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# STATE OF DELAWARE



## JOURNAL OF THE STATE SENATE AT A SESSION OF THE GENERAL ASSEMBLY

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

1951

HAMBLETON COMPANY, INC., WILMINGTON, DELAWARE



## SENATE RULES OF ORDER

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**Rule 1**—The daily order of business shall be as follows:

1. Prayer.
2. Roll Call.
3. Reading of Journal.
4. The presentation of petitions, memorials, or communications.
5. Reports of standing and select committees.
6. The introduction of bills and joint resolutions.
7. Concurrent and other resolutions.
8. Bills for third reading.
9. Miscellaneous Business.

**Rule 2**—Every member shall be in his place at the time to which the Senate stands adjourned.

**Rule 3**—Section 1. Unless otherwise ordered by a majority of the members of the Senate, the Senate will meet every day (Saturday and Sunday excepted) at eleven o'clock, A.M.

Section 2. The Senate shall not convene in session, nor shall any Session of the Senate continue after ten o'clock P.M., Eastern Standard Time.

**Rule 4**—Each legislative day and before the Senate proceeds to the consideration of any business, the Secretary shall call the names of the members in alphabetical order, and shall read the Journal of the preceding legislative day, which shall be approved or corrected by order of the Senate.

**Rule 5**—After the Journal is read, the Presiding Officer shall lay before the Senate communications or messages from the Governor, reports and communications from Departments, Commissions or State Boards and other communications addressed to the Senate, and such bills, joint resolutions and other messages from the House of Representatives as may be upon his table, undisposed of.

**Rule 6**—The Presiding Officer may at any time lay, and it shall be in order at any time for a Senator to move to lay, before the Senate, any bill or other matter sent to the Senate by the Governor or the House of Representatives and any question pending at that time shall be suspended for this purpose. Any motion so made shall be determined without debate.

**Rule 7**—The proceedings of the Senate shall be briefly and accurately stated on the Journal: Messages of the Governor in full; titles of bills and joint resolutions; every motion

with the name of the member making the same (except motions for adjournment); the names of the members voting in the affirmative or negative on all roll calls.

**Rule 8**—When petitions, memorials and other papers addressed to the Senate are presented by the President, or a member, the contents thereof shall be briefly stated.

**Rule 9**—Section 1. Whenever a bill or joint resolution shall be offered, its production shall, if objected to, be postponed for one day.

Section 2. Every bill and joint resolution shall receive three readings previous to its passage; the first two of which may be had on the same day, the second reading by title only, unless the Senate direct otherwise; and the Presiding Officer shall give notice at each reading whether it be the first, second, or third.

**Rule 10**—Messages from the Governor or from the House of Representatives may be received at any stage of proceedings, except while the Journal is being read, or while a question of order or a motion to adjourn is pending.

**Rule 11**—Messages shall be delivered to the House of Representatives by the Secretary, or by a Senator or other officer of the Senate directed by the Presiding Officer; the Secretary shall certify previous to delivery the determination of the Senate upon all bills, joint resolutions, and other resolutions which may be communicated to the House, or in which its concurrence may be requested; and the Secretary shall also certify and deliver to the Governor all resolutions and other communications which may be directed to him by the Senate.

**Rule 12**—When a message is brought to the Senate by a member of the House or any officer of the House, the members shall rise upon their feet, if so directed by the President.

**Rule 13**—No Senator shall absent himself from the service of the Senate without leave.

**Rule 14**—Section 1. When the yeas and nays are ordered, the names of Senators shall be called alphabetically; and each Senator shall without debate, declare his assent or dissent to the question, unless excused by the Senate; and no Senator shall be permitted to vote after the decision shall have been announced by the Presiding Officer, but may change or withdraw his vote prior to said announcement.

Section 2. When a Senator declines to vote on call of his name, he shall be required to assign his reasons therefore, and having assigned his reasons, the Presiding Officer shall submit the question to the Senate: "Shall the Senator for the reasons assigned by him, be excused from voting?" which

shall be decided without debate; and these proceedings shall be had after the roll call and before the result is announced; and any further proceedings in reference thereto shall be after such announcements.

**Rule 15**—The President Pro Tempore shall appoint all committees, unless the Senate shall otherwise direct.

**Rule 16**—The following standing Committees shall be appointed by the President Pro Tempore to whom business appropriate to them shall be referred: Accounts, Agriculture, Banking and Insurance, Buildings and Highways, Claims, Corporations—Municipal, Corporations—Private, Education, Elections, Executive, Finance, Fish, Oysters and Game, Judiciary, Labor, Miscellaneous, Passed Bills, Printing and Supplies, Public Health, Public Lands, Revised Statutes, Rules and Temperance.

**Rule 17**—Section 1. When a Senator desires to speak, he shall rise and address the Presiding Officer, and shall not proceed until he is recognized, and the Presiding Officer shall recognize the Senator who shall first address him.

Section 2. No Senator shall interrupt another in debate without his consent, and to obtain such consent he shall first address the Presiding Officer; and no Senator shall speak more than twice upon any one question in debate on the same day without leave of the Senate which shall be determined without debate.

Section 3. No Senator in debate, shall directly or indirectly, by any form of words impute to any Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

**Rule 18**—If any Senator, in speaking or otherwise transgress the rules of the Senate, the Presiding Officer shall, or any Senator may, call him to order; and when a Senator shall be called to order he shall sit down, and not proceed without leave of the Senate, which if granted, shall be upon motion that he be allowed to proceed in order, which motion shall be determined without debate.

**Rule 19**—Section 1. All motions shall be reduced to writing, if desired by the Presiding Officer or by any Senator, and shall be read before the same shall be debated.

Section 2. Any motion or resolution may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the yeas and nays.

**Rule 20**—No Bill or Joint Resolution shall be received by the Senate unless it be prefaced by a brief statement of the purpose of the Bill or Resolution, which shall be known as the title, and shall also contain the text of the Bill or Resolu-

tion in full. The original of all Bills and Resolutions shall be typewritten or printed, properly backed and shall contain no erasures or interlineations.

**Rule 21**—A motion shall be in order at any time to amend or substitute a title to any bill or resolution only in order to correct typographical errors.

**Rule 22**—No bill or joint resolution shall be committed or amended until it shall have been twice read, after which it may be referred to a Committee; bills and joint resolutions introduced, reported from Committee, or received from the House of Representatives, shall not be considered the day on which they are received.

**Rule 23**—All bills and joint resolutions that have been twice read, shall be placed on the calendar by the Secretary and each member shall be furnished daily with a calendar.

**Rule 24**—No bill shall be put upon its final passage on the day of its presentation nor in the absence of the member who introduced the bill, unless by his written consent.

**Rule 25**—Every bill and resolution to which the concurrence of both Houses of the General Assembly may be necessary, shall be introduced with one original and at least six copies; the original shall at all times remain in the custody of the Chairman of the Committee to which it was referred, or of the Secretary of the Senate; one copy shall at all times be under the general supervision of the Bill Clerk of the Senate; one copy shall be delivered to the Presiding Officer of the Senate; one copy shall be delivered upon introduction to the majority leader of the Senate; one copy upon introduction shall be delivered to the minority leader of the Senate; one copy shall be delivered to the member introducing the bill or resolution; and one copy shall be delivered to the representative of the Press who may be present upon the introduction of the bill or resolution.

**Rule 26**—All bills for the amendment of any statutes contained in the Revised Code of Delaware, 1935, shall be made with reference to the statutes or parts of statutes contained in the Revised Code of Delaware, 1935, shall be made with reference to the said Revised Code and to conform to the arrangement of said Revised Code. All bills before being introduced shall first be submitted to the Attorney for approval as to compliance with this Rule.

**Rule 27**—When a question is pending, no motion shall be received but:

To adjourn.

To adjourn to a certain day, or that when the Senate adjourn it shall be to a certain day.

To take a recess.

To proceed to the consideration of executive business.

To lay on the table.

To postpone indefinitely.

To postpone to a certain day.

To commit.

To amend.

Which several motions shall have precedence as they stand arranged; and the motion to adjourn, to take recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

**Rule 28**—When a question has been decided by the Senate, any Senator voting with the prevailing side may, on the same day or on either of the next two days of actual session thereafter, move a reconsideration; and if the Senate shall refuse to reconsider, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order unless by unanimous consent. Every motion to reconsider shall be decided by a majority vote, and may be laid on the table without affecting the question in reference to which the same is made, which shall be a final disposition of the motion.

**Rule 29**—When a bill, resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the Senate and been communicated to the House of Representatives, the motion to reconsider shall be accompanied by a motion to request the House to return the same; which last motion shall be acted upon immediately, and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

**Rule 30**—A question of order may be raised at any stage of the proceedings, and, unless submitted to the Senate, shall be decided by the Presiding Officer without debate, subject to an appeal to the Senate. When an appeal is taken, any subsequent question of order which may arise before the decision of such appeal, shall be decided by the Presiding Officer without debate; and any appeal may be laid on the table without prejudice to the pending proposition, and thereupon shall be held as affirming the decision of the Presiding Officer. The Presiding Officer may submit any question of order for the decision of the Senate.

**Rule 31**—Every motion or resolution to print documents, reports, bills, or any other matter shall, unless the Senate otherwise orders, be referred to the Committee on Printing. When a motion is made to commit with instructions, it shall be in order to add thereto a motion to print.

Increase in limit of taxation, **HB 108**

Payment of cigar, cigarette and gasoline tax to Mayor and Council of **SB 304**

### **Milford Special School District**

Appropriation for colored school, **SB 188**

**Milk Dealers**—Bonds of, **HB 353**

**Miller, Jean**—Stenographer, p. 8

**Milton** (town of)—Corporate limits of, **HB 281**

**Monument**—Memorial, erection of, **SB 171**

**Moore, Beulah**—Appropriation to, **SB 80**

**Moore, Harvey E.**—Assistant Bill Clerk, p. 29

### **Motor Fuel**

Concerning refund of taxes, **SB 181**

Pertaining to sale of, **HB 286**

Relating to tax on, **HB 363, HB 397**

### **Motor Vehicle Department**

Saturday holiday for employees of, **HS 1** for **HB 262**

### **Motor Vehicle**

Term defined, **SB 20**

Relative to financial responsibility and security, **SB 25**

Relating to stopping or parking of, **SB 69**

Relating to Television Receivers in, **SB 83**

In reference to traffic lights, **SB 85**

Increasing costs for replacing plates, **SB 136**

Transfer of registration and number plates, **SB 128**

Referring to diesel engines, **SB 200**

Ordering directional lights on, **SB 224**

Change of expiration date of operator's licenses, **SB 265, SB 274**

Referring to chauffeur's licenses, **HS** for **HB 209, SB 320**

Special license for operators of amateur radio stations, **SB 344**

Referring to arrests for violation, **HB 80**

Relating to, **HB 261**

Requiring stopping at highways, **HB 206**

Limiting price which may be paid for vehicles for State Departments, **HB 323**

Restricting speed of, **HS 1** for **HB 465**

Referring to use of State or Government, **SB 208**

Proof of financial responsibility, **HB 74**

Discontinuing use of engine numbers, **SB 251**

Referring to federally owned, **SB 305**

Referring to, **HB 261**

Referring to registration of, **HB 237**

**Senate Rules Committee**

R. Allen Cannon, Chairman  
Dudley Crossley  
John E. Reilly, Sr.  
Thomas E. Peeney  
John M. Longbotham

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**House Rules Committee**

Calvin Ball, Chairman  
Wilbur H. Jump  
William J. Winchester  
James L. Dickinson  
Fred J. Brittingham

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**JOINT RULES—1951**

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**RULE 1**—Messages from one House of the General Assembly to the other shall be conveyed by such persons as a sense of propriety in each House may determine. Announcement shall be made by the Sergeant-at-Arms of the House to which the message is being conveyed, and the message shall be respectfully communicated to the presiding officer by the person or persons conveying the same.

**Rule 2**—Every bill and resolution upon being messaged from one House to the other shall be receipted for by the Chief Clerk of the House receiving same, and all papers on which the said bill or resolution may be based shall be transmitted at the same time.

**Rule 3**—Every bill and resolution to which the concurrence of both Houses of the General Assembly may be necessary shall upon its final passage in both Houses be delivered by the Chief Clerk of the House in which such bill or resolution originated, into the custody of the Bill Clerk of said House, and it shall be the duty of the Bill Clerk of the Senate and the Bill Clerk of the House of Representatives jointly to see that such bill or resolution has attached to it a proper parchment backing and that each and every page of the said bill or resolution has been properly initialed, sealed or stamped, and, upon being assured that such is the case, shall immediately, if the Houses be in session, and, if not, at the earliest opportunity, present the said bill or resolution to the presiding officer of each House for his signature, the presiding officer of the House in which the bill or resolution originated signing first. Said Bill Clerks shall then certify with the Secretary of



the Senate and the Clerk of the House on the backing of said bill or resolution that such bill or resolution is the same as that which passed both Houses of the General Assembly, and the said bill or resolution shall then be delivered by the Bill Clerk of the House in which such bill or resolution originated to the Chairman of the Committee on Passed Bills of said House.

**Rule 4**—Disagreement between the two Houses in the substitution for an amendment to a bill or resolution or over any other matter shall be made subject for conference at the request of either House. A committee, composed of members who voted in the majority on the point or points of difference, shall be appointed in each House, and, at a convenient hour agreed on by their chairmen, shall meet in the conference chamber and state to each other, verbally or in writing, the reasons of their respective House for and against the substitution, amendment or other matter of disagreement, and confer freely thereon. Conferences shall not have power or control over any part of the bill or resolution or other matter save such point or points over which the Houses disagree.

**Rule 5**—Every bill and resolution, which shall have passed one house and been rejected by the other, shall be returned to the House which had approved it and notice given of its rejection and the same entered on the Journal.

## RULES

### Governing Executive Sessions of the Senate of the State of Delaware

**Rule 1**—When about to act on confidential or executive business, the Chamber shall be cleared of all persons except the Secretary and the Reading Clerk of the Senate, the Sergeant-at-Arms, and such other officers as the presiding officers shall deem necessary; and all such officers shall be pledged to secrecy.

**Rule 2**—The Executive proceeding and the confidential legislative proceedings shall be kept in separate Journals.

**Rule 3**—When nominations shall be made by the Governor of the State, they shall, unless otherwise ordered by the Senate, be referred to a committee to be hereinafter provided for; and the final question on every nomination, shall be, "WILL THE SENATE CONSENT TO THIS NOMINATION?" Which question shall not be put on the same day on which it may be reported by a Committee, unless by unanimous consent of the Senate.

**Rule 4**—All information communicated, or remarks made by a Senator when acting on nominations concerning the

character or qualification of the person nominated, shall be kept secret; if, however, charge shall be made against a person nominated, the committee may, in its discretion, notify such nominee thereof, but the name of the person making such charges shall not be disclosed. The fact that a nomination has been made, or that it has been confirmed or rejected, shall not be regarded as a secret.

**Rule 5**—When a nomination is confirmed or rejected, any Senator voting in the majority may move for a reconsideration on the same day on which the vote was taken, or on either of the next two days of actual sessions of the Senate; but if a notification of the confirmation or rejection of a nomination shall have been sent to the Governor before the expiration of the time within which a motion to reconsider may be made, the motion to reconsider shall be accompanied by a motion to request the Governor to return such notification to the Senate. Any motion to reconsider the vote on a nomination may be laid on the table without prejudice to the nomination and shall be a final disposition of such motion.

**Rule 6**—Nominations, confirmed or rejected by the Senate, shall not be returned by the Secretary to the Governor until the expiration of the time limited for making a motion to reconsider the same, or while a motion to reconsider is pending unless otherwise ordered by the Senate.

**Rule 7**—Nominations, neither confirmed nor rejected, during the session at which they are made, shall not be acted upon at any succeeding session without being again made by the Governor, and if the Senate shall adjourn sine die, all nominations pending and not finally acted upon at the time of such final adjournment shall be returned by the Secretary to the Governor, and shall not again be considered unless they shall again be made by the Governor.

**Rule 8**—Any Senator or officers of the Senate who shall disclose the secret or confidential business or proceedings of the Senate, shall be liable, if a Senator, to be called before the bar of the Senate for reprimand; and if an officer, to be dismissed from the service of the Senate and to punishment for contempt.

**Rule 9**—The Governor of the State shall, from time to time be furnished with a copy of the list of appointments confirmed or rejected by the Senate, but no further extract from the Executive Journal shall be furnished by the Secretary except by special order of the Senate.

**Rule 10**—The President Pro Tem of the Senate shall appoint a Committee, which shall be styled "The Executive Committee," to which all nominations of the Governor shall be referred.

# OFFICERS AND MEMBERS

## OF THE

# STATE SENATE

*President*  
ALEXIS I. DUPONT BAYARD

*President Pro Tem*  
R. ALLEN CANNON

*Secretary of the Senate*  
WILLARD D. BOYCE

*Assistant Secretary of Senate*  
LESTER H. PITTARD

*Secretary to the President Pro Tem*  
CLIFFORD M. CUBBAGE

*Secretary to Lieutenant-Governor*  
MARY CAHALAN

*Reading Clerk*  
ALICE WOODWARD

*Bill Clerk*  
LEROY DESMOND

*Assistant Bill Clerk*  
HARVEY E. MOORE

*Chaplains (part time)*  
REV. CHARLES W. SPRY  
REV. W. B. BUNDICK  
REV. THOMAS ROWLENSON

*Attorneys*  
ROBERT H. WAHL  
HOUSTON WILSON

*Attorney's Messengers*  
EDWARD H. SLAUGHTER  
JOHN NEHER  
CHARLES J. CANNON  
JOSEPH A. REESE

*Telephone Messengers*  
MARTIN FOUNTAIN  
THOMAS R. TAYLOR

*Clock Room Attendants*  
WALTER A. ESKRIDGE  
FREDERICK PERKINS  
DAVID BOYCE  
W. BRYAN CROSSLEY  
HARRY PARVIS

*Sergeants-at-Arms*  
THOMAS A. SCHNEIDER  
NORVAL D. BOSE  
JOHN T. ROBINSON  
LEWIS KILLEN  
WILLIAM POORE  
LEROY MARVEL  
W. LEE PENNINGTON  
RALPH I. BELL  
LEONARD BROWN

*Document Clerks*  
MARIETTA GOODING  
HORACE GREELY SIRMAN

*Stenographers*  
JEAN MILLER  
KATHRYN L. ZONKO  
MARY W. RAWLINS  
GRACE E. KEARNEY

*Mail Clerks*  
WALTER HARRINGTON  
B. WALTER JOHNSON

*Reading Clerk*  
WILLIAM R. ADKINS

*Pages*  
JAMES MULLIN  
HARRY LEGATES

*Janitor*  
WILSON BAILEY

### NEW CASTLE COUNTY—WILMINGTON

#### District

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

#### RURAL NEW CASTLE COUNTY

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

### KENT COUNTY

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

### SUSSEX COUNTY

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



**STATE OF DELAWARE**

**JOURNAL**

**of the**

**SENATE**

**EXTRAORDINARY SPECIAL SESSION**

**of the**

**116TH GENERAL ASSEMBLY**

*Convened*

*Friday, December 8, 1950*

*Dover, Delaware*

**SPECIAL SESSION  
of the  
STATE SENATE**

Dover, Delaware

DECEMBER 8, 1950, 2:30 P. M.

Senate convened in Special Session with President Alexis I. duPont Bayard presiding.

The Members recited the Lord's Prayer.

Senator Cabbage moved that Robert W. Tunnell be made Temporary Secretary of this Special Session. Motion prevailed.

Robert W. Tunnell was sworn in and seated.

Roll Call was taken of the hold-over Senators: Messrs. Barnard, Benger, Burris, Cannon, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb.

Mr. Klair, on motion for leave, introduced the following Resolution, which, on his further motion, was adopted.

**SR 1**—BE IT RESOLVED, by the Senate, that a Committee of two be appointed by the Presiding Officer to inform the Judges that the Senate is ready to receive the Certificates of Election of the Senators-Elect.

The Chair appointed Messrs. Powell and Reilly as a Committee of two to await the Judges of the three counties for the Certificates of Election of the new Senators.

Certificates of Election were received from the First, Third and Fifth Senatorial Districts of Sussex County, from the First, Third and Fifth Senatorial Districts of Kent County and from the First, Third, Fifth and Seventh Senatorial Districts of New Castle County.

Example of Election Certificates:

Kent County

The State of Delaware ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of State Senator in the General Assembly of the State of Delaware from Senatorial District No. 1 in Kent County (to which office I was elected at the General Election held in said State in the year A. D. 1950), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

Walter A. Handsberry

Sworn to this eighth day of December, A. D. 1950, before me.

Alexis I. duP. Bayard

The same form of oath was administered to Messrs. Steen, Dolby, Pedrick, Peeney, Burris, Johnson, Benger, Barnard, Longbotham.

Upon motion, duly adopted, by Senator Cubbage, Messrs. Burris, Stenn, Johnson, Handsberry, Barnard, Longbotham, Peeney, Benger, Pedrick and Dolby were duly sworn into the Senate by President Alexis I. duPont Bayard.

The President requested roll call, which was as follows:

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

Mr. Crossley, on motion for leave, introduced **SR 2**:

BE IT RESOLVED, by the Senate, that the Rules of the Senate, together with the Rules governing Executive Sessions adopted by the regular Session of the 115th General Assembly, as amended, be and they are hereby adopted as the Rules for governing this Special Session of the Senate.

Mr. Handsberry, on motion for leave, introduced **SR 3**, entitled: SENATE RESOLUTION No. 3.

BE IT RESOLVED, by the Senate, in extraordinary session met this eighth day of December A. D. 1950, pursuant to the Proclamation of the Governor, that Mr. Roy Allen Cannon be and he is hereby elected President Pro Tempore of the Senate for this extraordinary session of the Senate.

Mr. Webb moved that the President Pro Tempore be directed and authorized to name the members of the Rules Committee and the Executive Committee. Motion prevailed.

Mr. Cannon, President Pro Tempore, announced the appointment of the following members of the Senate to comprise the Executive Committee:

Messrs. Cubbage, Reilly, Burris, Powell and Cannon, Chairman, and announced the appointment of the following members of the Senate to the Rules Committee: Messrs. Klair, Webb, Johnson, Longbotham and Steen, Chairman.

Mr. Cannon moved for the suspension of Rules. Motion prevailed.

Mr. Steen introduced the following Resolution, which, on his further motion, was adopted—**SR 4**:

BE IT RESOLVED, by the Senate in Special Session assembled, that the President Pro Tempore of the Senate appoint a committee of two (2) members on the part of the Senate to notify the Governor of the State of Delaware, of the convening of the Senate in Special Session, and to inform him that the Senate is ready to receive any communication that he may desire to present, or to receive any message that he may choose to deliver at such time as he may designate.

The President Pro Tempore appointed Messrs. Benger and Crossley as a Committee of two to notify the Governor that the Senate is organized in compliance with **SR 4**.

Upon direction of the President, Alexis I. duPont Bayard, the Temporary Secretary was instructed to read the Governor's Proclamation, as follows:

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT

**PROCLAMATION**

WHEREAS, the term of William Watson Harrington as Chancellor of the State of Delaware expires at the close of court business on December 7, 1950; and

WHEREAS, the term of Associate Judge, Charles L. Terry, Jr., expires at the close of court business on December 7, 1950; and

WHEREAS, the Constitution of the State of Delaware provides that if a vacancy shall occur among the State Judges by expiration of term or otherwise, when the Senate shall not be in session, the Governor shall within thirty days after the happening of any such vacancy convene the Senate for the purpose of confirming his appointment to fill said vacancy.

NOW, THEREFORE, I Elbert N. Carvel, Governor of the State of Delaware, in and by virtue of such authority vested in me by the aforesaid Constitution of the State of Delaware, do issue this proclamation convening the Senate of the State of Delaware in Extraordinary Session at Dover, the Capitol of the said State, on the Eighth day of December, A. D. 1950, at 2:00 o'clock P. M. (Standard Time) to consider and act upon the following business, to wit:

To confirm the appointment which will be made to fill the vacancy in the office of Chancellor and in the office of Associate Judge in the State of Delaware.

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

(SEAL)

By the Governor:  
Elbert N. Carvel

Harris B. McDowell, Jr.  
Secretary of State

The Temporary Secretary of the Senate announced the Secretary of State, who was admitted and presented a mes-



sage from the Governor, which was referred to the Executive Committee by the President, Alexis I. duPont Bayard.

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

Upon motion of Mr. Cannon, the President appointed Messrs. Dolby and Johnson as a Committee of two to notify the Governor that the Senate had completed its business and is about to adjourn.

Mr. Reilly, on motion for leave, introduced the following Resolution, which on his further motion was adopted—**SR 5:**

**BE IT RESOLVED**, by the Senate, in Special Session assembled this eighth day of December, 1950, that the following amounts be, and the same are hereby appropriated out of any money in the General Fund of the State Treasury, for the payment of certain expenses connected with this Special Session of the Senate of the State of Delaware, which said expenses are hereby declared to be proper and reasonable expenses actually incurred by the President and by the respective members of the Senate, for expenses in driving from their respective homes in performance of their duties as President and members of the Senate, and the Auditor of Accounts is hereby authorized and fully empowered to pay to the President and the respective members of the Senate, hereinafter named, the respective amounts set opposite their respective names:

R. Allen Cannon .....	\$ 8.40
Curtis W. Steen .....	10.00
Dudley Crossley .....	3.00
John E. Reilly, Sr. ....	10.00
Frederick Klair .....	10.40
William Cubbage .....	2.40
E. Sherman Webb .....	6.00
J. Fred Dolby .....	4.40
Walter Handsberry .....	1.60
Alexis I. duP. Bayard .....	10.80
Thomas E. Peeney .....	10.00
Edwin R. Powell .....	12.00
George A. Pedrick .....	8.00
Ernest B. Benger .....	10.20
John M. Longbotham .....	4.80
E. Cowgill Barnard .....	1.40
Thomas L. Johnson .....	9.20
John W. Burris .....	4.00

Messrs. Dolby and Johnson returned to the Senate and, through Mr. Dolby, reported that the Governor wishes to thank the Senate for the quick and favorable confirmation of his appointees and extended to everyone a Merry Christmas.

Mr. Cannon moved that the Senate do now adjourn Sine Die. Motion prevailed.

The President declared the Senate adjourned Sine Die.

# 116TH GENERAL ASSEMBLY

## 1ST LEGISLATIVE DAY

DOVER, DELAWARE

JANUARY 2, 1951

The Senate convened in Regular Session on Tues., Jan. 2, 1951, at 12:00 noon, Lt. Gov. Alexis I. du Pont Bayard presiding.

Prayer by Rev. Charles W. Spry.

As we assemble, at the call of our esteemed leader, or at the sound of his gavel, we pause, we listen; and as we hear, we seem to catch an echo of Thy voice, O Lord, saying unto us: "Be still and know that I am God."

Knowing Thee as "Our help in ages past, our hope in days to come," we would implore Thy blessing upon this distinguished body—distinguished and honored by the electorate of this Commonwealth: "Delaware! Our Delaware!" Guide them in thought, word, and deed, that as they legislate, they may legislate as for Thee, and with Thee. In the name of Him, Whose we are and Whom we serve. Amen.

On motion of Mr. Reilly, Willard D. Boyce was appointed Temporary Secretary of the Senate.

The Oath of Office as Temporary Secretary of the Senate was administered by the President of the Senate.

The Temporary Secretary was seated.

The Temporary Secretary called the roll of the Members, the newly elected Members having previously been sworn in on December 8, 1950.

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

Mr. Cubbage introduced the following Resolution, which on further motion by him was adopted: **SR 1**—"Electing President Pro Tempore of This Session."

**BE IT RESOLVED**, by the Senate, that Mr. Roy Allen Cannon be and he is hereby elected President Pro Tempore of the Senate for this session of the Senate.

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

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

Nays—Messrs. Barnard, Bengert, Burris, Johnson, Longbotham, Pedrick, Peeney, Powell—8.

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

Mr. Cubbage introduced the following Resolution, which

on further motion by him was adopted: **SR 2**—"Notifying the House That the Senate is organized and Ready for Business."

**BE IT RESOLVED**, by the Senate of the 116th General Assembly of the State of Delaware, that the temporary Secretary of said Senate notify the House that the Senate is organized and ready to receive business.

Mr. Cabbage introduced the following Resolution, which on further motion by him was adopted: **SR 3**—"Authorizing the Secretary to Obtain Supplies."

**BE IT RESOLVED**, by the Senate of the 116th General Assembly that the Secretary of the Senate be and he hereby is authorized and directed to procure from the State Librarian all necessary books, forms, seals, blanks, and other stationery as may be required for the proper conducting of the business of the Senate.

Mr. Cabbage introduced the following Resolution, which on further motion by him was adopted: **SR 4**—"Authorizing the State Librarian to Furnish the Secretary of the Senate with Postage Stamps."

**BE IT RESOLVED**, by the Senate of the 116th General Assembly that the State Librarian be and he hereby is authorized and directed to furnish to the Secretary of the Senate postage stamps in an amount up to and including Twenty-Five Dollars (\$25.00).

On motion of Mr. Cannon, the Senate adjourned until 11 a.m., Thurs., Jan. 4, 1951.

## 2ND LEGISLATIVE DAY

Senate met pursuant to adjournment at 3:45 p.m., Thurs., Jan. 4, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. C. W. Spry: In our search for knowledge, with our face toward the East, from whence cometh all light, we were taught, as Thou knowest O Lord, that before entering upon any grave or important duty, we should first invoke the blessing of Jehovah upon our deliberation.

In accordance with that instruction, as we begin the duties of this day, we bow in Thy presence and we would ask Thee to grant that Light, Wisdom, and Courage may flow in abundance upon each member of this Senate, that they may prove to be workmen that needeth not to be ashamed.

Wilt Thou especially remember and guide the newly elected President Pro Tem. and the Floor Leaders on each side of the aisle. Bless and guide, we pray Thee, His Excellency the Governor, in his many duties. And may he find in Thee an ever present help in each hour of need. Bless Thou, us all, and make us a blessing, in the name of The Father, Son and The Holy Spirit. Amen.

Members present—Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Long-

botham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. Pres. Pro Tem—16.

Members absent—Mr. Powell—1.

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

Mr. Cubbage introduced the following Resolution, which on further motion by him was adopted: **SCR 1**—"Authorizing the Adjournment of the Senate and House of Representatives of the 116th General Assembly until Tuesday, January 9, 1951, at 12:00 Noon."

**SCR 1** was ordered to the House for concurrence.

Mr. Cubbage introduced the following Resolution, which on further motion by him was adopted: **SR 5**—"In Reference to Election of Officers."

BE IT RESOLVED, by the Senate of the 116th General Assembly of the State of Delaware, that the following named persons be, and they are hereby elected to the respective offices appearing opposite their names, to serve during the pleasure of the Senate, to wit:

Willard D. Boyce—Secretary  
 Clifford M. Cubbage, Secretary to the President Pro Tem  
 Alice Woodward—Reading Clerk  
 LeRoy Desmond—Bill Clerk  
 Horace Greely Sirman—Assistant Bill Clerk  
 Rev. Charles W. Spry—Chaplain (part time)  
 Rev. W. B. Bundick—Chaplain (part time)  
 Rev. Thomas Rowlenon—Chaplain (part time)  
 Robert H. Wahl—Attorney for the Senate  
 Houston Wilson—Attorney for the Senate  
 Martin Fountain—Telephone Messenger  
 Thomas R. Taylor—Telephone Messenger  
 Walter A. Eskridge—Cloak Room Attendant  
 Frederick Perkins—Cloak Room Attendant  
 David Boyce—Cloak Room Attendant  
 W. Bryan Crossley—Cloak Room Attendant  
 Thomas A. Schneider—Sergeant-at-Arms  
 Norval D. Bose—Sergeant-at-Arms  
 John T. Robinson—Sergeant-at-Arms  
 Lewis Killen—Sergeant-at-Arms  
 William Poore—Sergeant-at-Arms  
 Leroy Marvel—Sergeant-at-Arms  
 W. Lee Pennington—Sergeant-at-Arms  
 Marietta Gooding—Document Clerk  
 Jean Miller—Stenographer  
 Walter Harrington—Mail Clerk  
 B. Walter Johnson—Mail Clerk  
 William R. Adkins—Reading Clerk

## ILLUSTRATION OF EMPLOYEES' OATH

The State of Delaware,  
County of Kent, SS:

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

(Signed) Willard D. Boyce (Employee)

Sworn and subscribed to this Fourth day of January, A. D. 1951.

