. Through Jesus Christ our Lord. Amen.

Members present—Messrs. Behen, Correll, Gray, Harrison, Hoey, Lammot, McCullough, Melson, Pryor, Tull, Williams, Mr. President Pro Tem—12.

Members absent — Messrs. Cook, Hickman, Johnson, Nechay, Reilly—5.

By direction of the Chair, and without objections, the reading of the Journal of the Previous Session was omitted, and the Journal for that day stood approved.

Asked to be marked present: Messrs. Cook and Hickman.

Mr. Lammot, upon privilege of the floor, requested the following communication to be read:

I, Wilhelmina McBride, do herewith submit my resignation as Mail Clerk of the Senate.

Upon the reading of the communication, the Chair requested the acceptance of the resignation, which on voice vote, was done.

The following bills were reported by the majority of the Committee on Buildings and Highways: SB 305, 3 favorable, 1 on merits.

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

SB 313—"An Act to Amend Chapter 95, Title 10, Delaware Code, Relating to the Deposit for Costs in Civil Action Brought Before a Justice of the Peace in This State," by Behen; to Judiciary.

On motion of Mr. Lammot, SB 248—"An Act to Amend Chapter 237, Volume 46, Laws of Delaware as Amended, Entitled "City of Wilmington Employees' Retirement Act," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Lammot, Mr. Frank J. Corsano, of Wilmington City Council, was granted the privilege of the floor.

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

YEAS — Messrs. Behen, Cook, Correll, Gray, Harrison, Hoey, Lammot, McCullough, Melson, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Hickman, Johnson, Nechay, Reilly

So the question was decided in the affirmative and the bill: **SB 248**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Williams, **SB 249**—"An Act to Amend Title 9, Delaware Code, Entitled "Counties" in Respect to Employees Pensions in New Castle County," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hoey, Lammot, McCullough, Melson, Pryor, Tull, Williams, Mr. President Pro Tem—12.

NAYS—None.

ABSENT — Messrs. Cook, Hickman, Johnson, Nechay, Reilly—5.

So the question was decided in the affirmative and the bill: **SB 249**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Pryor, **SB 260**—"An Act to Provide That Any Unused Funds Appropriated for Maintenance and Construction to the State Highway Department in the Budget Appropriation Act for the Biennium Ending June 30, 1959 Shall be Credited by the State Treasurer for the Use of the State Highway Department for the Purpose for Which They Were Originally Appropriated," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS — Messrs. Behen, Cook, Correll, Gray, Harrison, Hoey, Lammot, McCullough, Melson, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT — Messrs. Hickman, Johnson, Nechay, Reilly—4.

So the question was decided in the affirmative and the bill: **SB 260**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following bills: **HB 89**, **HB 325**, and **HS 1** for **HB 308** with **HA 1**.

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

HB 89—"An Act to Amend Chapter 96, Title 9, Delaware Code, Entitled "Recorders" in Regard to the Fees of the Recorder in New Castle County," to Revised Statutes.

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

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

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

The following bill was reported by the majority of the Committee on Municipal Corporations as follows: **SB 295**, 3 favorable.

On motion of Mr. Behen, **HB 114**—"An Act to Amend Chapter 237, Volume 46, Laws of Delaware as Amended, Entitled "City of Wilmington Employees' Retirement Act," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Lamot, McCullough, Melson, Pryor, Tull, Williams, Mr. President Pro Tem—12.

NAYS—None.

ABSENT—Messrs. Hickman, Hoey, Johnson, Nechay, Reilly—5.

So the question was decided in the affirmative and the bill: **HB 114**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

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

SB 314—"An Act to Amend Chapter 1, Title 26, Delaware Code, Relating to the Powers and Duties of the Public Service Commission," by McCullough; to Revised Statutes.

SB 315—"An Act to Amend Chapter 39, Title 10, Delaware Code, Relating to Affidavits of Demand and Defense," by McCullough; to Judiciary.

On motion of Mr. Pryor, **HB 225**—"An Act Directing the State Highway Department to Fill and Resurface Route 441 and a Portion of Route 424, Near Odessa, New Castle County, Delaware," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS — Messrs. Behen, Cook, Correll, Gray, Harrison, Hoey, Lammot, Melson, Pryor, Tull—10.

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

NOT VOTING—Mr. McCullough—1.

ABSENT — Messrs. Hickman, Johnson, Nechay, Reilly—4.

So the question was decided in the negative and the bill: **HB 225**, not having received the required constitutional majority, was lost.

Upon motion by Mr. Williams, motion prevailing, **HB 225** was restored to the Calendar.

On motion of Mr. Lammot, **SB 197**—"An Act to Amend Chapter 297, Volume 50, Laws of Delaware Entitled "An Act Providing for a Park Police Pension Fund for Members of the Park Police of the City of Wilmington", by Changing the Pensions Payable Under Said Act and by Providing Additional Benefits for Widows and Dependents of Pension Members," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS — Messrs. Behen, Cook, Correll, Gray, Harrison, McCullough, Melson, Pryor, Tull, Williams—10.

NAYS—Mr. Lammot and Mr. President Pro Tem—2.

NOT VOTING—Mr. Hoey—1.

ABSENT — Messrs. Hickman, Johnson, Nechay, Reilly—4.

So the question was decided in the negative and the bill: **SB 197**, not having received the required constitutional majority, was lost.

Upon the prevailing motion by Mr. Lammot, **SB 197** was restored to the calendar.

On motion of Mr. Cook, **SB 298**—"An Act to Appropriate Funds to the Board of Game and Fish Commissioners for the Fiscal Year Ending June 30, 1957," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS — Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Melson, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Johnson, Nechay, Pryor, Reilly—4.

So the question was decided in the affirmative and the bill: **SB 298**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. McCullough, **HB 48**—"An Act to Amend Title 14, Delaware Code, Entitled "Education" to Provide That the Library Commission for the State of Delaware May Act and Receive Federal Funds Under the "Library Services Act," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, McCullough, Melson, Tull, Williams, Mr. President Pro Tem—11.

NAYS—None.

ABSENT — Messrs. Behen, Johnson, Lammot, Nechay, Pryor, Reilly—6.

So the question was decided in the affirmative and the bill: **HB 48**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Cook, the Senate recessed at 3:05 P. M. until call of the Chair.

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

President Pro Tempore presiding.

On motion of Mr. Cook, **HB 162**—"An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety" in Respect to Tuberculosis," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Gray, Harrison, Hickman, Hoey, Melson, Pryor, Tull, Williams, Mr. President Pro Tem—11.

NAYS—None.

ABSENT — Messrs. Correll, Johnson, Lammot, McCullough, Nechay, Reilly—6.

So the question was decided in the affirmative and the bill: **HB 162**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Hoey, **HB 224**—"An Act Making a Deficiency Appropriation to the Superior Court of the State of Delaware for Salaries and Wages Account," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS — Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, McCullough, Melson, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Johnson, Lammot, Nechay, Reilly—4.

So the question was decided in the affirmative and the bill: **HB 224**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 57** and **SCR 24**, and that the House had passed and requested the concurrence of the Senate in the following bills: **HB 26**, **HB 71**, **HB 292** and **HB 293**.

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

HB 26—"An Act Appropriating Funds for the Construction of a Building for the Use of the State Board of Health to Include Offices, a Bacteriological Laboratory, and Clinical Facilities on Grounds Now Owned by the State in Dover, and for the Furnishing and Equipping of Such Building and Incidental Expenses," to Finance.

HB 71—"An Act Making an Appropriation to the State Board of Agriculture for the Vaccination of Calves and Testing of Cattle for Bang's Disease," to Finance.

HB 292—"An Act to appropriate Funds to the Delaware Geological Commission for the River Master Program and Salinity Tests," to Public Health.

HB 293—"An Act to Amend Title 14, Delaware Code Entitled "Education" by Providing for Maternity Leave for Professional Employees of the Public School System," to Public Health.

The following bills were reported by the majority of the respective committees as follows: **HB 196**, 3 favorable, 1 on merits, **HB 285**, 3 favorable, 1 on merits, by Finance; **HB 323**, 4 on merits, by Education.

On motion of Mr. Williams, **SB 98**—"An Act to Amend Title 7, Delaware Code, Entitled "Conservation" for a Water Resources Commission, Define Its Powers and Duties, Provide for Hearings and Appeals, Provide Penalties and Appropriate Funds," was taken up for consideration and read a third time by title in order to pass the Senate.

Mr. Cook introduced **SA 1**, which was read and by order of the Chair, roll call taken thereon as follows:

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

YEAS—Messrs. Behen, Cook, Gray, Harrison, Hoey—5.

NAYS—Messrs. Correll, Hickman, McCullough, Melson, Pryor, Tull, Williams, Mr. President Pro Tem—8.

ABSENT—Messrs. Johnson, Lammot, Nechay, Reilly—4.

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

Mr. Pryor introduced SA 2, which was read and roll call thereon ordered by the Chair, as follows:

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, McCullough, Melson, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Johnson, Lammot, Nechay, Reilly—4.

So the question was decided in the affirmative and SA 2 to SB 98, having received the required constitutional majority, passed the Senate.

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

YEAS—Messrs. Correll, Hickman, Melson, Pryor, Tull, Mr. President Pro Tem—6.

NAYS—Messrs. Behen, Harrison, Hoey, Williams—4.

NOT VOTING—Messrs. Cook, Gray, McCullough—3.

ABSENT—Messrs. Johnson, Lammot, Nechay, Reilly—4.

So the question was decided in the negative and the bill: SB 98 as amended, not having received the required constitutional majority, was lost.

Upon motion by Mr. Cook that the Senate adjourn, several objections to the motion were received by the Chair. The Chair then ordered the Secretary to take roll call on the question of adjournment, the yeas and nays being taken, the vote was as follows:

YEAS—Messrs. Gray, Hickman, Melson, Williams—4.

NAYS—Messrs. Behen, Correll, Harrison, McCullough, Mr. President Pro Tem—5.

NOT VOTING—Messrs. Cook and Pryor—2.

ABSENT—Messrs. Hoey, Johnson, Lammot, Nechay, Reilly, Tull—6.

So the motion to adjourn, having been defeated, the Senate continued in Session.

On motion of Mr. Williams, SB 98 as amended—"An Act to Amend Title 7, Delaware Code, Entitled "Conservation" for a Water Resources Commission, Define Its Powers and Duties, Provide for Hearings and Appeals, Provide Penalties and Appropriate Funds," was again taken up for consideration in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Hickman, McCullough, Melson, Pryor, Tull, Williams, Mr. President Pro Tem—9.

NAYS—Messrs. Behen, Gray, Harrison—3.

ABSENT — Messrs. Hoey, Johnson, Lammot, Nechay, Reilly—5.

So the question was decided in the affirmative and the bill: **SB 98** as amended by **SA 2**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Cook, the Senate adjourned at 5:50 P. M. until 2:00 P. M., Thursday, June 6, 1957.

86TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:20 P. M., on Thursday, June 6, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Clifford L. Brain: Our God and our Father we come again unto Thee, in the Name of our Saviour the Lord Jesus Christ. How our hearts rejoice at Thy matchless mercy and Thy loving Grace, manifested unto us. We are well aware that our needs are great, but Thy provisions are bountiful. Bless, we pray Thee, everyone present here today, our homes, families and friends, touch the bodies of the sick, and heal them if it is Thy will. Enlighten our minds and hearts that every action taken here may be an indication of the nobleness and sincerity of our dedicated lives, for the betterment of mankind and our beloved State, for we ask these blessings with thanksgiving. Amen.

Members present—Messrs. Cook, Correll, Gray, Harrison, Hoey, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Mr. President Pro Tem—12.

Members absent — Messrs. Behen, Hickman, Johnson, Reilly, Williams—5.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session was omitted and the Journal stood approved.

Asked to be marked present: Messrs. Hickman and Williams.

The Chair announced the signing of **SB 57**.

On motion of Mr. Hoey, **HB 261**—"An Act to Amend Title 9, Section 4133, Delaware Code With Reference to Appropriations to Certain Organizations Providing Ambulance Service in Kent County," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

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

So the question was decided in the affirmative and the bill: **HB 261**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Hoey, **HB 255**—"An Act Making Appropriations to the American Legion, Department of Delaware, for the Furnishing of Services to Veterans and Their Dependents," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, Melson, Nechay, Tull, Williams, Mr. President Pro Tem—12.

NAYS—None.

NOT VOTING—Mr. Pryor—1.

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

So the question was decided in the negative and the bill: **HB 255**, not having received the required constitutional majority, was lost.

Upon motion by Mr. Williams, motion prevailing, **HB 255** was restored to the calendar.

On motion of Mr. Lammot, **SB 39**—"An Act to Amend Chapter 31 Title 19, Delaware Code, Relating to Unemployment Compensation, by Changing Certain of the Administrative Provisions Thereof," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Harrison, Hickman, Lammot, McCullough, Melson, Nechay, Tull, Williams—10.

NAYS—Messrs. Gray, Hoey, Pryor, Mr. President Pro Tem—4.

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

So the question was decided in the affirmative and the bill: **SB 39**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Williams, **SB 91**—"An Act to Amend Title 19, Delaware Code, Entitled "Labor" in Respect to Wage Payments," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Harrison, Hoey, Lammot, McCullough, Melson, Pryor, Tull, Williams—9.

NAYS—Messrs. Correll, Gray, Hickman, Mr. President Pro Tem—4.

NOT VOTING—Mr. Nechay—1.

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

So the question was decided in the affirmative and the bill: **SB 91**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

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

SB 316—"An Act to Amend Title 31, Delaware Code, to Provide for the Consolidation of Ferris School for Boys, Kruse School and the Detention Home for Juvenile Delinquents and Method for Voluntary Consolidation as to Woods Haven School for Girls; Change Laws Relating to Such Institutions and Appropriate Funds," by Melson and Hoey; to Finance.

On motion of Mr. McCullough, **SB 219**—"An Act to Amend Chapter 33, Title 25, Delaware Code Relating to Factors Liens," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. McCullough, Samuel Russell, Senate Attorney, was granted the privilege of the floor.

The Chair granted privilege of the floor to the following members to discuss the bill: Messrs. Gray, Cook, Hoey, Melson and Hickman.

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

YEAS—Messrs. Correll, Lammot, Melson, Nechay, Pryor, Williams, Mr. President Pro Tem—7.

NAYS—Messrs. Cook, Hickman, Hoey, McCullough—4.

NOT VOTING—Messrs. Gray and Harrison—2.

ABSENT—Messrs. Behen, Johnson, Reilly, Tull—4.

So the question was decided in the negative and the bill: **SB 219**, not having received the required constitutional majority, was lost.

At the request of Mr. Lammot, the Chair recognized two classes from the Washington School of the Seventh District of Wilmington, seated in the Gallery.

The Chair announced the signing of **HB 310**.

The Hon. John N. McDowell, Secretary of State, delivered a message from the Governor, as follows:

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

Dover, June 6, 1957

To the Senate of the 119th General Assembly
of the State of Delaware:

Your attention is respectfully directed again to the fact that the School Building Program Act of 1955 (Chapter 529, Volume 50, Laws of Delaware) and the Veterans' Military Pay Act of 1955 (Chapter 449, Volume 50, Laws of Delaware) contain provisions limiting the interest which may be paid on

State of Delaware Bonds authorized by these Acts to a maximum of three per cent per annum.