(Signed) Alexis I. duPont Bayard, (President of the Senate)

The Chief Clerk of the House informed the Senate that the House had concurred in **SCR 1**.

Lt. Gov. Bayard, President of the Senate, administered the Oaths of Office to the officers of the Senate named in **SR 5** with the exception of Rev. Bundick and Rev. Rowlenson.

On motion of Mr. Cabbage the Senate adjourned until 11 a.m., Tues., Jan. 9, 1951.

## 3RD LEGISLATIVE DAY

Senate met pursuant to adjournment at 12:25 p.m., Tues., Jan. 9, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Rowlenson: In the name of The Father, The Son and The Holy Ghost.

To serve this present age,  
My calling to fulfill;  
Oh! may it all my powers engage  
To do My Master's will!

We make our petitions to Thee, Father God, in the behalf of this Legislative body of men, representatives of the people of this our State of Delaware.

Be with the Governor of our State, The Honorable Elbert N. Carvel, as he brings his first message to "The Senate and House" of the 116th General Assembly. Help these men who represent us feel they have the cooperation of the people they represent, then help each representative to do his best.

Remembering the Chief Executive of our Nation, our boys in Korea, and in every branch of service, we pray God's blessings.

In Jesus' name we pray—Amen.

Members present — Messrs. Barnard, Benger, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham,

Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. Pres. Pro Tem—16.

Members absent—Mr. Burris—1.

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

Pres. Pro Tem Cannon announced the following Senate Committees for the 116th General Assembly:

**Accounts:** Handsberry, Ch.; Cannon, Webb, Peeney, Barnard.

**Agriculture:** Crossley, Ch.; Klair, Steen, Barnard, Powell.

**Banking and Insurance:** Dolby, Ch.; Cannon, Webb, Benger, Powell.

**Buildings and Highways:** Crossley, Ch.; Klair, Cannon, Johnson, Benger.

**Claims:** Reilly, Ch.; Cubbage, Steen, Peeney, Burris.

**Municipal Corporations:** Klair, Ch.; Webb, Steen, Benger, Johnson.

**Private Corporations:** Webb, Ch.; Cannon, Handsberry, Peeney, Longbotham.

**Education:** Steen, Ch.; Crossley, Webb, Powell, Pedrick.

**Elections:** Handsberry, Ch.; Klair, Steen, Johnson, Benger.

**Executive:** Cannon, Ch.; Cubbage, Dolby, Powell, Benger.

**Finance:** Cannon, Ch.; Webb, Handsberry, Benger, Burris.

**Fish, Oysters and Game:** Webb, Ch.; Handsberry, Steen, Johnson, Pedrick.

**Judiciary:** Reilly, Ch.; Cubbage, Steen, Longbotham, Burris.

**Labor:** Klair, Ch., Reilly, Cubbage, Powell, Pedrick.

**Miscellaneous:** Cubbage, Ch.; Steen, Dolby, Powell, Barnard.

**Passed Bills:** Dolby, Ch.; Crossley, Handsberry, Peeney, Burris.

**Printing and Supplies:** Crossley, Ch.; Cubbage, Steen, Johnson, Benger.

**Public Health:** Webb, Ch.; Cannon, Handsberry, Powell, Longbotham.

**Public Lands:** Steen, Ch.; Klair, Cubbage, Longbotham, Pedrick.

**Revised Statutes:** Cubbage, Ch.; Cannon, Dolby, Burris, Barnard.

**Rules:** Cannon, Ch.; Crossley, Reilly, Peeney, Longbotham.

**Temperance:** Reilly, Ch.; Crossley, Dolby, Johnson, Barnard.

Mr. Cabbage introduced the following Resolution, which on further motion by him was adopted: **SCR 2**—"That the Two Houses Meet in Joint Session to Hear the Message of the Governor."

Mr. Cabbage introduced the following Resolution, which on further motion by him was adopted: **SR 6**—"Appointing a Committee to Notify the Governor That the Senate Is Organized."

BE IT RESOLVED, by the Senate of the 116th General Assembly of the State of Delaware, That the President Pro Tempore of the Senate appoint a committee of Two (2) members on the part of the Senate to notify the Governor of the State of Delaware, of the convening of the Senate of the 116th General Assembly, and to inform him that the Senate is ready to receive any communication that he may desire to present, or to receive any message that he may choose to deliver at such time as he may designate.

The Chief Clerk of the House informed the Senate that the House had concurred in **SCR 2**.

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

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

Senate met at expiration of recess at 12:40 p.m., Lt. Gov. Bayard presiding.

Mr. Reilly reported to the Chair that His Excellency, The Honorable Elbert N. Carvel, Governor of Delaware, would address the Joint Session of the 116th General Assembly on the affairs of the State at 1:00 p.m. this day.

Mr. Peeney moved that the Rules of the 115th General Assembly be adopted as the temporary rules of the 116th General Assembly, until new rules are adopted.

Pres. Pro Tem Cannon appointed Mr. Reilly and Mr. Powell pursuant to **SR 6**.

## JOINT SESSION

Mr. Cabbage moved that the President of the Senate preside at the Joint Session. Motion prevailed.

The President of the Joint Session invited the Honorable Harvey H. Lawson, Speaker of the House, to come to the Rostrum.

The President of the Joint Session invited the Honorable R. Allen Cannon, President Pro Tempore of the Senate, and former President Pro Tempore Vera G. Davis and Dr. George W. Rhodes, to come to the Rostrum.

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

Mr. Cabbage moved that the President of the Joint Session

appoint a joint committee consisting of two members of the Senate and two members of the House of Representatives to notify the Governor that the Joint Session is organized and to escort the Governor to the Senate Chamber. Motion prevailed.

The Chair appointed Messrs. Reilly and Powell of the Senate, and Messrs. Allen and F. A. Jones of the House of Representatives.

The Sergeant-at-Arms announced His Excellency, The Honorable Elbert N. Carvel, Governor of the State of Delaware.

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

### GOVERNOR'S MESSAGE

Message of the Honorable Elbert N. Carvel, Governor of Delaware to the Members of the One Hundred and Sixteenth General Assembly of the State of Delaware, convening in Regular Session at Dover, on Tuesday, the Second Day of January, Nineteen Hundred and Fifty-One.

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

We are gathered here together at the beginning of the second half of the twentieth century, in the midst of world-wide turmoil and nation-wide emergency, to once again, through deliberation and legislation, as the representatives and public servants of the people of Delaware, to carry out their desires and to enact laws for their welfare insofar as we are able to do so under existing conditions of emergency and uncertainty.

Although my administration is not supported by a majority in one house of the Assembly, I sincerely believe that this will in no way deter the passage of sound legislation. The outstanding record of achievement which was accomplished by the previous General Assembly, where the political faith of the majority of both houses differed with that of my administration, should demonstrate to all of us the fact that regardless of political party, the elected representatives of the people of Delaware believe in always placing the interests of the people of their State above all other consideration.

It is to the eternal credit of the great majority of the Members of the 115th General Assembly that they, in cooperation with this administration, enacted into law the realistic, uniform, state-supported teachers' salary schedule which has meant so much to the progress of education in this state, first, by retaining within our school system the excellent teachers and leaders it had been our good fortune to previously attract to the system and, second, by encouraging well-qualified and well-trained teachers to come into the system directly from colleges, or from other states. Because of this improved salary



schedule the morale of the teaching staff all over the State is at a high level, their qualifications are much improved and the general level of the training and education we are giving our children in our public schools is gradually moving to a higher plane. This is as it should be, and this is the American way. We have great faith in our future and we all share the desire to constantly improve the training and preparation that will be provided for our children and our future citizens.

In addition, although we did not at the time realize that time would be so short, we approved a nineteen and one-quarter million dollar school building program which provided that over thirteen and one-half million dollars worth of State funds would match over five and one-half million dollars worth of local funds to build schools all over the state, to provide adequate educational facilities for our fast growing school population. The population of our State during the decade beginning 1940 increased by 50,000 people, or about 19%. This is an astounding growth for our State and it is quite fortunate that such a program was approved and begun during the late spring and early summer of 1949. The fact that such a broad program was not aggressively advanced by the previous administration has meant that because of the sharp increase in building costs caused by the Korean crisis and the world situation, we have been forced to pay much higher prices for many of the schools we are now building than would have been the case had such a program been initiated two years sooner. Over 80% of this program is now under way and it is the sincere hope and prayer of this administration that the major part of this work will be swiftly completed so that we may promptly meet our emergency needs in the field of educational facilities.

Uniform support by the State of the running expenses of all our schools was another important measure cooperatively adopted which is now providing adequate State support based upon the actual student population of each school.

To provide for these educational advances and for the tremendous increase in the financial support which was supplied to education by the State, it was necessary to raise additional taxes at the State level. I would like to emphasize at this point that the increase in state support of education resulted in either a decrease or a retardation of the various taxes which are levied at the local level by the local governments to support education in the community. For example, the City of Wilmington for the fiscal year beginning July 1, 1949, was able to eliminate a special tax on real estate amounting to 23 cents per hundred which was earmarked for education in that city. When it is realized that Wilmington now has a real estate tax that amounts to 38 cents per hundred, the substantial saving to the Wilmington taxpayer because of State support to education is readily appreciated. This saving by Wilmington

was made because the 115th General Assembly, with my approval, provided an additional \$1,269,237.00 for the biennium beginning July 1, 1949 for educational purposes in Wilmington, over and above the amounts recommended in the budget prepared by my predecessor, outgoing Governor Bacon.

In the light of the present world situation it should be a matter of much satisfaction to all of us that the broad road construction and rebuilding program was authorized. This, together with the many other construction projects which are scattered among our many institutions is work well begun and we can be thankful for having accomplished this much since the cessation of hostilities in August of 1945.

I call to your attention these outstanding advances as evidence of the fact that regardless of political faith, the Legislature and the Administration have intelligently met the needs of the State through thoughtful, cooperative action. It is most fortunate in the light of the present emergency that valuable time was utilized and important progress was made by rebuilding, repairing and enlarging the physical plant of the State to provide for the damage done because it was impossible to do these things during World War II. It was most fortunate, also, that we were willing to make an investment in the future by enacting legislation which provided for the realistic compensation of our teachers, and had the courage to raise sufficient taxes to pay for this program.

I have faith that as this session of the General Assembly develops, we will again, through mutual and intelligent cooperation, develop a sound legislative program that is in the best interest of the great majority of the people of Delaware.

## FINANCES

During World War II the pressure of inflation was restrained through the application of artificial price and wage controls by the Federal Government. In 1946 those controls were lifted and the post war march of inflation began. The prices of practically all commodities and services increased. Part and parcel with this increase was the steady climb of salaries and wages in general.

Because of the nature of the organization of State government, the State employees were among the last to receive realistic increases in compensation, although they are financially affected by rising costs of food, goods and services in the same manner as the average citizen. This is a serious situation. If the State fails to properly compensate its employees in line with the increasing cost of living, it will slowly lose these employees to the competition of private industry and be forced to hire inefficient and unqualified personnel. This will surely result in the lowering of the standards of the services which the State provides, with resultant public dissatisfaction.

On April 18, 1945, my predecessor, Governor Bacon, approved a law authorizing a permanent salary increase for certain State employees which amounted to \$150.00 to \$200.00 for those certain State employees who received basic salaries of \$500.00 to \$4,800.00.

The 114th and 115th General Assembly, with the approval of the Governor, authorized a temporary salary increase of \$200.00 for certain employees receiving less than \$5,000.00 per year. This authorization will expire on June 30, 1951, and it is my recommendation that the law should not be re-enacted. When the Budget Commission held its hearings last fall, it provided that this temporary salary increase be included in the budget for those certain employees, excepting those employees whose salaries are set by law. I recommend to you legislation which will grant to these employees whose salaries are set by law this \$200.00, provided this does not increase their salary above \$5,000.00.

In view of the sharp advance in the cost of living since 1947 when this temporary salary increase was first instituted, I deem this a desirable step and I believe that this method of handling the matter will effect savings in the Auditor's and Treasurer's office.

The Budget Report was assembled after hearings held last fall and was prepared before the serious military reverses in Korea and the resultant proclamation of emergency by the President of the United States. It contemplates expenditures of \$55,180,000.00 for the biennium beginning July 1, 1951. This Budget includes many large items which during the past meeting of the General Assembly were approved as supplementary appropriations, such as the uniform State-supported teachers' salary schedule, the temporary salary increase and interest on County Highway Bonds. It is estimated that usual supplementary appropriations for such items as grants to hospitals, volunteer fire companies, veterans' organizations, quasi public welfare institutions, town libraries and county soil drainage and conservation operations, plus the biannual expenses of the Legislature, will amount to \$1,000,000.00 for the fiscal year ending June 30, 1952 and \$1,200,000.00 for the fiscal year ending June 30, 1953.

In addition, an appropriation for \$1,500,000.00 for the first year and \$2,300,000.00 for the second year of the biennium should be authorized for the emergency fund. This emergency fund would call for, among many other provisions, \$987,235.00 the first year and \$1,776,255.00 the second year of the biennium to meet the cost of additional public school teachers and increased operational expenses of our public schools which will result from increasing student enrollment and the unusual increase in physical facilities caused by the state-wide school building program.

In the event that the Budget is enacted substantially as

I have presented it, and the above supplementary appropriations are approved, slightly over \$61,000,000.00 would be appropriated to operate the State during the next biennium. Past State experience has proven that appropriated money is never all spent. For example, at the end of the last fiscal year, over \$1,400,000.00 in appropriated state funds was reverted to the State treasury. Taking this important fact into consideration, I estimate that the Budget as submitted to you, plus foreseeable supplementary appropriations, would indicate an expenditure of \$59,000,000.00 for the next biennium.

It is estimated that all sources of income, which includes the revenue from the old net income tax now in force, will yield about \$48,000,000.00 during the next biennium. On the basis of these estimates, the State would spend \$11,000,000.00 more than it collected during the next two fiscal years. It appears that the cash balance available for appropriations on July 1, 1951, will be slightly in excess of \$14,000,000.00. This amount, plus the estimated income, less the indicated expenditures of the next biennium, would leave us with a cash balance available for appropriations on July 1, 1953, of \$3,000,000.00, which is considered to be the minimum cash balance which the State should have on hand at the beginning of a fiscal year.

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

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

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

Now as I have previously mentioned, the Budget which I am presenting to you was approved by the Budget Commission during the month of November after extensive study and hearings. At that time, there was hope that the Korean situation would be cleared up by Christmas. Also, at that time, general world-wide conditions were very much more encouraging on the face of things than we find them to be today.

December of 1950 was a dark month in the history of the United States. Our brave armed forces received one of the most bitter defeats ever experienced by us and we became aware of the seriousness of our position. We realized our weakness and more fully comprehended the diabolical plan of Communist Russia to effect the gradual defeat and destruction of our Nation and the principles of freedom and justice for which it stands and for which it is so valiantly fighting.

The course of this Administration of this State and of this Nation is clear. When your house is on fire, you do not stop to repair a worn latch, clean a soiled window or nail up a loose board. You immediately summon all aid and resources at your command to put out the fire as quickly and as effectively as possible. Delaware, the first State of the United States, must and will do its part in this national emergency. It must bend its every effort, supply its every available resource, and do its share in providing men and women for our armed forces so that America can become strong and able to defend itself against any probability. The next two years are extremely critical ones. Our continued existence as a Nation may depend upon our willingness to make the sacrifice and effort which will help us reach a position where our foes will respect us and our friends will be anxious to support us.

The course, then, which we, the Legislature and the Administration must take is to re-examine all of the recommendations which have been made in this Budget and to eliminate all items of expense except those which will provide for the bare essentials necessary for the effective operation of this State.

We in Delaware must make our contribution to the successful elimination of this nation-wide emergency by releasing all available manpower to the war effort and by drastically cutting expenses and thereby doing our part to reduce the serious threat of inflation.

It is likewise extremely important that the taxes which we levy in this State be reduced to a minimum, because Federal taxes to finance our rearmament are certain to increase sharply and put a heavy burden on the taxpayer. It is therefore our patriotic duty in the name of national defense to do all in our power to make Delaware dollars available for defense.

Every single unnecessary or postponable expenditure or step that we make during this emergency is competition to the greater need of building a strong, well-prepared Nation. I want to assure you that I stand ready at all times to work with you, to consult with you and to cooperate with you in our joint efforts to attain this desired end.

Under these conditions, I recommend that you do not revive the income tax law which expired December 31, 1950.

As I have just pointed out, the Budget which is being submitted today was prepared before the President of the United States declared a state of national emergency. If this Budget was approved, together with all other foreseeable supplementary appropriations, and the estimated income was deducted, we would have a deficit of \$11,000,000.00 for the biennium to deduct from the \$14,000,000.00 surplus which is predicted for July 1, 1951.

After carefully re-examining and eliminating all unnecessary items in this budget, I believe we can assure to the State

a cash surplus available for appropriations on July 1, 1953, considerably in excess of the \$3,000,000.00 which I mentioned earlier in my message.

Unless and until the emergency is at an end, I propose that all the State agencies make every effort to live within a Spartan Budget. We must direct all of our energies to the business of the retrenching and the conservation of every resource.

In the event the emergency is of short duration, then I conceive it to be my duty to promptly lay before the State blueprints for the continuation of the progressive program which was initiated at the beginning of my administration. Former income tax law which is now again effective will yield a revenue which will amount to about \$5,000,000.00 less annually than the one just expired. Later, when the State needs additional revenue for increasing expenses or for the financing of debt service of bond issues for a long range building program, I strongly recommend the enactment of a new net income tax which provides that exemptions be allowed for religious and charitable contributions, for pensions to State employees, for income to all of those in the armed forces of our Nation, and for legitimate business expenses incurred by those deriving their income from business commissions. In addition, I would recommend a substantial increase in the exemption for wage earners and their dependents in line with the increased cost of living.

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

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

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

Let us, then, patriotically and fearlessly apply ourselves to the job of making Delaware's contribution to the alleviation of this emergency effective and important. Although we are one of the smallest states in size and population, we should be deeply proud of the contributions we have always made and

will continue to make to the welfare and protection of our beloved Country in times of peril and emergency.

## EDUCATION

An important part of the foundation of our development into the greatest and most progressive Nation in the world is our excellent system of education. The American people have always looked up with faith to the future and they have backed this faith through the support of an ever-improving, broadly expanding education program. They realize that the hope for the future of this Nation and world lies in the development of intelligent, strong, liberty-loving and God-fearing citizens, and they know that a strong, well-rounded education program will play an important part in this development.

Well-qualified teachers are the cornerstone of a successful educational system. In order to encourage outstanding teachers to teach in our schools, it is important to give them consideration in keeping with the dignity of their position and profession in matters relating to severance of their employment.

I strongly recommend that a tenure law be enacted which will provide that in matters of the termination of contracts of professional school employees, the teacher, principal or superintendent in question shall be given an opportunity to be heard by the local school board upon not less than 10 days' notice, with a right of appeal to the State Board of Education. A complete stenographic record of each hearing should be made, a copy of which should be furnished to the employee in question.

To provide for more complete participation in school affairs by our citizens, I again strongly urge the enactment of a law to provide for the election of school boards and trustees throughout all the school districts of the State.

The recommendations of the School Survey Commission to the Governor and the 115th General Assembly provided for a drastic consolidation of school districts throughout the State. I favor sensible consolidation where it provides for increased efficiency and an improved educational program for the students involved. I feel that this a matter for the individual districts to develop through investigation and discussion and I believe that when public opinion crystallizes in the school districts involved, these consolidations should be approved by the citizens of the area in question and made effective.

It should be a matter of great satisfaction to all of the people of Delaware that we will shortly complete a state-wide program which will provide for equal educational opportunities and facilities to all people of the State. The opening of the Sussex County Comprehensive High School for Negroes at Georgetown last September marked the beginning of this program. Similar schools at Dover in Kent County and Middle-

town in New Castle County are now under way and the City of Wilmington should shortly begin construction of new schools for Negroes in that area. All of these facilities are being financed only by State funds, plus a private bequest. The local school districts have not had to raise matching funds for these buildings.

Although we are now in the midst of a huge school building program, there are still certain areas which are desperately in need of additional school facilities.

All over the northern end of new Castle County, record-breaking home construction has resulted in greatly increased population in the suburban areas and this has caused a critical need for additional school buildings. At this time, I recommend a limited school building program to relieve these crowded areas. I strongly urge that the schools to be built be as utilitarian as possible and that the construction costs be kept as low as possible, in keeping with sound construction practices. Under these conditions and to eliminate much of the red tape and lost motion which has been apparent during the present building program and with a view to cutting building costs to the minimum, I recommend that provisions be made for the adoption of standard plans and specifications for school buildings with units of varying sizes, subject to the approval of the State Board of Education and the school building program board. The State funds for this program should be raised by bond issues to be matched by local funds in the ratio provided by the historical formula presently in use.

The people of Delaware have every right to be proud of their educational system and the faithful people associated with it who have made it so outstanding. It is highly important that the people of Delaware should continue their interest and participation in this most valuable operation and lend their efforts, influence and vision to the development of an ever improving and increasingly efficient program of education.

### CIVIL DEFENSE

The State must face with the Nation the ominous overtures of the present trend of world events. The threat of a complete conflict brings before us the possibility that our populace may be subjected to its ravages. The advances of science, the new and terrifying weapons of our time, should compel us to give priority to the problems that are presented.

Military authorities are unanimous in their opinion that our potential enemies possess the capability to carry the destruction of modern warfare to the heart of our Nation. The geography, industrial resources, and potentialities of our State lead me to believe that we might find ourselves a coveted and profitable target.

You will, therefore, be asked to consider the enactment of legislation designed to minimize the effects of such a con-



tingency. The legislation will embody certain provisions which have been recommended by our Federal government. It will also take into consideration the advantages of mutual help with our neighboring states.

Sizeable appropriations will be necessary to implement this legislation. An appropriation of approximately \$35,000.00 will provide for the immediate embarkation upon an integrated program until the end of the present fiscal year. Careful estimates indicate that at least \$55,000.00 will be needed annually to operate during the next biennium. In addition, it is expected that the Federal government will make available sums on an equal matching basis to be used for the construction of shelters and protective facilities. When this program is crystallized by the Federal government, I will recommend to you ways and means of coordinating and providing the necessary matching funds to effectively implement Delaware's share of this cooperative program.

### ELECTIONS

Today in the world, we face the challenge of liberty versus subjection. In the United States we have a two-party political system, plus the right to establish as many political parties as we like. In Russia there is only one party and the alternate choice is exile or extermination. Certainly, in this First State of the Union, we should all feel a strong responsibility in seeing that methods used to conduct the election of our representatives, executives and public officials are above reproach. Unfortunately, there are a number of election laws on our statute books which in themselves tend to promote corruption in our elections and tend to encourage the use of large sums of money for the purpose of buying that election. This undemocratic system is a scourge and blight on the fair face of our State and it is high time that important changes be made so that the sanctity of the ballot might be restored. Our boys are fighting for the cause of freedom on foreign soils. Is it too much to expect that you as representatives of the people of Delaware should fight to restore decent, free and clean elections to our State? Free elections are the essence of freedom and liberty. I sincerely urge you to do your part during this Assembly to see that the people of Delaware will have on its statute books the kind of election laws which will promote honest, clean and free elections.

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

I recommend the enactment of a law making it a crime to have possession of an official ballot outside a polling place;

the enactment of a law for the printing of official ballots only slightly in excess of the number of registered voters in the State; the enactment of a law that only an official ballot received from the election officials may be voted, provided that sample ballots of a color different from the official ballot may be freely distributed without restriction; the enactment of a law requiring a general registration every four years; the enactment of a law requiring for purposes of identification that each voter sign the registration book when registering to vote; and the enactment of a law requiring for purposes of identification that each voter sign the registration book at the time he votes.

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

### LABOR

In view of the advancing cost of living, it is important that legislation affecting the welfare of labor should be kept abreast of the times.

I, therefore, urge the enactment of legislation to provide increased benefits for those who are covered under the State Workmen's Compensation Law and the Unemployment Compensation Law.

I urge the adoption of a State minimum wage law in line with and to supplement the Federal minimum wage law.

I recommend the passage of legislation to provide for collective bargaining in labor relations cases not falling within the jurisdiction of Federal laws.

I strongly advocate the adoption of a law to provide that no worker shall be disqualified for unemployment insurance for refusal to accept employment at a lower rate of pay than he received at his last place of employment or for the refusal to accept employment outside of the State.

### LIQUOR COMMISSION

I believe that it is unwise as a general principle to entrust the administration of laws of a controversial nature to a single individual. Under such a system, when the single individual occupies office for a fixed term of years, there is constant danger that in the administration of laws, that individual may become arbitrary or dictatorial. I do not believe a one-man commission for any purpose within the State of Delaware is in accordance with the principles of democratic government. Especially is this so when the commission is charged with the administering of laws pertaining to the delicate subject of the

liquor industry. Our present law establishing a liquor commission provides for an undemocratic one-man commission. I strongly recommend the enactment of a law to substitute for this one-man commission a four-member, bi-partisan liquor commission to administer the liquor laws of the State of Delaware. It is my belief that the enactment of this legislation will, insofar as it is possible, insure the removal of the activities of the liquor commission from partisan politics.

## WELFARE

One of the most confusing things about the operation of the State's welfare activities is the fact that there are at least three boards and commissions providing welfare services, with each one operating in different directions. Unquestionably, this results in inefficiency, wastefulness, duplication and frustration. It is imperative that legislation be enacted during this session to consolidate and coordinate these welfare operations.

It is unfortunate that the individual welfare agencies because of the fear of the loss of some of their individual power and prestige have seen fit to lobby against such a consolidation. It is certainly a tragedy that the people of the State will allow the selfish interests of a few to obstruct a step that is so desirable and which will bring so many advantages to the administration of public welfare in this State. I sincerely urge and recommend that you enact legislation to effect this consolidation.

Presently, the ceiling on old age pensions is \$40.00 per month. Without any doubt, this amount is entirely too small to provide for the living expense of anyone for a month during these times. I, therefore, recommend that legislation be enacted increasing the ceiling of the old age pension at least to \$50.00 per month.

## HIGHWAYS

One of Delaware's most valuable assets is its beautiful, well-constructed highway system. Ever since World War II, the State has been diligently working to repair, rebuild and extend this excellent system. Unfortunately, during the War lack of material and personnel prevented the maintenance of our highways in their usual fine condition. Although during the past four and one-half years, much reconstruction has been accomplished, there is still a great deal to be done if we are to save some of our important roads which sorely need major rebuilding.

In addition, we are faced with the necessity of building new roads and arteries to provide for the smooth flow of traffic to and from the Delaware Memorial Bridge.

In view of the serious importance to our modern economy, it is imperative that even in times like these we maintain

good roads and provide for the elimination of bottlenecks in severely congested areas.

Provision has been made in the Budget to take care of the interest and amortization of a bond issue which will supply sufficient funds during the next biennium to match those of the Federal government available to us for new highway construction and the rebuilding of old, worn out highways.

Accordingly, I recommend that you approve this bond issue to finance these important capital improvements.

In addition, I strongly urge you to carefully scrutinize any requests for increases in the axle weights of commercial trucks. It has been universally demonstrated that weights beyond 18,000 pounds per axle are highly injurious to the type of roads generally in existence today. It is certainly false economy to spend millions of dollars for highway construction on one hand and then authorize an increase of axle weights which will cause prompt and serious deterioration of these fine roads on the other hand. I consider that I would be seriously remiss in my duty as Governor of this State if I were to approve any increase in the axle weights of commercial trucks.

## AGRICULTURE

I urge your continued support of the important progress we are making in our State to provide agricultural research in the fields of marketing, animal and poultry husbandry, soil investigations, plant pathology, horticulture and agronomy. Agriculture is one of the State's most important industries and, annually, agricultural income in this State ranks second in per capita, per county, of any State in the Union. It may be a coincidence, but Delaware was one of only five states that had an increase in agricultural income during the calendar year of 1949. This increase, amounting to about 4%, should be highly gratifying to those of the last General Assembly who played such an important part in enacting progressive legislation to promote agricultural research.

During the past year, I appointed a bi-partisan, State-wide committee of outstanding farmers, scientists and soil conservationists to make a study of our present laws relating to soil drainage. Based upon this study, I propose to submit to you for your earnest consideration and enactment, legislation which will overhaul and improve our present drainage laws and help develop within our State a sound and realistic drainage program.

## RETIREMENT ACT

It is recommended that in view of the sharp increase in the cost of living since its enactment, legislation be enacted which will provide for a broader and more realistic operation of the State Employee Retirement Act.

I wish to recommend the following changes and increases:

1. That the minimum be increased from \$50.00 a month to \$75.00 a month;

2. That the maximum be increased from \$150.00 to \$250.00;

3. That the fraction of earnings be increased from  $1/70$  for each year of service to  $1/60$ —to conform to the 30-year retirement provision adopted at the last Session of the General Assembly.

4. That survivors' rights as a percentage of the pension rights available to the State employee be approved as follows:

50% for widow—subject to cancellation upon remarriage;

25% for each of the first two children during the minority of such children;

5. Permit interruptions in continuous service for continuation of eligibility up to five years instead of only for one year as at present.

6. That an employee be eligible to retire because of disability after 15 years instead of 25 years of service;

7. That an employee may be eligible for retirement after working 10 years instead of 15 years upon reaching the prescribed age limit.

8. The gross salary is to be used as a basis for computation of pension rights instead of base salary as at present. This is only fair acknowledgement of the fact that institutional employees receive a large part of their income in media other than cash. Under the present plan they are subjects of serious discrimination.

9. Joint service for the State and for all other political sub-divisions which are under pension systems is to be used as a basis for eligibility. This would include New Castle County, the City of Wilmington, the Town of Lewes and any other Jurisdictions where pensions are or will be adopted. This is done in virtually every other state and the fairness of it is self-evident. The pension charges would be prorated to the various governmental units under which service was rendered.

10. The increased benefits would be available to all persons currently receiving pensions as well as those who are still to be retired.

It is highly important that a retirement act be enacted to provide that members of the judiciary could retire at a certain age on a pension which is commensurate with their high position in the State. I sincerely recommend to you that such legislation be enacted by you during this session.

## EXECUTIVE DEPARTMENT

I recommend for your careful study and consideration the report of the Commission on Reorganization of State Government. This report recommends sweeping changes in the organization of the executive branch of the government of Delaware which would provide for the improved efficiency and effectiveness of this branch.

## THE NEW CASTLE TERCENTENARY

I call your attention to the forthcoming 300th anniversary of the establishment of self-government on Delaware soil at what is now the City of New Castle.

The last session of the General Assembly created a commission with the duty of preparing plans for the fitting commemoration of this event, commensurate with the dignity of the First State of the Union. This commission will report to you the result of its labors.

I recommend for your consideration the report of the commission and its recommendations. The establishment of the principles of self-government and freedom in our State is of interest and importance to all of us and to the entire nation as well. We will be remiss in our respect for our heritage if we permit this occasion to pass unnoticed and without proper expression of our appreciation of that which has been handed down to us as a result of the faith and labors of our forebears.

We must, of course, keep in mind the heavy expense we are facing. But with that in mind I wish you to provide the means for the proper commemoration of this event. The amount of means provided must of course be determined in the light of other necessary State expenditures, but must nonetheless permit the paying of homage to the laying of the foundation of our manner of government in a dignified and fitting manner.

## CONSTITUTIONAL AMENDMENTS

The following proposed amendments were passed by the 115th General Assembly and I urge their final adoption this session:

1. That no person holding any paid State, county or municipal job shall be a member of the Legislature during the time he continues to hold that job.

2. That the Governor, at least ten days before sending the name of anyone appointed as a State judge to the Senate for confirmation, shall make public announcement of that name.

3. That Article IV of the Constitution be amended to provide for the creation of a separate, independent Supreme Court.

## CONCLUSION

I wish to congratulate all of the recently elected members of the Legislature and to invite every Member of the General Assembly to visit me in the executive offices at your convenience. A warm welcome and an attentive ear awaits you. Your visit will always receive prior consideration over normal appointments because you represent the interests and the needs of thousands of people. I sincerely wish for all of you a highly successful term in the service of your State.

I have now served as your Governor for almost two years. During that period of time, I have learned that an administration can fail or succeed in direct ratio to the cooperation which is given it by the people who are the members of the administrative team.

It has been my good fortune to have had the loyal and hard working support of all of the State employees throughout the length and breadth of Delaware. I wish to publicly thank each and every person associated with or employed by the State for their fine contribution to the success of my Administration.

I realize that the road ahead may be full of obstacles which will result from the seriously disturbed condition in which the world now finds itself.

I am happy that with the cooperation of the last General Assembly and the support of the people of Delaware, so much could be accomplished during the brief time allotted us.

I am prepared now to make any sacrifice necessary to help preserve and protect the sacred liberties and freedoms that this State and Nation enjoy and which have been won through sacrifice, bloodshed and hard work. I am sure the people of Delaware feel the same way. We love our State and our Nation. We love the things they stand for and because we want to pass them on to our children and our posterity, we are willing to carry on in the tradition of those patriots who helped to found and preserve this great country.

There is work for all to do and every one can make his individual contribution to the cause which will help to finally bring about the peace for which we are all praying.

May God grant that the people of Delaware and this Nation may so act and conduct themselves during this time of crisis and uncertainty that he may shed the light of His guidance upon us and direct us into the paths of honor, peace and understanding.

\* \* \* \* \*

Mr. Cabbage moved that the Secretaries of the Joint Session compare their Journals.

The Secretary of the Senate announced that the Secretaries had compared their Journals and found them to agree.

Mr. Cubbage moved that the two Houses now separate to reconvene in their respective Chambers.

On motion of Mr. Cubbage, the Senate recessed until call of the Chair. Senate met at expiration of recess at 2:15 p.m., Lt. Gov. Bayard presiding.

The Chair recognized Mr. Burris who requested that he be marked present.

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

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

On motion of Mr. Cubbage, the Senate recessed until 3:30 p.m.

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

The Chair asked the Reverend Thomas Rowleson and the Reverend W. B. Bundick to come to the Rostrum to have their Oath of Office administered.

On motion of Mr. Cubbage, the Senate adjourned until 1:00 p.m., Wed., Jan. 10, 1951.

#### 4TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:25 p.m. Wed., Jan. 10, 1951, Lt. Gov. Bayard Presiding.

Prayer by the Chaplain, Rev. Bundick: Our Gracious Heavenly Father, as we have assembled here today, we pray that thou wilt give us the long view of our duty and our world.

Help us to see that many things are temporary, they fade and pass away. Give us the courage to plan and work for those things that abide.

May thy will be done in the hearts and lives of those who have gathered here today.

May we reach out, over and beyond, personalities and parties, and accomplish those things that are for the good of our State, our Nation, and our World. In Jesus' Name we pray. Amen.

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

Members absent—Messrs. Barnard, Klair—2.

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

Mr. Cannon announced that there would be a meeting of the Senate Attaches in the Senate Lounge today at 3:00 p.m.



On motion of Mr. Cabbage, the Senate recessed until Call of the Chair. Motion prevailed.

Senate met at expiration of recess at 4:15 p.m. Lt. Gov. Bayard presiding.

The Chair recognized Messrs. Barnard and Klair who requested they be marked present.

Mr. Cannon presented a letter of resignation from Mr. Horace Greely Sirman as Assistant Bill Clerk for the Senate. Upon Mr. Cannon's motion, the resignation was accepted.

Dover, Delaware, January 10, 1951

The Senate, 116th General Assembly, State of Delaware  
Dover, Delaware

Gentlemen:

By Senate Resolution No. 5, adopted by the Senate of the 116th General Assembly of the State of Delaware, I am honored to have been elected by your body to the office of Assistant Bill Clerk. As yet, I have not entered upon the discharge of the duties of said office.

I respectfully decline, and insofar as may be required by law, I hereby resign from the said office of Assistant Bill Clerk of the Senate of the 116th General Assembly of the State of Delaware.

Further, I hereby waive, release and renounce unto the State any and all claims whatsoever which conceivably I might have to any compensation or emoluments attendant upon said office of Assistant Bill Clerk.

Respectfully submitted,  
Horace Greely Sirman

Signed, Sealed and Delivered in the presence of Clifford M. Cabbage, witness.

Mr. Cannon introduced the following Resolution, which on further motion by him was adopted: **SR 7**—"In Reference to Election of Officers."

BE IT RESOLVED, by the Senate of the 116th General Assembly of the State of Delaware, that the following named persons be, and they are hereby elected to the respective offices appearing opposite their names, to serve during the pleasure of the Senate, to wit:

Edward Slaughter—Attorneys' Messenger  
James Mullin—Page  
Harry Legates—Page  
Ralph I. Bell—Sergeant-at-Arms  
Leonard Brown—Sergeant-at-Arms  
Harvey E. Moore—Assistant Bill Clerk  
Horace Greely Sirman—Document Clerk  
Wilson Bailey—Janitor

Joseph A. Reese—Attorneys' Messenger  
 Mary Cahalan—Secretary to Lieutenant-Governor  
 Lester H. Pittard—Assistant Secretary to Senate  
 Harry Parvis—Cloak Room Attendant  
 Kathryn L. Zonko—Stenographer  
 Mary W. Rawlins—Stenographer

Mr. Peeney asked if the names of the Attaches listed in the above Resolution were in addition to those named in a previous resolution.

Mr. Cannon answered yes.

Lt. Gov. Bayard, President of the Senate administered the Oath of Office to the Officers of the Senate named in **SR 7**.

Note: Illustration of Employees' Oath shown after **SR 5**, 1st Legislative Day.

Mr. Crossley presented the following report of the Printing Committee, signed by the full committee.

**REPORT AND RECOMMENDATIONS OF THE SENATE  
 COMMITTEE ON PRINTING TO THE SENATE OF THE  
 116TH GENERAL ASSEMBLY OF THE  
 STATE OF DELAWARE**

To the Senate:

Your Committee on Printing as named by the President Pro Tem on Tuesday, the ninth day of January, A. D. 1951, acting under the authority of Chapter 6, Volume 46, Laws of Delaware, 1947, as amended by Chapter 3, Volume 47, Laws of Delaware, met in the Legislative Building on the afternoon of the first day of the appointment of said Committee to receive bids for supplying the printing needs of the Senate during the regular Session of the 116th General Assembly.

The Committee opened the bids not only in the presence of the Committee but also in the presence of the bidders who presented bids.

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

A. Calendar—Sussex Countian—Bid—

300 copies.....	\$3.80 per page
400 copies.....	4.40 per page
500 copies.....	5.00 per page

B. Rule Books—Star Publishing Company—Bid—\$149.00

C. Bill Backers—Star Publishing Co.— Bid—\$148.00

D. Roll Call Books—Star Publishing Co.— Bid—\$27.00

## E. Bills—Star Publishing Company—Bid—

100 copies.....	\$3.80 per page
200 copies.....	3.85 per page
300 copies.....	4.00 per page
400 copies.....	4.20 per page
500 copies.....	4.40 per page

Compliance having been made by the low bidders with the requirements of the Statute cited as to the furnishing of certified checks in the amounts required by the Statute, and the Committee having found such low bidders to be responsible, and such low bidders having demonstrated their capacity to supply the printing needs of the Senate as set forth in the specifications furnished them, your Committee recommends the award of contracts to the bidders listed above at their respective bids as set forth herein, upon their giving performance bonds as required by Chapter 6, Volume 46, Laws of Delaware, 1947, and upon passage of an appropriate Resolution by this Senate as required by Chapter 3, Volume 47, Laws of Delaware.

(Signed) Messrs. Crossley, Ch.; Steen, Cabbage, Johnson, Benger.

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

On motion of Mr. Cabbage, and without objection, **SJR 1**—"Authorizing the Governor to Appoint Additional Members to the New Castle Tercentenary Commission to Aid in Completing and Executing Plans for the Celebration of the Three Hundredth Anniversary of Dutch Settlement at New Castle, Colonial Capital on the Delaware River and First Capital of the First State," was taken up for consideration, and read a third time by paragraphs in order to pass the Senate.

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

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

So the question was decided in the affirmative, and the Resolution having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence on Jan. 10, 1951.

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

**SB 1**—"An Act to Amend Chapter 176, as Amended, Revised Code of Delaware, 1935, Relating to Alcoholic Liquor,

Wines and Beer by Creating a Liquor Commission Composed of Four Members, One from the City of Wilmington, One from Rural New Castle County, One from Kent County, and One from Sussex County, and Providing for the Appointment, Term of Office, Salaries and Duties of Its Members," by Webb; to Temperance.

**SB 2**—"An Act to Amend Chapter 83, Volume 45, Laws of Delaware, 1945, as Amended, Relating to Aid for the Needy Blind, by Providing That Examination May Be by an Optometrist and by Increasing the Maximum Amount of Financial Assistance," by Reilly; to Public Health.

**SB 3**—"An Act to Authorize and Direct the State Treasurer to Honor Certain Payments from the Debt Service Account of the John M. Clayton School District for Current Expenses of Said School District," by Steen; to Miscellaneous.

On motion of Mr. Cabbage, the Senate adjourned until 1 p.m., Thurs., Jan. 11, 1951. Motion prevailed.

### 5TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:20 p.m., Thurs., Jan. 11, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Spry: As Thou knowest, O Lord, we assemble today as a legislative body to enact laws for the government of the people of this grand little State, recognized as the "First State" of the Nation. And as said our Chief Executive in that splendid, inspiring message of a few days ago, "we meet under conditions of emergency and uncertainty" (and we should add—in the midst of confusion).

However, we meet with confidence and assurance, that there cannot be a problem so grave, or difficult, nor an emergency so desperate, but that we may have the support of the Father's hand, if we but ask of Him.

Bless Thou, His Excellency the Governor, and this General Assembly, both the House of Representatives and this Senate, in their deliberations.

May they be heard, yea, known and remembered not for their much speaking, but rather for their wise counsel, their careful deliberations, and their effective administration, that they may give us laws which will not only be pleasing to the citizens of our State, but such as will attract the eyes of the Nation. For this cause wilt Thou ever be unto them Wisdom, Courage and Strength. We ask it all in the Name of Him, Who has bidden all men to come unto Him that they may learn of him. Amen.

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

Members absent—None.

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

On motion of Mr. Cubbage, the Senate recessed until 2 p.m.

Senate met at expiration of recess at 2:15 p.m., Lt. Gov. Bayard presiding.

On motion of Mr. Peeney, the Senate recessed until 3:30 p.m.

Senate met at expiration of recess at 3:50 p.m., Lt. Gov. Bayard presiding.

Mr. Crossley introduced the following Resolution, which on further motion by him was adopted: **SR 8**—"Accepting the lowest Responsible Bid for Each of the Classes of Printed Matter Required by the Senate."

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

Item A. Calendar—Sussex Countian—Bid—

300 Copies.....	\$3.80 per page
400 Copies.....	4.40 per page
500 Copies.....	5.00 per page

Item B. Rule Books—Star Publishing Company  
Bid .....\$149.00

Item C. Bill Backers—Star Publishing Company  
Bid .....\$148.00

Item D. Roll Call Books—Star Publishing Company  
Bid .....\$27.00

Item E. Bills—Star Publishing Company—Bid—

100 Copies.....	\$3.80 per page
200 Copies.....	3.85 per page
300 Copies.....	4.00 per page
400 Copies.....	4.20 per page
500 Copies.....	4.40 per page

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

deliveries of printed matter be accompanied by a detailed invoice covering same.

Dr. Bengner asked the privilege of the floor to discuss **SR 7**, and spoke as follows:

The Governor of our State delivered his message to a Joint Session of the Legislature on Tuesday of this week. This message has been praised by a Republican newspaper as that of a statesman. Many of his listeners agreed. Please permit me to quote some of his remarks:

"The duty of any government is always to keep expenses at a minimum."

"The course, then, which we, the Legislature and the Administration must take is . . . to eliminate all items of expense except those which will provide for the bare essentials necessary for the effective operation of the State."

"Every single unnecessary or postponable expenditure or step that we make during this emergency is competition to the greater need of building a strong, well-prepared nation."

"Unless and until the emergency is at an end I propose that all State agencies make every effort to live within a Spartan budget."

Yesterday the Senate appointed an additional group of attaches making, so far, I believe, a total of 38 for 17 Senators. If these employees average \$1350 each for their work, \$51,300 will be added to the expense of the Senate for this session. I am well aware that a certain number of employees are necessary for the work of the Senate. What that number is, I do not know, but I will venture the statement that we do not need, and cannot properly use 38. We now have, for example, nine sergeants-at-arms and five cloak room attendants. There are 2.2 attaches per Senator. In the House there are 1.1 per Representative.

I regret that I did not vote against the appointment of the last group of attaches and I apologise for my tardy recognition of this extravagance.

Mr. Cabbage introduced **SCR 3**, which on further motion by him was adopted: "Authorizing the Adjournment of the Senate and House of Representatives of the 116th General Assembly until Monday, January 15, 1951, at 11:00 O'clock A.M."

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

**SB 4**—"An Act Establishing the Office of State Fire Marshall, Defining Powers and Duties and Making an Appropriation Therefor," by Reilly and Peeney; to Finance.

**SB 5**—"An Act to Repeal Chapter 217, Volume 43, Laws of Delaware, 1941, Entitled 'An Act Creating a Board of Trustees to Manage and Control the Prison, Prison Farm, Courthouse and Courthouse Annex of Sussex County; Providing for the Appointment of Members of the Board, Their Terms

of Office, Qualifications and Expenses, Their Powers and Duties; Providing for the Payment of the Expense of Such Management and Control by the Levy Court of Sussex County; Providing for the Custody, Care, Control, Labor and Compensation of Prisoners in Said Prison; and Providing for a System of Bookkeeping and Inventory of Property," by Steen; to Miscellaneous.

**SB 6**—"An Act Agreeing to the Proposed Amendments to Article IV of the Constitution of the State of Delaware, Relating to the Judiciary," by Cubbage; to Judiciary.

**SB 7**—"An Act Agreeing to the Proposed Amendment to Section 3 of Article IV of the Constitution of the State of Delaware, Relating to the Appointment of Members of the State Judiciary by Requiring the Governor to Address a Public Letter to the President of the Senate Stating the Name of the Person He Intends to Appoint at Least Ten Days Prior to the Submission of Such Person's Name to the Senate for Confirmation," by Cubbage; to Judiciary.

**SB 8**—"An Act Agreeing to the Proposed Amendment to Section 19 of Article III of the Constitution of the State of Delaware, Relating to the Compensation of the Lieutenant-Governor," by Cubbage; to Revised Statutes.

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

Senate met at expiration of recess at 4:28 p.m., Lt. Gov. Bayard presiding.

The Clerk of the House informed the Senate that the House had concurred in **SCR 3**.

On motion of Mr. Peeney, the Senate adjourned until 11 a.m., Mon., Jan. 15, 1951.

## 6TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 11 a.m. Mon., Jan. 15, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Spry: Once more, we bow in Thy presence, O Lord, realizing that we are the same needy creatures of yesterday, and the many yesterdays of the past. Thou hast been mindful of us in days gone by, even in our unconscious moments, while we slept Thou hast protected us.

Wilt Thou bless the Members of this Senate. Especially remember, we pray Thee, the Lieutenant Governor, the President Pro Tem and their leaders, the Speaker of the House of Representatives and his leaders, and each Member of the House, and their entire constituency.

Bless us all and make us a blessing, for Christ's sake. Amen!

Members present—Messrs. Barnard, Benger, Crossley, Cubbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Mr. Pres. Pro Tem—11.

Members absent—Messrs. Burris, Johnson, Powell, Reilly, Steen, Webb—6.

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

Mr. Cannon introduced the following Resolution, which on further motion by him was adopted: **SR 9**—"Adopting Permanent Rules for the Senate."

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

(1). The Rules of the Senate, including the Rules governing Executive Sessions and Joint Rules, as adopted by and at the Regular Session of the 115th General Assembly of the State of Delaware, be, and the same hereby are, adopted as the permanent rules of the Senate and the same shall govern the Senate throughout this present Session of the 116th General Assembly, excepting only insofar as said Rules are amended or repealed by the following provisions of this Resolution, or by subsequent, appropriate action of this body.

(2). Section 2 of Rule 3 of said Rules of the Senate be, and the same hereby is, amended by striking out and repealing the following clause thereof:

"; this section shall not be changed or suspended except by unanimous approval of all the members elected to the Senate."

(3). Rule 36 of said Rules of the Senate be, and the same hereby is, amended by striking out and repealing all of said Rule 36, and substituting in lieu thereof a new Rule to be known as Rule 36, as follows:

Rule 36—Section 1. No person who is not a member of the Senate shall be granted the privilege of the floor, or be seated or stand in front of the rear line of the last row of member seats from the rostrum, while the Senate is in session, except

The Governor of the State,  
The Secretary of the State,  
The Ex-Governors of the State,  
The Ex-Lieutenant Governors of the State,  
The Ex-State Senators,  
Members of the Congress of the United States,  
Ex-Members of the Congress of the United States,  
Members of the House of Representatives of the State,  
Officers and employees of the Senate,  
Officers and employees of the House of Representatives  
of the State, or  
Official representatives of the Press.



Section 2. Notwithstanding anything contained in Section 1 of this Rule, any other person or persons may be granted the privilege of the floor, or of being seated or to stand in front of the rear line of the last row of member-seats, aforesaid, by and with the consent of this body.

(4). This resolution, and the Rules herein and hereby adopted, from and after its adoption shall supersede all prior Rules of a temporary nature, or otherwise, heretofore adopted by the Senate of the 116th General Assembly of the State of Delaware:

Provided, that the validity of all actions of the Senate taken in pursuance of any or all such prior Rules while in effect shall not be questioned by reason thereof.

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

Senate met at expiration of recess at 2:45 p.m., Lt. Gov. Bayard presiding.

Mr. Cannon introduced the following Resolution, which on further motion by him was adopted: **SR 10**—"Appropriation for Postage Stamps for the Senate of the 116th General Assembly."

**BE IT RESOLVED** by the Senate of the 116th General Assembly of the State of Delaware, that the sum of Five Hundred Dollars (\$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 116th 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 warrants approved by the State Librarian.

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

**SB 9**—"An Act to Amend Chapter 196, Volume 22, Part one, Laws of Delaware, Being An Act Establishing a Board of Public Works for the Town of Lewes and Defining Its Powers, by Extending to the Said Board of Public Works the Authority to Purchase Machinery for Municipal Utilities at Lewes on Conditional Sales Contracts, and to Pledge the Revenues from the Utilities for the Payment of the Purchase Price," by Johnson; to Municipal Corporations.

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

Later, same day, Messrs. Reilly, Steen, Webb, Burris, Johnson, Powell asked to be marked present.

The following Bills were reported favorably (unless other-

wise indicated) by the majority of the respective committee as follows: **SB 3**, by Miscellaneous.

On motion of Mr. Klair, the Senate adjourned until Tues., Jan. 16, 1951, 1:00 p.m.

### 7TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1 p.m., Tues., Jan. 16, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Rowlenson: In the name of The Father, The Son and The Holy Ghost.

We approach the divine throne of grace, thanking you, Father God, for your care and extended mercies.

Be with the General Assembly. Particularly we pray for these our Senators, our Representatives, with the deliberations of this day. We pray that this Legislative body of men may make history on the pages of Life's Great Book in these, the darkest days of "The World Crisis." May we lend a listening ear to the words of that great author who said:

Better to stem, with heart and hand,  
The roaring tides of life than lie  
Unmindful of its flower strand  
Of God's occasion drifting by—  
It's better with naked nerve to bear  
The needles of its goading air  
Than in the lapse of sensual ease forego  
The God-like power to do, The God-like aim to know.

Remembering our boys in Korea, we pray in Jesus' name, Amen.

Members present—Messrs. Barnard, Burris, Crossley, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Mr. Pres. Pro Tem—12.

Members absent—Messrs. Benger, Cabbage, Powell, Steen, Webb—5.

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

Mr. Cannon presented a communication in the form of a letter of resignation from Joseph A. Reese.

1621 W. Fourth St., Wilmington, Del.

January 13, 1951

The Senate, 116th General Assembly, State of Delaware  
Dover, Delaware

Gentlemen:

By Senate Resolution No. 7, adopted by the Senate of the 116th General Assembly of the State of Delaware, I am

honored to have been elected by your body to the office of Attorneys' Messenger.

I hereby submit my resignation from the said office of Attorneys' Messenger of the Senate of the 116th General Assembly of the State of Delaware, effective forthwith.

Further, I hereby waive, release and renounce unto the State any and all claims whatsoever which conceivably I may have to any compensation or emoluments attending upon said office of Attorneys' Messenger.

Respectfully submitted,  
Joseph A. Reese

Signed, Sealed, and Delivered in the presence of Walter Scott, Witness.

On motion of Mr. Cannon, the resignation was accepted.

Mr. Cannon introduced the following Resolution, which on further motion by him was adopted: **SR 11**—"Authorization for the State Librarian to Furnish Stationery and Other Supplies to the Lieutenant-Governor, Members of the Senate and Certain Other Officers Thereof."

BE IT RESOLVED by the Senate of the 116th General Assembly that the State Librarian be and he hereby is authorized and directed to furnish to the Lieutenant-Governor and the Members of the Senate stationery and other supplies, the cost of which shall not exceed the sum of \$25.00 for each.

BE IT FURTHER RESOLVED, that the State Librarian be and he hereby is authorized and directed to furnish to the attorneys for the Senate, the secretary to the President; the secretary to the President Pro Tem, the assistant secretary of the Senate, the reading clerks, the bill clerks and the document clerks of the present session; stationery and other supplies the cost of which shall not exceed the sum of \$25.00 for each.

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

Senate met at expiration of recess at 3:20 p.m., Lt. Gov. Bayard presiding.

Messrs. Webb, Cubbage, Steen, Powell, Bengel, asked to be marked present.

On motion of Mr. Steen, **SB 3**—"An Act to Authorize and Direct the State Treasurer to Honor Certain Payments from the Debt Service Account of the John M. Clayton School District for Current Expenses of Said School District," was taken up for consideration and read by title and enacting clause, in order to pass the Senate.

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

Yeas—Messrs. Barnard, Bengel, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick,

Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—17.

Nays—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence on Jan. 16, 1951.

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

Senate met at expiration of recess at 3:55 p.m., Lt. Gov. Bayard Presiding.

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

**SB 10**—"An Act to Amend Article 27 of Chapter 100 of the Revised Code of Delaware, 1935, Relating to Pure Food, by Prescribing the Terms and Conditions upon Which Oleomargarine, Either White or Yellow in Color, may be Manufactured, Sold, Served in Eating Houses, and Displayed for Sale," by Klair; to Public Health.

**SB 11**—"An Act to Amend 1136. Sec. 1. of Chapter 42, Revised Code of Delaware, 1935, Relative to Notaries Public and Commissioners of Deeds, as Amended by Chapter 100, Volume 41, Laws of Delaware, 1937, and Chapter 97, Volume 43, Laws of Delaware, 1941, Providing for Additional Notaries Public," by Cannon; to Revised Statutes.

**SB 12**—"An Act Providing for the Creation of a Department of Purchasing for the State of Delaware: Its Powers and Duties and Appropriation Thereto," by Cannon; to Finance.

**SB 13**—"An Act to Amend Chapter 45 of the Revised Code of Delaware, 1935, as Amended, Relating to County Treasurers and Receivers of Taxes, by Increasing the Salary of the Receiver of Taxes and County Treasurer of New Castle County," by Peeney and Reilly; to Finance.

**SB 14**—"An Act to Amend Chapter 53 of the Revised Code of Delaware, 1935, as Amended by Chapter 98, Volume 44, Laws of Delaware, Entitled 'Salaries of Certain County Officers,' by Increasing the Salaries of Certain County Officers of New Castle County," by Peeney and Reilly; to Finance.

**SB 15**—"An Act to Amend Chapter 60 of the Revised Code of Delaware, 1935, as Amended, Entitled: 'General Elections,' by Increasing the Compensation of Election Officers," by Peeney and Reilly; to Finance.

**SB 16**—"An Act to Amend Chapter 53 of the Revised Code of Delaware, 1935, as Amended, Relating to Salaries of Certain County Officers, by Increasing the Salaries and Changing the Numbers of Deputies and Clerks in Certain County Offices in New Castle County," by Reilly and Peeney; to Finance.

**SB 17**—"An Act to Amend Chapter 45 of the Revised Code of Delaware, 1935, as Amended, Relating to County

Treasurers and Collection of Taxes, by Increasing the Salaries of the Deputies, Clerks, Delinquent Tax Investigators, Bookkeepers and Stenographers in the Office of the Receiver of Taxes and County Treasurer for New Castle County," by Reilly and Peeney; to Finance.

**SB 18**—"An Act to Amend Chapter 46 of the Revised Code of Delaware, 1935, as Amended, Relating to County Comptrollers, by Increasing the Salaries of the County Comptroller and His Deputy in New Castle County," by Reilly and Peeney; to Finance.

**SB 19**—"An Act to Amend Chapter 56 of the Revised Code of the State of Delaware, 1935, as Amended, Entitled: 'Registration of Voters' by Increasing the Compensation for Registrars, Assistant Registrars and Alternate Registrars," by Peeney and Reilly; to Finance.

The following Bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 1**, by Temperance; **SB 5**, by Miscellaneous; **SB 6**, **SB 7**, by Judiciary; **SB 8**, by Revised Statutes.

On motion of Mr. Peeney, the Senate adjourned until 1 p.m., Wed., Jan. 17, 1951.

### 8TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1 p.m., Wed., Jan. 17, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Spry: Again, we pause before Thee, Our Heavenly Father, to ask Thy guidance upon this, the 116th Session of the General Assembly of this fair State. But we would not confine our petitions to ourselves alone. Hence we ask Thee to bless our entire Nation. Yea! every Nation and their leaders.

Open Thou the eyes, of all leaders, in this confused age, who are planning and contriving for war, to see that wars are both costly and destructive, and gain little or nothing in the end.

O Thou, Who didst calm the storm of Galilee, wilt Thou hover over us, when the storms of life over-shadow our pathway, forgive the unwisdom and littleness of our past lives, and lift us above all things that stand between this land and Peace.

Bless Thou our boys and girls, now in service or soon to be called, and each home from whence they are called.

As we teach and proclaim the Fatherhood of God, may we practice more and more the Brotherhood of man, that wars may cease throughout the land. In His Name. Amen.

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

Members absent—Messrs. Cannon, Steen—2.

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

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

Communications—2—in behalf of teachers who were forced to retire prior to 1945 because of disability.

The Chair asked if there was any further business to be brought before the Senate. There being none, he announced that the Senate is now in recess until call of the Chair.

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

On motion of Mr. Cabbage, the Senate adjourned until 1 p.m., Thurs., Jan. 18, 1951.

### 9TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1 p.m., Thurs., Jan. 18, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Rowlensen: In the name of The Father, The Son and The Holy Ghost.

For the beauty of this day—for to be called Sons of God, we thank you, Lord.

We bow our heads in reverence when we call you "Our Father," we trust by deeds well done we may be worthy of being called your Son. We pray for these our representatives burdened with the responsibility of State—church—school. May we share with them our best. May God's benedictions be theirs. Be with the Chief Executive of our State and all employees of same. For the work of this day in these Legislative halls we do pray. Remember, Father God, our boys in Korea. With God's richest blessing on all mankind, we pray in the name of Jesus, Our Lord and Master. Amen.

Members present—Messrs. Barnard, Benger, Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Reilly, Webb, Mr. Pres. Pro Tem—13.

Members absent—Messrs. Burris, Johnson, Powell, Steen—4.

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

Mr. Steen asked to be marked present.

Mr. Cannon introduced the following Resolution, which on further motion by him was adopted: **SR 12**—"In Respect to Incorporating Prayers of the Chaplains into the Journal of the Senate."

**BE IT RESOLVED**, that all the daily prayers of the Chaplains of the Senate of the 116th General Assembly of the State of Delaware, past and future, be incorporated into, and made a part of the record of the daily journal of the Senate.

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

**SB 20**—"An Act to Amend Chapter 165, Volume 42, Laws of Delaware by Further Defining the Term 'Motor Vehicle,' " by Klair; to Buildings and Highways.

**SB 21**—"An Act to Amend Chapter 166, Volume 42, Laws of Delaware, by Further Defining the Word 'Vehicle,' " by Klair; to Buildings and Highways.

Messrs. Burris and Johnson asked the Chair to be marked present.

On motion of Mr. Cubbage, the Senate recessed until 2:30 p.m.

Senate met at expiration of recess at 2:55 p.m., Lt. Gov. Bayard presiding.

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

**SB 22**—"An Act to Amend Chapter 45, of the Revised Code of Delaware, 1935, as Amended, Relative to County Treasurers and Collection of Taxes, Increasing the Personnel in the Office of the Receiver of Taxes and County Treasurer for New Castle County," by Reilly and Peeney, to Finance.

**SB 23**—"An Act to Provide That the Shell Fisheries Commission Rather Than the Board of Game and Fish Commission Shall Be Exclusively Authorized and Directed to Enforce the Laws of the State of Delaware Relative to Fishing in Delaware Bay Within the Jurisdiction of the State of Delaware and in the Atlantic Ocean Within Three Nautical Miles of the Coast Line of This State," by Webb; to Fish, Oysters and Game.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in **HJR 1**, which was presented by the Chair, given first and Second readings by title only and referred to the Committee on Rules.

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

The following Bill was reported favorably by the majority of the respective committee as follows: **SB 9**, by Municipal Corporations.

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

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

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

**SJR 2**—"Appointing Directors on the Part of the State for the Farmers Bank of the State of Delaware," by Dolby; to Banking and Insurance.

**SB 24**—"An Act to Amend Chapter 146 of the Revised Code of Delaware, 1935, as Amended, Relating to Limitation

of Personal Actions by Repealing the Limitation of Actions for the Recovery of Wages, Salary, or Other Benefits for Work, Labor or Personal Services Performed," by Longbotham; to Revised Statutes.

On motion of Mr. Peeney, the Senate adjourned until 1 p.m., Fri., Jan. 19, 1951.

### 10TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1 p.m., Fri., Jan. 19, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Rowleson: In the name of The Father, The Son and The Holy Ghost.

We thank Thee, "Father God," for this day, for the many opportunities and privileges that are ours. Help us to improve these precious moments by carefree study, willing hands, ready feet, to go, do, and say what you ask us to do.

Bless us in this "Legislative Hall." May each one of us share with these representatives the great problems that face them in this great world crisis and may new history be written on the pages of Life's Book by this our 116th General Assembly. Remembering the words of that great poet who said—

Well to suffer is divine  
Pass the watchword down the line,  
Pass the countersign endure  
Not to him who rashly dares  
But to him who nobly bears  
Is the victor's garland sure.

In Jesus' name we pray for all, especially our boys in Korea. Amen.

Members present—Messrs. Barnard, Burris, Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. Pres. Pro Tem—14.

Members absent—Messrs. Bengier, Johnson, Powell—3.

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

Dr. Bengier asked to be marked present.

Communications—3 for **SB 10**.

On motion of Mr. Cabbage, the Senate recessed until 2:30 p.m.

Senate met at expiration of recess at 2:40 p.m., Lt. Gov. Bayard presiding.