All the bonds required to be sold in fulfillment of the programs established by these Acts have not yet been sold because the funds to be derived therefrom have not been requested to this date. The sale of additional bonds in these categories will however be necessary. With specific reference to the School Construction Bonds, more than \$23,000,000 of the total authorized have not yet been sold. Any inability to sell such bonds, or any portion of them, when the funds are needed would bring to a standstill Delaware's School Construction Program and have very serious effects upon our public school educational program.

Your attention is respectfully directed to this matter again at this time because of the present condition of the municipal bond market. Authorities in the field of municipal bond underwriting inform me that it is extremely doubtful that any State of Delaware serial bonds, offered in accordance with the State's approved financing pattern, could be sold at this time where the interest rate is restricted to a maximum of three per cent. Support for this opinion is given by the fact that the City of Wilmington found it necessary last month to accept a bid on its bonds of an interest rate of 3.10 per cent—and several of the bidders proposed an interest rate of 3.25 per cent. In this connection it should also be recalled that the City of Wilmington has an AAA credit rating whereas the State of Delaware has a lower credit rating of AA.

The fact is clearly recognized that the condition of the municipal bond market could change so that prevailing interest rates on such bonds would become lower. Underwriters however do not foresee such a change in the near future and are unwilling to predict that lower interest rates will prevail within the next few months. On the other hand it is anticipated that it will be necessary to offer School Construction Bonds, Military Pay and other State of Delaware Bonds in August 1957.

It should also be recognized that interest rates are determined by the many and various factors affecting the financial markets and not by interest rate limitations established by statutes or ordinances. Conversely an interest rate in excess of three per cent would not be bid by underwriters merely because no statutes limiting such interest rates exist. Again it is true that financial market rates, and the attractiveness to investors of the bonds being offered, would determine the interest rate to be proposed by underwriters.

Because of the facts and circumstances related above I encouraged the introduction earlier in this session of bills to remove the three per cent interest rate limitation of the School Construction Bonds (Senate Bill No. 18) and the Military Pay Bonds (Senate Bill No. 97). According to the latest

Calendar available to me Senate Bill No. 18 is still in the Finance Committee and Senate Bill No. 97 has been reported out on its merits but no further action has been taken.

Under these circumstances, and bearing in mind the fact that the 119th General Assembly reportedly expects to be in recess when the bonds referred to above are offered, I consider it necessary and appropriate in the interest of Delaware's School Construction Program and Veterans' Bonus Program to request again that the three per cent per annum interest rate limitation on the bond authorization bills described above be removed by legislative action.

At the same time I suggest that in any and all bond authorization bill enacted by the 119th General Assembly there be no provision placing a three per cent interest rate limitation upon such bonds.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Hoey, **HB 285**—"An Act Appropriating Funds to the Adjutant General of Delaware for Uniforms for National Guard Officers," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

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

So the question was decided in the affirmative and the bill: **HB 285**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 243**, **SB 252** and **SB 255**, and that the House had passed and requested the concurrence of the Senate in the following bills: **HB 271** and **HB 355** with **HA 1**.

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

HB 271—"An Act to Appropriate Certain Funds to the State Highway Department for the Purpose of Increasing Salaries of State Police Employees," to Finance.

HB 355 with **HA 1**—"An Act to Amend Chapter 1, Title 14, Delaware Code Relating to the Transfer of Pupils from One School District to Another," to Education.

On motion of Mr. Pryor, the Senate recessed at 3:45 P. M. for 15 minutes.

Senate met at expiration of recess at 4:10 P. M.

Mr. Cook presiding.

On motion of Mr. Pryor, **SB 214**—"An Act to Amend Chapter 21, Title 23, Delaware Code by Providing for a Penalty for the Removal or Drainage of Water from Noxentown Lake in New Castle County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Pryor, the Rev. Walden Pell and Mrs. William Ellison, both of Middletown, were granted the privilege of the floor.

On motion of Mr. Melson, **SB 214** was deferred.

The following bills were reported by the majority of the respective committees as follows: **SB 286**, 3 on merits, **SB 296**, 4 on merits, **SB 311**, 3 on merits, by Revised Statutes; **HB 77**, 3 on merits, **HB 103**, 3 on merits, **SB 316**, 4 favorable, by Finance.

On motion of Mr. McCullough, **SS 1** for **SB 240**—"An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees and Making Appropriation," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. McCullough, Mrs. Richard McBane of New Castle, was granted the privilege of the floor.

The Chair granted the privileges of the floor to the following members to discuss the bill: Messrs. Melson, Hickman, Hoey and Nechay.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Lammot, McCullough, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—12.

NAYS—Messrs. Hoey and Melson—2.

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

So the question was decided in the affirmative and the bill: **SS 1** for **SB 240**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Lammot, **SB 197**—"An Act to Amend Chapter 297, Volume 50, Laws of Delaware Entitled "An Act Providing for a Park Police Pension Fund for Members of the Park Police of the City of Wilmington", by Changing the Pensions Payable Under Said Act and by Providing Additional Benefits for Widows and Dependents of Pension Members," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Lammot, Robert Thompson, Senate Attorney, was granted the privilege of the floor.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

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

So the question was decided in the affirmative and the bill: **SB 197**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

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

SB 317—"An Act to Amend Chapter 29, Title 21, Delaware Code, Entitled "Motor Vehicle Safety Responsibility," by Steen and Nechay; to Revised Statutes.

Mr. Lammot introduced the following resolution, which on further motion by him was adopted: **SR 75**—"Expressing Congratulations and Best Wishes of the Senate of the 119th General Assembly to Mr. and Mrs. Richard Sanger on the Birth of a Son."

WHEREAS, the members of the Senate of the 119th Assembly have learned that today Mr. and Mrs. Richard Sanger are the proud parents of a new-born son, and

WHEREAS, the members of the Senate wish to express their congratulations and best wishes to Dick Sanger and his wife,

NOW THEREFORE,

BE IT RESOLVED by the Senate of the 119th General Assembly that congratulations and best wishes of its members are hereby extended to Mr. and Mrs. Sanger on this happy occasion, and

BE IT FURTHER RESOLVED that a copy of this resolution be entered on the Journal of the Senate, a copy delivered to the Press, and a copy be given to Mr. and Mrs. Richard Sanger.

Mr. Hickman introduced the following resolution, which on his further motion was adopted: **SR 76**—"Authorizing Payment of Certain Bills for Expenses Incurred by the Senate."

BE IT RESOLVED by the Senate that the sum of \$1284.66 is hereby appropriated to pay for printing in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be and she is hereby authorized and directed to pay to Delaware State News, Dover, Delaware the sum of \$1284.66 in payment for printing.

Upon motion by Mr. Lammot, motion prevailing, Senate Rule 9 was suspended for the purpose of consideration and passage of **SB 296**.

On motion of Mr. Lammot, **SB 296**—"An Act to Amend Chapter 9, Title 13, Delaware Code Relating to Adoption," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Lammot, Miss Elizabeth Townsend, Executive Director of the Children's Bureau of Delaware, was granted the privilege of the floor.

YEAS—Messrs. Cook, Correll, Harrison, Hickman, Hoey, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Mr. President Pro Tem—12.

NAYS—Mr. Gray—1.

ABSENT—Messrs. Behen, Johnson, Reilly, Williams—4.

So the question was decided in the affirmative and the bill: **SB 296**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Tull, **HB 312**—"An Act Appropriating Funds to the State Highway Department for a Picnic Area at Oak Orchard," was taken up for consideration and read a third time by title in order to pass the Senate.

The Chair granted the privilege of the floor to the following members to discuss the bill: Messrs. Steen, Melson, Lammot, Hoey and Nechay.

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

YEAS—Messrs. Cook, Hickman, Nechay—3.

NAYS—Messrs. Gray, Lammot, Tull, Mr. President Pro Tem—4.

NOT VOTING — Messrs. Harrison, Hoey, McCullough, Melson, Pryor—5.

ABSENT—Messrs. Behen, Correll, Johnson, Reilly, Williams—5.

So the question was decided in the negative and the bill: **HB 312**, not having received the required constitutional majority, was lost.

Upon motion by Mr. Tull, and without objections, **HB 312** was restored to the calendar.

On motion of Mr. McCullough, **HB 323**—"An Act to Amend Title 14, Delaware Code, Entitled "Education" in Respect to Use of Tax Revenues," was taken up for consideration and read a third time by title in order to pass the Senate.

Mr. McCullough introduced **SA 1**, which was read only.

On motion of Mr. Melson, **HB 323** and **SA 1** thereto was deferred.

On request of the Chair, and without objections, Mr. Tull withdrew his prevailing motion, previously made, to have **HB 312** restored to the calendar.

On motion of Mr. Lammot, the Senate adjourned at 6:35 P. M. until 2:00 P. M., Friday, June 7, 1957.

87TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:30 P. M., on Friday, June 7, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Clifford L. Brain: Hear our prayer and supplication, our God, as we come unto Thy Throne of Grace this day. It is with praise upon our lips and thanksgiving in our hearts that we come, because of Thy abundant Blessings and Thy gentle forbearance on our behalf. Help us not to forget our daily dependence upon Thee, no matter how high or low our plane of life may be. Grant unto our sick the restoration of a measure of health, and encourage and strengthen all in affliction or distress. Direct and guide our discourse and decorum, that we may do our best in accomplishing the purpose that brings us here. Assure us of Thy Dine favor, in good success in our objectives, and gratifying service to all.

Members present—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Melson, Pryor, Tull, Mr. President Pro Tem—12.

Members absent—Messrs. Cook, Lammot, Nechay, Reilly, Williams—5.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session was omitted, and the Journal for that day stood approved.

Asked to be marked present: Messrs. Cook, Nechay and Williams.

The Chair announced the signing of SB 252 and SB 255.

The Chief Clerk of the House informed the Senate that the House had concurred in SS 1 for SB 243 as amended, and that the House had passed and requested the concurrence of the Senate in the following bills and joint resolution: **HB 132, HB 268, HB 316 and HJR 4.**

The Chair presented the following House Bills and Joint Resolution, which were given reading by title only and referred to committees as follows:

HB 132—"An Act Appropriating Funds for the Purchase of Land and for Landscaping East of Legislative Hall, Dover," to Private Corporations.

HB 268—"An Act Making Appropriations for the Expenses of the State Government for Each of the Two Fiscal Years Ending June 30, 1958 and June 30, 1959," to Finance.

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

HJR 4—"Memorializing the Congress of the United States to Consider Returning to the Operation and Control of the State of Delaware the Branch Canal Located at Delaware City, New Castle County, Delaware," to Miscellaneous.

Mr. Nechay introduced the following resolution, which on further motion by him was adopted: **SR 77**—"Authorizing an Appropriation for Telephone Service Charges and Toll Calls in Connection With the Work of the Senate of the 119th General Assembly of the State of Delaware."

BE IT RESOLVED by the Senate that the amount of \$15.78 is hereby appropriated to pay for telephone service charges and toll calls in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be, and she is hereby authorized and directed to pay to Diamond State Telephone Company, 124 S. State Street, Dover, Delaware the sum of \$15.78 for telephone service charges for the period ending May 11, 1957.

Mr. Nechay introduced the following resolution, which on further motion by him was adopted: **SR 78**—"Authorizing Payment of Certain Bills for Expenses Incurred by the Senate."

BE IT RESOLVED by the Senate that the sum of \$5.50 is hereby appropriated to pay for repair of an I. B. M. typewriter in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be, and she is hereby authorized and directed to pay to International Business Machines Corporation, 909 Delaware Avenue, Wilmington, Delaware, the sum of \$5.50 as payment for repair of I B M typewriter, and

BE IT FURTHER RESOLVED by the Senate that the sum of \$319.60 is hereby appropriated to pay for file cabinets in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be, and she is hereby authorized and directed to pay to Lo-Mar, Inc., duPont Road, Seaford, Delaware, the sum of \$319.60 in payment for file cabinets, and

BE IT FURTHER RESOLVED by the Senate that the sum of \$15.00 is hereby appropriated to pay for rental for Royal typewriter in connection with the work of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be, and she is hereby authorized and directed to pay to Royal Typewriter Company, P. O. Box 110, Wilmington, Delaware, the sum of \$15.00 in payment of rental for typewriter.

Mr. Nechay introduced the following resolution, which on further motion by him was adopted: **SR 79**—"Authorizing Payment of Certain Bills for Expenses Incurred by the Senate."

BE IT RESOLVED by the Senate that the sum of \$16.50 is hereby appropriated to pay for 200 Original Senate Bill Backers and \$25.00 is hereby appropriated to pay for 750 Duplicate Senate Resolution Backers in connection with the work of the Senate of the 119th Session of the General Assembly of

the State of Delaware, and that the State Treasurer be and she is hereby authorized and directed to pay to Milford Chronicle Publishing Company, Milford, Delaware, the sum of \$16.50 for Senate Bill Backers and \$25.00 for Duplicate Resolution Backers.

The Hon. John N. McDowell, Secretary of State, delivered on behalf of the Governor the Report of the Budget Commission of the State of Delaware, which report follows:

STATE OF DELAWARE
BUDGET COMMISSION

Dover, Delaware, June 5, 1957

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

Gentlemen:

Pursuant to the provisions of the 1953 Delaware Code, Annotated, Title 29, Section 6314 and Volume 49, Laws of Delaware, Chapter 363, Section 5, I am transmitting to you herewith a report of the Budget Commission.

BUDGET COMMISSION

J. CALEB BOGGS, Chairman

REPORT OF BUDGET COMMISSION TO THE
ONE HUNDRED AND NINETEENTH
GENERAL ASSEMBLY
OF THE STATE OF DELAWARE

To the Honorable Members of the
119th General Assembly of the State of Delaware
Dover, Delaware

Gentlemen:

Pursuant to the provisions of the 1953 Delaware Code, Annotated, Title 29, Section 6314 and Volume 49, Laws of Delaware, Chapter 363, Section 5, a report is submitted herewith pertaining to the functions and activities of the State Budget Commission.

Budget Commission, composed of the Governor, Secretary of State, Auditor of Accounts, State Treasurer and the State Tax Commissioner held 24 regular meetings during the biennium ended June 30, 1956. No special meetings of the Commission were held.

At meetings during fiscal 1955, 108 requests for Contingency Fund transfers and 88 requests for Appropriation transfers were approved. During fiscal 1956, 62 Contingency Fund requests and 68 Appropriation Fund requests were approved by Budget Commission.

Fiscal reports, statements of balances of appropriations, estimates of receipts and other information pertinent to the fiscal affairs of the State were prepared by the accountants for the Commission and presented at the meetings and/or at the request of the Governor.

As required, the staff of Budget Commission rendered accounting assistance, installed and revised bookkeeping systems and rendered other services in various State agencies and schools.

As a result of group instruction that was given in each county early in calendar 1953 to school administrators and clerks, it is especially gratifying to be able to report that our current audits of schools accounts indicate far superior accounting practices for Internal Fund accounts than had been customary prior to the assistance rendered by personnel of Budget Commission in this connection.

The State Department of Public Instruction has issued instructional methods to all schools for appropriation accounting. In most instances we find that schools are conscientiously attempting to follow these directives.

It is again urgently recommended that favorable consideration be given to revising inadequate legal requirements which are not now suitable for present sound fiscal management. We earnestly solicit ample statutory and financial provisions to enable modernization of accounting procedures in Delaware in order to serve better the interest of the people and to utilize most efficiently mechanical equipment and personnel which are available.

In accordance with the practice during the last few years, heating fuel needs for all State agencies and schools were surveyed and bid proposals tabulated. A copy of the tabulation was sent to all schools and interested agencies.

Budget Commission accountants have conducted numerous audits and examinations of State Agencies and schools. Efforts have been made to determine whether recommended procedures for proper fiscal control are being maintained. Agencies have, without exception, cooperated with our accountants in the examination of fiscal records and in the majority of cases have been prompt to adopt recommendations.

We are still attempting to conduct the majority of audits with the regular staff accountants of Budget Commission rather than employ public accounting firms for this phase of our operations.

We find that in addition to being more economical for the State, this procedure furnishes several other advantages. Many agencies whose records we audit report that it is much more satisfactory to have an auditor who is already familiar with the legal requirements and specific accounting practices of State fiscal affairs.

A copy of all audits conducted has been delivered to the Governor, Attorney General, Secretary of State, Auditor of Accounts, President and Administrator of the agency or school being audited and the State Board of Education for all school districts. A copy of each audit is available for inspection in the office of Budget Commission, State House, Dover, Delaware.

Budget request forms were delivered personally by a staff member or by registered mail to every State agency and school which receives State aid. Instruction and, upon request, assistance were provided in the preparation of budget forms. Budget Commission carefully considered all budget requests submitted. In many instances it was necessary to revise the requests but every department was invited to attend a hearing before Budget Commission in order to substantiate its request.

Attached are lists of the agencies and schools which have been audited. A statement of expenditures from the State Contingency Fund for the fiscal years 1955 and 1956 is also included with this report.

Respectfully submitted,

BUDGET COMMISSION

J. Caleb Boggs, Chairman

John N. McDowell, Secretary

Lillian I. Martin, Chief Accountant

STATE OF DELAWARE

RECORD OF AUDITS FOR STATE AGENCIES AND SCHOOLS FOR THE PERIOD ENDING JUNE 30 AS INDICATED

Agencies	1956	1955
Legislative and Election		
General Assembly	BC	BC
Committee on Uniform Laws	BC	BC
Council of State Agencies	BC	BC
Commission on Interstate Cooperation		BC
Legislative Reference Bureau	BC	BC
Revised Code Commission	BC	BC
Delaware Code Revision Commission	BC	BC
Executive and Financial		
Secretary of State	H. & H.	
Departmental Supplies	H. & H.	
Central Mail Room	BC	BC
State Treasurer	D. & R.	D. & R.
IBM Payroll Department		D. & R.
State Revenue Collector	BC	
State Insurance Commissioner	BC	BC
Oyster Revenue Collector	BC	BC
Boat Inspector	BC	BC

RECORD OF AUDITS FOR STATE AGENCIES AND SCHOOLS
FOR THE PERIOD ENDING JUNE 30 AS INDICATED
(continued)

Agencies	1956	1955
State Bank Commissioner	BC	BC
Delaware Liquor Commission	R. R. & Co.	BC
Delaware Racing Commission	BC	
Delaware Harness Racing Commission	BC	
State Tax Department	BC	BC
Judicial and Legal		
State Librarian		BC
Regulatory Boards		
Medical Council of Delaware	BC	BC
State Board of Pharmacy	BC	BC
State Board of Dental Examiners.....		BC
Board of Examiners for Barbers	BC	BC
Board of Veterinary Examiners	BC	BC
Board of Chiropody Examiners	BC	BC
Board of Chiropractice Examiners....		BC
State Board of Accountancy		BC
Board of Examiners in Optometry..		BC
Board of Examiners of Graduate Nurses	BC	
Board of Examiners of Undertakers	BC	BC
Real Estate Commission		BC
Board of Exam. and Reg. of Architects		BC
State Athletic Commission		BC
Atlantic States Marine Fisheries		BC
Board of Reg. for Professional Engineers and Land Surveyors		BC
Delaware Commission of Shell Fisheries	BC	BC
Department of Civil Defense	BC	
State Fire Marshal	BC	BC
Enforcement Boards		
Labor Commission		BC
Board of Parole	BC	
Board of Pardons	BC	BC
Board of Boiler Rules	BC	
Regulators of Weights and Measures	BC	
Industrial Accident Board	BC	
Adjutant General	BC	
Public Service Commission	BC	BC
State Board of Housing		BC
Pensions		
State Employees Pension	BC	

**RECORD OF AUDITS FOR STATE AGENCIES AND SCHOOLS
FOR THE PERIOD ENDING JUNE 30 AS INDICATED**

(continued)

Agencies	1956	1955
Miscellaneous		
Custodian	BC	BC
State Library Commission	BC	BC
Public Archives Commission	BC	
John Dickinson Mansion	BC	
Delaware State Museum	BC	BC
Portrait Commission	BC	BC
State Park Commisison	BC	BC
State Development Department	BC	BC
Lewes Memorial Commission		BC
Delaware Day Commission		BC
Building and Grounds Commission..		BC
Delaware Archeological Board	BC	
Delaware Commission on Children and Youth	BC	
Veterans' Military Pay Commission..	BC	
Historical Society of Delaware.....		BC
Roads: Maintenance, Police, Etc.		
State Highway Department	Mack & Co.	BC
Delaware Memorial Bridge	I. & S. (11-30-55)	(DL (Mack & Co.
Health		
State Board of Health	H. & H.	
Agriculture, Forestry, Etc.		
State Board of Agriculture	BC	
State Poultry Commission	BC	
State Apple Commission	BC	
State Forestry Commission	BC	BC
Game and Fish Commission	H. & H.	
Public Welfare		
Delaware Commission for the Blind	BC	
Department of Public Welfare	D. & R.	BC
Emily P. Bissell Sanatoria	Mack & Co.	BC
State Welfare Home	BC	
Delaware State Hospital	H. & H.	
Governor Bacon Health Center	R. R. & Co.	
Hospital for the Mentally Retarded	Mack & Co.	BC
Ferris School for Boys	BC	
Kruse School	BC	BC
Woods Haven School	BC	
Detention Home for Juveniles		BC
Unemployment Compensation Commission	BC	BC
Education		
Delaware State College	BC	
University of Delaware	H. & H.	Mack & Co.
State Board of Education	BC	

RECORD OF AUDITS FOR STATE AGENCIES AND SCHOOLS
FOR THE PERIOD ENDING JUNE 30 AS INDICATED

(continued)

Agencies	1956	1955
Special Schools		
Alexis I. duPont	BC	BC
Claymont	BC	BC
Mount Pleasant	BC	BC
Newark		BC
New Castle	BC	BC
Smyrna	BC	BC
Dover		BC
Caesar Rodney	BC	
Harrington	BC	
Milford		BC
Lewes		BC
Laurel	BC	
Rehoboth		BC
Seaford	BC	
Georgetown	BC	
Local Schools—New Castle County		
Arden No. 3	BC	BC
Alfred I. duPont No. 7		BC
Richardson Park No. 20	BC	BC
Hockessin No. 29		BC
Stanton No. 38		BC
Christiana No. 44		BC
Rose Hill-Minquadale No. 47		BC
Delaware City No. 52		BC
Middletown No. 60		BC
Marshallton No. 77		BC
Townsend No. 81		BC
Yorklyn No. 91		BC
Oak Grove No. 130		BC
Henry C. Conrad No. 131		BC
Newport No. 106-C		BC
Louis L. Redding		BC
Millside No. 132-C		BC
Local Schools—Kent County		
Frederica No. 32	BC	BC
Magnolia No. 50	BC	BC
Felton No. 54		BC
Hartly No. 96	BC	BC
Clayton No. 119		BC
Houston No. 125	BC	BC
William Henry	BC	
Local Schools—Sussex County		
Lincoln No. 3	BC	BC
Milton No. 8	BC	
Millsboro No. 23	BC	

**RECORD OF AUDITS FOR STATE AGENCIES AND SCHOOLS
FOR THE PERIOD ENDING JUNE 30 AS INDICATED**

(continued)

Agencies	1956	1955
Lord Baltimore No. 28	BC	
Selbyville No. 32	BC	
Gumboro No. 37	BC	BC
Bridgeville No. 90		BC
Greenwood No. 91	BC	BC
John M. Clayton No. 97	BC	
Ellendale No. 125	BC	BC
Delmar No. 163	BC	
Blades No. 172	BC	BC
William C. Jason	BC	
Millsboro No. 204-C	BC	BC
Frankford No. 206-C	BC	BC
Selbyville No. 210-C	BC	BC
Bridgeville No. 220-C	BC	BC
BC—Budget Commission		
H. & H.—Haggerty & Haggerty		
D. & R.—Daney & Ryan		
R. R. & Co.—Rose, Rich & Company		
I. & S.—Isaacson & Stolper		
DL—Desmond Lyons		

STATE OF DELAWARE

**RECORD OF AUDITS FOR JUSTICES OF THE PEACE
FOR THE PERIOD ENDING JUNE 30 AS INDICATED**

	1956	1955
Justices of the Peace		
Banks, Jr., George H.	BC	BC
Berger, Harry	(No State Cases)	(No State Cases)
Calloway, L. Gooden	BC	BC
Carello, Jr., Frank J.	BC	BC
Carrow, Maurice W.	BC	BC
Collins, George	BC	BC
Dayton, Joseph F.	(No State Cases)	(No State Cases)
Dick, Theodore R.	BC	BC
Elzey, William J.	BC	BC
Faust, Mrs. Helen	BC	BC
Foster, Clarence S.	BC	BC
Groverman, Morris	BC	BC
Hatton, Samuel J.	BC	BC
Honey, Sr., Charles	BC	BC
Jefferis, Joseph B.	BC	BC
Knowles, J. Alton	BC	BC
Laird, Willard	BC	BC
McDade, David J.	BC	BC
Morris, Joseph A.	(No State Cases)	(No State Cases)

**RECORD OF AUDITS FOR JUSTICES OF THE PEACE
FOR THE PERIOD ENDING JUNE 30 AS INDICATED**

(continued)

	1956	1955
Murray, Millard F.	BC	BC
Nichols, G. Earl	BC	BC
Pennington, Mrs. Sara E.	BC	BC
Poynter, Elmer R.	BC	BC
Pritchett, Clarence	BC	BC
Records, Thomas W.	BC	BC
Shockley, George K.	BC	BC
Short, William P.	BC	BC
Staats, Calvin H.	BC	BC
Vickars, S. Paul	BC	BC
Warren, William J.	BC	BC
West, William	BC	BC
Deceased		
Eisenhandler, Edwin		BC
Wilson, Sharp		BC
Resigned		
Hopkins, John S.	BC	BC
Stevenson, George R.	BC	BC
Thomas, Roger A.		BC
Final Audits		
Bane, Raymond H.	BC	BC
Evans, Edward C.		BC
Fleming, W. Frank	BC	
Hairgrove, Richard C.	BC	
King, Oscar B.	BC	BC

STATE OF DELAWARE

CONTINGENCY FUND EXPENDITURES

FISCAL YEARS ENDED JUNE 30, 1955 AND 1956

Agencies	Year Ended June 30	
	1956	1955
Delaware Commission on Interstate Cooperation		
Travel		\$ 70.02
		<hr/> 70.02
Legislative Reference Bureau		
Salaries and Wages	\$ 1,300.00	550.00
Travel	225.00	
	<hr/> 1,525.00	<hr/> 550.00

CONTINGENCY FUND EXPENDITURES
FISCAL YEARS ENDED JUNE 30, 1955 AND 1956
(continued)

Agencies	Year Ended June 30	
	1956	1955
Governor		
Delaware River Basin Advisory Commission.....	1,000.00	
Operations		725.00
	<u>1,000.00</u>	<u>725.00</u>
Secretary of State		
Commission on Federal and State Relations.....		2,784.04
Dissolution Account	1,000.00	
Travel	372.75	
	<u>1,372.75</u>	<u>2,784.04</u>
State Treasurer		
Salaries and Wages	3,000.00	5,500.00
Office Expense		3,000.00
Equipment	788.50	
Lost and/or Outdated Checks		487.15
Administration—Pension Account	3,086.50	
	<u>6,875.00</u>	<u>8,987.15</u>
Auditor of Accounts		
Salaries and Wages	2,100.00	1,813.80
Office Expense	600.00	
Travel	500.00	500.00
Equipment	5,000.00	4,814.85
Lost and/or Outdated Checks	426.50	
	<u>8,626.50</u>	<u>7,128.65</u>
Insurance Department		
Travel		600.00
		<u>600.00</u>
Delaware Liquor Commission		
Salaries and Wages		3,600.00
		<u>3,600.00</u>

CONTINGENCY FUND EXPENDITURES
FISCAL YEARS ENDED JUNE 30, 1955 AND 1956
(continued)

Agencies	Year Ended June 30	
	1956	1955
Delaware Harness Racing Commission		
Salaries and Wages		1,000.00
Office Expense		350.00
Operations	1,200.00	
	<hr/> 1,200.00	<hr/> 1,350.00
Court of Chancery		
Salaries and Wages		500.00
		<hr/> 500.00
State Librarian		
Equipment		600.00
		<hr/> 600.00
Attorney General		
Salaries and Wages	800.00	776.62
Office Expense	2,000.00	1,123.38
Travel	4,500.00	3,000.00
Operations	450.00	4,558.50
Repairs and Replacements	700.00	1,500.00
Equipment	1,550.00	300.00
	<hr/> 10,000.00	<hr/> 11,258.50
Medical Council of Delaware		
Salaries and Wages	220.00	
	<hr/> 220.00	
State Board of Pharmacy		
Salaries and Wages	74.00	
	<hr/> 74.00	
Board of Examiners for Barbers		
Office Expense	11.96	
	<hr/> 11.96	

CONTINGENCY FUND EXPENDITURES
FISCAL YEARS ENDED JUNE 30, 1955 AND 1956
(continued)

Agencies	Year Ended June 30	
	1956	1955
State Board of Accountancy		
Office Expense	100.00	
	<hr/> 100.00	
State Board of Examiners of Graduate Nurses		
Office Expense	280.00	
	<hr/> 280.00	
State Board of Examiners of Undertakers		
Office Expense		200.00
		<hr/> 200.00
Department of Civil Defense		
Repairs and Replacements	3,744.00	
	<hr/> 3,744.00	
Fire Marshal		
Salaries and Wages	700.00	600.00
Operations	450.00	
	<hr/> 1,150.00	<hr/> 600.00
Labor Commission of Delaware		
Salaries and Wages	1,000.00	
Office Expense	500.00	
Equipment	400.00	
	<hr/> 1,900.00	
Board of Parole		
Salaries of Members	120.00	70.00
	<hr/> 120.00	<hr/> 70.00
Industrial Accident Board		
Salaries and Wages	125.00	
Salary of Court Reporter	1,100.00	
	<hr/> 1,225.00	

CONTINGENCY FUND EXPENDITURES
FISCAL YEARS ENDED JUNE 30, 1955 AND 1956
(continued)