Messrs. Johnson and Powell asked to be marked present.

Mr. Cabbage introduced the following Resolution, which on further motion by him was adopted: **SR 13**—"Relative to the Death of Frank Attix."

WHEREAS, the Senate of the 116th General Assembly



has learned with regret of the passing of former senator Frank Attix, a resident of Kenton, Delaware; and

WHEREAS, former Senator Attix has served his State faithfully and well during the session of General Assembly from 1943 to 1945; and

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

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

That the members of the 116th General Assembly wish to give expression to the regret they experienced of the passing of Frank Attix a prominent figure in his community and a Senator; and

BE IT FURTHER RESOLVED, that the family of the deceased has the full sympathy of the members of the 116th General Assembly which is extended by sending a copy of this resolution to the members of his immediate family; and

BE IT FURTHER RESOLVED; that the text of this resolution be made a part of the journal of the proceedings of the State Senate of the 116th General Assembly.

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

**SB 25**—"An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Motor Vehicles,' Providing for the Giving of Proof of Financial Responsibility and Security for Owners and Operators of Motor Vehicles and Prescribing Penalties for Violations," by Klair; to Buildings and Highways.

The following Resolution was reported favorably (unless otherwise indicated) by the majority of the respective committee as follows: **SJR 2**, by Banking and Insurance. Mr. Cannon did not sign the report because of personal interest.

The following Substitute Bill with title the same as the original Bill (unless otherwise indicated) was introduced, given first and second readings by title only, and referred to committee as follows:

**SS 1 for SB 17**—"An Act to Amend Chapter 45 of the Revised Code of Delaware, 1935, as Amended, Relating to County Treasurers and Collection of Taxes, by Increasing the Salaries of the Deputies, Clerks, Delinquent Tax Investigators, Bookkeepers and Stenographers in the Office of the Receiver of Taxes and County Treasurer for New Castle County," by Reilly and Peeney; to Finance.

On motion of Mr. Cabbage, **SB 7**—"An Act Agreeing to the Proposed Amendment to Section 3 of Article IV of the Constitution of the State of Delaware, Relating to the Appointment of Members of the State Judiciary by Requiring the Governor to Address a Public Letter to the President of the

Senate Stating the Name of the Person He Intends to Appoint at least Ten Days Prior to the Submission of Such Person's Name to the Senate for Confirmation," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

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

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

Nays—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence on Jan. 19, 1951.

On motion of Mr. Cubbage, **SB 8**—"An Act Agreeing to the Proposed Amendment to Section 19, of Article III of the Constitution of the State of Delaware, Relating to the Compensation of the Lieutenant Governor," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

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

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

Nays—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence on Jan. 19, 1951.

Mr. Cannon introduced the following Resolution, which on further motion by him was adopted: **SR 14**—"Authorizing Payment on Account to Attaches and Employees of the Senate."

**BE IT RESOLVED**, by the Senate of the 116th General Assembly, that the State Treasurer be and he hereby is authorized and directed to pay to any attache or employee, who has been duly appointed by Resolution of the Senate, upon the order of the President Pro Tem of the Senate, sums on account from time to time, not to exceed the total of One Hundred Dollars (\$100.00) to any one person, on account of services to the present Session of the Senate. Any such sums so paid shall be charged against the salary of the individual attache or employee to whom such sum or sums are paid, and shall be a part of the expenses of this Session of the Senate.

Dr. Benger addressed the Chair to seek permission of the

Senate to be necessarily absent on January 22 and 23, 1951.

On motion of Mr. Peeney, the Senate adjourned until 1 p.m., Mon., Jan. 22, 1951.

### 11TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1:00 p.m., Mon., Jan. 22, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Spry: Blessed Lord! We are entering upon the duties of a new day, which, as Thou knowest, comes to us without a blemish.

This thought so overwhelms us, that a voice within gains control and we are constrained to say:

"A new-born day! Oh, may I not  
Leave on its shining page, one blot  
To mar its whiteness."

May this thought be the desire, Yea! the prayer and aim of each member of this distinguished body. Subdue and mellow all strain of passion, and the desire of gain within our breast, that everything we do today, may be done unselfishly.

As we cherish the flower without blot, may we so cultivate the virtues of a spotless life, that we may be able to return the page of each new day, at night, to God—unspotted, clean and white.

In the Name of Jesus, Our Lord. Amen!

Members present—Messrs. Barnard, Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Reilly, Webb, Mr. Pres. Pro Tem—12.

Members absent — Messrs. Benger, Burris, Johnson, Powell, Steen—5.

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

The Chair announced that Dr. Benger is necessarily absent, and that Mr. Johnson had informed him that he would report later in the day.

One communication from the Kent County Volunteer Firemen's Association was presented.

On motion of Mr. Peeney the Senate recessed until 2 p.m.

Senate met at expiration of recess at 2:55 p.m., Lt. Gov. Bayard Presiding.

Messrs. Steen, Burris, Johnson asked to be marked present.

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

**SB 26**—"An Act to Amend Chapter 56 of the Revised Code of Delaware (1935), Entitled 'Registration of Voters' to

Provide for General and Supplementary Registrations Every Four Years and Matters Incidental Thereto," by Peeney; to Elections.

**SB 27**—"An Act to Amend Chapters 56 and 60, Revised Code of Delaware, 1935, as Amended, and Section 13 of Chapter 118, Volume 44, Laws of Delaware, 1943, as Amended, by Requiring the Electors of This State to Sign One of the Books of Registered Voters at the Time of Registration and at the Time of Voting in Any General Election; Providing Space Therefor in the Registration Books; Providing for the Size of the Registration Books and Providing for the Duties of Registration and Election Officers with Regard to Such Signatures," by Klair; to Elections.

**SB 28**—"An Act to Amend Chapter 121, Volume 35, Laws of Delaware, Entitled 'An Act Authorizing the Council of "The Mayor and Council of New Castle" Under Certain Conditions to Construct a System of Sewers and Disposal Works in and for the City of New Castle, Delaware,' by Providing That Wherever and Whenever the System of Sewers Built Under the Authority of Chapter 121, Volume 35, Laws of Delaware, Is Extended to Any Point Within the Limits of the City of New Castle, Abutting Property Owners Shall Pay Front Foot Rates Based Upon the Actual Cost of Such Extension, Which Rates Shall Be Assessed Proportionately Against Such Abutting Owners," by Pedrick; to Municipal Corporations.

**SB 29**—"An Act to Amend Chapter 60, Revised Code of Delaware, 1935, as Amended, Relating to General Elections by Providing That the General Election Shall Be Opened at 7 O'clock A. M. and Shall Continue Open Until 8 O'clock P. M.," by Steen; to Elections.

**SB 30**—"An Act to Amend Chapter 56 of the Revised Code of Delaware, 1935, as Amended, with Reference to Registration of Voters by Providing That Registration Places Be Kept Open from 7:00 A.M. to 8:00 P.M. on Each Registration Day," by Handsberry; to Elections.

**SB 31**—"An Act to Amend Chapter 59, of the Revised Code of Delaware, 1935, as Amended, Entitled 'Inspectors of Elections' with Reference to Division of Judges of Elections," by Peeney; to Elections.

Mr. Powell asked to be marked present.

The Chair presented a communication from the President of the University of Delaware.

January 18, 1951

Honorable Alexis I. duPont Bayard  
Lieutenant-Governor of Delaware  
Dover, Delaware

My dear Mr. Bayard:

In contemplating the legislative requests which are to be made on behalf of the University of Delaware, it occurred to

me how desirable it would be for the members of the General Assembly to visit our campus and see at first-hand our facilities and meet some of our faculty and student body.

You can imagine my very pleasant surprise, therefore, when I learned that such a visit is traditional with the General Assembly. I hasten to extend a personal invitation, on behalf of myself and all my colleagues here, for the members of the State Senate to visit us during the current session.

Our examination period runs from January 22 to February 5. A visit soon after classes are organized for the second semester would be most convenient and enable you to observe the University in full operation. We would like to have your body arrange to arrive here in the morning, have lunch, and spend as much of the day as possible on the campus. You will be most cordially welcomed in all of our offices, classrooms, and laboratories. There are many needs, as well as many achievements, which I am anxious to show you and other friends in the legislature. I realize that the General Assembly includes many who already know the campus well through previous visits under many circumstances, and some are Delaware alumni. These legislators, I am sure, will help see to it that all their fellow-members become thoroughly acquainted with the University.

I am, of course, extending a similar invitation to Speaker Lawson on behalf of the House of Representatives. Will you please relay this invitation to the members of the Senate? I am looking forward to seeing you again on our campus, as well as in Dover.

Sincerely yours,  
(Signed) John A. Perkins

Mr. Cannon introduced the following Resolution, which on further motion by him was adopted: **SR 15**—"Authorizing the State Librarian to Purchase Three (3) Typewriters for the Use of the Senate, Appropriating the Necessary Funds Therefor and Providing for the Payment Thereof."

BE IT RESOLVED by the Senate of the 116th General Assembly of the State of Delaware, that the State Librarian be, and he hereby is, authorized and directed to purchase of and from the International Business Machines Corporation, 590 Madison Avenue, New York, New York, three (3) twelve (12) inch carriage, pica type, electric, standard IBM typewriters, for the price of Three-Hundred Sixty-five Dollars (\$365.00) each, delivered, to be used for the official business of the Senate of the General Assembly for the State of Delaware; and, further,

BE IT RESOLVED, that the sum of One Thousand Ninety-five Dollars (\$1,095.00) be, and the same hereby is, appropriated out of the General Fund of the Treasury of the State of Delaware for the purchase thereof; and, further,

BE IT RESOLVED, that the State Treasurer of the State of Delaware be, and he hereby is, authorized and directed to pay for such typewriters out of said appropriation upon warrant approved by the State Librarian.

The following Bill and Resolution were reported favorably by the majority of the respective committees as follows **HJR 1**, by Rules; **SB 10**, by Public Health.

The Chief Clerk of the House informed the Senate that the House had concurred in **SJR 1**.

On motion of Mr. Cabbage the Senate recessed until call of the Chair. Senate met at expiration of recess at 4:05 p.m., Lt. Gov. Bayard presiding.

On motion of Mr. Dolby, **SJR 2**—"Appointing Directors on the Part of the State for the Farmers' Bank of the State of Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On the question, "Shall the Bill pass the Senate?" the yeas and nays were ordered, which being taken, were as follows:  
Yeas—Messrs. Barnard, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb—15.

Nays—None.

Absent—Dr. Benger.

Not Voting—Mr. Cannon.

So the question was decided in the affirmative, and the Resolution having received the required constitutional majority passed the Senate and was ordered to the House for concurrence on Jan. 22, 1951.

Mr. Cannon introduced the following Resolution, which on further motion by him was adopted: **SR 16**—"In Reference to Election of Officers."

BE IT RESOLVED by the Senate of the 116th General Assembly of the State of Delaware that the following named persons be, and they hereby are, elected to the respective offices appearing opposite their names, to serve during the pleasure of the Senate:

Attorneys' Messenger—Charles J. Cannon

Stenographer—Grace E. Kearney

Attorneys' Messenger—John Neher

On motion of Mr. Reilly, the oath of office was given to those persons named in **SR 16**, by Lt. Gov. Bayard, President of the Senate.

On motion of Mr. Peeney the Senate adjourned until 1 p.m., Tues., Jan. 23, 1951.

## 12TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1 p.m., Tues., Jan. 23, 1951, Mr. President Pro Tem, R. Allen Cannon presiding. Prayer by the Chaplain, Rev. Spry: "O Thou, in Whose

presence, my soul takes delight, On Whom in affliction we call."

As Thou art all-wise, O Lord, Thou and Thou alone knowest the delight that is ours, as we walk and commune with Thee. Likewise Thou knowest how freely the individual calls upon Thee, once affliction overtakes him, or he finds himself confronted by problems too grave for the human mind.

Lest we forget, help us to be as free to approach Thy Throne, when it is well with us, as when confronted by trials or trouble. To that end:—

We ask Thy guidance upon His Excellency, our Governor and his aids; our Lieutenant Governor and his leaders; the Speaker of the House and his leaders; and upon these learned attorneys; the kind and obliging attaches; the distinguished visitors who frequent these halls, and our colleagues of the cloth.

Bless us all and make us a blessing. In the Name of Our Lord. Amen.

Members present—Messrs. Barnard, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Steen, Mr. Pres. Pro Tem—12.

Members absent—Messrs. Benger, Longbotham, Powell, Reilly, Webb—5.

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

The Chair announced that Messrs. Benger and Longbotham were necessarily absent.

Mr. Webb asked to be marked present.

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

**SB 32**—"An Act to Prescribe Minimum Wage and Over-time Compensation Standards for All Employees, to Provide for the Further Determination and Establishment of Minimum Wages and Supporting Standards by Occupation and to Provide for Enforcement of Such Provisions," by Klair; to Revised Statutes.

On motion of Mr. Peeney the Senate recessed until 2:30 p.m.

Senate met at expiration of recess at 3:25 p.m., Lt. Gov. Bayard presiding.

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

**SB 33**—"An Act to Amend Chapter 78 of the Revised Code of Delaware, 1935, as Amended, Relating to Legal Holidays," by Cabbage; to Revised Statutes.

Messrs. Reilly, Longbotham, Powell asked to be marked present.

The Chief Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following: **HB 2**—"An Act Appropriating Money to the American Legion, Department of Delaware."

**HB 5**—"An Act Appropriating Money to the Veterans of Foreign Wars, Department of Delaware."

**HB 19**—"An Act Authorizing the Levy Court of Sussex County to Appropriate County Monies to the Milton Volunteer Fire Company for the Maintenance of an Ambulance."

**HB 31**—"An Act Authorizing the Levy Court of Kent County to Appropriate County Monies to the Hartly Volunteer Fire Company for the Maintenance of an Ambulance."

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

**SB 34**—"An Act to Amend Chapter 176 of the Revised Code of Delaware, 1935, Relating to Alcoholic Liquors, Wines and Beer, by Changing the Designation of Holidays as Named and Defined Therein," by Reilly; to Temperance.

**SB 35**—"An Act Proposing an Amendment to Article VIII of the Constitution of the State of Delaware, Relating to the Expenditure of Highway Funds," by Cubbage; to Revised Statutes.

Mr. Cannon introduced the following Resolution, which on further motion by him was adopted: **SR 17**—"Authorizing the State Librarian to Supply the Revised Code of Delaware, 1935, and Volumes 41 Through 47, Inclusive, Laws of Delaware and Volume 48, Laws of Delaware, When the Same Is Compiled and Published, to Members of the Senate and Certain Officers Thereof."

BE IT RESOLVED, by the Senate of the 116th General Assembly, that the State Librarian be and she is hereby instructed to furnish to the President of the Senate, to each member of the Senate, to the Secretary of the Senate and to the Attorneys of the Senate, respectively, one copy of the Revised Code of Delaware, 1935, and Volumes 41 through 47, inclusive, Laws of Delaware, and Volume 48, Laws of Delaware, when the same is compiled and published.

The Chair presented **HB 2**, **HB 5**, **HB 19**, **HB 31**, which were given first and second reading, the second by title only, and referred to the Committee on Finance.

On motion of Mr. Cubbage the Senate adjourned until 1 p.m., Wed., Jan. 24, 1951.

### 13TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1 p.m., Wed., Jan. 24, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Spry: Our Heavenly Father, though we be human finite beings, we are quick to realize that,



in tribulations, Thou art our only refuge, and in sorrow our greatest joy.

May we also realize that our greatest success or victories are to be found in Thee.

As Thou has been our guide in ages past, we must believe that Thou wilt guide in the present, if we but allow it thus.

Therefore, may we as individuals or groups, Yea! as Senators and Representatives place our hands in Thine, to be led by Thee, thru this day and the days that are ahead.

Guide Thou, the President of these United States, and his leaders; and the leaders of all nations; and help each individual to be loyal, willing subjects and make us workmen that needeth not to be ashamed. In the Name of our Lord and King. Amen.

Members present—Messrs. Barnard, Bengier, Crossley, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. Pres. Pro Tem—13.

Members absent—Messrs. Burris, Cabbage, Johnson, Powell—4.

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

The Chair announced that Mr. Johnson would be present later in the afternoon.

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

**SB 36**—"An Act to Amend Chapter 163 of the Revised Code of Delaware, 1935, as Amended, Relating to the Delaware Racing Commission, by Providing for Payment to the State, Ninety Days After the Close of Any Race Meeting, of All Funds in Hand Due to the Failure of Owners or Holders of Pari-Mutuel Tickets to Collect Their Share of the Pari-Mutuel or Totalizator Pools," by Klair; to Revised Statutes."

**SB 37**—"An Act to Amend Chapter 49, of the Revised Code of Delaware, 1935, Entitled 'Coroners' by Repealing a Part Thereof Relating to the Deputy Coroner for New Castle County," by Reilly and Peeney; to Revised Statutes.

**SB 38**—"An Act to Amend Chapter 144, Volume 45, Laws of Delaware, Relating to the Bureau of Registration of New Castle County, by Increasing the Salary of the Secretary of the Bureau of Registration," by Reilly and Peeney; to Finance.

**SB 39**—"An Act to Provide That the Shell Fisheries Commission Rather Than the Board of Game and Fish Commission Shall Be Exclusively Authorized and Directed to Enforce the Laws of the State of Delaware Relative to Fishing in the Delaware River and Delaware Bay Within the Jurisdiction of the State of Delaware and in the Atlantic Ocean Within Three Nautical Miles of the Coast Line of This State," by Webb; to Fish, Oysters and Game.

On motion of Mr. Cannon, the Senate recessed until 2:30 p.m.

Senate met at expiration of recess at 2:45 p.m., Lt. Gov. Bayard presiding.

Messrs. Cabbage, Burris, Johnson, Powell asked to be marked present.

Messrs. Peeney and Cabbage introduced the following Resolution, which on further motion was adopted: **SR 18**—  
“Relative to the Death of E. Paul Burkholder.”

WHEREAS, the Senate of the 116th General Assembly has learned with regret of the passing of former Senator E. Paul Burkholder, a resident of Dover, Delaware; and

WHEREAS, former Senator Burkholder has served his State faithfully and well during the sessions of General Assembly from 1947 to 1949; and

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

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

That the members of the 116th General Assembly do hereby give expression to the regret they experienced at the passing of E. Paul Burkholder a former Senator and a prominent figure in his community; and

BE IT FURTHER RESOLVED, that the family of the deceased has the full sympathy of the members of the 116th General Assembly which is extended by sending a copy of this resolution to the members of his immediate family; and

BE IT FURTHER RESOLVED, that the text of this resolution be made a part of the Journal of the proceedings of the State Senate of the 116th General Assembly.

Messrs. Peeney and Cabbage introduced the following Resolution, which on further motion was adopted: **SR 19**—  
“Relative to the Death of James S. Evans.”

WHEREAS, the Senate of the 116th General Assembly has learned with regret of the passing of former Senator James S. Evans, a resident of Wilmington, Delaware; and

WHEREAS, former Senator Evans has served his State faithfully and well during the sessions of General Assembly from 1947 to 1949; and

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

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

That the members of the 116th General Assembly do hereby give expression to the regret they experienced at the passing of James S. Evans a former Senator and a prominent figure in his community; and

BE IT FURTHER RESOLVED, that the family of the deceased has the full sympathy of the members of the 116th General Assembly which is extended by sending a copy of this resolution to the members of his immediate family; and

BE IT FURTHER RESOLVED; that the text of this resolution be made a part of the Journal of the proceedings of the State Senate of the 116th General Assembly.

On motion of Mr. Klair, **SB 10**—"An Act to Amend Article 27 of Chapter 100 of the Revised Code of Delaware, 1935, Relating to Pure Food, by Prescribing the Terms and Conditions upon Which Oleomargarine, Either White or Yellow in Color, May Be Manufactured, Sold, Served in Eating Houses, and Displayed for Sale," was taken up for consideration and read by title and enacting clause, a third time by paragraphs in order to pass the Senate.

Mr. Barnard introduced **SA 1**, which was read.

Mr. Klair asked that copies of the Amendment be made available to the members for study before consideration.

The Chair declared a recess until call of the Chair.

Senate called to order 3:15 p.m. by Lt. Gov. Bayard.

The Chair requested roll call on **SA 1** to **SB 10**.

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

Yeas—Messrs. Barnard, Benger, Burris, Crossley, Cubbage, Johnson, Longbotham, Pedrick, Peeney—9.

Nays—Messrs. Dolby, Handsberry, Klair, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—8.

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

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

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

Nays—None.

So the question was decided in the affirmative, and the Bill having received the required constitutional majority, passed the Senate and was ordered to the House for concurrence on Jan. 24, 1951.

Request that the following be stricken from the Calendar was granted—**SB 23** to Webb.

Mr. Cubbage requested that Mr. Burris be listed as co-sponsor with Mr. Cubbage on **SB 35**.

On motion of Mr. Steen, **SB 5**—"An Act to Repeal Chapter 217, Volume 43, Laws of Delaware, 1941, Entitled 'An Act Creating a Board of Trustees to Manage and Control the Prison, Prison Farm, Courthouse and Courthouse Annex of Sussex County; Providing for the Appointment of Members

of the Board, Their Terms of Office, Qualifications and Expenses, Their Powers and Duties; Providing for the Payment of the Expense of Such Management and Control by the Levy Court of Sussex County; Providing for the Custody, Care, Control, Labor and Compensation of Prisoners in Said Prison, and Providing for a System of Bookkeeping and Inventory of Property," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

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

Yeas—Messrs. Crossley, Cubbage, Dolby, Handsberry, Klair, Reilly, Steen, Webb, Mr. President Pro Tem—9.

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

Absent—Mr. Longbotham—1.

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 on Jan. 24, 1951.

Mr. Cannon introduced the following Resolution, which on further motion by him was adopted: **SR 20**—"Authorizing the State Librarian to Furnish Stationery and Supplies to Certain Officers and Attaches of the Senate."

BE IT RESOLVED by the Senate of the 116th General Assembly of the State of Delaware that the State Librarian be and he hereby is authorized and directed to furnish to all those officers and attaches of the Senate other than those specifically named in Senate Resolution No. 11 of the 116th Session of the General Assembly, stationery and other supplies as ordered by them respectively, the cost of which shall not exceed the sum of Ten Dollars (\$10.00) for each such officer or attache during the first thirty (30) legislative days of the present session.

Mr. Burris requested a roll call.

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

Yeas—Messrs. Barnard, Benger, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—Mr. Burris—1.

Absent—Mr. Longbotham—1.

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

The following Bills were reported favorably by the majority of the respective committee as follows: **HB 2**, **HB 5**, **HB 19**, **HB 31**, by Finance.

On motion of Mr. Peeney the Senate adjourned until 1 p.m., Thurs., Jan. 25, 1951.

### 14TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1 p.m., Thurs., Jan. 25, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Spry: As servants of this commonwealth, chosen and elected by the people from among the hills and streets of New Castle, the orchards and fields of Kent, the forests and plains, and from the shores of Sussex, hence chosen for a purpose—May that purpose, Our Father, so loom before us that we may more and more appreciate the responsibility resting upon us.

As Thou art the burden-bearing Christ, may we so lean upon Thy mighty arm that we may find in Thee the solace we need.

We are happy that we are where we are. Help us, Thou Almighty One, to be faithful co-laborers with Thee, for the sake of our Country; for this our commonwealth, and for the blessing of humanity.

To that end, we implore Thy blessing upon these our colleagues of this General Assembly and their constituents; and upon our boys and girls in the service of our country, and all their loved ones; and especially would we ask, Thy guidance upon their leaders.

We ask it all for Thy Name's sake. Amen!

Members present — Messrs. Barnard, Benger, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Webb, Mr. Pres. Pro Tem—14.

Members absent—Messrs. Powell, Reilly, Steen—3.

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

The Chair presented **HJR 1**—"Appointing a Bill Clerk for the House of Representatives and a Bill Clerk for the Senate to Serve During the 116th Session of the General Assembly," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Webb, Mr. President Pro Tem—14.

Nays—None.

Absent—Messrs. Powell, Reilly, Steen—3.

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

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

**SB 40**—"An Act to Amend Chapter 20 of the Revised Code of Delaware, 1935, as Amended, Relating to the Insurance Department and More Particularly to Life Insurance, in Reference to the Investment of Funds of Insurance Companies and the Method of Calculating Reserves," by Webb; to Banking and Insurance.

**SB 41**—"An Act Relating to the Transportation of Public School Pupils by Providing for the Transportation Thereof in Privately Owned School Busses and Directing the State Board of Education to Dispose of All State Owned Busses," by Cannon; to Education.

**SB 42**—"An Act to Amend Chapter 12, Revised Code of Delaware, 1935, as Amended, Entitled 'Salaries of State Officers,' by Increasing the Salary of the Deputy and Clerk of the Insurance Commissioner's Office," by Burris; to Finance.

On motion of Mr. Cabbage the Senate recessed until 2:30 p.m.

Senate met at expiration of recess at 3:55 p.m.

Messrs. Steen, Reilly, Powell asked to be marked present.

The President, Lt. Gov. Bayard announced that he was about to sign **SJR 1**.

The following Bills were reported favorably by the majority of the respective committees as follows: **SB 29**, **SB 30**, by Elections; **SB 39**, by Fish, Oysters and Game.

Mr. Crossley introduced the following Resolution, which on further motion by him was adopted: **SR 21**—"Authorizing the State Librarian to Purchase Four (4) Metal Costumers and One (1) Metal Cabinet for the Use of the Senate, Appropriating the Necessary Funds Therefor and Providing for the Payment Thereof."

**BE IT RESOLVED** by the Senate of the 116th General Assembly of the State of Delaware, that the State Librarian be, and is hereby authorized and directed to purchase of and from Butler's, Inc., Wilmington, Delaware, four (4) metal costumers for the price of Sixteen Dollars and Fifty Cents (\$16.50) each, delivered, for the use of the Senate of the General Assembly for the State of Delaware; and, further,

**BE IT RESOLVED**, that the State Librarian be and is hereby authorized and directed to purchase of and from Butler's, Inc., Wilmington, Delaware, one (1) metal cabinet approximately 72 x 36 x 30 inches for the price of One Hundred Forty-eight Dollars and Seventy-one Cents (\$148.71), delivered, for the use of the Senate of the General Assembly for the State of Delaware, and, further,

**BE IT RESOLVED**, that the sum of Two Hundred Thirteen Dollars and Thirty-one Cents (\$213.31) be, and the same hereby is, appropriated out of the General Fund of the Treasury of the State of Delaware for the purchase thereof; and, further,

**BE IT RESOLVED**, that the State Treasurer of the State of Delaware be, and he hereby is, authorized and directed to

pay for such costumers and cabinet out of said appropriation upon warrant approved by the State Librarian.

On motion of Mr. Cabbage the Senate adjourned until 1 p.m., Fri., Jan. 26, 1951.

### 15TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1 p.m., Fri., Jan. 26, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Spry: We reverence the day, O Lord, when at mother's knee, we learned to lisp Thy name and call Thee Father.

We come today with no faltering or stammering tongue, but we come in that childlike faith which characterized our call from mother's knee, and we still call Thee Father.

Father! We thank Thee for the disclosure of the Divine nature. When we are faint, Thy healing balm is near; when we are weary, Thy staff gives support; when we stumble, Thine Own hand is out-stretched to lift us up. Give Thou wisdom and counsel to the deliberations of this day.

May all our homes be under the protecting care of Divine Love.

If any have grave sorrows, or heavy cares, or feel the weight of a cross, may they find in Thee a very present help in each hour of need. In the Name of the Father. Amen.

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

Members absent—Messrs. Powell, Reilly—2.

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

Mr. Peeney moved that the vote on **SB 10** with **SA 1** be reconsidered.

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

Yeas—Messrs. Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Steen, Webb, Mr. President Pro Tem—13.

Nays—Messrs. Barnard, Longbotham—2.

Absent—Messrs. Powell, Reilly—2.

So the question was decided in the affirmative and **SB 10** with **SA 1** was reconsidered.

Mr. Reilly asked to be marked present.

On motion of Mr. Peeney **SA 1** to **SB 10** was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Mr. Barnard—1.

Nays—Messrs. Benger, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. Pres. Pro Tem—15.

Absent—Mr. Powell—1.

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

On motion of Mr. Peeney, **SB 10**—"An Act to Amend Article 27 of Chapter 100 of the Revised Code of Delaware, 1935, Relating to Pure Food, by Prescribing the Terms and Conditions upon Which Oleomargarine, Either White or Yellow in Color, May Be Manufactured, Sold, Served in Eating Houses, and Displayed for Sale," 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. Benger, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. Pres. Pro Tem—14.

Nays—Messrs. Barnard, Longbotham—2.

Absent—Mr. Powell—1.

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

The Clerk of the House, informed the Senate that the House had passed and requested the concurrence of the Senate in the following:

**HB 3**—"An Act Appropriating Money to the Disabled American Veterans of Delaware."

**HB 21**—"An Act Appropriating Monies for Education and Training of Children of Veterans of World War I and World War II Who Died While in the Service of the Army, Navy, Marine Corps or Coast Guard of the United States or Who Died from Disease, Wounds or Disabilities Resulting from Such Service."

**HB 32**—"An Act Making Appropriations to The American Legion, Department of Delaware and The Veterans of Foreign Wars, Department of Delaware, for the Furnishing of Services to Veterans and Their Dependents by the Duly Constituted Department Service Officers of Said Organizations."

**HB 34**—"An Act Authorizing the Levy Court of Kent County to Appropriate County Monies to David C. Harrison Post No. 14, Inc., American Legion, for the Maintenance of an Ambulance."

**HB 57**—"An Act Appropriating Money to Certain Fire



Companies in the State of Delaware Which Maintain and Operate an Ambulance."

**HB 64**—"An Act Appropriating Money to Layton Home for Aged Colored Persons."

The following Substitute Bill with title the same as the Original Bill was introduced, given first and second readings by title only, and referred to committee as follows: **SS** for **SB 9**—"An Act to Amend Chapter 196, Volume 22, Part One, Laws of Delaware, Being an Act Establishing a Board of Public Works for the Town of Lewes and Defining Its Powers, by Extending to the Said Board of Public Works the Authority to Purchase and Have Housed and Installed Certain Machinery for the Electric Light and Power Plant at Lewes on Conditional Sales Contracts, and to Pledge the Revenues from the Utility for the Payment of the Cost Thereof," by Johnson; to Municipal Corporations.

On motion of Mr. Webb the Senate recessed until 3:30 p.m.

Senate met at expiration of recess at 4:50 p.m., Lt. Gov. Bayard presiding.

Mr. Powell asked to be marked present.

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

**SB 43**—"An Act to Amend Chapter 176, Revised Code of Delaware, 1935, with Reference to Alcoholic Liquor, Wines and Beer, by Providing That the Commission Shall Not Make Any Rules or Regulations or Otherwise Concern Itself with Respect to the Payment of Alcoholic Liquor or Beer Purchased by Holders of a License from a Manufacturer or Importer," by Peeney; to Temperance.

**SB 44**—"An Act to Amend Chapter 53 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Salaries of Certain County Officers,' with Respect to the Salaries of Certain Officers, Deputies and Clerks of Certain of the County Offices of Kent and Sussex Counties," by Steen; to Finance.

**SB 45**—"An Act to Authorize and Direct the State Treasurer to Honor Certain Payments from the Debt Service Account of the Selbyville School District No. 32 for Current Expenses of Said School District," by Powell; to Miscellaneous.

**SB 46**—"An Act to Amend Chapter 45 of the Revised Code of Delaware, 1935, as Amended, Entitled 'County Treasurers and Collection of Taxes,' with Respect to the Salaries of the Receivers of Taxes and County Treasurers, Their Deputies and Clerks of Kent and Sussex Counties," by Cannon; to Finance.

**SB 47**—"An Act to Amend Chapter 14, Volume 41, Laws of Delaware, 1937, Relating to Occupational Licenses by Redefining Finance Acceptor," by Dolby; to Banking and Insurance.

**SB 48**—"An Act to Amend Chapter 624, Volume 18, Laws

of Delaware, Relating to the Charter of 'The Lombardy Cemetery Company,' of Brandywine Hundred, New Castle County and State of Delaware, by Providing for the Sale of Lands Considered Undesirable for Cemetery Purposes by the Board of Directors and Stock Holders," by Reilly; to Miscellaneous.

**SB 49**—"An Act to Amend Chapter 90 of the Revised Code of Delaware, 1935, Entitled 'Employers and Employees,' Particularly Relating to the Employment of Minors in Places Selling and Dispensing Intoxicating Liquors," by Reilly; to Labor.

The following Bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SB 4** (unfavorably), **SB 12**, **SB 14**, **SB 18**, **SB 38** (on their merits), **SB 15**, **SB 16**, **SB 19**, **SB 22** (favorably), by Finance.

On motion of Mr. Cannon, **HB 2**—"An Act Appropriating Money to the American Legion, Department of Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

Nays—None.

Absent—None.

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

On motion of Mr. Cannon, **HB 5**—"An Act Appropriating Money to the Veterans of Foreign Wars, Department of Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

Nays—None.

Absent—None.

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

On motion of Mr. Cannon, **HB 19**—"An Act Authorizing the Levy Court of Sussex County to Appropriate County Monies to the Milton Volunteer Fire Company for the Maintenance of an Ambulance," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Bengier, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. Pres. Pro Tem—17.

Nays—None.

Absent—None.

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

On motion of Mr. Cannon, **HB 31**—"An Act Authorizing the Levy Court of Kent County to Appropriate County Monies to the Hartly Volunteer Fire Company for the Maintenance of an Ambulance," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Bengier, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. Pres. Pro Tem—17.

Nays—None.

Absent—None.

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

The Sergeant-at-Arms announced a message from the Governor. Hon. Harris B. McDowell, Jr., Secretary of State, was admitted and presented to the President of the Senate, Lt. Gov. Alexis I. duPont Bayard, a message from His Excellency Elbert N. Carvel, Governor of Delaware.

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

On motion of Mr. Cabbage the Senate adjourned until 1 p.m., Mon., Jan. 29, 1951.

## 16TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1 p.m., Mon., Jan. 29, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Spry: With grateful hearts, we bow in Thy presence, Our Lord and Saviour with words of the Psalmist on our lips, and say to him: "Bless the Lord, O my soul: and all that is within me, bless His Holy Name. Bless the Lord, O my soul, and forget not all His benefits.

We are grateful unto Thee, that we can call Thee Father. We are grateful unto Thee for life, and for health, and for the opportunity to serve.

We would thank Thee Father that we are deemed worthy

to serve this grand Commonwealth, Delaware, our Delaware, by taking a part in this august body.

We love our State for what she is and for what she ought to be; therefore may we not be satisfied with her achievements of the past, but rather, may we be instruments in Thy hands to bring her to heights unachieved, yea! to heights undreamed of, in days gone by.

With this aspiration as our goal, we implore Thy guidance upon this Senate, and the House of Representatives, throughout this day, and the days that are ahead; and also upon all who are in authority. In the Name of Jesus, Our Lord. Amen!

Members present—Messrs. Barnard, Bengner, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Reilly, Steen, Webb, Mr. Pres. Pro Tem—14.

Members absent—Messrs. Burris, Peeney, Powell—3.

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

The Chair announced that Mr. Burris has been necessarily delayed but will report later this Legislative Day.

Mr. Peeney asked to be marked present.

The following Resolution was introduced, given first and second reading, the second by title only, and treated as follows: **SCR 4**—"In Opposition to Any Form of World Government."

WHEREAS, the Sovereignty Preservation Council of Delaware, composed of the Veterans of Foreign Wars, The American Legion, The National Sojourner's Council of Polish Societies and Clubs in the State of Delaware are interested in the Resolution presented below: and

WHEREAS in 1943, a resolution was introduced into the General Assembly asking it to petition the Congress of the United States to call a conference of Nations to create a Limited World Government, and said resolution failed to pass; and

WHEREAS again in 1949, a similar resolution was introduced into the General Assembly and it also failed to pass; and

WHEREAS a World Government would deprive the citizens of the United States of inalienable rights, privileges and immunities now guaranteed by the Constitution of the United States; and

WHEREAS in the present crises it is highly important that the citizens of the United States present a united front against any and all forces that tend to destroy our American Heritage; and

WHEREAS Delaware was the first State to ratify the Constitution of the United States and therefore should be the last to take any action which would weaken or destroy it; and

WHEREAS the General Assembly is composed of Senators and Representatives, elected by the people of Delaware, who are sworn to uphold, protect and defend the Constitution

of the United States and the Constitution of the State of Delaware:

THEREFORE, BE IT RESOLVED by the Senate of the State of Delaware, the House of Representatives concurring therein, that the General Assembly of Delaware is unalterably opposed to any and all plans, programs and proposals which tend toward the development of any form of World Government," by Cubbage and Longbotham.

On motion of Dr. Benger, action on **SCR 4** was deferred.

On motion of Mr. Klair the Senate recessed until 2:45 p.m.

Senate met at expiration of recess at 4:30 p.m., Lt. Gov. Bayard presiding.

Messrs. Burris and Powell asked to be marked present.

The Chair presented **HB 3, HB 21, HB 32, HB 34, HB 57, HB 64**, which were given first and second reading by title only and referred to the Committee on Finance.

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

**SB 50**—"An Act to Amend Chapter 101 of the Revised Code of Delaware, 1935, Entitled 'Jails and Workhouses,' in Respect of the Salary of the Parole Officer," by Peeney; to Revised Statutes.

**SB 51**—"An Act to Amend Chapter 53 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Salaries of Certain County Officers,' by Increasing the Salaries of Certain County Officers of New Castle County," by Peeney and Reilly; to Finance.

**SB 52**—"An Act to Amend Chapter 176 of the Revised Code of Delaware, 1935, Relating to Alcoholic Liquors, Wines and Beer, by Changing the Designation of Holidays as Named and Defined Therein," by Reilly; to Revised Statutes.

**SB 53**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, Entitled: 'Fish, Oysters and Game' with Respect to Hunting, Fishing and Trapping Licenses Issued by the Board of Game and Fish Commissioners for Residents," by Webb; to Fish, Oysters and Game.

**SB 54**—"An Act to Repeal Chapter 74, of the Revised Code of the State of Delaware, 1935, as Amended, Relating to Fish, Oysters and Game, by Providing for the Season Within Which Diamond Back Terrapin May Be Taken and Killed," by Webb; to Fish, Oysters and Game.

Requests that the following be stricken from the Calendar were granted to Members as follows: **SB 13, SB 14**, Peeney; **SB 34**, Reilly.

The following Bills were reported favorably (unless otherwise indicated) by the majority of the respective committees as follows: **SS 1** for **SB 17** (on its merits), by Finance; **SB 47**, by Banking and Insurance.

Messrs. Cubbage and Peeney introduced the following

Resolution: **SR 22**—"Appropriating Money to Pay for Bronze Plaque for the Senate Chamber."

WHEREAS, Order M-12 and amendment No. 1 thereto of the National Production Authority states that no bronze will be used after March 1, 1951, for Memorial Plaques or Ornamentation, and

WHEREAS, it is necessary if a plaque is to be placed on the walls of the Senate Chamber listing the members of the Senate for the 116th General Assembly to make provision for same at this time: NOW, THEREFORE,

BE IT RESOLVED, by the Senate of the 116th General Assembly of the State of Delaware that the sum of Two Hundred Forty Dollars (\$240.00) be and the same is hereby appropriated out of the General Fund of the State Treasury, from monies not otherwise appropriated; for the payment of a bronze plaque and the installation thereof in the Senate Chamber, said plaque containing the names of the members of the Senate of the 116th General Assembly, and the State Treasury is hereby authorized and directed to pay the aforesaid sum upon warrants duly signed by the President and Secretary of the Senate, said sum so appropriated being a part of the expenses of the Senate.

Mr. Klair asked for a roll call.

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

Yeas — Messrs. Barnard, Crossley, Cubbage, Dolby, Handsberry, Klair, Longbotham, Peeney, Powell, Reilly, Steen, Webb, Mr. Pres. Pro Tem—13.

Nays—Messrs. Bengier, Burris, Johnson, Pedrick—4.

Absent—None.

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

Mr. Cubbage introduced the following Resolution, which on further motion by him was adopted: **SR 23**—"In Respect of the Glee Club of Delaware State College."

WHEREAS, prior sessions of the General Assembly of the State of Delaware, while in joint session, have been entertained by able and outstanding performances of the Glee Club of Delaware State College; and

WHEREAS, the Senate of the 116th General Assembly of the State of Delaware, now in session, has been advised that the present Glee Club of Delaware State College is possessed of outstanding talent and ability, therefore,

BE IT RESOLVED by the Senate of the 116th General Assembly of the State of Delaware, that the President thereof be, and he is hereby authorized and directed to appoint a Committee of two (2) members of this Senate; which Committee in turn, is authorized and directed to communicate with the Dean of Delaware State College, at Dover, and ascer-

tain, whether or not the Glee Club of Delaware State College would accept an invitation to entertain a Joint Session of the 116th General Assembly of the State of Delaware upon the occasion of the anniversary of the birthday of Abraham Lincoln on February 12th next, during the afternoon of said day; and which Committee shall then report its findings to this Senate with the respect thereto.

The Chair appointed Messrs. Cabbage and Peeney to this Committee.

Mr. Cabbage introduced the following Resolution, which on further motion by him was adopted: **SR 24**—"With Regard to the President of the Senate and His Family."

WHEREAS, a Divine Providence hath heretofore blessed the home of the President of the Senate of the 116th General Assembly of the State of Delaware and his charming wife with the birth of three fine sons; and

WHEREAS, the Senate of the 116th General Assembly of the State of Delaware is informed that on Saturday last this same Divine Providence hath further blessed this distinguished family with the advent of a lovely and charming daughter, therefore,

BE IT RESOLVED, that the Senate of the 116th General Assembly of the State of Delaware unanimously do hereby extend unto the Honorable Alexis I. duPont Bayard, the President thereof, and his charming wife, Mrs. Bayard, their heartfelt congratulations upon the birth of a daughter on Saturday, January 27, A. D. 1951; and, further,

BE IT RESOLVED, that a copy of this Resolution be forwarded to the Honorable and Mrs. Alexis I. duPont Bayard.

Mr. Peeney moved that a copy of this Resolution be made a part of the Journal. Motion prevailed.

On motion of Mr. Cabbage the Senate adjourned until 1 p.m., Tues., Jan. 30, 1951.

### 17TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1 p.m., Tues., Jan. 30, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Bundick: Our Heavenly Father, we thank thee for the gift of Thy Son to our world. We are thankful that He lived as human among us. We thank thee for the comforting presence of the sympathizing Jesus.

As he walked on earth he knew what it meant to be tired, to feel sharp stabs of pain, to be hungry and thirsty. There were times when he was forgotten and lonely.

We are happy that he came to show us how to live the "more abundant life"—to share life with us. Having lived on earth he understands the things that we are called upon to bear.

We know that Thou, O God, in the name of Jesus, art able to do more than we ask or think. So, we ask thee to bless

us, each one, not according to what we deserve, but according to the riches in the glory of Christ Jesus, our Lord. Amen.

Members present—Messrs. Barnard, Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. Pres. Pro Tem—13.

Members absent — Messrs. Benger, Burris, Johnson, Powell—4.

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

Messrs. Benger and Johnson asked to be marked present.

Communication: 1 against **SCR 4**.

Department of Delaware  
VETERANS OF FOREIGN WARS  
of the United States

Wilmington, Delaware  
January 29, 1951

My Dear Legislator:

Undoubtedly your duties are heavy with the pressure of new legislation to be considered at this session and we know that you will study all bills before you with fairness and with the thought of voting what you believe to be your forthright convictions.

We want you, however, to be alerted at this time of national emergency to groups who may approach you during this session, seeking your support for legislation which would commit the State of Delaware to participation in some future conference which would consider one or several forms of world government.

Now that the United Nations stands at the cross roads on its indecision to brand Communist China as an aggressor, and we see this nation standing alone more than at any time in the last ten years to back principles which we believe are just, we feel sure that you will agree this is not the time to discuss ways and means of destroying or weakening the Constitution of the United States.

The Veterans of Foreign Wars has been sincere and vigorous in this fight at attempts to have us join some super-government arrangement. We believe that this country should not join in any coalition or federation which would mean the diminution of our national sovereignty, or weaken or destroy our present form of government.

We have taken the liberty to enclose some literature which you may peruse at your leisure. This does not tell the whole story, but will give you an over-all picture of what attempts are being made, and an analysis of what it would mean to the country. We hope you read every word of it.



Thanking you in advance for any consideration you give this matter, we are

Most cordially yours,  
(Signed) JOHN E. BABIARZ, Commander  
Department of Delaware  
Veterans of Foreign Wars

On motion of Mr. Peeney the Senate recessed until 2:30 p.m.

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

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

**SB 55**—"An Act Appropriating Money to the State Park Commission of Delaware for the Acquisition and Purchase of the Property in New Castle County Formerly Known as 'Brandywine Springs Park,' and Authorizing the Development and Maintenance of the Property so to Be Acquired as a Public Recreational Area," by Klair; to Finance.

Messrs. Burris and Powell asked to be marked present.

The Clerk of the House informed the Senate that the House had passed and requested the concurrence of the Senate in the following:

**HCR 1**—"Fixing the Time After Which No New Bills or Joint Resolutions Shall Be Received by Either House, Except General Appropriation Bills."

**HCR 2**—"Appropriation for Postage Stamps and Other Supplies for the 116th General Assembly."

The Chair presented **HCR 1** and **2**, which were given first and second readings by title only.

Mr. Cabbage moved that **HCR 1** be referred to Committee on Rules. Motion prevailed.

Mr. Cabbage moved that **HCR 2** be referred to Committee on Finance. Motion prevailed.

The following Bills were reported favorably by the majority of the respective committees as follows: **HB 3**, **HB 21**, **HB 32**, **HB 34**, **HB 57**, **HB 64**, by Finance; **SB 24**, **SB 33**, **SB 35**, by Revised Statutes; **SB 27**, by Elections; **SB 40**, by Banking and Insurance; **SB 39**, by Fish, Oysters and Game; **SB 41**, by Education; **SB 45**, by Miscellaneous.

Mr. Cabbage asked if copies of House Bills would be made available to Senate members.

The Chair suggested that the Rules Committee of both House and Senate arrange, if possible, to furnish copies of House Bills to members of the Senate.

Mr. Cabbage stated that since original House Bills would be in the hands of committee chairmen, only the Minority Floor Leader should at least be furnished a copy.

Mr. Peeney stated, that in his opinion, all members should

have copies of House Bills which have been presented to the Senate.

Mr. Cannon stated that the Rules Committee would make a report at a later date.

On motion of Mr. Cubbage the Senate adjourned until 1 p.m., Wed., Jan. 3, 1951.

### 18TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1 p.m., Wed., Jan. 31, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Bundick: Our Gracious Heavenly Father, we ask Thee to bless all who render service to others—all who have dedicated their lives to helpful vocations.

Bless the teachers of our schools who labor so patiently with so little appreciation.

Bless the clerks in the stores, the mailmen, the traffic officers, all those who wait upon a thoughtless public. Often they are the recipients of criticisms, bad manners, and selfishness.

Bless all who have an influence on the lives of others, bless every humble person in these days of stress and strain, help all public servants to preach sermons without words.

In the Name of Christ we pray. Amen.

Members present—Messrs. Benger, Burris, Cubbage, Dolby, Handsberry, Longbotham, Pedrick, Peeney, Reilly—10.

Members absent—Messrs. Barnard, Crossley, Johnson, Klair, Powell, Steen, Cannon—7.

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

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

**SB 56**—"An Act to Amend Chapter 117, Revised Code of Delaware, 1935, as Amended, Relating to Investments of Trustees, Guardians and Other Fiduciaries," by Benger; to Revised Statutes.

The Chair announced that Messrs. Cannon and Steen were necessarily absent.

On motion of Mr. Cubbage the Senate recessed until 2:30 p.m.

Senate met at expiration of recess at 2:35 p.m., Lt. Gov. Bayard presiding.

Messrs. Crossley, Barnard, Klair asked to be marked present.

The following Bill was reported favorably by the majority of the respective committee as follows: **SB 28**, by Municipal Corporations.

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

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

Mr. Johnson asked to be marked present.

On motion of Mr. Cabbage, **HB 3**—"An Act Appropriating Money to the Disabled American Veterans of Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Webb—14.

Nays—None.

Absent—Messrs. Cannon, Powell, Steen—3.

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

On motion of Mr. Longbotham, **HB 21**—"An Act Appropriating Monies for Education and Training of Children of Veterans of World War I and World War II Who Died While in the Service of the Army, Navy, Marine Corps or Coast Guard of the United States or Who Died from Disease, Wounds or Disabilities Resulting from Such Service," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Webb—14.

Nays—None.

Absent—Messrs. Cannon, Powell, Steen—3.

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

On motion of Mr. Reilly, **HB 32**—"An Act Making Appropriations to The American Legion, Department of Delaware and The Veterans of Foreign Wars, Department of Delaware, for the Furnishing of Services to Veterans and Their Dependents by the Duly Constituted Department Service Officers of Said Organizations," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Webb—14.

Nays—None.

Absent—Messrs. Cannon, Powell, Steen—3.

So the question was decided in the affirmative, and the Bill

having received the required constitutional majority, passed the Senate and was returned to the House.

On motion of Mr. Cubbage, **HB 34**—"An Act Authorizing the Levy Court of Kent County to appropriate County Monies to David C. Harrison Post No. 14, Inc., American Legion, for the Maintenance of an Ambulance," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Webb—14.

Nays—None.

Absent—Messrs. Cannon, Powell, Steen—3.

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

On motion of Mr. Cubbage the Senate adjourned until 11 a.m., Fri., Feb. 2, 1951.

## 19TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 11 a.m., Fri., Feb. 2, 1951., Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. W. B. Bundick: Eternal God, Our Heavenly Father, we come into Thy presence on the wings of prayer.

As we look back over our yesterdays we are haunted by our memories. We know that there are many things we should have done that we somehow failed to do. We know that all too often we have disobeyed thy call. Many opportunities to be Christlike knocked on our hearts' door but we would not let them enter. In many things we have failed.

Draw close to us now, we pray. Let thy Spirit enter our hearts and lives. Banish all selfish thoughts. May our wills be lost in thine.

In the Name of Our Master we pray. Amen.

Mr. Cannon, President Pro Tem, suggested that in absence of a quorum, the Senate be in recess until 1 p.m. The Chair so ordered.

Senate called to order by Lt. Gov. Bayard. Roll call.

Members present—Messrs. Barnard, Crossley, Cubbage, Dolby, Johnson, Longbotham, Pedrick, Peeney—8.

Members absent—Messrs. Benger, Burris, Handsberry, Klair, Powell, Reilly, Steen, Webb, Mr. Pres. Pro Tem—9.

Mr. Peeney announced that Messrs. Benger and Burris were in Finance Committee meeting.

Mr. Cubbage announced that Messrs. Cannon, Handsberry and Webb were in Finance Committee meeting.

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

On motion of Mr. Cabbage the Senate recessed until 2:30 p.m.

Senate met at expiration of recess at 3:45 p.m., Lt. Gov. Bayard presiding.

Messrs. Klair, Reilly, Bengel, Powell, Steen, Burris, Webb, Handsberry, Cannon asked to be marked present.

The President announced he was about to sign: **HJR 1, HB 2, 3, 5, 19, 31, 21, 32, 34.**

On motion of Mr. Powell, **SB 45**—"An Act to Authorize and Direct the State Treasurer to Honor Certain Payments from the Debt Service Account of the Selbyville School District No. 32 for Current Expenses of Said School District," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

Nays—None.

Absent—None.

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

On motion of Mr. Cabbage, **SB 6**—"An Act Agreeing to the Proposed Amendment to Article IV of the Constitution of the State of Delaware, Relating to the Judiciary," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Bengel, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—13.

Nays—Messrs. Barnard, Longbotham, Pedrick, Peeney—4.

Absent—None.

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

The following Resolution was reported favorably by the majority of the respective committee as follows: **HCR 2**, by Finance.

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 26**—"An Act to Amend Chapter 54 of the Revised Code of Delaware, 1935, as Amended, Relating to the State Old Age Welfare Commission, by Increasing the Maximum Amount of Assistance."

**HB 42**—"An Act to Amend Chapter 175, Revised Code of Delaware, 1935, as Amended, Entitled 'Delaware Workmen's Compensation Law,' by Increasing the Payments of Compensation Thereunder."

**HB 43**—"An Act to Amend an Act Known and Cited as the 'Unemployment Compensation Act' Being Chapter 258, Volume 41, Laws of Delaware, 1937, as Amended, by Changing the Provision Relative to Benefit Payments."

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

**SB 57**—"An Act Creating a Tuberculosis Commission of Delaware and Setting Forth Its Duties, Powers and Authorities, Including Those Now Performed and Exercised by the State Board of Health in Pursuance of Article 5 of Chapter 25 of the Revised Code of Delaware, 1935, as Amended, Entitled: 'Care and Treatment of Tuberculosis Patients,' " by Webb; to Public Health.

**SB 58**—"An Act to Amend Chapter 44 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Valuation and Assessment of Property,' with Respect to the Salaries and Expenses of the Members of the Boards of Assessment of Kent and Sussex Counties," by Handsberry; to Revised Statutes.

**SB 59**—"An Act Authorizing the State Treasurer to Transfer Certain Balances in the Accounts of Former State Treasurer Benjamin F. Johnson to the General Fund of the State of Delaware," by Barnard; to Accounts.

**SB 60**—"An Act Establishing a Board of Examiners for Contractors of Tile and Mosaic and Terrazzo; Providing for the Examination and Registration of Such Contractors; Making It a Misdemeanor for Such Contractors to Engage in or Perform Mosaic, Terrazzo or Tile Work Without First Registering as a Tile Contractor; and Providing for Registration Fees and Appeals," by Peeney (by request); to Miscellaneous.

On motion of Mr. Cabbage the Senate adjourned until 11 a.m., Mon., Feb. 5, 1951.

## 20TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 11 a.m., Mon., Feb. 5, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Rowleson: In the name of The Father, The Son, and The Holy Ghost. Oh Thou whose mind is the home of Justice and Love, breathe thy spirit into our hearts. Give us to understand and help in the supreme task

of making possible the coming of Thy Kingdom. We thank Thee that the religion of Jesus goes so utterly to the heart of thy purpose for the children of men; that it ever confronts our complacency with its imperative demand that we give ourselves without reservation to removing from life all that is evil, and to multiply all that is good. We thank Thee, our Father, for those whose vision saw ends too great to be reached in their lifetime, yet held their faith unflinching; for those whose courage enabled them to go down to defeat in support of causes they knew to be right and true; for those who have suffered insolence, endured prison, been misrepresented, falsely accused, socially outcast in the service of justice, truth and brotherhood. For all these in whose example we are strengthened and inspired, we lift up thankful hearts of praise.

We pray, O God, for the power to answer thy call as others have answered, that we too may know the deeper joy and satisfaction of serving thee and our fellow men. See Thy way in our lives, O God. We pray in Jesus' name. Amen.

In the absence of a quorum, the Chair announced that the Senate would recess until the call of the Chair.

Senate met at expiration of recess at 1 p.m., Lt. Gov. Bayard presiding.

Members present—Messrs. Barnard, Crossley, Cubbage, Dolby, Johnson, Longbotham, Pedrick, Peeney, Reilly, Steen, Mr. Pres. Pro Tem—11.

Members absent—Messrs. Bengier, Burris, Handsberry, Klair, Powell, Webb—6.

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

On motion of Mr. Peeney the Senate recessed until 2:30 p.m.

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

Messrs. Powell, Klair, Webb asked to be marked present.

Mr. Cubbage informed the Senate that the Glee Club of Delaware State College would be glad to entertain the Senate on Feb. 12, 1951 at the convenience of the Members.

On motion of Mr. Peeney and without objection, the Senate extended an invitation to Delaware State College Glee Club to entertain the Senate on Mon., Feb. 12, 1951 at 2:30 p.m., in celebration of Lincoln's Birthday.

Mr. Dolby introduced the following Resolution, which on further motion by him was adopted: **SR 25**—"Authorizing Payment on Account to Attaches and Employees of the Senate."

**BE IT RESOLVED**, by the Senate of the 116th General Assembly that the State Treasurer be and he hereby is authorized and directed to pay to any attache or employee, who has

been duly appointed by Resolution of the Senate, upon the order of the President Pro Tem of the Senate, sums on account from time to time, not to exceed the total of Two Hundred Dollars (\$200.00) to any one person, on account of services to the present Session of the Senate: Any such sums so paid shall be charged against the salary of the individual attache or employee to whom such sum or sums are paid, and shall be a part of the expenses of this Session of the Senate.

On motion of Mr. Cabbage, **HCR 2**—"Appropriation for Postage Stamps and Other Supplies for the 116th General Assembly," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

On motion of Mr. Cabbage, the Senate adopted **HCR 2** by acclamation.

The Chair ordered **HCR 2** returned to the House.

The Chair declared a recess until Call of the Chair.

Senate met at expiration of recess at 3:45 p.m., Lt. Gov. Bayard presiding.

Messrs. Burris, Handsberry, Dr. Benger, asked to be marked present.

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

**SB 61**—"An Act to Amend Chapter 74, of the Revised Code of Delaware, 1935, as Amended, Entitled 'Fish, Oysters and Game,' by Changing the Dates of the Open Season for Taking of Raccoon and Opossum in Certain Parts of Sussex County," by Steen; to Fish, Oysters and Game.

**SB 62**—"An Act Proposing an Amendment to Section 1 of Article II of the Constitution of the State of Delaware, Providing for the Initiative and Referendum," by Reilly; to Revised Statutes.

**SB 63**—"An Act Creating a Department of Labor and Industrial Relations for the State of Delaware Under the Supervision and Direction of a Commissioner, Transferring the Board of Boiler Rules, the Industrial Accident Board and the Unemployment Compensation Commission to Said Department as Divisions Thereof, Abolishing the Labor Commission of Delaware and Transferring the Powers and Duties Thereof to Said Department, and Prescribing the Powers and Duties of Said Department, Its Commissioner and Divisions," by Klair; to Labor.

**SB 64**—"An Act Establishing the Office of State Fire Marshal, Defining Powers and Duties and Making an Appropriation Therefor," by Reilly and Peeney; to Finance.

Request that the following be stricken from the Calendar was granted to Member as follows: **SB 4**, Reilly.



The Chief Clerk of the House informed the Senate that the House had passed and requested concurrence of the Senate in **HCR 3**, which was given first and second reading.

Mr. Peeney moved that the Senate unanimously adopt **HCR 3**—"Extending the Sympathy of the House of Representatives and Senate unto Honorable Harvey H. Lawson upon the Death of His Brother, Bird Lawson."—Motion prevailed.

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

Senate met at expiration of recess at 4:05 p.m.

On motion of Mr. Peeney the Senate adjourned until 11 a.m., Wed., Feb. 7, 1951.

## 21ST LEGISLATIVE DAY

Senate met pursuant to adjournment at 11 a.m., Wed., Feb. 7, 1951.

Prayer by the Chaplain, Rev. Rowlensen: In the name of The Father, The Son, and The Holy Ghost.

Eternal God, our Heavenly Father, under the canopy of Thy goodness we gather in this Legislative Hall in faith and fellowship, lifting our hearts in praise, thanksgiving, and adoration. Grant that all may escape from the loneliness in which we live into the freedom of a common aspiration and the joy of common communion. To Thy greatness we bring our littleness. To Thy power we bring our weakness. To Thy abundant grace we bring our hearts to be healed and cleansed and made pure by Thy purity. Our Father, the days are Thine; the work is Thine; we are Thine. Teach us how to adventure in Thy name and trust in Thy truth. In Jesus' name we pray, Amen.

Members present—Messrs. Barnard, Burris, Crossley, Cubbage, Dolby, Johnson, Klair, Longbotham, Pedrick, Peeney—10.

Members absent—Messrs. Benger, Handsberry, Powell, Reilly, Steen, Webb, Cannon—7.

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

Mr. Cubbage stated that Messrs. Benger, Cannon, Handsberry, Webb were necessarily absent because of Budget hearings.

On motion of Mr. Cubbage the Senate recessed until 2:30 p.m.

Senate met at expiration of recess at 2:45 p.m., Lt. Gov. Bayard presiding.

On motion of Mr. Cubbage the Senate adjourned until 11 a.m., Thurs., Feb. 8, 1951.

## 22ND LEGISLATIVE DAY

Senate met pursuant to adjournment at 11 a.m., Thurs., Feb. 8, 1951., Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Rowlensen: In the name of The Father, The Son and The Holy Ghost.

O God our Father, make within us a keener sense of our filial relationship to Thee and our child-like dependence on Thy care. Out of a gratitude that knows no bounds may we as recipients of Thy fatherly love continually seek Thee in prayer. May we find as we pray, supreme joy in praise and adoration. Fill our hearts with gladness that we know Thee as our Father and that we share Thy love with all its bounty for this world and its precious promises for the next. And now—let the words of our mouths and the meditations of our hearts be acceptable in Thy sight, O Lord, our strength and our Redeemer. In Jesus' name.—Amen.

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

Senate met at expiration of recess at 3:50 p.m., Lt. Gov. Bayard presiding.

Members present—Messrs. Barnard, Crossley, Cubbage, Dolby, Handsberry, Klair, Longbotham, Peeney, Reilly, Steen—10.

Members absent—Messrs. Benger, Burris, Johnson, Pedrick, Powell, Webb, Mr. Pres. Pro Tem—7.

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

Mr. Powell asked to be marked present.

Mr. Cubbage introduced **SCR 5**—"Providing for a Joint Session to Attend the Exercises Arranged in Commemoration of the Birthday Anniversary of Abraham Lincoln," which, on further motion by him was adopted by the Senate and ordered to the House for concurrence.

Mr. Steen introduced **SCR 6**—"Authorizing the Board of Game and Fish Commissioners of the State of Delaware to Communicate with the Secretary of the Interior of the United States of America Requesting the Extension of the Open Season on Migratory Fowl," which, on further motion by him, was adopted by the Senate and ordered to the House for concurrence.

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

**SB 65**—"An Act to Amend Chapter 82 of the Revised Code of Delaware, 1935, Entitled, 'Weights and Measures,' in Respect of the Size and Weight of Loaves of Bread," by Klair; to Revised Statutes.

**SB 66**—"An Act to Amend Article 4 of Chapter 166 of the Revised Code of Delaware, 1935, Relating to Traffic Officers by Authorizing the State Police Force to Be Expanded to One Hundred Fifty Men," by Cabbage; to Revised Statutes.

**SB 67**—"An Act to Amend Chapter 100 of the Revised Code of Delaware, 1935, Entitled, 'General Provisions Respecting the Police,' in Reference to Number of Telephones on Party Lines," by Longbotham; to Miscellaneous.

**SB 68**—"An Act Authorizing and Empowering the State Park Commission to Take Over the Trappe Pond Project in Sussex County from the Federal Government Either by Lease or by Deed and Appropriation Therefor," by Steen; to Public Lands.

**SB 69**—"An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, Relating to Stopping or Parking Motor Vehicles," by Steen; to Revised Statutes.

**SB 70**—"An Act to Amend Chapter 212, Volume 25, Laws of Delaware, 1909, Entitled 'An Act to Incorporate the Town of Bethany Beach and Give It Authority to Issue Bonds,' as Amended, Providing for the Increase in the Amount to Be Raised by Taxation," by Powell; to Municipal Corporations.

**SB 71**—"An Act to Amend Chapter 55 of the Revised Code of Delaware, 1935, Relating to Roads and Bridges by Granting Power to the State Highway Department to Close Certain Public Roads in the State of Delaware," by Crossley; to Buildings and Highways.