Agencies	Year Ended June 30	
	1956	1955
Adjutant General		
Salaries and Wages		2,390.69
Operations		7,316.75
Permanent Improvements		4,000.00
		<hr/>
		13,707.44
		<hr/>
State Employees Pension Plan		
Benefits	50,000.00	72,728.68
Survivors' Pensions	2,975.52	
		<hr/>
	52,975.52	72,728.68
		<hr/>
Retired and Disabled Teachers		
Operations		1,666.61
		<hr/>
		1,666.61
		<hr/>
State's Share—Social Security Contributions		
Operations		3,218.01
		<hr/>
		3,218.01
		<hr/>
Custodian		
Salaries and Wages	14,000.00	10,000.00
Operations	10,369.20	6,300.00
Repairs and Replacements	10,082.40	6,900.00
		<hr/>
	34,451.60	23,200.00
		<hr/>
State Library Commission		
Salaries and Wages		597.96
Repairs and Replacements	427.68	
		<hr/>
	427.68	597.96
		<hr/>
Public Archives Commission		
Repairs and Replacements		300.00
		<hr/>
		300.00
		<hr/>
State Museum		
Salaries and Wages		300.00
		<hr/>
		300.00
		<hr/>

CONTINGENCY FUND EXPENDITURES
FISCAL YEARS ENDED JUNE 30, 1955 AND 1956
(continued)

Agencies	Year Ended June 30	
	1956	1955
Delaware State Development Department		
Salaries and Wages	1,115.75	
Operations		300.00
	<hr/> 1,115.75	<hr/> 300.00
Delaware Commission on Children and Youth		
Salaries and Wages		2,400.00
Office Expense		350.00
Travel		250.00
Operations		500.00
		<hr/> 3,500.00
State Highway Department		
Administration		
Coastal Survey		4,693.58
Motor Vehicle Division		
Salaries and Wages		41,400.00
Motor Fuel Tax Division		
Operations	500.00	
Maintenance Division		
Salaries and Wages		981.35
Operations		3,054.00
Public Works		
Lewes Beach Erosion		1,000.00
Beach Erosion	2,000.00	
	<hr/> 2,500.00	<hr/> 51,128.93
State Board of Health		
Crippled Children		
Salaries and Wages		6,436.00
Office Expense		100.00
Operations		1,400.00
		<hr/> 7,936.00

CONTINGENCY FUND EXPENDITURES
FISCAL YEARS ENDED JUNE 30, 1955 AND 1956
 (continued)

Agencies	Year Ended June 30	
	1956	1955
State Board of Agriculture		
Repairs and Replacements		3,500.00
Controlling Contagious Disease	2,400.00	
Salaries—Livestock Diseases		3,500.00
Operations—Livestock Diseases		1,500.00
Salaries—Poultry Diseases		3,000.00
Operations—Poultry Diseases		1,500.00
Indemnity Claims—Operations		25,000.00
Market News Letter—Operations		1,000.00
	<hr/> 2,400.00	<hr/> 39,000.00
State Forestry Department		
Salaries and Wages		305.00
		<hr/> 305.00
Department of Public Welfare		
Salaries and Wages	52,100.00	24,800.00
Repairs and Replacements	5,600.00	
Old Age Assistance		2,750.00
Direct Care—Child Welfare		40,000.00
Assistance Grants—ADC	9,674.00	10,000.00
Aid to Disabled	4,232.00	12,750.00
	<hr/> 71,606.00	<hr/> 90,300.00
Hospital for Mentally Retarded		
Repairs and Replacements		14,582.49
		<hr/> 14,582.49
Kruse School		
Repairs and Replacements		1,449.00
		<hr/> 1,449.00
Wood Haven School for Girls		
Permanent Improvements		3,000.00
		<hr/> 3,000.00
Total Agencies	<hr/> 204,900.76	<hr/> 366,243.48

CONTINGENCY FUND EXPENDITURES
FISCAL YEARS ENDED JUNE 30, 1955 AND 1956
(continued)

Agencies	Year Ended June 30	
	1956	1955
Education		
University of Delaware		
Delaware Geological Commission		
Travel		118.13
Operations	7,705.97	2,291.34
	<hr/>	<hr/>
	7,705.97	2,409.47
	<hr/>	<hr/>
State Board of Education		
Administration		
Other Costs		461.25
Fixed Charges		
Operations	4,000.00	
Transportation		
Salaries and Wages		2,612.00
Transportation of Pupils	45,000.00	
	<hr/>	<hr/>
	49,000.00	3,073.25
	<hr/>	<hr/>
Handicapped Children		
Salaries and Wages		10,800.00
Travel		1,000.00
Day School—All Costs		3,200.00
Bacon Health Center—All Costs		1,800.00
Wilmington Board of Education—All Costs		12,500.00
Special Classes—All Costs		5,950.00
		<hr/>
		35,250.00
		<hr/>
State Board of Vocational Education		
Rehabilitation Division		
Operations	13,000.00	13,000.00
	<hr/>	<hr/>
	13,000.00	13,000.00
	<hr/>	<hr/>
Firemen's Training Program		
Operations		1,250.00
		<hr/>
		1,250.00
		<hr/>
Total—University of Delaware and		
State Board of Education	69,705.97	54,982.72
	<hr/>	<hr/>

CONTINGENCY FUND EXPENDITURES—FISCAL YEARS ENDED JUNE 30, 1955 AND 1956

		Adminis- tration	Clerical	Instruc- tional	Jani- torial	Health	Capital Outlay	All Other Costs	Total 1956	Total 1955
Special Schools										
Caesar Rodney	1955		\$2,000.00	\$ 8,844.00			\$1,300.00	\$ 550.00		\$ 12,694.00
	1956			26,340.00		\$ 500.00	350.00	3,850.00	\$ 31,040.00	
Claymont	1955		1,700.00	5,130.00			1,400.00	2,200.00		10,430.00
	1956			18,700.00		1,460.00	250.00	2,750.00	23,160.00	
Dover	1955			47,280.00	\$ 600.00		2,575.00	6,600.00		57,055.00
	1956		850.00	34,300.00			450.00	4,950.00	40,550.00	
Alexis I. duPont	1955			3,810.00			1,100.00	550.00		5,460.00
	1956			3,900.00			50.00	550.00	4,500.00	
Georgetown	1955			8,814.00	1,200.00	200.00	150.00	1,650.00		12,014.00
	1956			7,640.00			100.00	1,100.00	8,840.00	
Harrington	1955		700.00	6,950.00			100.00	1,100.00		8,850.00
	1956			3,740.00			50.00	550.00	4,340.00	
Laurel	1955			10,088.00	1,000.00	860.00	1,800.00	2,200.00		15,948.00
	1956			18,700.00			250.00	2,750.00	21,700.00	
Lewes	1955	\$600.00		8,100.00			1,075.00	1,650.00		11,425.00
	1956			11,220.00			150.00	1,650.00	13,020.00	
Milford	1955			21,420.00			2,000.00	8,300.00		31,720.00
	1956			19,980.00			250.00	10,850.00	31,080.00	
Mount Pleasant	1955			43,440.00			2,925.00	6,050.00		52,415.00
	1956			52,840.00			700.00	7,700.00	61,240.00	
New Castle	1955			58,500.00			3,075.00	19,919.81		81,494.81
	1956			35,260.00			450.00	4,950.00	40,660.00	
Newark	1955			69,992.00	1,000.00		3,275.00	10,450.00		84,717.00
	1956			102,100.00			1,350.00	14,850.00	118,300.00	
Rehoboth	1955	400.00		4,760.00			450.00	550.00		6,160.00
	1956			3,740.00			50.00	550.00	4,340.00	
Seaford	1955			31,835.00	6,900.00	1,530.00	2,250.00	5,100.00		47,615.00
	1956			11,220.00			150.00	1,650.00	13,020.00	

CONTINGENCY FUND EXPENDITURES—FISCAL YEARS ENDED JUNE 30, 1955 AND 1956

		Adminis- tration	Clerical	Instruc- tional	Jani- torial	Health	Capital Outlay	All Other Costs	Total 1956	Total 1955
Special Schools										
(continued)										
Smyrna	1955			4,712.00			50.00	550.00		5,312.00
	1956			14,960.00			200.00	2,200.00	17,360.00	
Total—Special Schools									433,150.00	443,309.81
Local Schools										
Arden No. 3.	1955			2,630.00			50.00	550.00		3,230.00
	1956									
Christiana No. 44 . .	1955			7,940.00			50.00	550.00		8,540.00
	1956			7,480.00			100.00	1,100.00	8,680.00	
Henry C. Conrad No. 131	1955	200.00		1,520.00		200.00	1,025.00	550.00		3,495.00
	1956			3,740.00			50.00	550.00	4,340.00	
Commodore MacDonough No. 53 .	1955	—	1,675.00	5,920.00	675.00	5.00	100.00	1,100.00		9,475.00
	1956									
Delaware City No. 52 .	1955					5.00	375.00			380.00
	1956			3,740.00			50.00	550.00	4,340.00	
Alfred I. duPont No. 7	1955		1,600.00	44,760.00	10,650.00		1,675.00	6,600.00		65,285.00
	1956			34,460.00		1,460.00	450.00	4,950.00	41,320.00	
Marshallton No. 77 . .	1955	200.00		10,620.00			975.00	1,650.00		13,445.00
	1956			15,600.00	400.00		200.00	2,200.00	18,400.00	
Middletown No. 60 . .	1955		1,234.00	6,000.00			875.00	1,650.00		9,759.00
	1956			22,440.00			300.00	3,300.00	26,040.00	
Newport No. 21 . . .	1955	200.00		12,336.00			1,100.00	1,650.00		15,286.00
	1956		80.00	11,220.00			150.00	1,650.00	13,100.00	

CONTINGENCY FUND EXPENDITURES—FISCAL YEARS ENDED JUNE 30, 1955 AND 1956

		Adminis- tration	Clerical	Instruc- tional	Jani- torial	Health	Capital Outlay	All Other Costs	Total 1956	Total 1955
Local Schools										
(continued)										
Oak Grove No. 130 . .	1955	200.00	1,583.30	39,920.00	865.00	200.00	1,525.00	6,050.00		50,343.30
	1956			26,900.00			350.00	3,850.00	31,100.00	
Richardson Park No. 20	1955						1,025.00			1,025.00
	1956									
Rose Hill-										
Minquadales No. 47 . .	1955	200.00	1,700.00	65,620.00	1,300.00	1,390.00	850.00	9,350.00		80,410.00
	1956			48,940.00		1,380.00	650.00	7,150.00	58,120.00	
Stanton No. 38 . . .	1955		1,675.00	12,960.00			425.00	2,200.00		17,260.00
	1956			11,220.00		1,420.00	150.00	1,650.00	14,440.00	
Townsend No. 81 . .	1955			3,760.00			300.00	550.00		4,610.00
	1956									
Yorklyn No. 91 . . .	1955						50.00	550.00		600.00
	1956									
Millside No. 132-C . .	1955			200.00		480.00	50.00	550.00		1,280.00
	1956			320.00		420.00			740.00	
Newport No. 106-C . .	1955	860.00		7,536.00	400.00	1,890.00	200.00	2,200.00		13,086.00
	1956			3,740.00			50.00	550.00	4,340.00	
Middletown No. 120-C .	1955	520.00		19,504.00	2,000.00	1,970.00	400.00	4,400.00		28,794.00
	1956									
Clayton No. 119 . . .	1955			3,880.00						3,880.00
	1956			7,480.00			100.00	1,100.00	8,680.00	
Felton No. 54	1955			9,528.00	1,350.00		550.00	1,100.00		12,528.00
	1956			3,740.00			50.00	550.00	4,340.00	
Frederica No. 32 . .	1955			680.00			225.00			905.00
	1956									
Hartly No. 96	1955			5,120.00						5,120.00
	1956									

CONTINGENCY FUND EXPENDITURES—FISCAL YEARS ENDED JUNE 30, 1955 AND 1956

		Adminis- tration	Clerical	Instruc- tional	Jani- torial	Health	Capital Outlay	All Other Costs	Total 1956	Total 1955
Local Schools										
(continued)										
Houston No. 125 . . .	1955									
	1956			3,740.00			50.00	550.00	4,340.00	
William M. Henry . . .	1955			9,580.00	1,050.00		200.00	2,200.00		13,030.00
	1956			4,060.00	600.00		50.00	550.00	5,260.00	
Blades No. 172 . . .	1955						100.00			100.00
	1956									
Bridgeville No. 90 . . .	1955			5,840.00			700.00	550.00		7,090.00
	1956				600.00				600.00	
Delmar No. 163 . . .	1955			3,840.00						3,840.00
	1956			7,480.00			100.00	1,100.00	8,680.00	
John M. Clayton No. 97	1955			4,480.00			525.00			5,005.00
	1956									
Greenwood No. 91 . . .	1955			8,360.00			50.00	550.00		8,960.00
	1956			7,480.00			100.00	1,100.00	8,680.00	
Gumboro No. 37 . . .	1955									
	1956			3,740.00			50.00	550.00	4,340.00	
Lincoln No. 3	1955			200.00			125.00			325.00
	1956			3,740.00			50.00	550.00	4,340.00	
Lord Baltimore No. 28	1955			3,160.00			550.00	550.00		4,260.00
	1956			4,380.00			50.00	550.00	4,980.00	
Millsboro No. 23 . . .	1955	400.00		9,112.00			725.00	1,100.00		11,337.00
	1956			11,700.00			150.00	1,650.00	13,500.00	
Milton No. 8	1955			9,760.00			650.00	1,100.00		11,510.00
	1956	400.00		7,480.00			100.00	1,100.00	9,080.00	
Selbyville No. 32 . . .	1955	200.00		6,840.00			575.00	1,100.00		8,715.00
	1956			7,480.00			100.00	1,100.00	8,680.00	

CONTINGENCY FUND EXPENDITURES—FISCAL YEARS ENDED JUNE 30, 1955 AND 1956

		Adminis- tration	Clerical	Instruc- tional	Jani- torial	Health	Capital Outlay	All Other Costs	Total 1956	Total 1955
(continued)										
Bridgeville No. 220-C .	1955			2,960.00			100.00	1,100.00		4,160.00
	1956			7,480.00			100.00	1,100.00	8,680.00	
Frankford No. 206-C .	1955			200.00	400.00					60.00
	1956			3,740.00	600.00		50.00	550.00	4,940.00	
Millsboro No. 204-C .	1955									
	1956			3,740.00	1,000.00		50.00	550.00	5,340.00	
William C. Jason . .	1955			16,120.00			350.00	3,850.00		20,320.00
	1956			14,960.00	400.00		200.00	2,200.00	17,760.00	
Total Local Schools 1955 and 1956									347,180.00	447,988.30
State Board of Education										
1-2-3 Room Schools .	1955						2,075.00			2,075.00
	1956			3,740.00			50.00	550.00	4,340.00	
Wilmington Board of Education										
	1955			60,482.00			13,825.00	3,850.00		78,157.00
	1956			67,320.00			900.00	9,900.00	78,120.00	
Total—Education 1955										1,026,512.83
1956									932,495.97	
GRAND TOTAL—										
Agencies and	1955									\$1,392,756.31
Education	1956								\$1,137,396.73	

The Chair announced the signing of the following bills: **SB 38, HB 48, HB 114, HB 162, HB 224, HB 310.**

The following bills were reported by the majority of the respective committees as follows: **SB 306**, 3 favorable, 2 on merits, by Banking and Insurance; **SB 15**, 3 on merits, **HB 161**, 3 favorable, 1 on merits, **HB 302**, 2 favorable, 2 on merits, **HB 134**, 3 favorable, 1 on merits, by Finance.

On motion of Mr. Behen, **HB 19**—"An Act Appropriating Certain Moneys to Kent and Sussex County Fair, Incorporated, for Prizes," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Melson, Nechay, Tull, Williams, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Lammot, Pryor, Reilly—3.