**SB 72**—"An Act to Provide That Any Unused Funds Out of the Appropriations to the State Highway Department in the Budget Appropriation Bill for the Biennium Ending June 30, 1953, Shall Not Revert to the General Funds at the End of Any Fiscal Year But Shall Remain Credited by the State Treasurer to the Said Department for Construction," by Dolby; to Finance.

The Chair recognized and invited former Governor Wm. D. Denny to come to the Rostrum. Invitation accepted with a few remarks made by former Governor Denny.

**SB 73**—"An Act to Amend Chapter 56 of the Revised Code of Delaware (1935), Entitled 'Registration of Voters' to Provide for General and Supplementary Registrations Every Four Years and Matters Incidental Thereto," by Peeney; to Elections.

**SB 74**—"An Act Authorizing the State of Delaware to Transfer Certain Public Lands in the Vicinity of Dewey Beach to the Rehoboth Juniors' Swimming and Sailing Club, Inc.," by Steen; to Miscellaneous.

**SB 75**—"An Act to Amend Chapter 1, Volume 47, Laws of Delaware, 1949, Passed at the Special Session of the 115th General Assembly, Relating to the 'Veterans Military Pay Act,' by Re-defining the Term 'Armed Forces' and by Extending the Period During Which Applications for Payment May Be Made," by Klair; to Revised Statutes.

**SB 76**—"An Act to Amend Chapter 176 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Alcoholic Liquor, Wines and Beer,' by Restricting the Number of Outlets or Establishments at Which Any One Person, Firm, Association, or Corporation May Be Issued a License for the Sale of Alcoholic Liquor, Wines and Beer," by Longbotham; to Temperance.

Mr. Johnson asked to be marked present.

**SB 77**—"An Act to Amend Chapter 71 of the Revised Code of Delaware, 1935, with Reference to Compulsory Public School Attendance," by Cubbage; to Education.

**SB 78**—"An Act to Amend Chapter 71 of the Revised Code of Delaware, 1935, as Amended, Relating to 'Free Public Schools,' by Providing for Notice to Employee and a Right of Appeal to State Board of Education in the Termination of Contracts of Professional School Employees," by Reilly; to Education.

Messrs. Benger, Burris, Cannon, Handsberry, Webb asked to be marked present.

**SB 79**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Fish, Oysters and Game,' by Increasing the Fee Payable for the Issuance of a Fishing License," by Webb; to Fish, Oysters and Game.

**SB 80**—"An Act to Appropriate Money to Beulah Moore as Compensation for Injuries Suffered, Expenses Incurred and to Be Incurred, as the Result of an Attack by a Deer in the Control and Custody of the Delaware Game and Fish Commission," by Webb; to Claims.

**SB 81**—"An Act to Amend Chapter 161, Revised Code of Delaware, 1935, Relating to 'State Real Estate Commission,' by Increasing the Annual License Fee of Real Estate Brokers and Salesmen," by Cannon; to Revised Statutes.

**SB 82**—"An Act to Amend an Act Known and Cited as the 'Unemployment Compensation Act' Being Chapter 258, Volume 41, Laws of Delaware, 1937, as Amended, by Increasing the Amount of Benefit Payments," by Klair; to Labor.

The Chief Clerk of the House informed the Senate that the House had concurred in **SCR 5**.

The following Bills were reported favorably by the majority of the respective committees as follows: **HB 42**, by Labor; **SS 1** for **SB 9**, by Municipal Corporations; **SB 48**, by Miscellaneous; **SB 52**, **SB 56**, **SB 58**, by Revised Statutes; **SB 59**, by Accounts.

On motion of Mr. Cubbage, **SCR 4**—"In Opposition to Any Form of World Government," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—Mr. Powell—1.

Absent—Mr. Pedrick—1.

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

On motion of Mr. Cubbage, **HB 57**—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware Which Maintain and Operate an Ambulance," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Pedrick—1.

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

On motion of Mr. Cubbage, **HB 64**—"An Act Appropriating Money to Layton Home for Aged Colored Persons," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Pedrick—1.

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

Request that the following be stricken from the Calendar was granted to Member as follows: **SB 26**, Peeney.

Dr. Benger stated that in his opinion provision should be made to excuse members who were serving in committee work rather than have them marked absent.

The Chair informed Dr. Benger that according to Senate rules a member could only be marked present when in the Chamber to answer roll call. The Chair further informed Dr. Benger that daily notations were being made in the Journal to show members absent because of committee work.

**MESSAGE FROM THE GOVERNOR**

January 31, 1951

To the Honorable, The Senate of the State of Delaware  
116th General Assembly  
Dover, Delaware

Gentlemen:

In accordance with the provisions of Article VII, Section 1, of the Constitution of Delaware, I attach hereto copies of all commutations of sentence and pardons issued since the adjournment of the General Assembly on the third day of June, A. D. 1949.

Yours respectfully,  
(Signed) **ELBERT N. CARVEL**  
Governor

The Chair directed that the copies of commutations of sentence and pardons be filed.

On motion of Mr. Peeney the Senate adjourned until 11 a.m., Fri., Feb. 9, 1951.

**23RD LEGISLATIVE DAY**

Senate met pursuant to adjournment at 11 a.m., Fri., Feb. 9, 1951, President Pro Tempore R. Allen Cannon presiding.

Prayer by the Chaplain, Rev. Rowlensen: In the name of The Father, The Son and The Holy Ghost.

We thank Thee, O Saviour, for Thy leading, protecting, redeeming power—for Thy hand ever strongly guiding us forward, smoothing the path for our feeble feet, thrusting aside the briars and thorns that seem too thick to be passed, in time of danger encircling us very securely, lifting us up and away into peace and joy from the midst of turmoil. Teach us, our Saviour, to keep more closely to Thee, and whenever our treacherous spirit would wander, hold us by the force of Thy love close to Thyself. We ask in the name of Jesus our Lord. Amen.

In the absence of a quorum, the Chair declared a recess until 2.00 p.m.

Senate met at expiration of recess at 2:30 p.m., Lt. Gov. Bayard presiding.

Members present—Messrs. Benger, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb—13.

Members absent — Messrs. Barnard, Burris, Powell, Cannon—4.

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

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

Mr. Cannon asked to be marked present.

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

**SB 83**—"An Act Regulating the Installation and Use of Television Receivers or Screens in Motor Vehicles and Providing a Penalty for the Violation Thereof," by Klair; to Buildings and Highways.

**SB 84**—"An Act to Reincorporate the City of New Castle and to Repeal Chapter 216, Volume 27, Laws of Delaware, as Amended, Entitled 'An Act Amending, Revising and Consolidating the Charter of the City of New Castle' and Repealing Certain Other Acts Concerning the City of New Castle Inconsistent Herewith Relating to the Board of Education, Elections, City Clerk, Board of Water and Light Commissioners, Sewers and Disposal Works," by Pedrick; to Municipal Corporations.

**SB 85**—"An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, Relating to Motor Vehicles in Reference to Traffic Control Lights," by Cannon; to Buildings and Highways.

**SB 86**—"An Act to Amend Chapter 156 of the Revised Code of Delaware, 1935, as Amended, by Repealing Chapter 60, Volume 47, Laws of Delaware, 1949, with Respect to Fees of Public Officers by Providing an Increase in Compensation for Bailiffs in Kent, Sussex and New Castle Counties," by Handsberry; to Finance.

**SB 87**—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware," by Cubbage; to Finance.

**SB 88**—"An Act to Make Appropriation to the University of Delaware for a Reading Clinic," by Klair; to Finance.

Mr. Powell asked to be marked present.

The following Bills were reported favorably by the majority of the respective committees as follows: **SB 44**, **SB 46**, **SB 72**, by Finance; **SB 57**, by Public Health.

Messrs. Barnard and Burris asked to be marked present.

On motion of Mr. Johnson, **SS 1** for **SB 9**—"An Act to Amend Chapter 196, Volume 22, Part One, Laws of Delaware, Being an Act Establishing a Board of Public Works for the Town of Lewes and Defining Its Powers by Extending to the Said Board of Public Works the Authority to Purchase and Have Housed and Installed Certain Machinery for the Electric Light and Power Plant at Lewes on Conditional Sales Contracts, and to Pledge the Revenues from the Utility for the Payment of the Cost Thereof," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Benger, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Webb, Mr. President Pro Tem—14.

Nays—None.

Absent—Messrs. Barnard, Burris, Steen—3.

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

The President announced he was about to sign: **SCR 5**.

Messrs. Cubbage and Peeney introduced **SCR 7**—"Extending Greeting to the Honorable Elbert N. Carvel, Governor of the State of Delaware upon His Birthday Anniversary," which on further motion by Mr. Cubbage was adopted by the Senate and ordered to the House for concurrence.

Mr. Peeney congratulated Mr. Robert W. Tunnell of the Legislative Reference Bureau for the preparation of the Legislative Manuals. He stated that the Legislative Manuals were the greatest assistance given to members in the past thirty (30) years.

Request that the following be stricken from the Calendar was granted to Member as follows: **SB 86**, Handsberry.

On motion of Mr. Cubbage the Senate adjourned until 1 p.m., Mon., Feb. 12, 1951.

## 24TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1 p.m., Mon., Feb. 12, 1951., Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. C. W. Spry: O Lord, our God, how excellent is Thy Name in all the earth! Before the mountains were brought forth, or ever Thou hadst formed the earth and the world, even from everlasting to everlasting, Thou art God.

Over-awed by Thy majesty and humbled by our human littleness, we would not begin action without serious intentions, nor continue it without asking Thy blessing upon our aspired goal.

To that end: We pause at the beginning of the duties of this another day, and another week; and lest we forget, we would add: On this another Natal Day of one of the most illustrious Sons of this great nation. We would thank Thee for his life, for his achievements, and for his continued influence.

As Thou didst lead him to calm the troubled waters, of our national life, in days of yore, wilt Thou lead these our colleagues to guide our "Ship-of-state" thru the billows and turmoils of this confused age? In the Name of Our Lord, Teacher, and Guide, Amen.

Members present—Messrs. Barnard, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb—13.



Members absent—Messrs. Benger, Cannon, Klair, Powell

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

Messrs. Cannon and Klair asked to be marked present.

On motion of Mr. Cubbage the Senate recessed until 2:15 p.m.

Senate met at expiration of recess at 2:30 p.m., Lt. Gov. Bayard presiding.

Mr. Powell asked to be marked present.

Mr. Cubbage moved that **Rule 36** be suspended for the balance of this Legislative Day. Motion prevailed.

### JOINT SESSION

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

The Chair directed the Sergeant-at-Arms to admit the Speaker and Members of the House of Representatives.

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

The President of the Joint Session invited the Speaker of the House to come to the Rostrum. The invitation was accepted.

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

Mr. Cubbage moved that the Joint Session receive the Glee Club of Delaware State College. Motion prevailed.

Messrs. Cubbage and Peeney made timely remarks in appreciation of the entertainment furnished by the Glee Club of Delaware State College under the direction of Mr. Raymond Johnson and Mrs. Inez Williams.

Mr. Cubbage moved that the Joint Session resolve itself, and that Senate and House of Representatives each convene in their separate chambers. Motion prevailed.

Mr. Cubbage introduced **SCR 8**—"Expressing Appreciation to Those Who Assisted in the Program Commemorating the Birthday of Abraham Lincoln," which on further motion by him was adopted by the Senate and ordered to the House for concurrence..

The Chief Clerk of the House informed the Senate that the House had concurred in **SCR 7** and **SB 45**.

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 1**—"An Act Agreeing to the Proposed Amendment to Section 25 of Article II of the Constitution of the State of Delaware Relating to Zoning."

**HB 11**—"An Act to Repeal Chapter 128 of Volume 30, Laws of Delaware, 1919, Entitled 'An Act Requiring Certain Uniform Fire Equipment in the Towns of This State.'"

**HB 71**—"An Act Appropriating Money to the Delaware Society for the Prevention of Cruelty to Animals."

**HB 79**—"An Act to Amend Chapter 175, Revised Code of Delaware, 1935, Entitled 'Delaware Workmen's Compensation Law,' as Amended by Chapter 174, Volume 47, Laws of Delaware, 1949, in Relation to the Deposit of Bonds with the Insurance Commissioner to Secure the Payment of Compensation Liabilities."

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

**SB 89**—"An Act to Amend Chapter 29 of the Revised Code of Delaware, 1935, as Amended by Chapter 73, Volume 44, Laws of Delaware, in Relation to the State Board of Graduate Nurses," by Webb; to Public Health.

**SB 90**—"An Act to Amend Chapter 241, Volume 45, Laws of Delaware, as Amended by Chapter 306, Volume 47, Laws of Delaware, with Reference to the Family Court for New Castle County by Giving the Said Court Exclusive Original Jurisdiction in That County of the Offense of Lewdly and Lasciviously Playing or Tying with a Child Under the Age of Sixteen Years," by Cannon; to Judiciary.

The Chair recognized and invited former President Pro Tem, Vera G. Davis, to come to the Rostrum. Invitation accepted.

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

**SB 91**—"An Act to Amend Chapter 182, Volume 42, Laws of Delaware, 1939, Regulating Outdoor Advertising by Prohibiting Such Advertising Within Twenty-Five Feet of the Right of Way Line of Any Public Highway," by Klair; to Buildings and Highways.

**SB 92**—"An Act to Amend Chapter 237, Volume 46, Laws of Delaware, Entitled 'An Act Providing for the Payment of Pension Benefits to Certain Employees of the Mayor and Council of Wilmington, Fixing Ages of Retirement, Establishing Benefits Payable and the Source of Payment Thereof, Providing for Applications for Pensions and the Procedure to Be Followed with Respect Thereto, Providing That Pension Benefits Shall Be Free of Attachment and Liability for State and Local Income Taxes and Non-Assignable, and Also Providing for the Reduction of Benefits Under Certain Conditions,'" by Peeney; to Revised Statutes.

**SB 93**—"An Act to Amend Chapter 301, Volume 46, Laws of Delaware, Entitled 'An Act Providing for the Payment of Pension Benefits to Certain Employees of the County of New Castle, Fixing the Ages of Retirement, Establishing Bene-

fits Payable and the Source of Payment Thereof, Providing for Applications for Pensions and the Procedure to Be Followed with Respect Thereto, Providing That Pension Benefits Shall Be Free of Attachment and Liability for State and Local Income Taxes and Non-Assignable, and Also Providing for the Reduction of Benefits Under Certain Conditions," by Peeney; to Revised Statutes.

**SB 94**—"An Act to Amend Chapter 78 of the Revised Code of Delaware, 1935, as Amended, as It Relates to Members and Employees of the Department of Public Safety of 'The Mayor and Council of Wilmington' by Designating a Five Day Work Week," by Reilly; to Revised Statutes.

**SB 95**—"An Act to Appropriate Funds for the Education and/or Training of and Transportation for Handicapped Children in the State of Delaware," by Cubbage; to Education.

The Chief Clerk of the House informed the Senate that the House had concurred in **SCR 8**.

The Chair presented the following Bills, which were given first and second readings and referred to the committees as follows: **HB 1**, **HB 11**, to Revised Statutes; **HB 71**, to Fish, Oysters and Game; **HB 79**, to Banking and Insurance.

Mr. Klair moved that the vote on **SCR 4** be reconsidered. Motion prevailed.

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

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

Absent—Dr. Benger—1.

Nays—None.

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

Mr. Peeney stated that Dr. Benger would have voted "yes" had he been present.

On motion of Mr. Cubbage, the Senate adjourned until 1 p.m., Tues., Feb. 13, 1951.

## 25TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1 p.m., Tues., Feb. 13, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Bundick: Our Gracious God and Father, we thank thee for Thy unchanging love. We rejoice that we may draw from Thy fullness according to our needs.

As we journey down the highway of life, we pray that Thy love may be reflected in our daily conduct. May our lives

shine with such a brightness that the world will know, "Whose we are and whom we serve." Make us a channel of blessings to others.

On this day we place our hand in thine, by faith, completely confident that thou knowest best. Help our eyes to see, our ears to hear, and our hearts to love that which is good, and clean, and true.

We ask it in the name of Jesus. Amen.

Members present—Messrs. Barnard, Crossley, Cubbage, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. Pres. Pro Tem—13.

Members absent—Messrs. Benger, Burris, Klair, Powell—4.

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

On motion of Mr. Cubbage the Senate recessed until 3 p.m.

Senate met at expiration of recess at 3:50 p.m., President Pro Tem Cannon presiding.

Messrs. Burris, Benger, Powell, Klair asked to be marked present.

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

**SB 96**—"An Act to Authorize and Direct the State Treasurer to Honor Certain Payments from the Debt Service Account of the Delmar Public School District for Current Expenses and Capital Outlay of Said School District," by Steen; to Miscellaneous.

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 18**—"An Act Appropriating Certain Money to Palmer Home, Incorporated."

**HB 23**—"An Act Appropriating Certain Moneys to Kent and Sussex County Fair, Incorporated, for Prizes."

**HB 56**—"An Act Appropriating Money for the Burial of Indigent Soldiers, Sailors and Marines."

The following Bills were reported favorably by the majority of the respective committees as follows: **SB 82**, by Labor; **SB 89**, by Public Health.

On motion of Mr. Klair, **SB 27**—"An Act to Amend Chapters 56 and 60, Revised Code of Delaware, 1935, as Amended, and Section 13 of Chapter 118, Volume 44, Laws of Delaware, 1943, as Amended, by Requiring the Electors of This State to Sign One of the Books of Registered Voters at the Time of Registration and at the Time of Voting in Any General Election; Providing Space therefor in the Registration Books; Providing for the Size of the Registration Books and Providing for

the Duties of Registration and Election Officers with Regard to Such Signatures," 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. Crossley, Cabbage, Dolby, Handsberry, Klair, Reilly, Steen, Webb, Mr. President Pro Tem—9.

Nays—Messrs. Barnard, Bengner, Burris, Johnson, Longbotham, Pedrick, Peeney, Powell—8.

Absent—None.

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

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

**SB 97**—"An Act to Amend Chapter 176, Volume 25, Laws of Delaware, as Amended, Entitled 'An Act to Incorporate the Town of Elsmere, New Castle County' by Increasing the Amount Which May Be Raised Annually as Taxes in the Town of Elsmere," by Klair; to Municipal Corporations.

**SB 98**—"An Act to Amend Chapter 156 of the Revised Code of Delaware, 1935, Entitled 'Fees of Public Officers,' as Amended, by Making Certain Changes in the Amount of Fees Charged by the Prothonotaries of the Several Counties and by the Recorders in Kent and Sussex Counties," by Steen; to Finance.

**SB 99**—"An Act to Amend Chapter 119 of the Revised Code of Delaware, 1935, Relating to 'Justice of the Peace,' by Increasing the Fine for Assault and Battery," by Handsberry; to Revised Statutes.

**SB 100**—"An Act to Amend Chapter 121 of the Revised Code of Delaware, 1935, as Amended, with Reference to Constables' Fees by Providing Ten Cents (\$.10) Per Mile to Constables in Kent County for Posting Advertisements of Attachment," by Handsberry; to Revised Statutes.

**SB 101**—"An Act to Amend Chapter 175, Revised Code of Delaware, 1935, as Amended, Entitled 'Delaware Workmen's Compensation Law,' by Increasing the Payments of Compensation and Burial Expenses, Thereunder, and in Respect of the Persons to Whom Compensation for Death Shall Be Paid, and the Allowance of Counsel Fees on Appeal," by Klair; to Revised Statutes.

**SB 102**—"An Act to Amend Chapter 175 of the Revised Code of Delaware, 1935, Relating to the Delaware Workmen's Compensation Law of 1917, as Amended, by Providing for the Application Thereof to Officers and Employees of the Town of Elsmere," by Klair; to Municipal Corporations.

On motion of Mr. Steen, **SB 29**—"An Act to Amend Chapter 60, Revised Code of Delaware, 1935, as Amended,

Relating to General Elections by Providing That the General Election Shall Be Opened at 7 O'clock A. M. and Shall Continue Open until 8 O'clock P. M.," 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. Crossley, Cubbage, Dolby, Handsberry, Klair, Reilly, Steen, Webb, Mr. President Pro Tem—9.

Nays—Messrs. Barnard, Bengier, Burris, Johnson, Longbotham, Pedrick, Peeney, Powell—8.

Absent—None.

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

On motion of Mr. Handsberry, **SB 30**—"An Act to Amend Chapter 56 of the Revised Code of Delaware, 1935, as Amended, with Reference to Registration of Voters by Providing That Registration Places Be Kept Open from 7:00 A. M. to 8:00 P. M. on Each Registration Day," 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. Crossley, Cubbage, Dolby, Handsberry, Klair, Reilly, Steen, Webb, Mr. President Pro Tem—9.

Nays—Messrs. Barnard, Bengier, Burris, Johnson, Longbotham, Pedrick, Peeney, Powell—8.

Absent—None.

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

On motion of Mr. Dolby, **SB 47**—"An Act to Amend Chapter 14, Vol. 41, Laws of Delaware, 1937, Relating to Occupational Licenses by Redefining Finance Acceptor," 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. Barnard, Bengier, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—17.

Nays—None.

Absent—None.

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

On motion of Mr. Klair the Senate adjourned until 1 p.m., Wed., Feb. 14, 1951.

## 26TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1 p.m., Wed., Feb. 14, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Spry: Through Thy Providence, O Lord, we are permitted to come together to assume the duties and the responsibilities of another day.

Inspire us to a keener sense of our dependence upon Thee. Guide us as we counsel together. Awaken within us a patriotism that will lift us above the Narrows of selfish endeavor, and above the realm of adverse criticism, and hold us away from the realm of temptation.

Father, reveal Thyself unto us as a very present help in each hour of need. Be Thou our Light in moments of darkness; our comfort in affliction; our inspiration in every condition, and our assurance for each trial.

Wilt Thou so guide each member of this Assembly, that as they legislate, they may give us "A government of the people, by the people, and for the people." For Thy Name's sake. Amen.

Members present—Messrs. Barnard, Crossley, Cubbage, Dolby, Johnson, Klair, Pedrick, Peeney, Reilly—9.

Members absent—Messrs. Benger, Burris, Cannon, Handsberry, Longbotham, Powell, Steen, Webb—8.

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

Mr. Burris asked to be marked present.

Messrs. Cannon, Handsberry, Webb, and Benger were necessarily absent because of Committee work.

On motion of Mr. Cubbage the Senate recessed until 2:30 p.m.

Senate met at expiration of recess at 3:15 p.m.

Messrs. Longbotham, Cannon, Webb, Handsberry, Steen, Benger asked to be marked present.

Mr. Peeney announced that Senator Powell was necessarily absent because of critical illness in his family.

The Chief Clerk of the House informed the Senate that the House had concurred in **SB 3**.

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

**SB 103**—"An Act to Amend Chapter 117, Volume 32, Laws of Delaware, Entitled 'An Act to Amend an Act to Incorporate the Town of Elsmere, New Castle County, by Changing the Hours and Methods of Voting in Town Elections, and by Providing for More Than One Polling Place for Town Elections,'" by Klair; to Municipal Corporations.

**SB 104**—"An Act to Amend Chapter 6, Revised Code of Delaware, 1935, as Amended, Relating to State Revenue, by

Decreasing the Amount of the Gasoline Tax," by Longbotham; to Finance.

**SB 105**—"An Act to Repeal Chapter 235, Volume 47, Laws of Delaware, 1949, Entitled 'An Act to Amend Chapter 6, Revised Code of Delaware, 1935, as Amended, Relating to State Revenue by Providing for a Tax on the Sale of Cigars and Cigarettes and the Administration and Enforcement Thereof and Making Appropriation for the Expenses Incurred Therein,' by Longbotham; to Finance.

**SB 106**—"An Act to Amend Chapter 6 of the Revised Code of the State of Delaware, 1935, as Amended, Relating to Inheritance Tax," by Reilly; to Finance.

**SB 107**—"An Act to Amend Chapter 6 of the Revised Code of Delaware, 1935, as Amended, Relating to Occupational Licenses by Providing a Penalty for Failure of Coin Operated Amusement Machine Owners and Music Machine Owners to Have Affixed to Each Machine a Decalcomania Stamp to Evidence Payment of License Fee," by Handsberry; to Revised Statutes.

**SB 108**—"An Act to Amend Chapter 235, Volume 47, Laws of Delaware, 1949, Known as the Cigar and Cigarette Tax Act by Providing for the Repeal of the Tax on the Sale of Cigars and Refunding of Tax Paid on Cigars on Hand After the Expiration Date of the Law," by Crossley; to Finance.

**SB 109**—"An Act to Amend Chapter 6 of the Revised Code of the State of Delaware, 1935, as Amended, Relating to Delaware Estate Tax," by Dolby; to Finance.

**SB 110**—"An Act to Amend Chapter 90, of the Revised Code of Delaware, 1935, as Amended, Entitled 'Employers and Employees' by Requiring Employers to Keep Certificates of Age for Certain Minor Employees," by Cubbage; to Labor.

**SB 111**—"An Act to Amend Chapter 6 of the Revised Code of the State of Delaware, 1935, as Amended, Relating to Inheritance Tax," by Cannon; to Finance.

**SB 112**—"An Act Authorizing the State Treasurer to Transfer Certain Funds to the Credit of the General Fund of the State of Delaware and Providing for the Non-Payment of Checks Drawn Against Said Funds," by Webb; to Accounts.

**SB 113**—"An Act to Amend Chapter 6 of the Revised Code of Delaware, 1935, as Amended, Relating to Occupational Licenses, by Requiring That Coin Operated Amusement Machine Owners and Music Machine Owners Affix to Each Machine a Decalcomania Stamp to Evidence Payment of License Fee," by Steen; to Revised Statutes.

**SB 114**—"An Act to Amend Chapter 15, Revised Code of Delaware, 1935, as Amended, Entitled 'State Treasurer and Trustee of the School Fund' by Increasing the Salary of the Deputy State Treasurer," by Barnard; to Finance.

The following Bills were reported favorably (unless otherwise indicated), by the majority of the respective committees as follows: **SB 95** (on its merits), **SB 98**, by Finance



The privilege of the floor was granted without objection to Dr. Beatty to speak in favor of **SB 57**.

On motion of Mr. Webb, **SB 57**—"An Act Creating a Tuberculosis Commission of Delaware, and Setting Forth Its Duties, Powers and Authorities, Including Those Now Performed and Exercised by the State Board of Health in Pursuance of Article 5 of Chapter 25 of the Revised Code of Delaware, 1935, as Amended, Entitled: 'Care and Treatment of Tuberculosis Patients,'" was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

Mr. Webb 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. Burris, Crossley, Cubbage, Dolby, Handsberry, Klair, Reilly, Steen, Webb, Mr. President Pro Tem—10.

Nays—Messrs. Barnard, Benger, Johnson, Longbotham, Pedrick, Peeney—6.

Absent—Mr. Powell—1.

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

On motion of Mr. Reilly, **SB 52**—"An Act to Amend Chapter 176 of the Revised Code of Delaware, 1935, Relating to Alcoholic Liquors, Wines and Beer, by Changing the Designation of Holidays as Named and Defined Therein," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

Yeas—Messrs. Burris, Cubbage, Dolby, Handsberry, Klair, Longbotham, Reilly, Mr. President Pro Tem—8.

Nays—Messrs. Barnard, Benger, Crossley, Johnson, Pedrick, Peeney, Steen, Webb—8.

Absent—Mr. Powell—1.

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

On motion of Mr. Dolby, **SB 72**—"An Act to Provide That Any Unused Funds Out of the Appropriations to the State Highway Department in the Budget Appropriation Bill for the Biennium Ending June 30, 1953, Shall Not Revert to the General Funds at the End of Any Fiscal Year But Shall Remain Credited by the State Treasurer to the Said Department for Construction," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Powell—1.

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

Mr. Cabbage introduced the following Resolution, which on further motion by him was adopted by the Senate and ordered to the House for concurrence: **SCR 9**—"Providing for a Joint Session to Hear the Presentation of the Incodel Project."

WHEREAS, The Incodel Project has been concerned with a study of the problems concerning water and water pollution, and

WHEREAS, the subject of water pollution is of great interest to the entire State of Delaware, and

WHEREAS, it is desirous that the information and results gleaned from the study made under the Incodel Project be imparted to the Members of the 116th General Assembly as representative of the people of this State, and

WHEREAS, Mr. Clayton M. Hoff, the Executive Vice-President thereof is prepared to present the Incodel Project, NOW, THEREFORE,

BE IT RESOLVED, by the Senate of the 116th General Assembly, the House of Representatives concurring therein, that both Houses of the General Assembly shall meet in Joint Session on Thursday, February 15, 1951 at 2:30 p.m., in the Senate Chamber for the purpose of hearing the presentation of the Incodel Project.

On motion of Dr. Benger, **SB 56**—"An Act to Amend Chapter 117, Revised Code of Delaware, 1935, as Amended, Relating to Investments of Trustees, Guardians, and Other Fiduciaries," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Mr. President Pro Tem—14.

Nays—Messrs. Steen, Webb—2.

Absent—Mr. Powell—1.

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

On motion of Mr. Barnard, **SB 59**—"An Act Authorizing the State Treasurer to Transfer Certain Balances in the Accounts of Former State Treasurer Benjamin F. Johnson to the

General Fund of the State of Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

Nays—None.

Absent—Messrs. Powell, Cannon—2.

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

The Chair presented **HB 18, HB 23, HB 56**, which were referred to the Committee on Finance.

Mr. Reilly moved that **SB 52** be restored to the Calendar. Motion prevailed.

On motion of Mr. Cabbage the Senate adjourned until 1 p.m., Thurs., Feb. 15.

## 27TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1 p.m., Thurs., Feb., 15, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Spry: O Thou Who giveth freely to all men, and art ever mindful of each individual who calls upon Thee, and is willing to be submissive to Thy Holy and righteous Will, we rejoice that we live in a world where Thou dost reign.

Guide Thou the members of this Senate, and lead them into a larger service for this State, for their fellowmen and for Thee.

Lead Thou us all into the consciousness that Thy mercy has spared us, Thy bounty has blessed us, and that Thy Grace and Love can elevate or lift us above all petty bickering or maneuvering, yea! above all selfishness, and lead in paths of righteousness, where no failures follow.

O, Thou Who faileth not, create within us hearts that yearn and aspire. If our hearts be chilled by selfishness, wilt Thou warm them, and crown us with gentleness and forbearance where such will encourage; and may we use these blessings for Thy Glory throughout our days! Amen.

Members present—Messrs. Barnard, Cabbage, Dolby, Johnson, Klair, Pedrick, Peeney, Reilly—8.

Members absent — Messrs. Benger, Burris, Cannon, Crossley, Handsberry, Longbotham, Powell, Steen, Webb—9.

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

In the absence of a quorum, the Chair directed the Sergeants-at-Arms to notify the absent Senators that their presence was required.

Messrs. Cannon, Handsberry, Webb, Bengner, Burris, were excused for Committee work.

Dr. Bengner asked to be marked present.

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

**SB 115**—"An Act to Amend Chapter 108 of the Revised Code of Delaware, 1935, as Amended, Entitled, 'General Provisions Concerning Courts,' Increasing the Salary of the Court Crier in New Castle County," by Peeney; to Finance.

**SB 116**—"An Act to Amend Chapter 169, of the Revised Code of Delaware, 1935, as Amended, by Increasing the Salary of the Clerk of Court of Common Pleas for New Castle County," by Peeney; to Finance.

**SB 117**—"An Act to Amend Chapter 108 of the Revised Code of Delaware, 1935, as Amended, Entitled, 'General Provisions Concerning Courts,' and Chapter 156 of the Revised Code of Delaware, 1935, as Amended, Entitled, 'Fees of Public Officers,' by Increasing the Compensation of the Bailiffs in New Castle County," by Peeney; to Finance.

Mr. Cabbage informed the Senate that Senator Crossley would be necessarily absent for a part of this day's Session to attend a funeral.

Mr. Cannon asked to be marked present.