So the question was decided in the affirmative and the bill: **HB 19**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Hoey, **SB 302**—"An Act to Amend Chapter 11, Title 31, Delaware Code Entitled, "Welfare Agencies and Recipients of Assistance," was taken up for consideration and read a third time by title in order to pass the Senate.

The Chair granted the privilege of the floor to the following members to discuss the bill: Messrs. Williams, Hoey, Melson and McCullough.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Melson, Pryor, Tull, Mr. President Pro Tem—12.

NAYS—Messrs. McCullough, Nechay, Williams—3.

ABSENT—Messrs. Lammot and Reilly—2.

So the question was decided in the affirmative and the bill: **SB 302**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. McCullough, **HB 323**—"An Act to Amend Title 14, Delaware Code, Entitled "Education" in Respect to Use of Tax Revenues," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion by Mr. McCullough, SA 1 to **HB 323**, adopted previously, was withdrawn without objection.

Mr. McCullough introduced SA 2, which was read and by direction of the Chair, roll call taken thereon, as follows:

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

YEAS — Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Lammot and Reilly—2.

So the question was decided in the affirmative and SA 2 to **HB 323** having received the required constitutional majority, passed the Senate.

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

YEAS — Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Lammot and Reilly—2.

So the question was decided in the affirmative and the bill: **HB 323** as amended by SA 2, having received the required constitutional majority, passed the Senate and was ordered returned to the House for concurrence.

On motion of Mr. Hoey, **SB 270**—"An Act to Amend Chapter 23, Title 11, Delaware Code by Granting Authority to the Attorney General or Any Deputy Attorney General to Apply to a Judge of the Superior Court of the State of Delaware for an Order to Intercept and Record Telegraphic and Telephonic Communications of Persons Suspected of Violating the Criminal Laws of This State and Providing for Contempt Proceedings for Improper Use of Such Authority," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Hoey, Mr. Walter Wassmer, State Detective, of Newark, was granted the privilege of the floor, and the same also was granted to Messrs. Melson, Nechay, Pryor and Behen.

Mr. Behen moved that the bill be deferred.

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

YEAS — Messrs. Behen, Cook, Hickman, Pryor, Tull, Williams—6.

NAYS — Messrs. Correll, Harrison, Hoey, Johnson, McCullough, Melson, Mr. President Pro Tem—7.

ABSENT—Messrs. Gray, Lammot, Nechay, Reilly—4.

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

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

YEAS—Messrs. Correll, Harrison, Johnson, McCullough, Melson, Williams, Mr. President Pro Tem—7.

NAYS—Messrs. Behen, Hoey, Nechay, Pryor—4.

NOT VOTING—Messrs. Cook, Hickman, Tull—3.

ABSENT—Messrs. Gray, Lammot, Reilly—3.

So the question was decided in the negative and the bill: **SB 270**, not having received the required constitutional majority, was lost.

On motion of Mr. Hoey, **SB 271**—"An Act to Amend Chapter 3, Title 11, Delaware Code, Relating to Wiretapping, by Exempting Additional Persons from the Penalties Therein Provided," was taken up for consideration and read a third time by title in order to pass the Senate.

Mr. Behen moved that **SB 271** be tabled.

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

YEAS—Messrs. Behen, Cook, Hickman—3.

NAYS — Messrs. Correll, Harrison, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—11.

ABSENT—Messrs. Gray, Lammot, Reilly—3.

So the question not having received the constitutional majority, was decided in the negative, and the bill **SB 271**, was not tabled.

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

YEAS—Messrs. Cook, Correll, Harrison, Hickman, Hoey, Johnson, McCullough, Melson, Williams, Mr. President Pro Tem—10.

NAYS—Messrs. Behen, Nechay, Pryor—3.

NOT VOTING—Mr. Tull—1.

ABSENT—Messrs. Gray, Lammot, Reilly—3.

So the question was decided in the affirmative and the bill: **SB 271**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The Hon. John N. McDowell, Secretary of State, delivered the following message from the Governor to the Senate:

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, June 7, 1957

To the Senate of the 119th General Assembly of the State of Delaware:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

S. Paul Vickars, Wilmington, to be a Justice of the Peace in and for New Castle County for a term to expire June 18, 1961.

William P. Short, Bridgeville, to be a Justice of the Peace in and for Sussex County for a term to expire June 7, 1961.

Elmer R. Poynter, Felton, to be a Justice of the Peace in and for Kent County for a term to expire June 12, 1961.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Hoey, **SB 262**—"An Act to Amend Title 11, Delaware Code by Creating a Police Council," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Hoey, Mr. Wassmer, State Detective, of Newark, was granted the privilege of the floor, which also was granted to Messrs. Melson and Behen.

On motion of Mr. Hoey, **SB 262** was deferred.

On motion of Mr. Cook, the Senate recessed at 4:15 P. M. until call of the Chair.

Senate met at expiration of recess at 5:45 P. M.

President Pro Tempore presiding.

On motion of Mr. Melson, **SB 316**—"An Act to Amend Title 31, Delaware Code, to Provide for the Consolidation of Ferris School for Boys, Kruse School and the Detention Home for Juvenile Delinquents and Method for Voluntary Further Consolidation as to Woods Haven for Girls; Change Laws Relating to Such Institutions and Appropriate Funds," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Harrison, Hickman, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—14.

NAYS—Mr. Gray—1.

ABSENT—Messrs. Lammot and Reilly—2.

So the question was decided in the affirmative and the bill: **SB 316**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The Chair announced the signing of **SB 243**.

Upon motion by Mr. Hoey, motion prevailing, Senate Rule 9 was suspended for the purpose of consideration and passage of **HB 268**.

On motion of Mr. Hoey, **HB 268**—"An Act Making Appropriations for the Expenses of the State Government for Each of the Two Fiscal Years Ending June 30, 1958 and June 30, 1959," was taken up for consideration and read a third time by title in order to pass the Senate.

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

Mr. Hoey introduced **SA 1**, which was read and roll call thereon ordered by the Chair.

On the question, "Shall the Amendment to **HB 268** pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Lammot and Reilly—2.

So the question was decided in the affirmative and **SA 1** to **HB 268**, having received the required constitutional majority, passed the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Lammot and Reilly—2.

So the question was decided in the affirmative and the bill: **HB 268** as amended by **SA 1**, having received the required constitutional majority, passed the Senate and was ordered returned to the House for concurrence.

The Hon. John N. McDowell, Secretary of State, delivered a message from the Governor, as follows:

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, June 7, 1957

To the Senate of the 119th General Assembly
of the State of Delaware:

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

June 3, 1957—House Bill No. 181—An Act to Appropriate Funds to the Department of Public Welfare for the Fiscal Year Ending June 30, 1957.

June 5, 1957—House Bill No. 33—An Act to Amend Title 9, Delaware Code, Entitled "Counties" to Increase the Bond Required to the Prothonotary in New Castle County.

June 5, 1957—House Bill No. 74—An Act to Amend Chapter 1, Title 8, Delaware Code, Relating to Corporations.

June 5, 1957—House Bill No. 76—An Act Appropriating Money to American Legion, Sussex Post Number 8, in Sussex County, With Which to Operate and Maintain an Ambulance.

June 5, 1957—House Bill No. 200—An Act to Amend Title 7, Relating to the Muskrat Season.

June 5, 1957—House Bill No. 207—An Act to Amend Chapter 39, Title 11, Delaware Code Relating to the Sentence in Capital Cases in Which the Jury Recommends Mercy.

June 5, 1957—House Bill No. 216—An Act to Amend Chapter 1, Title 12, Delaware Code Relating to Wills.

June 5, 1957—House Bill No. 228—An Act Appropriating Money to the Delaware Society for the Prevention of Cruelty to Animals.

June 5, 1957—House Bill No. 263—An Act to Amend Title 14, Chapter 71, Delaware Code Relating to Free Public Libraries.

June 5, 1957—House Bill No. 318—An Act Appropriating Funds to the State Park Commission for Development and Maintenance of Brandywine Springs Park.

June 6, 1957—Senate Bill No. 36—An Act Authorizing the Levy Court of New Castle County to Sell to the Highest Bidder a Parcel of Land in Mill Creek Hundred, New Castle County.

June 6, 1957—Senate Bill No. 57—An Act to Amend Chapter 23, Title 9, Delaware Code Relating to Sanitary Sewer Districts in New Castle County.

June 6, 1957—House Bill No. 310—An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to the Limitations Upon Taxing Power, by Exempting Lands and Improvements of the Hyde Park Civic Association, Inc., from Assessment and Taxation.

June 7, 1957—House Bill No. 272—An Act to Amend Title 14, Delaware Code Entitled "Education" in Respect to Changing of Special School District Boundaries.

Respectfully submitted,

J. CALEB BOGGS, Governor

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 103** as amended, **SB 188** and **SB 257**, and that the House had passed and requested the concurrence of the Senate in the following bills and resolution: **HB 31**, **HB 107**, **HB 264**, **HB 266**, **HB 315**, **HB 364** and **HCR 9**.

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

HB 31—"An Act Appropriating Funds to the State Board of Trustees of the Delaware State Hospital at Farnhurst, Delaware, to Build, Equip, and Furnish a Wing for the Central Kitchen at the Hospital for the Mentally Retarded at Stockley, Delaware," to Finance.

HB 107—"An Act Appropriating Funds for Delaware Participation Under the Southern Regional Education Compact," to Education.

HB 264—"An Act to Amend Title 14, Delaware Code, Entitled "Education" in Respect to Appropriations for Public Education," to Education.

HB 266—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" in Respect to Estimates of Expenses by State Agencies," to Miscellaneous.

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

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

The Chair presented the following concurrent resolution, which was given reading by title only:

HCR 9—"Request to the Governor of the State of Delaware to Return House Bill Number 297 for Reconsideration."

Mr. Cook moved for the adoption of **HCR 9**, and upon his prevailing motion was adopted, and ordered by the Chair to be returned to the House.

The following bills were reported by the majority of the respective committees: **HB 300**, 3 favorable, **HB 208**, 3 favorable, by Judiciary; **SB 215**, 4 on merits, by Miscellaneous; **SB 268**, 5 favorable, **SB 269**, 4 on merits, by Finance.

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

SB 318—"An Act to Amend Chapter 5, Title 18, Delaware Code, Relating to the Regulatory Provisions for Insurance Companies," by Tull; to Banking and Insurance.

SB 319—"An Act to Amend Chapter 5, Title 18, Delaware Code, Relating to Regulatory Provisions, Insurance," by Tull; to Banking and Insurance.

The following bills were reported by the majority of the respective committees: **SB 189**, 4 on merits, **SB 190**, 4 on merits, by Public Health; **SB 307**, 4 on merits, by Revised Statutes; **HB 251**, 4 favorable, by Finance.

On motion by Mr. Tull, motion prevailing, Senate Rule 9 was suspended for the purpose of consideration and passage of **SB 306**.

On motion of Mr. Tull, **SB 306**—"An Act to Amend Chapters 5 and 21, Title 18, Delaware Code Relating to Non-Resident Insurance Agents and Brokers," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Lammot and Reilly—2.

So the question was decided in the affirmative and the bill: **SB 306**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. McCullough, **SB 305**—"An Act to Appropriate Funds to the Levy Courts of the State of Delaware to Repay Suburban Street Improvement Bonds and Interest," was taken up for consideration and read a third time by title in order to pass the Senate.

Mr. McCullough introduced **SA 1**, which was read and roll call thereon ordered by the Chair, as follows:

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Lammot and Reilly—2.

So the question was decided in the affirmative and **SA 1** to **SB 305**, having received the required constitutional majority, passed the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Lammot and Reilly—2.

So the question was decided in the affirmative and the bill: **SB 305** as amended by **SA 1**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The following bills were reported by the majority of the respective committees as follows: **HB 251**, 4 favorable, by Finance; **SB 189**, 4 on merits, **SB 190**, 4 on merits, by Public Health; **SB 307**, 4 on merits, by Revised Statutes.

Upon the prevailing motion by Mr. Hoey, Senate Rule 9 was suspended for the purpose of consideration and passage of **HB 251**.

On motion of Mr. Hoey, **HB 251**—"An Act to appropriate Money to the Belvedere Volunteer Fire Company," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Lammot and Reilly—2.

So the question was decided in the affirmative and the bill: **HB 251**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Cook, the Senate adjourned at 6:20 P. M., until 2:00 P. M., Monday, June 10, 1957.

88TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:15 P. M., on Monday, June 10, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Clifford L. Brain: Our Father which art in Heaven, lend an ear, we pray, to our cry again today. We thank Thee for food and clothing, the right use of our minds for a measure of health, and most of all for our Saviour the Lord Jesus Christ, Who was willing to die in our place upon the Cross. Now as we are met together, bless our efforts with a goodly portion of Thy Divine wisdom, that much good may be done. Uphold and strengthen the weak, and heal the sick of our number. Bless our Nation, our State, our homes and loved ones, and make us loyal and steadfast in our aims for the good of all, for we ask of Thee, our Father with thanksgiving, these mercies, in Jesus' Name. Amen.

Members present—Messrs. Behen, Cook, Correll, Gray, Harrison, McCullough, Pryor, Tull, Mr. President Pro Tem—9.

Members absent — Messrs. Hickman, Hoey, Johnson, Lammot, Melson, Nechay, Reilly, Williams—8.

By direction of the chair, and without objection, the reading of the Journal of the Previous Session was omitted and the Journal stood approved.

Asked to be marked present: Messrs. Hoey and Hickman.

On motion of Mr. Cook, the Senate recessed at 2:30 P. M. until call of the Chair.

Senate met at expiration of recess at 6:10 P. M.

President Pro Tempore presiding.

Messrs. Johnson, Melson and Williams asked to be marked present.

The Chair announced the signing of **SB 188**, **SB 257**, **SB 103** as amended, and **HB 19**, **HB 251**, **HB 261**, **HB 270** as amended, and **HB 285**.

On motion of Mr. Pryor, **SB 282**—"An Act to Authorize the Levy Court of New Castle County, to Plan, Construct, Equip and Furnish an Additional County Building for New Castle County and to Issue Bonds to Finance the Cost Thereof," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Pryor, Mr. Edward Cooch, Attorney, of Wilmington, was granted the privilege of the floor.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, McCullough, Melson, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Johnson, Lammot, Nechay, Reilly—4.

So the question was decided in the affirmative and the bill: **SB 282**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Pryor, **SB 250**—"An Act to Amend Chapter 9, Title 2, Delaware Code Relating to Airports of Political Subdivisions," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Pryor, Mr. Edward Cooch, Attorney, of Wilmington, was granted the privilege of the floor.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, McCullough, Melson, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Johnson, Lammot, Nechay, Reilly—4.

So the question was decided in the affirmative and the bill: **SB 250**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Pryor, **SB 245**—"An Act to Amend Chapter 15, Title 9, Delaware Code by Authorizing the Levy Court of New Castle County to Purchase Bonds or Other Obligations of the United States of America," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, McCullough, Melson, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Johnson, Lammot, Nechay, Reilly—4.

So the question was decided in the affirmative and the bill: **SB 245**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Pryor, **SB 244**—"An Act to Amend Chapter 25, Title 9, Delaware Code, to Require That Plans for the Development of Five (5) Lots or More Shall be Submitted to the Regional Planning Commission of New Castle County for Approval as to Lot Layout and Street Development," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Pryor, Mr. Edward Cooch, Attorney, of Wilmington, was granted the privilege of the floor. The Chair also granted the privilege of the floor to the following members to discuss the bill: Messrs. Correll, Hoey and McCullough.