Mr. Cannon announced that copies of the report of The Revised Code Commission had been placed on the Senators' desks and that members of the Commission were present to answer any questions.

On motion of Mr. Cabbage the Senate recessed until 2:15 p.m.

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

Messrs. Crossley, Steen, Powell, Handsberry, Burris, Webb asked to be marked present.

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

**SB 118**—"An Act to Amend Chapter 71 of the Revised Code of Delaware, 1935, with Reference to All Public Schools by Changing the Acreage Limitation on Lands That May Be Condemned for School Sites," by Peeney; to Education.

**SB 119**—"An Act to Amend Chapter 101, Revised Code of Delaware, 1935, Entitled 'Jails and Workhouses,' as Amended by Chapter 214, Volume 43, Laws of Delaware, 1941, by Providing for an Annual Appropriation from the Levy Court of New Castle County to the Board of Trustees of the New Castle County Workhouse," by Webb; to Revised Statutes.

Request that the following be stricken from the Calendar was granted to Member as follows: **SB 54**, Webb.

Request that the following be recommitted was granted to Member as follows: **SB 48**, Reilly.

The following Bills were reported favorably (unless otherwise indicated), by the majority of the respective committees as follows: **SB 110**, **SB 63**, by Labor; **SB 80**, by Claims; **SB 90**, by Judiciary; **SB 51**, **55** (on their merits), by Finance; **SB 111**, **SB 108**, **SB 109**, **SB 106**, **SB 87**, by Finance; **SB 84**, by Municipal Corporations.

The Chief Clerk of the House informed the Senate that the House had concurred in **SCR 9**.

### JOINT SESSION

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

The Chair directed the Sergeant-at-Arms to admit the Speaker and Members of the House of Representatives.

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

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

The Chair invited the Speaker of the House to come to the Rostrum. Invitation accepted.

The Chair invited the President Pro Tem to come to the Rostrum. Invitation accepted.

Mr. Peeney moved that Senate Rule 36 be suspended for the Joint Session. Motion prevailed.

The Chair asked former Senator Raymond B. Phillips and Mr. Clayton Hoff to come forward to present the program for the Joint Session.

Former Senator Phillips introduced Mr. Clayton Hoff who gave a report on the work of Incodel by lecture and pictures.

Mr. Cubbage extended the thanks of the Joint Session to Messrs. Phillips and Hoff for their splendid report on Incodel.

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

Mr. Bierlin, Chief Clerk of the House, informed the Chair that the Joint Secretaries had compared their Journals and found them to agree.

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

Mr. Longbotham asked to be marked present.

Mr. Reilly introduced **SCR 10**, which on further motion by him was adopted by the Senate, and ordered to the House for concurrence.

**SCR 10**—"Providing for a Joint Session to Hear an Ad-

dress by Hon. Charles C. Ralls, National Commander-in-Chief, Veterans of Foreign Wars of the United States of America."

Mr. Cannon moved that the Senate resolve itself into Executive Session. Motion prevailed.

The following Bills were reported favorably (unless otherwise indicated), by the majority of the respective committees as follows: **HB 23**, **HB 18**, by Finance; **SB 97**, **SB 70**, **SB 102**, **SB 103**, by Municipal Corporations; **SB 91** (2 unfavorably, 2 favorably, 1 on its merits), by Buildings and Highways; **SB 71**, **SB 83**, **SB 85**, by Buildings and Highways.

On motion of Mr. Peeney the Senate adjourned until 1 p.m., Fri., Feb. 16, 1951.

### 28TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1 p.m., Fri., Feb. 16, 1951,

Prayer by the Chaplain, Rev. Spry: Our Father, Who art as mindful of us while we sleep, as during our wakeful moments, we look unto Thee for guidance thru the deliberations of this day.

Thou hast given us the day—as the duties of it are in our hands, may we be in Thy hands.

Lead us into that noble patriotism which may truly be called statesmanship.

Especially would we ask Thy guidance upon our Governor, and his aids; upon the leaders of this Senate, and each member, and upon the Speaker of the House and his leaders, and each member of the House. Be Thou mindful of any absent member of either body and all who may be carrying extra burdens.

Wilt Thou manifest Thyself unto all as a burden-bearing Christ.

And Thy Name shall have the Glory. Amen.

Members present—Messrs. Benger, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Webb, Mr. Pres. Pro Tem—13.

Members absent—Messrs. Barnard, Burris, Powell, Steen—4.

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

Mr. Burris asked to be marked present.

On motion of Mr. Cabbage the Senate recessed until 2:30 p.m.

Senate met at expiration of recess at 3:15 p.m.

Messrs. Barnard and Steen asked to be marked present.

The President announced he was about to sign: **SB 3**, **45**, **SCR 1**, **2**, **3**, **7**, **8**, **9**, **HB 57**, **64**.

The following Bill was introduced, given first and second

reading, the second by title only, and referred to committee as follows:

**SB 120**—"An Act to Amend Chapter 162, Volume 37, Laws of Delaware, 1931, Entitled 'An Act Changing the Name of "The Town of Milford" to "The City of Milford" and Establishing a Charter Therefor,' by Longbotham; to Municipal Corporations.

Mr. Cabbage introduced **SCR 11**, which on further motion by him was adopted by the Senate and ordered to the House for concurrence.

**SCR 11**—"Authorizing the Adjournment of the Senate and House of Representatives of the 116th General Assembly Until Tuesday, February 20, 1951, at 1:00 O'clock in the Afternoon."

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 13**—"An Act Appropriating Money to the United Spanish War Veterans, Department of Delaware."

**HB 105**—"An Act to Amend Chapter 122, of Volume 47, Laws of Delaware, 1949, Entitled 'An Act to Authorize the Prothonotary of the Superior Court of the State of Delaware, in and for Kent County, to Make Indices of Judgments in His Office' by Changing the Beginning of the Period of the New Indices from the February Term, A. D. 1900, to the First Day of January, A. D. 1900, by Providing for a Reverse Indices Only; and by Making Provision for Omitting Certain Judgments from Said Indices."

**HB 129**—"An Act Authorizing, Empowering and Directing the Levy Court of New Castle County to Refund Certain Overpayments of Taxes, in Connection with a Special Assessment Against Certain Lands for the Construction of a Road in Brandywine Hundred, New Castle County, Delaware, Known as Hillside Road."

On motion of Mr. Burris the Senate recessed for 30 minutes.

Senate met at expiration of recess at 5:08 p.m.

Messrs. Steen and Johnson introduced **SCR 12**, which on further motion of Mr. Steen was adopted by the Senate and ordered to the House for Concurrence.

**SCR 12**—"Extending the Sympathy of the Senate and House of Representatives unto Honorable Edwin R. Powell upon the Death of His Mother, Jennie E. Powell."

The Chief Clerk of the House informed the Senate that the House had concurred in **SCR 10** and **SCR 11**.

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

**SB 121**—"An Act to Amend Chapter 88, Article 2, of the Revised Code of Delaware, 1935, as Amended, Relating to

Parents and Children and Effecting Adoption Procedure," by Crossley and Burris; to Revised Statutes.

**SB 122**—"An Act to Amend Chapter 74, of the Revised Code of Delaware, 1935, as Amended, Entitled, 'Fish, Oysters and Game,' by Changing the Dates of the Open Season on Squirrels in New Castle County," by Dolby; to Fish, Oysters and Game.

**SB 123**—"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," by Webb; to Finance.

**SB 124**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Fish, Oysters and Game,' with Reference to Dog License Tax; Amount; When Payable; Kennel Tax; Amount; License," By Barnard (by request); to Fish, Oysters and Game.

The following Bills were reported favorably by the majority of the respective committees as follows: **SB 68**, by Public Lands; **SB 77**, **SB 78**, by Education; **SB 112**, by Accounts.

On motion of Mr. Cannon, **HB 23**—"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 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. Barnard, Bengier, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem —16.

Nays—None.

Absent—Mr. Powell—1.

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

On motion of Mr. Peeney, **SB 15**—"An Act to Amend Chapter 60 of the Revised Code of Delaware, 1935, as Amended, Entitled 'General Elections,' by Increasing the Compensation of Election Officers," 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. Barnard, Bengier, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem —16.

Nays—None.

Absent—Mr. Powell—1.



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

On motion of Mr. Peeney, **SB 16**—"An Act to Amend Chapter 53 of the Revised Code of Delaware, 1935, as Amended, Relating to Salaries of Certain County Officers, by Increasing the Salaries and Changing the Numbers of Deputies and Clerks in Certain County Offices in New Castle County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

Yeas—Messrs. Barnard, Bengier, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Not Voting—Mr. Burris—1.

Absent—Mr. Powell—1.

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

On motion of Mr. Peeney, **SS 1** for **SB 17**—"An Act to Amend Chapter 45 of the Revised Code of Delaware, 1935, as Amended, Relating to County Treasurers and Collection of Taxes, by Increasing the Salaries of the Deputies, Clerks, Delinquent Tax Investigators, Bookkeepers and Stenographers in the Office of the Receiver of Taxes and County Treasurer for New Castle County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Barnard, Bengier, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Not Voting—Mr. Burris—1.

Absent—Mr. Powell—1.

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

Dr. Bengier moved that the Senate adjourn until 1 p.m., Tues., Feb. 20, 1951.

Mr. Reilly asked for Roll Call as follows:

Yeas—Messrs. Barnard, Bengier, Burris, Johnson, Longbotham, Pedrick, Peeney—7.

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

Absent—Mr. Powell—1.

Motion lost.

On motion of Mr. Peeney, **SB 18**—"An Act to Amend Chapter 46 of the Revised Code of Delaware, 1935, as Amended, Relating to County Comptrollers, by Increasing the Salaries of the County Comptroller and His Deputy in New Castle County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Barnard, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Mr. President Pro Tem—13.

Nays—Messrs. Benger, Burris, Webb—3.

Absent—Mr. Powell—1.

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

On motion of Mr. Peeney, **SB 19**—"An Act to Amend Chapter 56 of the Revised Code of the State of Delaware, 1935, as Amended, Entitled: 'Registration of Voters' by Increasing the Compensation for Registrars, Assistant Registrars and Alternate Registrars," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Powell—1.

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

On motion of Mr. Peeney, **SB 22**—"An Act to Amend Chapter 45, of the Revised Code of Delaware, 1935, as Amended, Relative to County Treasurers and Collection of Taxes, Increasing the Personnel in the Office of the Receiver of Taxes and County Treasurer for New Castle County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Barnard, Benger, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—Mr. Burris—1.

Absent—Mr. Powell—1.

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

On motion of Mr. Peeney, **SB 38**—"An Act to Amend Chapter 144, Volume 45, Laws of Delaware, Relating to the Bureau of Registration of New Castle County, by Increasing the Salary of the Secretary of the Bureau of Registration," 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. Barnard, Bengier, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Powell—1.

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

On motion of Mr. Peeney, **SB 51**—"An Act to Amend Chapter 53 of the Revised Code of Delaware, as Amended, Entitled 'Salaries of Certain County Officers,' by Increasing the Salaries of Certain County Officers of New Castle County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Barnard, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Nays—Messrs. Bengier, Burris—2.

Absent—Mr. Powell—1.

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

On motion of Mr. Cannon, **HB 18**—"An Act Appropriating Certain Money to Palmer Home, Incorporated," 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. Barnard, Bengier, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Powell—1.

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

On motion of Mr. Cannon, **SB 90**—"An Act to Amend Chapter 241, Volume 45, Laws of Delaware, as Amended by Chapter 306, Volume 47, Laws of Delaware, with Reference

to the Family Court for New Castle County by Giving the Said Court Exclusive Original Jurisdiction in That County of the Offense of Lewdly and Lasciviously Playing or Toying with a Child Under the Age of Sixteen Years," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Powell—1.

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

On motion of Mr. Reilly, **SB 106**—"An Act to Amend Chapter 6 of the Revised Code of the State of Delaware, 1935, as Amended, Relating to Inheritance Tax," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Barnard, Benger, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—Mr. Burris—1.

Absent—Mr. Powell—1.

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

On motion of Mr. Crossley, **SB 108**—"An Act to Amend Chapter 235, Volume 47, Laws of Delaware, 1949, Known as the Cigars and Cigarette Tax Act by Providing for the Repeal of the Tax on the Sale of Cigars and Refunding of Tax Paid on Cigars on Hand After the Expiration Date of the Law," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Reilly, Mr. President Pro Tem—13.

Nays—Messrs. Klair, Steen, Webb—3.

Absent—Mr. Powell—1.

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

On motion of Mr. Dolby, **SB 109**—"An Act to Amend Chapter 6 of the Revised Code of the State of Delaware, 1935,

as Amended, Relating to Delaware Estate Tax," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Powell—1.

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

On motion of Mr. Cubbage, **SB 110**—"An Act to Amend Chapter 90, of the Revised Code of Delaware, 1935, as Amended, Entitled 'Employers and Employees' by Requiring Employers to Keep Certificates of Age for Certain Minor Employees," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Messrs. Barnard, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Nays—Messrs. Benger, Burris—2.

Absent—Mr. Powell—1.

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

On motion of Mr. Cannon, **SB 111**—"An Act to Amend Chapter 6 of the Revised Code of the State of Delaware, 1935, as Amended, Relating to Inheritance Tax," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas—Messrs. Barnard, Benger, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—Mr. Burris—1.

Absent—Mr. Powell—1.

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

On motion of Mr. Cubbage the Senate adjourned until 1 p.m., Tues., Feb. 20, 1951.

## 29TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1 p. m., Tues., Feb. 20, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Bundick: Our Kind and Gracious Heavenly Father, we read in thy word: "except ye come as Little Children Ye shall not enter into the Kingdom of Heaven."

We come into Thy presence today as LITTLE CHILDREN. We come in the spirit of confession. We have soiled our clothing and spoiled our lives.

Dress us again, O God, in clean clothing. Make us tidy once more. Wash our hearts and our lives that they may be clean and white.

Enable us to be strong in Thy strength. Give us the newness of life that can come from no other source but thee.

In the name of Christ we ask these things. Amen.

Members present—Messrs. Barnard, Bengel, Crossley, Cabbage, Dolby, Johnson, Klair, Longbotham, Pedrick, Steen, Webb, Mr. Pres. Pro Tem—12.

Members absent—Messrs. Burris, Handsberry, Peeney, Powell, Reilly—5.

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

On motion of Mr. Cabbage the Senate recessed until 2:30 p.m.

Senate met at expiration of recess at 3:35 p.m.

Messrs. Burris, Handsberry, Powell, Reilly asked to be marked present.

## JOINT SESSION

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

The Chair directed the Sergeant-at-Arms to admit the Speaker and Members of the House of Representatives.

The Chair invited the Speaker of the House of Representatives to come to the Rostrum. Invitation accepted.

The Chair invited the President Pro Tem to come to the Rostrum. Invitation accepted.

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

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

Mr. Cabbage moved that the Chair appoint two members from the Senate and two members from the House as a committee to escort Commander Charles C. Ralls to the Rostrum. Motion prevailed.

The committee appointed was: Senators Barnard and Handsberry; Representatives Allen and Williams.

Mr. Cabbage moved that Senate Rule 36 be suspended for the Joint Session. Motion prevailed.

The Chair invited John Babiarz, Commander V.F.W., Department of Delaware, to introduce the Speaker of the Day. Address by National Commander Charles C. Ralls of the V.F.W.

Mr. Cabbage asked for a rising vote of thanks to Commander Ralls.

Mr. Cabbage moved that the committee escort Commander Ralls from the Chamber.

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

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

Mr. Cabbage moved that the Joint Session dissolve and that the two Houses convene in their separate chambers within five minutes. Motion prevailed.

The Chief Clerk of the House informed the Senate that the House had concurred in **SCR 12** and **SS 1** for **SB 9**.

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 66**—"An Act Directing the State Highway Department to Install a Drainage Ditch Line Adjacent to the School Grounds of the Greenwood School No. 91 and Appropriating Money Therefor."

The following Bill was introduced, given first and second reading, the second by title only, and referred to committee as follows: **SB 125**—"An Act to Provide for the Termination and Transfer of Parental Rights in Connection with Proceedings for Adoption or Placement for Adoption," by Crossley; to Revised Statutes.

The following Bills were reported favorably by the majority of the respective committees as follows: **SB 96**, by Miscellaneous; **SB 53**, **HB 71**, **SB 61**, by Fish, Oysters and Game; **SB 94**, by Revised Statutes.

On motion of Mr. Cabbage the Senate adjourned until 1 p.m., Wed., Feb. 21, 1951.

### 30TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 1 p.m., Wed., Feb. 21, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Bundick: Our kind and gracious Heavenly Father, experience and history have given us many indications of thy love and guidance.

We are convinced that thou art willing to direct us in difficult times and that thou hast a way of letting us know what is best.

May we be channels thru which thy Spirit can work. Grant us sufficient faith to trust and obey the "inner voice."

Help us to be willing to be led by Thee to accomplish those things for the general good of our State, for all of America, and for all mankind. We pray in Jesus' Name, Amen.

Members present—Messrs. Barnard, Benger, Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Reilly—11.

Members absent—Messrs. Burris, Johnson, Powell, Steen, Webb, Cannon—6.

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

Mr. Klair introduced the following Resolution, which on further motion by him was adopted: **SR 26**—"Relative to the Death of George W. Mullin."

WHEREAS, the Senate of the 116th General Assembly has learned with regret of the passing of former Senator George W. Mullin, a resident of Marshallton, Delaware; and

WHEREAS, former Senator Mullin has served his State faithfully and well during many sessions of General Assembly; and

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

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

That the members of the 116th General Assembly wish to give expression to the regret they experienced at the passing of George W. Mullin a prominent figure in his community and a Senator; and

BE IT FURTHER RESOLVED, that the family of the deceased has the full sympathy of the members of the 116th General Assembly which is extended by sending a copy of this Resolution to the members of his immediate family; and

BE IT FURTHER RESOLVED, that the text of this Resolution be made a part of the Journal of the proceedings of the State Senate of the 116th General Assembly.

Mr. Cabbage introduced the following Resolution, which on further motion by him was adopted: **SR 27**—"Authorizing Payment on Account to Attaches and Employees of the Senate."

BE IT RESOLVED, by the Senate of the 116th General Assembly that the State Treasurer be and he hereby is authorized and directed to pay to any attache or employee (excluding any Chaplain or Chaplains), who has been duly appointed by Resolution of the Senate, upon the order of the Pres. Pro Tem of the Senate, sums on account from time to time, not to exceed the total of Three Hundred Dollars (\$300.00) to any one person,



on account of services to the present Session of the Senate. Any such sums so paid shall be charged against the salary of the individual attache or employee to whom such sum or sums are paid, and shall be a part of the expenses of this Session of the Senate.

Mr. Johnson asked to be marked present.

On motion of Mr. Cabbage the Senate recessed until 2:30 p.m.

Senate met at expiration of recess at 3:45 p.m.

Messrs. Johnson, Webb, Steen asked to be marked present.

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

**SB 126**—"An Act to Regulate and Control the Barber Shop Business, Conferring upon the Board of Examiners of Barbers Powers and Jurisdiction with Relation Thereto; Defining Such Powers, Jurisdiction and Duties; Authorizing the Said Board to Approve Price Schedules and to Make Orders Fixing Minimum Prices for Barber Services; Providing for Judicial Review of Such Acts of Said Board; Providing Penalties for the Violation of This Act," by Klair; to Miscellaneous.

**SB 127**—"An Act Appropriating Certain Moneys to the State Soil Conservation Commission for the Drainage of Tax Ditches in Sussex County," by Steen; to Finance.

**SB 128**—"An Act to Amend and Supplement Chapter 377, Volume 47, Laws of Delaware, Entitled 'An Act Providing for the Appointment of a Commission to Revise the Public Laws of the State of Delaware and Codify and Arrange the Same; Appropriation for Expense Thereof' by Enlarging the Powers and Duties of the Commission and Making an Appropriation Therefor," by Cabbage and Peeney; to Finance.

**SB 129**—"An Act Providing for the Creation of a Geological Survey for the State of Delaware; Its Powers and Duties and Appropriation Therefor," by Cabbage; to Finance.

**SB 130**—"An Act Appropriating Certain Moneys to the State Soil Conservation Commission for the Drainage of Tax Ditches, or Group Enterprise Ditches in New Castle County," by Webb; to Finance.

**SB 131**—"An Act Appropriating Certain Moneys to the State Soil Conservation Commission for the Drainage of Tax Ditches in New Castle County," by Webb; to Finance.

Mr. Handsberry introduced the following Resolution, which on further motion by him was adopted: **SR 28**—"Making an Appropriation for Telephone Service Charges and Toll Calls in Connection with the Work of the Senate of the 116th General Assembly of the State of Delaware."

**BE IT RESOLVED**, by the Senate, that the following amount be, and it is hereby appropriated, to pay for telephone service charges, and toll calls in connection with the work of the Senate of the 116th Session of the General Assembly of the State of Delaware, which convened January 2, A. D. 1951,

and that the State Treasurer be, and he is hereby authorized and directed to pay to The Diamond State Telephone Company the total of the items listed in this resolution, as follows:

Service Connection Charges.....	\$10.00
Local Service and Equipment .....	17.13
Toll Service and Telegrams .....	<u>41.61</u>

\$68.74

On motion of Mr. Cabbage the Senate adjourned until 11 a.m., Thurs., Feb. 22, 1951.

### 31ST LEGISLATIVE DAY

Senate met pursuant to adjournment at 11 a.m., Thurs., Feb. 22, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. C. W. Spry: Our Father in Heaven; as we come together on this natal day of another eminent son of this grand Republic: We would thank Thee for our native heritage; fortunate indeed are we, in that we can rear our youth in the memory of heroic deeds of noble patriots. Hence we would thank Thee for this stalwart son of the Southland.

As we reflect upon the events of history, we picture this heroic servant of his country, led by a profound conviction, or a Divine Call, going on and on, from victory to victory, with a voice like Abraham's, a vision like Jacob's and a conviction like Paul's, which together fitted him for the work given him by Providence.

Seemingly the only thing he feared was God. And that only in the sense that he might displease his Lord.—Soldier, patriot, statesman, and President—or “first in war, first in Peace, and first in the hearts of his countrymen.”

We thank Thee Father for his life; for his bravery; for his humility; for his adherence to truth and duty, for his achievements.

And we thank Thee that there was a Washington, known and loved as the Father of his country. Amen.

Members present—Messrs. Barnard, Benger, Cabbage, Dolby, Handsberry, Longbotham, Pedrick, Peeney, Reilly—9.

Members absent—Messrs. Burris, Cannon, Crossley, Johnson, Klair, Powell, Steen, Webb—8.

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

Messrs. Webb and Steen asked to be marked present.

Request that the following be stricken from the Calendar were granted to Members as follows: **SB 60**, Peeney; **SB 89**, Webb.

Mr. Webb introduced **SCR 13**, which on further motion by him was adopted: **SCR 13**—“Providing for a Joint Session to

Attend the Exercises Arranged in Commemoration of the Birthday Anniversary of George Washington."

**SB 132**—"An Act to Authorize the Sale of Certain Real Estate in the City of Wilmington," by Peeney; to Public Lands.

Mr. Johnson asked to be marked present.

Without objection, the Chair declared a recess until call of the Chair with the understanding that the Senate would convene within five minutes.

Senate met at expiration of recess at 11:30 a.m.

Messrs. Klair and Burris asked to be marked present.

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

**SB 133**—"An Act to Amend Chapter 33, Revised Code of Delaware, 1935, as Amended, Relative to the Board of Examiners of Barbers; Providing for the Appointment of a Commission and Establishing Its Jurisdiction Throughout the State; Regulation of Licenses; Expiration of Appointment; Power to Make Regulations; Regulations of Apprentices; Establishing Rules for the Operation of Barber Shops," by Klair; to Miscellaneous.

**SB 134**—"An Act to Amend Chapter 56 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Registration of Voters,' by Providing for Registration of Qualified Voters Who Are Temporarily Absent from the State and in the Armed Forces or Merchant Marine of the United States, or Retainers or Persons Accompanying or Serving Therewith, or Who Are Absent from the State Because of Illness or Injury Received While Serving in Any Such Capacity," by Peeney; to Elections.

On motion of Mr. Cabbage the Senate recessed until 2:15 p.m.

Senate met at expiration of recess at 2:40 p.m., Pres. Pro Tem, R. A. Cannon presiding.

Mr. Crossley asked to be marked present.

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

**SB 135**—"An Act to Amend Chapter 71, Revised Code of Delaware, 1935, as Amended, Relating to Free Public Schools by Raising the Limitation Respecting Bonds with Regard to Assessed Valuation," by Cannon; to Education.

**SB 136**—"An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, as Amended, Relating to Motor Vehicles, by Increasing the Costs for Replacing Number Plates," by Cannon; to Buildings and Highways.

**SB 137**—"An Act Appropriating Certain Monies to the University of Delaware for Continuing Research and Training on Salt Water Resources," by Cannon; to Finance.

**SB 138**—"An Act to Appropriate Funds to Various School Districts to Make Up for Deficiencies in Unit Allotments for Which Funds Were Not Available Under the Regular

School Budget for the School Year 1950-1951," by Cannon; to Finance.

The following Bill was reported favorably by the majority of the respective committee as follows: **SB 2**, by Public Health.

The Chair presented the following Bills, which were given first and second readings and referred to committees as follows: **HB 13**, **HB 66**, to Finance; **HB 129**, to Revised Statutes; **HB 105**, to Judiciary.

The Chief Clerk of the House informed the Senate that the House had concurred in **SCR 13**.

### JOINT SESSION

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

The Chair directed the Sergeant-at-Arms to admit the Speaker and Members of the House of Representatives.

The Chair invited the Speaker of the House to come to the Rostrum.

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

Mr. Cubbage moved that Senate Rule 36 be suspended for the Joint Session. Motion prevailed.

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

Mr. Cubbage introduced the speaker of the day, Rev. Howell O. Wilkins, who addressed the Joint Session in commemoration of Washington's Birthday.

Mr. Cubbage expressed the appreciation of the Joint Session to the speaker and called for a rising vote of thanks.

Mr. Lawson, Speaker of the House, expressed thanks to the speaker of the day in behalf of the House.

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

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

Mr. Cubbage moved that the Joint Session dissolve and the two Houses convene in their separate Chambers. Motion prevailed.

The following Bill was introduced, given first and second reading, the second by title only, and referred to committee as follows: **SB 139**—"An Act to Amend Chapter 106, Volume 45, Laws of Delaware, 1945, as Amended, with Reference to Pensions or Allowances to Retired and Disabled Public School Teachers of Delaware," by Reilly; to Finance.

Request that the following be stricken from the Calendar was granted to Member as follows: **SB 78**, Reilly.

On motion of Mr. Cubbage the Senate adjourned until 11 a.m., Fri., Feb. 23, 1951.

### 32ND LEGISLATIVE DAY

Senate met pursuant to adjournment at 11 a.m., Fri., Feb. 23, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Spry: Conscious of our own inability, and believing that Thou art the source of both strength and wisdom, we come to Thee our Father, as children come to their earthly parents, that we may make our desires known to Thee.

Remembering that Thou hast bidden the human family, "To ask of Thee largely, that they may also receive of Thee largely," we therefore humbly and with grateful hearts, accept Thy gracious invitation, by asking Thee, in the behalf of this Senate, to:—

"Direct, control, suggest this day;  
All we design, or do, or say:  
That all our powers, with all their might,  
In Thy sole Glory, may unite. Amen!

Members present—Messrs. Barnard, Benger, Crossley, Cabbage, Dolby, Handsberry, Klair, Longbotham, Pedrick, Peeney, Reilly, Webb—12.

Members absent—Messrs. Burris, Cannon, Johnson, Powell, Steen—5.

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

Mr. Cannon asked to be marked present.

A communication was read from the Powell Family in appreciation of flowers sent.

One communication was read against any raise in taxes.

On motion of Mr. Cabbage the Senate recessed until 12:45 p.m.

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

Messrs. Steen, Powell, Johnson, Burris asked to be marked present.

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

**SB 140**—"An Act to Amend Chapter 42, Revised Code of Delaware, 1935, as Amended, by Deleting the Restriction upon the Duties of Notaries Public Appointed for Financial Institutions," by Cabbage; to Revised Statutes.

**SB 141**—"An Act Providing for the Method of Payment of Wages by Check or Draft," by Klair; to Miscellaneous.

The following Bill was reported favorably by the majority of the respective committees as follows: **HB 105**, by Judiciary.

On motion of Mr. Reilly, **SB 94**—"An Act to Amend Chapter 78 of the Revised Code of Delaware, 1935, as Amended, as It Relates to Members and Employees of the Depart-

ment of Public Safety of "The Mayor and Council of Wilmington" by Designating a Five-Day Work Week," 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. Barnard, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—Mr. Burris—1.

Not Voting—Dr. Benger—1.

Absent—None.

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

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

Senate met at expiration of recess at 2:45 p.m.

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

**SB 142**—"An Act to Amend Chapter 74, of the Revised Code of the State of Delaware, 1935, as Amended, Relating to Fish, Oysters and Game, by Providing for the Season Within Which Diamond Back Terrapin May Be Taken and Killed," by Webb; to Fish, Oysters and Game.

**SB 143**—"An Act Authorizing the Board of School Trustees of John M. Clayton School District No. 97, in Sussex County, to Improve the Water System of Said School, Including the Construction of a Water Main Between Said School and the Water Distribution System of the Town of Frankford and Contracting with Said Town for the Furnishing of Water Thereto; Appropriating Certain Monies Towards the Cost of Said Improvements; and Authorizing the Said Board of School Trustees to Enter into Agreement with Certain Third Persons for the Obtaining of Water Service Through Such Water Main," by Steen; to Finance.

**SB 144**—"An Act to Amend the Charter of the City of Rehoboth Beach as Established by Chapter 161, Volume 41, Laws of Delaware, and as Amended by Chapter 96, Volume 47, Laws of Delaware, by Increasing the Amount of Taxes That May Be Raised in Any Fiscal Year for Municipal Purposes," by Johnson; to Municipal Corporations.

**SB 145**—"An Act to Amend Chapter 4, Volume 35, Laws of Delaware, Establishing a Permanent Park Out of Certain Public Lands Situated at Rehoboth Beach, Delaware," by Johnson; to Public Lands.

**SB 146**—"An Act to Amend the Charter of the City of Rehoboth Beach as Established by Chapter 161, Volume 41, Laws of Delaware, and as Amended, Relating to the Scrap

Sewer Assessment of the City," by Johnson; to Municipal Corporations.

**SB 147**—"An Act to Amend the Charter of the City of Rehoboth Beach as Established by Chapter 161, Volume 41, Laws of Delaware, in Relation to the Time of Levying Annual Taxes," by Johnson; to Municipal Corporations.

**SB 148**—"An Act to Amend the Charter of the City of Rehoboth Beach as Established by Chapter 161, Volume 41, Laws of Delaware, Relating to the Treasurer of the City," by Johnson; to Municipal Corporations.

**SB 149**—"An Act to Amend Chapter 71 of the Revised Code of Delaware, 1935, as Amended, Relating to 'Free Public Schools,' by Providing for Reasons, Hearing, and Appeal to the Superior Court of the State of Delaware in the Procedure for the Termination of Services of Professional School Employees," by Peeney and Cubbage; to Education.

**SB 150**—"An Act to Amend Chapter 78 of the Revised Code of Delaware, 1935, as Amended, by Making the Day of the Week Known as Saturday a Holiday for All Elected and Appointed Officials of the Levy Court of Sussex County, Its Agencies and Employees," by Steen; to Revised Statutes.

**SB 151**—"An Act Appropriating Money to American Legion, Sussex Post Number 8, in Sussex County, with Which to Operate and Maintain an Ambulance," by Cannon; to Finance.

**SB 152**—"An Act to Amend Chapter 258, Volume 41, Laws of Delaware, 1937, as Amended, Known as the 'Unemployment Compensation Law,'" by Cubbage; to Revised Statutes.