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

YEAS—Messrs. Hickman, Melson, Pryor, Williams, Mr. President Pro Tem—5.

NAYS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hoey, McCullough, Tull—8.

ABSENT—Messrs. Johnson, Lammot, Nechay, Reilly—4.

So the question was decided in the negative and the bill: **SB 244**, not having received the required constitutional majority, was lost.

On motion of Mr. Pryor, **SB 215**—"An Act to Amend Chapter 15, Title 9 of the Delaware Code Relating to the Annual Audit of Accounts and Publication of Audit Report in New Castle County," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, McCullough, Melson, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Johnson, Lammot, Nechay, Reilly—4.

So the question was decided in the affirmative and the bill: **SB 215**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The following bills were reported by the majority of the respective committees as follows: **HB 107**, 4 on merits, by Education; **HB 173**, 3 on merits, **HB 204**, 2 on merits, 1 unfavorable, **HS 1** for **HB 308**, 2 favorable, 2 on merits, by Judiciary.

On motion of Mr. Pryor, **SB 190**—"An Act to Amend Chapter 15, Title 9 of the Delaware Code by Authorizing the Levy Court of New Castle County to Regulate or Prohibit the Dumping of Garbage, Rubbish, Ashes or Other Waste Material, and Providing Penalties for Violations Thereof," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Williams, **SB 190** was deferred.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 276**, and that the House had passed and requested the concurrence of the Senate in the following bills: **SB 150** with **HA 1**, **HB 213** with **HA 1**, **HB 229** and **HB 296** with **HA 1**, **HA 2**, **HA 3** and **HA 4**.

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

HB 213 with **HA 1**—"An Act to Amend Title 6, Delaware Code Relating to Commerce and Trade," to Miscellaneous.

HB 229—"An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pension Plan," to Finance.

HB 296 with **HA 1**, **HA 2**, **HA 3** and **HA 4**—"An Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for Said Purposes; Authorizing the Financing of Such Enlargement and Improvement by the Issuance of Bonds and Bond Anticipation Notes of the State and by Contributions from Certain School Districts, and the City of Wilmington, Defining School Districts, Authorizing the Issuance of Bonds of Certain School Districts and the City of Wilmington for the Purpose of Raising Money to Make Such Contributions; and Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions," to Education.

On motion of Mr. Pryor, **SB 150** as amended by **HA 1**—"An Act to Amend Chapter 17, Title 15 of the Delaware Code Relating to Registration of Voters," was taken up for consideration, the amendment thereto being read by paragraphs in order to pass the Senate.

On motion of Mr. Pryor, the amendment to the bill was adopted.

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

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, McCullough, Melson, Pryor, Tull, Mr. President Pro Tem—11.

NAYS—None.

ABSENT—Messrs. Cook, Johnson, Lammot, Nechay, Reilly, Williams—6.

So the question was decided in the affirmative and the bill: **SB 150** as amended by **HA 1**, having received the required constitutional majority, passed the Senate.

On motion of Mr. Pryor, **SB 184**—"An Act to Amend Chapter 19, Title 10 of the Delaware Code Relating to Examinations of Judgment Satisfactions by Commissioners," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, McCullough, Melson, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Johnson, Lammot, Nechay, Reilly—4.

So the question was decided in the affirmative and the bill: **SB 184**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. McCullough, **SB 289**—"An Act Proposing an Amendment to the Constitution of the State of Delaware to Abolish the Office of Coroner in New Castle County," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. McCullough, Mr. Samuel Arsht, Attorney, of Wilmington, was granted the privilege of the floor. The Chair granted the privilege of the floor to the following members: Messrs. Melson, Hoey and Behen.

On motion of Mr. Behen that **SB 289** be tabled, the motion was lost.

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

YEAS—Messrs. Correll, Gray, Hoey, Melson, Pryor, Williams, Mr. President Pro Tem—7.

NAYS—Messrs. Behen, Cook, Harrison, Hickman, McCullough, Tull—6.

ABSENT—Messrs. Johnson, Lammot, Nechay, Reilly—4.

So the question was decided in the negative and the bill: **SB 289**, not having received the required constitutional majority, was lost.

Prior to the announcement of the vote, Mr. McCullough changed his vote from yea to nay.

The following bills were reported by the majority of the respective committees as follows: **HB 315**, 1 favorable, 3 on merits, **HB 355**, 4 on merits, by Education; **HB 325**, 2 favorable, 2 on merits, by Judiciary.

On motion of Mr. Cook, **HB 252**—"An Act to Amend Chapter 11, Title 16, Delaware Code Relating to Definition of Sanatoria, Rest Homes, Nursing Homes, Boarding Homes and Related Institutions," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Gray, Hickman, Hoey, Melson, Tull, Williams, Mr. President Pro Tem—9.

NAYS—Messrs. Behen and Harrison—2.

NOT VOTING—Mr. Pryor—1.

ABSENT — Messrs. Johnson, Lamot, McCullough, Nechay, Reilly—5.

So the question was decided in the affirmative and the bill: **HB 252**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

Upon motion by Mr. Tull, motion prevailing, **HB 312** was restored to the calendar.

On motion of Mr. Cook, the Senate adjourned at 7:25 P. M. until 1:00 P. M., Tuesday, June 11, 1957.

89TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:05 P. M., on Tuesday, June 11, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Clifford L. Brain: It is with joy and thanksgiving that we come into Thy presence our God and our Father. We thank Thee for all Thy goodness toward us. Continue to raise up the President of these United States, and along with our own sick and weak ones restore all to health and strength. Grant, we pray, Thy presence and peace and power in our hearts through Thy Son the Lord Jesus Christ. Help us to redeem the time allotted us here, that our task may be so near completion, that others may easily carry on should we pass from this scene. Give us wisdom and foresight to this end, and bless the homes represented here, and may we often seek Thy face that our souls may be edified. We ask these tokens of Thy grace in Jesus' Name. Amen.

Members present—Messrs. Behen, Cook, Correll, Gray, Harrison, Lamot, McCullough, Nechay, Tull, Mr. President Pro Tem—10.

Members absent — Messrs. Hickman, Hoey, Johnson, Melson, Pryor, Reilly, Williams—7.

Without objection, the Chair dispensed with the reading of the Journal of the Previous Session, and the Journal stood approved.

Asked to be marked present: Messrs. Hoey, Melson, Hickman and Johnson.

The Hon. John N. McDowell, Secretary of State, delivered a message from the Governor, as follows:

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, June 11, 1957

To the Senate of the 119th General Assembly of the State of Delaware:

This will advise that on June 10, 1957, I approved the following legislation:

Senate Bill No. 252—An Act to Amend Chapter 19, Title 10, Delaware Code, Relating to Law Libraries, and to Provide for a State Law Library in Kent County Corresponding to Law Libraries in the Other Counties and to Appropriate Funds.

Senate Bill No. 255—An Act to Amend the Delaware Code, by Abolishing the State Library and to Authorize the Transfer of Material, Office Equipment and Supplies to Other State Agencies, and to Abolish the Office of State Librarian and Transfer the Duties Connected Therewith.

House Bill No. 48—An Act to Amend Title 14, Delaware Code, Entitled "Education" to Provide That the Library Commission for the State of Delaware May Act and Receive Federal Funds Under the "Library Services Act".

House Bill No. 162—An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety" in Respect to Tuberculosis.

House Bill No. 224—An Act Making a Deficiency Appropriation to the Superior Court of the State of Delaware for Salaries and Wages Account.

Respectfully submitted,

J. CALEB BOGGS, Governor

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 296**, and that the House had passed and requested the concurrence of the Senate in the following bills and resolution: **HB 113** as amended, **HB 360** and **HCR 10**.

The Chair presented the following House Bills and concurrent resolution, which were given reading by title only and referred to committees as follows:

HB 113 with **HA 1**—"An Act to Amend Chapter 17, Title 9, Delaware Code, Relating to Employees Pensions in New Castle County," to Education.

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

HCR 10—"Memorializing the President of the United States and the Congress of the United States to Consider the Repeal or Modification of the Status of Forces Treaty Now in Existence Between This Country and Certain Foreign Countries," to Revised Statutes.

Mr. McCullough introduced the following resolution, which on further motion by him was adopted: **SR 80**—"Requesting Return of Senate Bill No. 91 from the House of Representatives of the 119th General Assembly of the State of Delaware."

BE IT RESOLVED by the Senate of the 119th General Assembly of the State of Delaware, that the House of Representatives of the 119th General Assembly of the State of Delaware is requested to return to the Senate for reconsideration Senate Bill No. 91.

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

SB 320—"An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees," by McCullough and Hickman; to Education.

SB 321—"An Act to Amend Chapter 6, Title 9, Delaware Code, Relating to Suburban Parks and Recreation," by McCullough; to Buildings and Highways.

SB 322—"An Act to Appropriate Funds to the Delaware Commission on Interstate Cooperation," by Hoey; to Finance.

SB 323—"An Act to Amend Title 10, Delaware Code, Entitled "Court and Judicial Procedure" in Respect to a Constable at Large for Sussex County," by Johnson; to Judiciary.

On motion of Mr. Cook, the Senate recessed at 3:25 P. M. until call of the Chair.

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

Mr. Cook presiding.

Messrs. Williams and Pryor asked to be marked present.

The Chair recognized Mrs. Vera Davis, Treasurer of the State of Delaware, and invited her to be seated on the rostrum.

Upon the prevailing motion by Mr. Steen, Senate Rule 9 was suspended for the rest of this day's session.

The following bills and resolution were reported by the majority of the Committee on Revised Statutes, as follows: **SB 314**, 2 favorable, 1 on merits, **SB 317**, 2 favorable, 1 on merits, **HCR 10**, 3 on merits.

On motion of Mr. Steen, SB 317—"An Act to Amend Chapter 29, Title 21, Delaware Code, Entitled "Motor Vehicle Safety Responsibility," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Steen, Robert Thompson, Senate Attorney, was granted the privilege of the floor. The Chair granted the privilege of the floor to the following members: Messrs. Nechay, Hoey and Behen.

On motion of Mr. Lammot, SB 317 was deferred.

On motion of Mr. Pryor, SB 214—"An Act to Amend Chapter 21, Title 23, Delaware Code by Providing for a Penalty for the Removal or Drainage of Water from Noxentown Lake in New Castle County," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—Messrs. Cook and Correll—2.

ABSENT—Messrs. Melson and Reilly—2.

So the question was decided in the affirmative and the bill: SB 214, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

Upon request of the Chair by Mr. McCullough, SR 80 previously presented and adopted this day, was withdrawn without objection.

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

SB 324—"An Act to Amend Chapter 40, of the Charter of the City of Wilmington, Being Section 40, Chapter 20, Volume 17, Laws of Delaware, as Heretofore Amended and Referred to as Part of Article 6, 52, Sec. 52, of the Revised Code of Wilmington 1942, as Published by the Authority of the Council of the Mayor and Council of Wilmington, at a Meeting of the Council Held October 19, 1939) and Relating to the Position of City Solicitor," by Lammot; to Miscellaneous.

SB 325—"An Act to Amend Chapter 59, Title 11, Delaware Code, Relating to Justices of the Peace," by Hoey; to Judiciary.

SB 326—"An Act to Amend Chapter 83, Title 11, Delaware Code, Relating to the Superintendent of the State Police; the State Police and Civilian Employees Thereof; and Providing an Appropriation for Certain Salary Increases," by Hoey and Steen; to Revised Statutes.

Mr. Nechay introduced the following resolution, which on further motion by him was adopted: SR 81—"Appropriation for Postage Stamps for the Senate of the 119th General Assembly."

BE IT RESOLVED by the Senate of the 119th General Assembly of the State of Delaware, that the sum of \$500.00 be and the same is hereby appropriated out of the General Fund in the Treasury of the State of Delaware for the purchase of postage stamps to be used for the official business of the Senate of the 119th General Assembly.

BE IT FURTHER RESOLVED that the State Treasurer of the State of Delaware is hereby authorized and directed to pay for such postage stamps out of said appropriation upon warrents approved by the State Librarian.

Mr. Nechay introduced the following resolution, which on further motion by him was adopted: **SR 82**—"Authorizing an Appropriation for Telephone Service Charges and Toll Calls in Connection With the Work of the Senate of the 119th General Assembly of the State of Delaware."

BE IT RESOLVED by the Senate that the amount of \$100.36 is hereby appropriated to pay for telephone service charges and toll calls in connection with the work of the Senate of the 119th Session of the General Assembly of the State of Delaware, and that the State Treasurer be, and she is hereby authorized and directed to pay to Diamond State Telephone Company, 124 S. State Street, Dover, Delaware, the sum of \$100.36 for telephone service charges for the period ending May 11, 1957.

The following bill was reported by the majority of the Committee on Miscellaneous as follows: **SB 324**, 4 favorable, 1 on merits.

On motion of Mr. Nechay, **HS 1** for **HB 54**—"An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety" by Creating an Air Pollution Authority, Prescribing Its Powers and Duties, Providing Penalties and Appropriating Funds," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Nechay, Dr. Floyd I. Hudson, of the State Board of Health, was granted the privilege of the floor.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. McCullough and Reilly—2.

So the question was decided in the affirmative and the bill: **HS 1** for **HB 54**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Hoey, **SB 295**—"An Act to Reincorporate the Town of Bridgeville," was taken up for consideration and read a third time by title in order to pass the Senate.

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

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Reilly—1.

So the question was decided in the affirmative and the bill: **SB 295** as amended, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Lammot, **SB 234**—"An Act to Amend Section 40 of the Charter of the City of Wilmington, Being Section 40, Chapter 20, Volume 17, Laws of Delaware, as Heretofore Amended (and Referred to as Part of Article 6, 52, Sec. 52, of the Revised Code of Wilmington 1942, as Published by the Authority of the Council of the Mayor and Council of Wilmington, at a Meeting of the Council Held October 19, 1939) and Relating to the Position of City Solicitor," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Williams—15.

NAYS—None.

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

So the question was decided in the affirmative and the bill: **SB 324**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Tull, **SB 241**—"An Act to Amend Part III, Title 3, Delaware Code, Providing for a New Chapter 32, Entitled, "Distribution; Regulation and Control of Milk Prices," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Tull, Mr. W. Brittingham of Lewes was granted the privilege of the floor.

Mr. Hoey introduced **SA 1**, which was read and by order of the Chair, roll call taken thereon.

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

YEAS—Messrs. Behen, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Williams—14.

NAYS—Mr. Cook—1.

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

So the question was decided in the affirmative and SA 1 to SB 241, having received the required constitutional majority, passed the Senate.

Mr. Tull introduced SA 2, which was read and by order of the Chair, roll call taken thereon.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Williams—14.

NAYS—None.

NOT VOTING—Mr. Behen—1.

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

So the question was decided in the affirmative and SA 2 to SB 241 as amended, having received the required constitutional majority, passed the Senate.

On motion of Mr. Melson, the Senate recessed for ten minutes.

Senate met at expiration of recess at 5:55 P. M.

Mr. Cook presiding.

On motion of Mr. Tull, SB 241 as amended by SA 1 and SA 2—"An Act to Amend Part III, Title 3, Delaware Code, Providing for a New Chapter 32, Entitled, "Distribution; Regulation and Control of Milk Prices," was again taken up for consideration in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Hickman, Johnson, Lammot, Melson, Nechay, Pryor, Tull, Williams—12.

NAYS—Messrs. Behen, Hoey, McCullough—3.

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

So the question was decided in the affirmative and the bill: SB 241 as amended by SA 1 and SA 2, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Lammot, the Senate adjourned at 6:00 P. M. until 1:00 P. M., Wednesday, June 12, 1957.

90TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:10 P. M., on Wednesday, June 12, 1957. President Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Clifford L. Brain: Our Blessed God and Heavenly Father we come unto Thee through the Lord Jesus Christ and in the Power of the Holy Spirit, therefore lend an ear unto our prayer. Bless every man and woman in this hall and minister unto each of us according to

our needs, through Thy wisdom and knowledge. Tenderly heal the sick of our legislative family, and touch their souls as well as their bodies with Thy grace. Deepen our sense of responsibility unto Thee and to our beloved State, which we are honored to serve. Guide and direct our actions here today, bearing in mind the Words of our Lord: "Work while it is yet day, the night cometh, when no man can work." Hear again this, our prayer, in Jesus' Name. Amen.

Members present—Messrs. Behen, Carrell, Gray, Harrison, Hickman, Hoey, Melson, Tull, Williams, Mr. President Pro Tem—10.

Members absent — Messrs. Cook, Johnson, Lammot, McCullough, Nechay, Pryor, Reilly—7.

By direction of the Chair, and without objection, the reading of the Journal of the Previous Session was omitted, and the same stood approved.

Asked to be marked present: Messrs. Cook, McCullough and Johnson.

The Chair recognized former State Senator Thomas E. Peeney, and invited him to be seated on the rostrum.

Upon request of the chair, and without objection, Mr. McCullough had **SB 289** restored to the calendar.

The Chair announced to the members the signing of the following: **SB 150** as amended, **SB 276** and **SB 296**.

The following bills were reported by the majority of the respective committees as follows: **HB 293**, 3 favorable, by Public Health; **HB 346**, 2 favorable, 2 on merits, by Finance; **HB 364**, 4 favorable, by Fish, Oysters and Game.

Mr. Hoey moved that Senate Rule 9 be suspended for the consideration and passage of **HB 346**. Motion prevailed.

On motion of Mr. Hoey, **HB 346**—"An Act to Amend Title 29, Section 5501, Delaware Code Relating to the Definition of a Covered Employment for the State Employees Pension Plan," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Hoey, Johnson, Melson, Tull, Williams, Mr. President Pro Tem—12.

NAYS—None.

ABSENT—Messrs. Lammot, McCullough, Nechay, Pryor, Reilly—5.

So the question was decided in the affirmative and the bill: **HB 346**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

Upon motion by Mr. Cook, motion prevailing, Senate Rule 9 was suspended for the purpose of consideration and passage of **HB 293**.

On motion of Mr. Cook, **HB 293**—"An Act to Amend Title 14 Delaware Code Entitled "Education" by Providing for Maternity Leave for Professional Employees of the Public School System," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Cook, Mr. Charles Harris was granted the privilege of the floor.

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

YEAS—Messrs. Behen, Cook, Correll, Gray, Harrison, Hickman, Johnson, McCullough, Melson, Tull, Williams, Mr. President Pro Tem—12.

NAYS—Mr. Hoey—1.

ABSENT—Messrs. Lammot, Nechay, Pryor, Reilly—4.

So the question was decided in the affirmative and the bill: **HB 293**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. Williams, **SB 216**—"An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety", to Authorize the State Board of Health to Regulate the Vaccination of Dogs Against Rabies, to Control the Movement of Stray Dogs, and Impound and Dispose of the Same, and to Control Rabies in Other Animals; and to Repeal Parts of Title 7, Delaware Code, Entitled "Conservation" Dealing With Dogs," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Williams, Mr. Norman Wilder of the State Game and Fish Commission, and Dr. Floyd I. Hudson of the State Board of Health, were granted the privilege of the floor.

On motion of Mr. Williams, **SB 216** was tabled.

The Chair announced the signing of the following bills: **HB 252** and **HB 268**.

On motion of Mr. President Pro Tem, the Senate recessed at 3:15 P. M. until call of the Chair.

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

President Pro Tempore presiding.

Mr. Nechay asked to be marked present.

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

SB 327—"An Act to Amend Paragraph (8), Subsection (c), Section 132, Title 17, Delaware Code, Pertaining to the Power of the State Highway Department to Grant Franchises and Licenses to Use the State Highways," by Cook and Melson; to Buildings and Highways.

On motion of Mr. Cook, the Senate adjourned at 3:55 P. M. until 1:00 P. M., Thursday, June 13, 1957.

91ST LEGISLATIVE DAY

Senate met pursuant to adjournment at 2:50 P. M., on Thursday, June 13, 1957. Phesident Pro Tem Steen presiding.

Prayer by the Chaplain, Rev. Clifford L. Brain: We thank Thee again, our Father and our God, for the privilege to lift our hearts unto Thee in prayer. Reassure us of Thy Divine sanction upon this gathering by a manifestation of Thy presence in our midst. Give us, we pray, keen minds and make us alert, that we may quickly comprehend the issues before us that they may be dispatched with speed and perception. Bless our families, our homes, our nation and our State, to the end that we might find favor in Thy sight. Ungird those who are weak, heal the sick and encourage every heart with the peace of Thy presence. May Thy unseen Hand guide this session to a profitable end, that those who scan our labours this day will not find us wanting, for we ask these blessings in Jesus' Name. Amen.

Members present—Messrs. Behen, Cook, Correll, Harrison, Lammot, McCullough, Melson, Nechay, Tull, Mr. President Pro Tem—10.

Members absent—Messrs. Gray, Hickman, Hoey, Johnson, Pryor, Reilly, Williams—7.

Without objections, the reading of the Journal of the Previous Session was dispensed with, and the Journal for that day stood approved.

Asked to be marked present: Messrs. Johnson, Gray, Hoey and Pryor.

The Hon. John N. McDowell, Secretary of State, delivered the following message from the Governor:

GOVERNOR'S MESSAGE

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

Dover, June 13, 1957

To the Senate of the 119th General Assembly of the State of Delaware:

This will advise that on June 13, 1957, I approved the following legislation:

Senate Bill No. 257—An Act to Amend Title 15 of the Delaware Code by Transferring the Obligation to Pay Certain Registration and Election Expenses from the Counties and the City of Wilmington to the State of Delaware and Providing an Appropriation Therefore for the Next Biennium.

House Bill No. 252—An Act to Amend Chapter 11, Title 16, Delaware Code Relating to Definition of Sanatoria, Rest Homes, Nursing Homes, Boarding Homes and Related Institutions.

House Bill No. 270—An Act to Amend Part II, Title 7, Delaware Code, Entitled "Shellfish" by Consolidating the Delaware Commisison of Shell Fisheries and the Collector of Oyster Revenue and Generally Revising the Provisions Pertaining to Shellfish.

Respectfully submitted,

J. CALEB BOGGS, Governor

The Chair directed the Reading Clerk to read the following letter:

FARMERS BANK OF THE
STATE OF DELAWARE

Dover, June 4, 1957

Mr. Curtis W. Steen, President Pro Tem, Senate
Dover, Delaware

Dear Mr. Steen:

The Farmers Bank of the State of Delaware is most appreciative of the Resolution adopted by the One Hundred and Nineteenth General Assembly, honoring our 150th Anniversary.

It was presented to the Executive Committee of the Board of Directors at its regular meeting on May 17th and made a part of the minutes of that meeting. I have been instructed to express our thanks for the very gracious remembrance and your complimentary remarks.

Gratefully yours,

WILLIAM K. PATON

Chairman of the Board and President

Lindale C. Fisher, Secretary of the Executive Committee

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

SB 328—"An Act to Amend Title 9, Delaware Code by Providing for a New Chapter 63, Entitled "Building Permits for Sussex County," by Steen and Hoey; to Revised Statutes.

SB 329—"An Act Making an Appropriation to the Family Court of the State of Delaware in and for New Castle County for Additional Probation Officers and Staff and Their Annual Increments," by Melson and Hoey; to Finance.

SB 330—"An Act to Amend Chapter 196, Volume 22, Laws of Delaware by Extending to the Board of Public Works of Lewes the Authority to Construct, Operate, and Regulate a Sewage Disposal Plant and Improved Sewerage System and Authorizing the Commissioners of Lewes to Issue Bonds to Finance the Project," by Johnson and Hoey; to Municipal Corporations.

SB 331—"An Act to Further Amend Chapter 119, Volume 28, Laws of Delaware Entitled "An Act Providing for the Collection of Taxes for the City of Wilmington" as Amended by Chapter 116, Volume 50, Laws of Delaware, by Providing That the City of Wilmington Shall Have Power to Fix the Salary of the Collector of Taxes and the Salaries of the Clerks in the Office of Said Collectors," by Lammot; to Miscellaneous.

SB 332—"An Act Making an Supplementary Appropriation to the Collector of State Revenue for the Salary of the Collector of State Revenue," by Johnson; to Finance.

The following bills were reported by the majority of the respective committees as follows: **HB 213**, 3 favorable, **HB 113**, 2 favorable, 2 on merits, by Miscellaneous; **SB 315**, 3 favorable, 1 on merits, **SB 313**, 2 favorable, 2 on merits, by Judiciary; **SB 301**, 4 on merits, by Banking and Insurance; **SB 300**, 3 favorable, 1 on merits, by Revised Statutes.

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

SB 333—"An Act to Amend Chapter 45, Title 10, Delaware Code Relating to Jury Commissioners," by Cook; to Judiciary.

SB 334—"An Act Making an Appropriation to the Council on the Administration of Justice for the Purpose of Making a Study and Survey of the Judicial System of This State," by Cook and Melson; to Judiciary.

SB 335—"An Act to Amend Chapter 27, Title 21, Delaware Code, Relating to Mandatory Revocation of Motor Vehicle Operators Licenses," by Pryor; to Revised Statutes.

SB 336—"An Act to Amend Title 28, Delaware Code, by Providing for Licensing, Regulation and Control of Dog Racing in the State of Delaware," by Behen for Cook; to Private Corporations.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 246**, and that the House had passed and requested the concurrence of the Senate in the following bills: **HB 176**, **HB 359** and **HB 380**.

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

HB 176—"An Act to Amend Chapter 216, Volume 27, Laws of Delaware, as Amended, Entitled "An Act Amending, Revising and Consolidating the Charter of the City of New Castle," by Changing the Salary of Certain Officials," to Municipal Corporations.

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

HB 380—"An Act to Amend Chapter 277, Volume 49, Laws of Delaware Entitled "An Act to Reincorporate the Town of Laurel" by Increasing the Annual Salary of the Mayor and Councilmen," to Municipal Corporations.

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

SB 337—"An Act Relating to a Referendum in the 1958 General Election on the Question of Wagering and Betting on Dog Races," by Cook; to Private Corporations.

SB 338—"An Act to Amend Title 5, Chapter 29, Delaware Code, 1953, by Creating the Office of State Petroleum Commissioner and by Providing That the Trustees of Certain Oil Royalty and Similar Trusts Shall be Under the Supervision of the State Petroleum Trust Commissioner; Providing for the Payment of Fees to the State Petroleum Trust Commissioner for Examination; and Providing Penalties for Failure to Report and Submit to Examination," by McCulloch; to Banking and Insurance.

SB 339—"An Act to Amend Chapter 3, Title 3, Delaware Code, Relating to the Purchase of Milk Dealers," by Cook; to Agriculture.

SB 340—"An Act to Amend Chapter 15, Title 17, of the Delaware Code Relating to the Ferry Between Lewes and Cape May," by Hoey, Steen and Tull; to Banking and Insurance.

SB 341—"An Act to Amend Chapter 31, Title 10, Delaware Code, Relating to Actions Against State Agencies and Service of Process Thereon," by Hoey; to Revised Statutes.

Mr. Hoey introduced the following concurrent resolution, which was read by title only and referred by the Chair to the Committee on Finance:

SCR 25—"Providing for the Joint Finance Committee to Study the Needs of the Various State Agencies Relative to the Budget and to Further Study the Bond Situation Relative to Schools and Highways and to Propose Legislation to the Current General Assembly Pertaining to These Matters."

On motion of Mr. Williams, **SB 216**—"An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety", to Authorize the State Board of Health to Regulate the Vaccination of Dogs Against Rabies, to Control the Movement of Stray Dogs, and Impound and Dispose of the Same, and to Control Rabies in Other Animals; and to Repeal Parts of Title 7, Delaware Code, Entitled "Conservation" Dealing With Dogs," was again taken up for consideration and read by title in order to pass the Senate.

On motion of Mr. Williams, Mr. Norman Wilder of the State Game and Fish Commission, was granted the privilege of the floor.

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

YEAS—Messrs. Cook, Correll, Gray, Harrison, Johnson, Lamnot, Melson, Tull—8.

NAYS—Messrs. Behen, Hoey, Nechay, Mr. President Pro Tem—4.

NOT VOTING—Mr. McCullough—1.

ABSENT—Messrs. Hickman, Pryor, Reilly, Williams—4.

So the question was decided in the negative and the bill: **SB 216**, not having received the required constitutional majority, was lost.

The following bills were reported by the majority of the respective committees as follows: **SB 330**, 2 favorable, 1 on merits, by Municipal Corporations; **SB 331**, 4 on merits, by Miscellaneous; **SB 318**, 3 favorable, 1 on merits, **SB 319**, 1 favorable, 3 on merits, by Banking and Insurance.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 197**, **SB 248**, **SB 249** and **SB 278**, and that the House had passed and requested the concurrence of the Senate in the following bills: **HB 52**, **HB 146**, **HB 297** as amended, **HB 370** and **HB 376**.

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

HB 52—"An Act Agreeing to the Proposed Amendment to Civil Defense for Equipment and Services," to Finance.

HB 146—"An Act Making an Appropriation to the State Building and Grounds Commission for Repairs, Repainting and Redecorating Legislative Hall and for Other Purposes," to Finance.

HB 297 with **HA 1**—"An Act to Amend Chapter 63, Title 29, Delaware Code Relating to the General Powers and Duties of the Budget Commission," to Miscellaneous.

HB 370—"An Act to Amend Chapter 17, Title 14, Delaware Code Relating to State Appropriations to School Districts Whose Schools are Attended by Pupils Not Residing Within the District," to Education.

HB 376—"An Act Providing for the Acquisition of Public Documents by the Public Archives Commission," to Miscellaneous.

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

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, June 13, 1957

To the Senate of the 119th General Assembly:

In conformity with the Constitution and Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:

Nathaniel W. Taylor, Jr., Dover, to be Executive Secretary of the Delaware Commission of Shell Fisheries for a term during the pleasure of the Governor.

George A. Houchin, Hockessin, to be a Justice of the Peace in and for New Castle County for a term to expire June 13, 1961.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Lammot, the Senate recessed at 2:45 P. M. until call of the Chair.

Senate met at expiration of recess at 3:05 P. M.

Mr. Cook presiding.

Upon motion by Mr. Steen, SB 216 was taken up again for reconsideration, with roll call as follows:

YEAS — Messrs. Behen, Cook, Gray, Harrison, Hoey, Johnson, Lammot, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—14.

NAYS—Mr. Correll—1.

ABSENT—Messrs. Hickman and Reilly—2.

The question of reconsideration having received the required constitutional majority, and upon the prevailing motion for restoration by Mr. Williams, SB 216 was restored to the calendar.

On motion of Mr. Pryor, SB 69—"An Act to Amend Chapter 31, Title 15 of the Delaware Code Relating to Primary Elections," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Pryor, SB 69 was deferred.

Mr. Lammot moved that Senate Rule 9 be suspended for the rest of this day's session. Motion prevailed.

On motion of Mr. Lammot, SB 331—"An Act to Further Amend Chapter 119, Volume 28, Laws of Delaware Entitled "An Act Providing for the Collection of Taxes for the City of Wilmington" as Amended by Chapter 116, Volume 50, Laws of Delaware, by Providing That the Council of the City of Wilmington Shall Have Power to Fix the Salary of the Collector of Taxes and the Salaries of the Clerks in the Office of Said Collector," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Lammot, **SB 331** was deferred.

On motion of Mr. Steen, **SB 328**—"An Act to Amend Title 9, Delaware Code by Providing for a New Chapter 63, Entitled "Building Permits for Sussex County," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS — Messrs. Behen, Cook, Correll, Harrison, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Gray, Hickman, Lammot, Reilly—4.

So the question was decided in the affirmative and the bill: **SB 328**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Steen, the Senate recessed at 3:20 P. M. until call of the Chair.

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

President Pro Tempore presiding.

The Chair announced the signing of the following: **HS 1** for **HB 54**, **HB 293**, **HB 323** and **HB 346**.

On motion of Mr. Johnson, **SB 330**—"An Act to Amend Chapter 196, Volume 22, Laws of Delaware, by Extending to the Board of Public Works of Lewes the Authority to Construct, Operate, and Regulate a Sewage Disposal Plant and an Improved Sewerage System and Authorizing the Commissioners of Lewes to Issue Bonds to Finance the Project," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS — Messrs. Behen, Cook, Correll, Harrison, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Gray, Hickman, Lammot, Reilly—4.

So the question was decided in the affirmative and the bill: **SB 330**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Melson, **SB 299**—"An Act to Amend Title 11 of the Delaware Code Entitled "Crimes and Criminal Procedure" by Abolishing Capital Punishment," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS — Messrs. Cook, Correll, Harrison, Johnson, McCullough, Melson, Pryor, Tull, Mr. President Pro Tem—9.

NAYS—Mr. Williams—1.

NOT VOTING—Messrs. Behen, Hoey, Nechay—3.

ABSENT—Messrs. Gray, Hickman, Lammot, Reilly—4.

So the question was decided in the affirmative and the bill:

SB 299, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Hoey, **SB 269**—"An Act to Amend Chapter 87, Title 11, Delaware Code, Relating to the State Detectives by Providing for Their Appointment and Fixing Their Salaries," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS — Messrs. Behen, Cook, Correll, Harrison, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Gray, Hickman, Lammot, Reilly—4.

So the question was decided in the affirmative and the bill:

SB 269, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Hoey, **HB 239**—"An Act to Appropriate Funds to the School Boards for the Maintenance and Improvement of Public School Buildings of the State," was taken up for consideration and read a third time by title in order to pass the Senate.

Mr. Tull introduced **SA 1**, which was read only.

At the request of Messrs. Williams and McCullough, **HB 239** was deferred.

On motion of Mr. Hoey, **SB 328**—"An Act to Amend Title 9, Delaware Code by Providing for a New Chapter 63, Entitled "Building Permits for Sussex County," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS — Messrs. Behen, Cook, Correll, Harrison, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Gray, Hickman, Lammot, Reilly—4.

So the question was decided in the affirmative and the bill:

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

On motion of Mr. Hoey, **SB 265**—"An Act to Amend Chapter 67, Title 21, Delaware Code, Relating to Driving a Vehicle Without the Consent of the Owner," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Hoey, Mr. Alex Greenfield, Deputy Attorney-General, was granted the privilege of the floor.

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

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

YEAS—Messrs. Behen, Cook, Correll, Harrison, Hoey, Johnson, McCullough, Nechay, Tull, Mr. President Pro Tem—10.

NAYS—Mr. Williams—1.

NOT VOTING—Messrs. Melson and Pryor—2.

ABSENT—Messrs. Gray, Hickman, Lammot, Reilly—4.

So the question was decided in the negative and the bill: **SB 265** as amended, not having received the required constitutional majority, was lost.

On motion of Mr. Steen, **SB 311**—"An Act to Establish a State Employees' Pension Plan to Supplement Benefits Payable Under the Social Security Act," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Harrison, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Gray, Hickman, Lammot, Reilly—4.

So the question was decided in the affirmative and the bill: **SB 311**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Nechay, **SB 285**—"An Act to Amend Chapter 91, Title 10, Delaware Code Relating to Justices of the Peace by Providing for the Number, Location, Compensation of Justices of the Peace in Each of the Respective Counties and Imposing Upon the State of Delaware the Cost of Maintaining Such Courts, With all Fees and Costs Inuring to the State of Delaware," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Nechay, Mr. Robert Thompson, Senate Attorney, was granted the privilege of the floor.

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

YEAS—Messrs. Correll, Johnson, Melson, Pryor—4.

NAYS — Messrs. Behen, Harrison, Hoey, McCullough, Nechay, Williams, Mr. President Pro Tem—7.

NOT VOTING—Messrs. Cook and Tull—2.

ABSENT—Messrs. Gray, Hickman, Lammot, Reilly—4.

So the question was decided in the negative and the bill: **SB 285**, not having received the required constitutional majority, was lost.

On motion of Mr. Hoey, **HB 134**—"An Act to Appropriate Money to the Augustine Beach Fire Co.," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS — Messrs. Behen, Cook, Correll, Harrison, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Gray, Hickman, Lammot, Reilly—4.

So the question was decided in the affirmative and the bill: **HB 134**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

The Hon. John N. McDowell, Secretary of State, delivered the following message from the Governor:

GOVERNOR'S MESSAGE
STATE OF DELAWARE
EXECUTIVE DEPARTMENT

Dover, June 13, 1957

To the Senate of the 119th General Assembly
of the State of Delaware:

This will advise that on June 13, 1957, I approved the following legislation:

Senate Bill No. 103 with Senate Amendment No. 1—An Act to Amend Chapter 161, Volume 50, Laws of Delaware, in Respect to the State Forestry Fund.

Senate Bill No. 150 with House Amendment No. 1—An Act to Amend Chapter 17, Title 15 of the Delaware Code Relating to Registration of Voters.

Senate Bill No. 188—An Act to Amend Chapter 11, Title 10, of the Delaware Code Relating to the Appointment and Salaries of the Clerks and Probation Officers of the Juvenile Court of Kent and Sussex Counties.

Senate Substitute No. 1 for Senate Bill No. 243—An Act to Amend Chapter 1, Title 17, Delaware Code by Authorizing the State Highway Department to Reimburs Public Utilities for the Cost of Relocating Facilities Required by Road Improvements, Where the State Receives Federal Funds.

Senate Bill No. 276—An Act to Amend Title 29, Delaware Code, Entitled "State Government" by Creating a State Agency for Surplus Property, and Prescribing Its Powers and Duties.

Senate Bill No. 296—An Act to Amend Chapter 9, Title 13, Delaware Code Relating to Adoption.

House Bill No. 19—An Act Appropriating Certain Monies to Kent and Sussex County Fair Incorporated, for Prizes.

House Bill No. 251—An Act to Appropriate Money to the Belvedere Volunteer Fire Company.

House Bill No. 261—An Act to Amend Title 9, Section 4133, Delaware Code With Reference to Appropriations to Certain Organizations Providing Ambulance Service in Kent County.

House Bill No. 268 with Senate Amendment No. 1—An Act Making Appropriations for the Expenses of the State Government for Each of the Two Fiscal Years Ending June 30, 1958 and June 30, 1959.

House Bill No. 285—An Act Appropriating Funds to the Adjutant General of Delaware for Uniforms for National Guard Officers.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Steen, the Senate recessed at 6:45 P. M. until 8:00 P. M.

Senate met at expiration of recess at 9:20 P. M.

President Pro Tempore presiding.

The Chair announced the signing of SB 197, SB 246, SB 249 and SB 278.

The following bills were reported by the majority of the respective committees as follows: SB 323, 3 favorable, 1 on merits, SB 334, 3 favorable, 1 on merits, by Judiciary; HB 217, 3 on merits, by Finance.

On motion of Mr. Hoey, HB 160 as amended—"An Act Appropriating Money to the State Soil Conservation Commission for the Drainage of Tax Ditches in Sussex County," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Hoey, HB 160 with HA 1 was deferred.

On motion of Mr. Hoey, SB 264—"An Act to Amend Chapter 7, Title 4, Delaware Code Relating to Sale or Service of Liquor to an Intoxicated Person," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Hoey, Mr. Alex Greenfield, Deputy Attorney-General, was granted the privilege of the floor.

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

YEAS—Messrs. Behen, Cook, Correll, Harrison, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Gray, Hickman, Lammot, Reilly—4.

So the question was decided in the affirmative and the bill: **SB 264**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Hoey, **SB 266**—"An Act to Amend Chapter 3, Title 11, Delaware Code, Relating to Deadly Weapons and Firearms by Increasing the Minimum Fine for Carrying a Concealed Deadly Weapon Without a License," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Hoey, Mr. Alex Greenfield, Deputy Attorney-General, was granted the privilege of the floor.

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

YEAS—Messrs. Behen, Cook, Correll, Harrison, Hoey, Johnson, McCullough, Melson, Pryor, Tull, Williams, Mr. President Pro Tem—12.

NAYS—None.

NOT VOTING—Mr. Nechay—1.

ABSENT—Messrs. Gray, Hickman, Lammot, Reilly—4.

So the question was decided in the affirmative and the bill: **SB 266**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

The following bills were reported by the majority of the Committee on Private Corporations: **SB 336**, 1 favorable, 1 unfavorable, 2 on merits; **SB 337**, 1 favorable, 1 unfavorable, 2 on merits.

On motion of Mr. Pryor, **SB 58**—"An Act Creating the Delaware Civil Service Commission, Providing for the Appointment, Duties and Powers of the Commissioners, a Director of Civil Service and Other Employees, Establishing a Classified and an Unclassified State Service, Providing for the Establishment of Regulations Governing Competitive Examination, Employment, Leaves, Records, Appeals, and Separation of Classified Civil Service Employees, and Appropriating Money Therefor," was taken up for consideration and read a third time by title in order to pass the Senate.

The Chair granted the privilege of the floor to Messrs. Nechay, Hoey and McCullough to discuss the bill.

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

YEAS—Messrs. Cook, Correll, Harrison, Johnson, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—10.

NAYS—Messrs. Behen, Hoey, McCullough—3.

ABSENT—Messrs. Gray, Hickman, Lammot, Reilly—4.

So the question was decided in the affirmative and the bill: SB 58, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Williams, SB 97—"An Act to Amend Chapter 449, Volume 50, Laws of Delaware, in Respect to Interest Rates on Veterans Military Pay Bonds," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. Williams, Mr. Samuel Russell, Senate Attorney, was granted the privilege of the floor.

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

YEAS—Messrs. Correll, Johnson, Williams, Mr. President Pro Tem—4.

NAYS—Messrs. Behen, Cook, Harrison, Hoey, McCullough, Nechay, Tull—7.

NOT VOTING—Messrs. Melson and Pryor—2.

ABSENT—Messrs. Gray, Hickman, Lammot, Reilly—4.

So the question was decided in the negative and the bill: SB 97, not having received the required constitutional majority, was lost.

On motion of Mr. Behen, SB 313—"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," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Harrison, Hoey, Johnson, McCullough, Pryor—7.

NAYS—Messrs. Correll, Melson, Nechay, Tull, Williams, Mr. President Pro Tem—6.

ABSENT—Messrs. Gray, Hickman, Lammot, Reilly—4.

So the question was decided in the negative and the bill: SB 313, not having received the required constitutional majority, was lost.

On motion of Mr. Cook, SB 336—"An Act to Amend Title 28, Delaware Code, by Providing for Licensing, Regulation and Control of Dog Racing in the State of Delaware," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Cook, Correll, Hoey, Johnson, Melson, Tull, Mr. President Pro Tem—7.

NAYS—Messrs. Harrison, Nechay, Williams—3.

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

ABSENT—Messrs. Gray, Hickman, Lammot, Reilly—4.

So the question was decided in the negative and the bill: **SB 336**, not having received the required constitutional majority, was lost.

On motion of Mr. Williams, **SB 125**—"An Act to Amend Chapter 66, Title 16 of the Delaware Code Entitled "State Fire Marshal by Creating a State Fire Prevention Commission and Appropriating Money Therefor," was taken up for consideration and read a third time by title in order to pass the Senate.

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

On motion by Mr. Williams, **SB 125** with **SA 1** was deferred.

On motion of Mr. Hoey, **SB 307**—"An Act to Amend Chapter 25, Title 29, Delaware Code, Relating to the Attorney General by Increasing the Salaries of the Deputies of Sussex County," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS — Messrs. Behen, Cook, Correll, Harrison, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Gray, Hickman, Lammot, Reilly—4.

So the question was decided in the affirmative and the bill: **SB 307**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. McCullough, **HB 173**—"An Act to Amend Chapter 11, Title 10, Delaware Code, Relative to the Jurisdiction of the Juvenile Court of Kent and Sussex Counties," was taken up for consideration and read a third time by title in order to pass the Senate.

On motion of Mr. McCullough, Mr. Robert Thompson, Senate Attorney, was granted the privilege of the floor.

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

YEAS — Messrs. Behen, Cook, Correll, Harrison, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams—12.

NAYS—None.

ABSENT—Messrs. Gray, Hickman, Lammot, Reilly, Mr. President Pro Tem—5.

So the question was decided in the affirmative and the bill: **HB 173**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

On motion of Mr. McCullough, **SB 286**—"An Act to Amend Title 10, Delaware Code, Entitled "Courts and Judicial Procedure" in Respect to Chief Deputy Prothonotaries and Registers in Chancery and Clerks of the Orphans' Court," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Harrison, Hoey, Johnson, McCullough, Melson, Nechay, Tull, Williams, Mr. President Pro Tem—12.

NAYS—None.

ABSENT—Messrs. Gray, Hickman, Lammot, Pryor, Reilly—5.

So the question was decided in the affirmative and the bill: **SB 286**, having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence.

On motion of Mr. Hoey, **HB 161**—"An Act Appropriating Money to the State Soil Conservation Commission for the Drainage of Tax Ditches in New Castle County," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Harrison, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Gray, Hickman, Lammot, Reilly—4.

So the question was decided in the affirmative and the bill: **HB 161**, having received the required constitutional majority, passed the Senate and was ordered returned to the House.

The following bills were reported by the majority of the respective committees as follows: **SB 329**, 4 favorable, by Finance; **SB 320**, 1 favorable, 1 on merits, by Education.

On motion of Mr. Melson, **SB 329**—"An Act Making an Appropriation to the Family Court of the State of Delaware in and for New Castle County for Additional Probation Officers and Staff and Their Annual Increments," was taken up for consideration and read a third time by title in order to pass the Senate.

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

YEAS—Messrs. Behen, Cook, Correll, Harrison, Hoey, Johnson, McCullough, Melson, Nechay, Pryor, Tull, Williams, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Gray, Hickman, Lammot, Reilly—4.