**SB 153**—"An Act to Amend Chapter 258, Volume 41, Laws of Delaware, as Amended, (Known and Cited as the 'Unemployment Compensation Law'), by Changing the Provisions Relative to Benefit Payments to Seasonal Workers and the Duration Thereof," by Klair; to Finance.

**SB 154**—"An Act to Amend Chapter 159 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Board of Boiler Rules' by Removing the Limitation to Steam Boilers on the Qualification and Rule-Making Powers of the Board," by Reilly; to Miscellaneous.

**SB 155**—"An Act to Amend Chapter 51 of the Revised Code of Delaware, 1935, with Reference to Constables by Providing That Any Constable Appointed in Kent County May Authorize and Depute a Deputy," by Handsberry; to Miscellaneous.

Without objection, former Senator G. Clifton Maull was granted privilege of the floor. He extended an invitation to the members of the Senate to be guests of the Delaware River Pilot Association on a cruise down the Delaware River, from Philadelphia, Penna., to Lewes, Delaware.

Mr. Cannon introduced the following Resolution, which on further motion by him was adopted: **SR 29**—"Appropriating Money Out of the General Fund of the State Treasury to

Pay Certain Expenses of the Present Session of the 116th General Assembly."

BE IT RESOLVED, by the Senate of the 116th 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 116th General Assembly of the State of Delaware, up to and including the 30th 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.:

Alexis I. duPont Bayard .....	\$324.00
R. Allen Cannon .....	252.00
E. Cowgill Barnard .....	42.00
Dr. Ernest B. Bengert .....	306.00
John W. Burris .....	120.00
Dudley Crossley .....	90.00
William O. Cubbage .....	72.00
J. Fred Dolby .....	132.00
Walter Handsberry .....	48.00
Thomas L. Johnson .....	276.00
Frederick Klair .....	312.00
John M. Longbotham .....	144.00
George A. Pedrick .....	258.00
Thomas E. Peeney .....	300.00
Edwin R. Powell .....	360.00
John E. Reilly, Sr. ....	300.00
Curtis W. Steen .....	300.00
E. Sherman Webb .....	180.00

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

The Chair directed the Sergeant-at-Arms to admit the Secretary of State. The Secretary of State, Hon. Harris B. McDowell, Jr., being admitted, presented two communications from the Hon. Elbert N. Carvel, Governor.



February 21, 1951

To the President of the Senate  
of the 116th General Assembly

Dear Mr. President:

On Friday, February 9th, I received with a great deal of pleasure the greetings which were included in Senate Concurrent Resolution No. 7 which were extended to me on the occasion of my forty-first birthday.

I deeply appreciate the thoughtfulness and kindness of the Legislature in this matter and I want every member to know that I shall always treasure this message with a great deal of pride and pleasure.

Sincerely yours,  
(Signed) ELBERT N. CARVEL  
Governor

The second communication from the Governor was referred to the Executive Committee.

On motion of Mr. Steen, **HB 44**—"An Act to Amend Chapter 53 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Salaries of Certain County Officers,' with Respect to the Salaries of Certain Officers, Deputies and Clerks of Certain of the County Offices of Kent and Sussex Counties," 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. Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Nays—Messrs. Barnard, Bengier, Burris—3.

Absent—None.

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

On motion of Mr. Cannon, **SB 46**—"An Act to Amend Chapter 45 of the Revised Code of Delaware, 1935, as Amended, Entitled 'County Treasurers and Collection of Taxes,' with Respect to the Salaries of the Receivers of Taxes and County Treasurers, Their Deputies and Clerks of Kent and Sussex Counties," 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. Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—14.

Nays—Messrs. Barnard, Bengier, Burris—3.

Absent—None.

So the question was decided in the affirmative, and the Bill

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

On motion of Mr. Webb, **SB 53**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, Entitled: 'Fish, Oysters and Game,' with Respect to Hunting, Fishing and Trapping Licenses Issued by the Board of Game and Fish Commissioner for Residents," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—17.

Nays—None.

Absent—None.

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

On motion of Mr. Steen, **SB 61**—"An Act to Amend Chapter 74, of the Revised Code of Delaware, 1935, as Amended, Entitled 'Fish, Oysters and Game,' by Changing the Dates of the Open Season for Taking of Raccoon and Opossum in Certain Parts of Sussex County," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

Nays—None.

Absent—None.

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

On motion of Mr. Handsberry, **SB 58**—"An Act to Amend Chapter 44 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Valuation and Assessment of Property,' with Respect to the Salaries and Expenses of the Members of the Boards of Assessment of Kent and Sussex Counties," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—17.

Nays—None.

Absent—None.

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

On motion of Mr. Crossley, **SB 71**—"An Act to Amend Chapter 55 of the Revised Code of Delaware, 1935, Relating to Roads and Bridges by Granting Power to the State Highway Department to Close Certain Public Roads in the State of Delaware," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

Yeas — Messrs. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—Mr. Klair—1.

Absent—None.

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

On the motion of Mr. Steen, **SB 96**—"An Act to Authorize and Direct the State Treasurer to Honor Certain Payments from the Debt Service Account of the Delmar Public School District for Current Expenses and Capital Outlay of Said School District," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

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

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

Nays—None.

Absent—None.

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

On motion of Mr. Webb, **SB 80**—"An Act to Appropriate Money to Beulah Moore as Compensation for Injuries Suffered, Expenses Incurred and to Be Incurred, as the Result of an Attack by a Deer in the Control and Custody of the Delaware Game and Fish Commission," 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. Barnard, Benger, Burris, Crossley, Cabbage, Dolby, Handsberry, Johnson, Klair, Longbotham,

Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—17.

Nays—None.

Absent—None.

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

On motion of Mr. Cabbage the Senate adjourned until 11 a.m., Mon., Feb. 26, 1951.

### 33RD LEGISLATIVE DAY

Senate met pursuant to adjournment at 11 a.m., Mon., Feb. 23, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Rowleson: Our Father, Who hath given us life that we might live it in fellowship with Thee and with our brethren in the world, whose deepest desire is that we may enjoy abundance of life, we thank Thee for Thy Divine purpose toward us, and beseech Thy forgiveness, for the measure in which we have thwarted Thy purposes. How often we have wandered in far countries like prodigals, wasting our lives, dissipating our energies, falling into sin, and eating the husks instead of the bread of life.

Willing to be servants though we may be, Thou dost receive us as sons, Thy children to be clothed with the new robe of righteousness, to be shod with good strong shoes for every journey we make, to bear upon our hands the signet ring which marks us as belonging to Thee, to sit with Thee at Thy table that our souls may be nourished and our spiritual growth assured. Teach us, O God, how to live from day to day as Thy sons. Help us to follow Thee in the intention of our souls.

In all our relationships with our fellowmen may we have brotherly thoughts, brotherly hearts, and may we seek to serve men as brothers. We pray Thee to bless us in every endeavor to make this a better world. Inspire us to catch Thy intention for the world. Open our eyes to see Thy plans. Make sensitive our hearing unto Thy guidance. In Jesus' name, Amen.

Members present—Messrs. Barnard, Benger, Crossley, Cabbage, Dolby, Handsberry, Longbotham, Pedrick, Peeney—9.

Members absent—Messrs. Burris, Cannon, Johnson, Klair, Powell, Reilly, Steen, Webb—8.

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

The Chief Clerk of the House informed the Senate that the House had passed **HCR 4**—"Extending the Sympathy of the House of Representatives and the Senate to the Family of M. Allen Wilson"; and requested the concurrence of the Sen-

ate, which was presented by the Chair, given first and second readings, and on motion of Mr. Cubbage, was adopted and ordered returned to the House.

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

**SB 156**—"An Act to Amend Chapter 78 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Negotiable Instruments' with Respect to Legal Holidays in the State of Delaware," by Dolby; to Banking and Insurance.

**SB 157**—"An Act to Amend Chapter 128, Revised Code of Delaware, 1935, with Reference to 'Pleading and Practice in Civil Actions,' by Increasing the Limit of Counsel Fees under Certain Conditions," by Dolby; to Revised Statutes.

**SB 158**—"An Act Repealing 4066, Sec. 171, 4070, Sec. 175 and 4071, Sec. 176 of Chapter 100 of the Revised Code of Delaware, 1935, in Respect of Inns, Theatres and Public Conveyances," by Crossley; to Revised Statutes.

**SB 159**—"An Act to Amend Chapter 209, Volume 40, Laws of Delaware, Relating to the Acquiring of a Legal Settlement in the State of Delaware, by Reducing the Amount of Time Required," by Handsberry; to Revised Statutes.

**SB 160**—"An Act Making Appropriation to the State Board of Education to Provide for the Payment of Costs and Expenses Over and Above the Present Appropriations Available to the State Board of Education to Pay for Additional Costs of Transportation of School Pupils," by Cubbage; to Finance.

**SB 161**—"An Act Amending Chapter 72 of the Revised Code of Delaware, 1935, Entitled: 'University of Delaware' in Respect of the Acquisition, Operation and Debt Financing of Certain Plant Additions and Facilities of the University of Delaware," by Cubbage; to Education.

**SB 162**—"An Act to Amend Chapter 60, Revised Code of Delaware, 1935, Relating to General Elections by Providing for an Unofficial or Sample Ballot; the Number and Style of Ballots to Be Printed; Distribution of Ballots; Additional Unofficial or Sample Ballots Printed, When; Quantity of Election Supplies Furnished; One Official Ballot at a Time Available to Electors at Polls; Unofficial or Sample Ballots Not to Be Counted; Illegal Possession of Official Ballots; Penalty," by Cubbage; to Elections.

**SB 163**—"An Act to Amend Chapter 54, Revised Code of Delaware, 1935, Relating to the State Old Age Welfare Commission, by Placing the Duty of Administering the General Relief Program and the Program of Aid to the Totally and Permanently Disabled in Said Commission and by Increasing the Amount of Assistance Payable to Old Age Persons," by Steen; to Revised Statutes.

**SB 164**—"An Act to Amend Chapter 108 of the Revised Code of Delaware, 1935, as Amended, by Increasing the An-

nual Appropriation for the Compensation of Reporters and Stenographers and for Office Supplies and Equipment of the Law Courts of This State," by Crossley; to Finance.

**SB 165**—"An Act to Amend Chapter 1 of the Revised Code of Delaware, 1935, Relating to the Construction of the Word Written and the Words in Writing," by Handsberry; to Revised Statutes.

**SB 166**—"An Act to Amend Section 16, Article 4, of Chapter 129 of the Revised Code of Delaware, 1935, Being Section 4701 Thereof, with Reference to Photographic, Microphotographic and Photostatic Copies of Books of Original Entries," by Steen; to Revised Statutes.

**SB 167**—"An Act to Amend Chapter 104, Volume 45, Laws of Delaware, 1944-45, as Amended, Known as 'Delaware State Employees' Pension Act,' by Providing for the Payment of Pension Benefits to the Surviving Spouse and/or Dependent Children of Deceased State Employees' under Certain Conditions," by Handsberry; to Revised Statutes.

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

Senate met at expiration of recess at 2:00 p.m.

Mr. Cubbage asked that the Members present recognize this motion in absence of a quorum.

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

The President announced he was about to sign: **SS 1** for **SB 9**.

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

Senate met at expiration of recess at 4:10 p.m.

Mr. Klair asked to be marked present.

The Chair announced Messrs. Burris, Cannon and Reilly were necessarily absent.

On motion of Mr. Peeney the Senate adjourned until 11 a.m., Tues., Feb. 27, 1951.

### 34TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 11 a.m., Tues., Feb. 27, 1951.

Prayer by the Chaplain, Rev. Rowlesen: In the name of The Father, The Son and The Holy Ghost.

We thank Thee for the breath of life, the pulsing heart, the power of thought, the skill of hand, the will to do, the happy home, the love of friends, the beauty of life, the peace of Christ—all are gifts of thy boundless love. In gratitude we bring to Thee our gifts, sacrifices of human love, the purest gold that we possess. We pray Thee to refine them and coin them in the mint of Thy divine purpose.

Bless the deliberations of the House and with Thy blessings on all we pray in Jesus' name. Amen.

Members present—Messrs. Barnard, Benger, Crossley, Cubbage, Dolby, Handsberry, Longbotham, Pedrick, Peeney, Steen, Webb, Mr. Pres. Pro Tem—12.

Members absent—Messrs. Burris, Johnson, Klair, Powell, Reilly—5.

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

The Chair announced that Mr. Johnson was necessarily absent.

Two communications were offered in support of legislation for retired teachers.

On motion of Mr. Cannon the Senate recessed until 1 p.m. Senate met at expiration of recess at 3:00 p.m.

Messrs. Johnson, Klair, Reilly, Powell, Burris asked to be marked present.

The following Bills were reported favorably by the majority of the respective committees as follows: **HB 11**, by Revised Statutes; **SB 136**, by Buildings and Highways; **SB 79**, **SB 122**, **SB 142**, by Fish, Oysters and Game; **SB 156**, by Banking and Insurance; **SB 130**, **SB 131**, **SB 127**, **SB 137**, **SB 128**, **SB 138**, **SB 151**, **SB 164**, **HB 13**, by Finance.

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

**SB 168**—"An Act Appropriating Certain Money to the University of Delaware for Constructing and Equipping Two or More Dormitory Buildings on the University Campus," by Webb and Johnson; to Finance.

**SB 169**—"An Act to Provide for the Use of Voting Machines in Elections, to Provide for the Method of Their Adoption and Their Acquisition, to Authorize Counties to Issue Bonds to Permit Their Purchase, to Provide for Their Handling and Care and the Method of Conducting Elections in Which They Are Used," by Klair; to Finance.

**SB 170**—"An Act to Amend Chapter 166 of the Revised Code of Delaware, 1935, as Amended, Relating to the State Highway Department, the Appointment of a Chief Engineer and a Secretary and Authorizing the State Highway Department to Fix the Salaries of the Chief Engineer and the Secretary," by Cannon; to Finance.

**SB 171**—"An Act Authorizing the State Highway Department to Erect a Suitable Monument at or Near the Entrance of the Delaware Memorial Bridge in Memory of the Men and Women of the States of Delaware and New Jersey Who Lost Their Lives in World War II and Appropriating the Sum of Fifty Thousand Dollars (\$50,000.00) Therefor," by Cannon; to Finance.

**SB 172**—"An Act Authorizing the State of Delaware to Borrow Three Million Five Hundred Thousand Dollars

(\$3,500,000) and Issue Bonds Therefor, to Provide a Highway Improvement Program, for the Purpose of Acquiring Lands and Rights-of-Way and Constructing and Reconstructing Roads, Highways, Bridges, and Improvements Incidental Thereto, and Providing the Form of the Bonds and Coupons as Well as the Procedure for the Sale Thereof, Providing for the Payment of Principal and Interest of Said Bonds, and Appropriating the Sum Received Therefrom to the State Highway Department," by Cannon; to Finance.

**SB 173**—"An Act to Amend Chapter 176 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Alcoholic Liquor, Wines and Beer' by Changing the Hours and Times During Which It Shall Be Illegal to Sell Alcoholic Liquor in Any Hotel, Restaurant, Club or Tavern," by Reilly; to Temperance.

**SB 174**—"An Act Authorizing the Erection, Construction, Installation, Maintenance and Repair of a Traffic Control Light at the Intersection of Maryland Avenue and McGovern Place, Shipside, Christiana Hundred, New Castle County, Delaware," by Klair; to Buildings and Highways.

**SB 175**—"An Act to Amend the Charter of the City of Rehoboth Beach as Established by Chapter 161, Volume 41, Laws of Delaware, and as Amended, Relating to the Qualifications, Terms, Powers and Duties of the City Manager," by Johnson; to Municipal Corporations.

**SB 176**—"An Act to Amend the Charter of the City of Rehoboth Beach as Established by Chapter 161, Volume 41, Laws of Delaware, Relating to the Territorial Limits of the City," by Johnson; to Municipal Corporations.

**SB 177**—"An Act to Amend the Charter of the City of Rehoboth Beach as Established by Chapter 161, Volume 41, Laws of Delaware, and as Amended by Providing for the Appointment of an Alderman for Said City and Defining His Jurisdiction, Powers and Duties," by Johnson; to Municipal Corporations.

**SB 178**—"An Act to Amend the Charter of the City of Rehoboth Beach as Established by Chapter 161, Volume 41, Laws of Delaware, and as Amended by Chapter 177, Volume 43, Laws of Delaware, Relating to the Manner of Holding Elections and by Prescribing Qualifications of Voters and for Absentee Voting," by Johnson; to Municipal Corporations.

**SB 179**—"An Act to Amend the Charter of the City of Rehoboth Beach as Established by Chapter 161, Volume 41, Laws of Delaware, and as Amended by Chapter 177, Volume 43, Laws of Delaware, Relating to the Annual Organization Meeting of the Commissioners of Rehoboth, and the Appointments of Officers to Be Made at Such Meeting," by Johnson; to Municipal Corporations.

**SB 180**—"An Act to Amend the Charter of the City of Rehoboth Beach as Established by Chapter 161, Volume 41, Laws of Delaware, and as Amended by Chapter 243, Volume



46, Laws of Delaware, Relating to the Powers Conferred upon the Commisisoners in Respect of Franchises and Licenses," by Johnson; to Municipal Corporations.

**SB 181**—"An Act to Amend Chapter 6 of the Revised Code of the State of Delaware, 1935, in Relation to Motor Fuel Taxes by Limiting the Time Within Which Claims for Refunds Can Be Made," by Cubbage; to Revised Statutes.

**SB 182**—"An Act to Amend Chapter 49 of the Revised Code of Delaware, 1935, Entitled 'Coroners,' in the Respect of Burial of Bodies," by Steen; to Revised Statutes.

**SB 183**—"An Act Making an Appropriation to Delaware Commission for the Feeble-Minded to Provide for the Erection and Equipment of Certain Buildings in Connection with the State Institution for Feeble-Minded at Delaware Colony," by Steen; to Finance.

**SB 184**—"An Act Making an Appropriation to Delaware Commission for the Feeble-Minded to Provide for the Erection and Equipment of Certain Buildings in Connection with the State Instiution for Feeble-Minded at Delaware Colony," by Steen; to Finance.

**SB 185**—"An Act to Amend Chapter 48, Volume 46, Laws of Delaware, 1947, as Amended, by Providing for Salary Increments for Teachers in the Public Schools for the Eleventh and Twelfth Years of Experience, and Appropriations Therefor," by Peeney; to Finance.

**SB 186**—"An Act Providing for the Establishment of Standards in the Interest of the Welfare of Employes and Public," by Klair, to Miscellaneous.

**SB 187**—"An Act Proposing an Amendment to Article V. of the Constitution of the State of Delaware Relating to Elections by Lowering the Age Limit of Citizens Eligible to Vote," by Reilly; to Elections.

The following Bills were reported favorably (unless otherwise indicated), by the majority of the respective committees as follows: **SB 162**, by Elections; **SB 65** (1 favorably, 2 unfavorably, 2 on its merits), **SB 66** (on its merits), **SB 99**, **SB 36**, **SB 75**, **SB 81**, by Revised Statutes.

Mr. Dolby, on behalf of the Committee on Passed Bills, reported as approved by the Governor, the following: **SJR 1**, approved Feb. 5, 1951; **SCR 5**, approved Feb. 9, 1951; **SB 45**, **SB 3**, **SCR 1**, **SCR 2**, **SCR 3**, **SCR 7**, **SCR 8**, **SCR 9**, approved Feb. 19, 1951.

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

**SB 181**, by Cubbage; to Revised Statutes; **SB 182**, by Steen; to Revised Statutes; **SB 183**, **SB 184**, by Steen; to Finance; **SB 185**, by Peeney; to Finance; **SB 186**, by Klair, to Miscellaneous; **SB 187**, by Reilly; to Elections.

On motion of Mr. Reilly, **SB 2**—"An Act to Amend Chapter 83, Volume 45, Laws of Delaware, 1945, as Amended, Re-

lating to Aid for the Needy Blind, by Providing That Examination May Be by an Optometrist and by Increasing the Maximum Amount of Financial Assistance," 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. Benger, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Barnard—1.

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

On motion of Mr. Steen, **SB 68**—"An Act Authorizing and Empowering the State Park Commission to Take Over the Trappe Pond Project in Sussex County from the Federal Government Either by Lease or by Deed and 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. Barnard, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—Messrs. Benger, Burris—2.

Absent—None.

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

Mr. Webb moved that the vote on **SB 80** be reconsidered. The yeas and nays were ordered, which being taken, were as follows:

Yeas—Messrs. Barnard, Benger, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Burris, Longbotham—2.

Mr. Webb introduced **SA 1** to **SB 80**.

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

Yeas—Messrs. Barnard, Benger, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Pedrick, Peeney, Powell, Reilly, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Burris, Longbotham—2.

So the question was decided in the affirmative, and **SA 1** to **SB 80** was adopted.

On motion of Mr. Webb, **SB 80** with **SA 1**—"An Act to

Appropriate Money to Beulah Moore as Compensation for Injuries Suffered, Expenses Incurred and to Be Incurred, as the Result of an Attack by a Deer in the Control and Custody of the Delaware Game and Fish Commission," was taken up for consideration and read a third time by title and enacting clause in order to pass the Senate.

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

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

Nays—None.

Absent—Mr. Burris—1.

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

On motion of Mr. Peeney the Senate adjourned until 11 a.m., Wed., Feb. 28, 1951.

### 35TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 11 a.m., Wed., Feb. 28, 1951.

Prayer by the Chaplain, Rev. Rowlensen: Grant unto us, O God, the grace of gratitude. Lest we forget the greater, by our attention to the less, we thank thee first of all for the Supreme Gift from thy goodness even our Lord and Saviour Jesus Christ. In him are all things. In him is the joy of our salvation. We thank thee for him as the Way, the Truth, and the Life. We thank thee for him as Bread for the nurture of our souls. We thank thee for him as the assurance of life beyond this life, and for his intimate presence during the days of our earthly pilgrimage. We thank thee for work made radiant by Christ's ideal of service. We thank thee for the human loves, developing and enriching. We thank thee for the human loves, developing and enriching. We thank thee for the church which keeps us close to thee, which binds us into a fellowship of love, which channels grace to us and makes of us the channels of blessing. God bless our Chief Executives of Nation and State. We pray in the name of Jesus. Amen.

Members present—Messrs. Benger, Crossley, Dolby, Handsberry, Longbotham, Pedrick, Peeney, Steen, Webb—9.

Members absent—Messrs. Barnard, Burris, Cubbage, Johnson, Klair, Powell, Reilly, Mr. Pres. Pro Tem—8.

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

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

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

Messrs. Barnard, Burris, Cannon, Cabbage, Johnson, Klair asked to be marked present.

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

**SB 188**—"An Act Appropriating the Sum of Two Hundred Thousand Dollars (\$200,000.00) to the Milford Special School District for the Construction of a Cafeteria and a Gymnasium for the Colored School in the Milford Special School District," by Longbotham; to Finance.

**SB 189**—"An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, as Amended, Relating to Motor Vehicles by Providing for the Transfer of Registration Plates and Number Plates," by Cannon; to Revised Statutes.

**SB 190**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Fish, Oysters and Game' by Increasing the Fee Payable for the Issuance of a Fishing License," by Webb; to Fish, Oysters and Game.

**SB 191**—"An Act to Amend Chapter 77, Volume 42, Laws of Delaware, as Amended, by Chapter 12, Volume 43, Laws of Delaware and Chapter 78, Volume 47, Laws of Delaware by Designating the Use of Certain of the Funds Derived from Yearly Fishing License Fees Collected by the Board of Game and Fish Commission," by Webb; to Fish, Oysters and Game.

**SB 192**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Fish, Oysters and Game' with Respect to the Amount of Game Lawful to Take or Kill," by Webb; to Fish, Oysters and Game.

**SB 193**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Fish, Oysters and Game' by Repealing a Certain Provision Concerning Short Term Non-Resident Fishing License," by Steen; to Fish, Oysters and Game.

**SB 194**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Fish, Oysters and Game' by Repealing the Prohibitory Provisions Concerning Hungarian Partridge or Pheasant," by Steen; to Fish, Oysters and Game.

On motion of Mr. Cabbage the Senate adjourned until 11 a.m., Thurs., March 1, 1951.

### 36TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 11 a.m., Thurs., March 1, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Rowlensen: Almighty God, ever Blessed, Holy, whose mercy is from everlasting and whose strength is perfected in our weakness, help us now to draw near to thee that with united mind and heart we may worship

thee. We bring to thee the thirst we cannot quench at any earthly spring, and the hunger which is only satisfied by thy Word. Lift us out of our shadows into thy light, out of our perplexities into thy clear truth.

For sin give repentance, for sorrow give trust, from the strife of passion and care, grant rest. Give us that great faith in thee which will fill us with peace with the known that surrounds us and with the unknown that is above and beyond us. Bless America and those that are in Authority. We ask in Jesus' name. Amen.

Members present—Messrs. Barnard, Benger, Dolby, Handsberry, Longbotham, Pedrick, Peeney, Steen, Webb, Mr. Pres. Pro Tem—10.

Members absent—Messrs. Burris, Crossley, Cubbage, Johnson, Klair, Powell, Reilly—7.

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

On motion of Mr. Cannon the Senate recessed until 1 p.m.

Senate met at expiration of recess at 2:45 p.m., Lt. Gov. Bayard presiding.

Messrs. Burris, Crossley, Cubbage, Johnson, Powell, Webb asked to be marked present.

Mr. Peeney moved that in consideration of **SB 84**, section 2 of Rule 9 be suspended. Motion prevailed.

On motion of Mr. Pedrick, **SB 84**—"An Act to Reincorporate the City of New Castle and to Repeal Chapter 216, Volume 27, Laws of Delaware, as Amended, Entitled 'An Act Amending, Revising and Consolidating the Charter of the City of New Castle' and Repealing Certain Other Acts Concerning the City of New Castle Inconsistent Herewith Relating to the Board of Education, Elections, City Clerk, Board of Water and Light Commissioners, Sewers and Disposal Works," was taken up for consideration and read a third time by paragraphs in order to pass the Senate.

Mr. Pedrick introduced **SA 1**, which was read and on his futher motion adopted.

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

Yeas—Messrs. Barnard, Benger, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Longbotham, Pedrick, Peeney, Powell, Steen, Webb, Mr. President Pro Tem—15.

Nays—None.

Absent—Messrs. Klair, Reilly—2.

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

Resignation of Leroy Marvel, Sergeant-at-Arms was submitted by Mr. Steen.

February 28, 1951

The Senate, 116th General Assembly State of Delaware  
Dover, Delaware

Gentlemen:

By Senate Resolution No. 5, adopted by the Senate of the 116th General Assembly of the State of Delaware, I am honored to have been elected by your body to the office of Sergeant-at-Arms.

I hereby submit my resignation from the said office of Sergeant-at-Arms of the Senate of the 116th General Assembly of the State of Delaware, effective forthwith.

Further, I hereby acknowledge the receipt of the sum of Three Hundred Dollars (\$300.00) of and from the State of Delaware in full and final payment of every and all amounts claimed by me for my services unto this date as Sergeant-at-Arms of the Senate of the 116th General Assembly of the State, and I hereby waive, release and renounce to the State any and all claims whatsoever which conceivably I may have to any further compensation or emoluments attending upon said office of Sergeant-at-Arms.

Respectfully submitted,  
(Signed) LEROY MARVEL

Signed, Sealed, and Delivered in the presence of (Signed)  
Lester H. Pittard, Witness.

Upon motion of Mr. Steen, the resignation was accepted.

Mr. Cabbage introduced the following Resolution, which on further motion by him was adopted: **SR 30**—"Relative to Resignation and Election of Senate Officer."

**BE IT RESOLVED** by the Senate of the 116th General Assembly of the State of Delaware that the resignation of Leroy Marvel, as Sergeant-at-Arms, heretofore tendered to the Secretary, be accepted and that Curtis B. Hudson of Millsboro is hereby elected to serve as Sergeant-at-Arms during the pleasure of the Senate.

Mr. Cabbage announced that Mr. Lewis Killen, Sergeant-at-Arms was still confined to his home by illness.

The following Bill was reported favorably by the majority of the respective committee as follows: **SB 11**, by Revised Statutes.

Mr. Barnard stated that he did not sign report on **SB 11**.

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

**SB 195**—"An Act Transferring to the General Fund of the State Treasury the Present Balance Remaining to the Credit of the 'School Inspection Reserve Account' Established under Section 9 of Chapter 79, Volume 43, Laws of Delaware, 1941, Entitled 'An Act to Provide for the Purchase and Con-

struction of New and Improved Buildings, Grounds and Equipment for Certain State Institutions and the University of Delaware and School Districts of This State and Relating to the Costs Thereof, Making Appropriation and Providing for the Means of Payment," by Cannon; to Accounts.

**SB 196**—"An Act to Amend Chapter 104, Volume 45, Laws of Delaware, 1944-45, as Amended, Entitled 'An Act Providing for the Payment of Pension Benefits to Certain State Employees, Fixing Ages of Retirement, Establishing Benefits Payable and the Source of Payment Thereof, Providing for Applications for Pensions and the Procedure to Be Followed with Respect Thereto, Providing That Pension Benefits Shall Be Free of Attachment and Non-Assignable, and Providing for the Reduction of Benefits Under Certain Conditions,' with Reference to Computing the Number of Years of Service of Certain Employees of the Delaware State Employment Service Transferred to the War Manpower Commission and Returned to State Service at the Conclusion of World War II," by Handsberry; to Revised Statutes.

**SB 197**—"An Act to Amend Chapter 21, Article 10 of the Revised Code of Delaware, 1935, Relating to the State Board of Agriculture in Reference to the Sale of Liming Materials," by Crossley; to Agriculture.

**SB 198**—"An Act to Amend Chapter 11 of Volume 39 of the Laws of Delaware, 1934, as Amended, Relating to the Protection of Aboriginal Sites and the Preservation of Archaeological and Scientific Information, Matters and Objects," by Johnson; to Miscellaneous.

**SB 199**—"An Act to Provide for Protecting the Beach or Strand Along the Atlantic Ocean to the North of the City of Rehoboth Beach, in Sussex County, Delaware, from Erosion and Inundation," by Johnson (by request); to Finance.

Request that the following be stricken from the Calendar was granted to Member as follows: **SB 190**, Webb.

On motion of Mr. Peeney the Senate adjourned until 11 a.m., Fri., March 2, 1951.

### 37TH LEGISLATIVE DAY

Senate met pursuant to adjournment at 11 a.m., Fri., March 2, 1951, Lt. Gov. Bayard presiding.

Prayer by the Chaplain, Rev. Rowlensen: In the name of The Father, The Son, and The Holy Ghost. O God, whose Spirit searcheth all things, and whose love beareth all things, encourage us to draw near to thee in sincerity and truth. Save us from a worship of the lips while our hearts are far away. Grant us a consciousness of thy presence. We thank thee that thy fatherhood, so righteous, so holy, so loving, so sacrificial, was made manifest to us through the life and character of Christ, his death and resurrection. We thank thee that we find him the Light of our lives, the Shepherd of our souls, the Door

into nobler living. We bring unto thee the lives of all men, that they may be saved. Bless the Chief Executives of Nation and our State. In the name of Christ, we pray, Amen.

Members present—Messrs. Benger, Crossley, Cubbage, Dolby, Handsberry, Klair, Pedrick, Peeney, Steen, Webb, Mr. Pres. Pro Tem—11.

Members absent—Messrs. Barnard, Burris, Johnson, Longbotham, Powell, Reilly—6.

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

The 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 41**—"An Act to Amend an Act Entitled, 'An Act Amending, Revising, and Consolidating the Charter of the Town of Georgetown,' Being Chapter 166, Volume 43, as Amended, by Repealing the Exemption from Taxation of Pieces and Parcels of Farm Lands Within the Limits of the Town."

**HB 65**—"An Act Authorizing the Levy Court of Kent County to Appropriate County Monies to the Harrington Volunteer Fire Company for the Maintenance of an Ambulance."

**HB 108**—"An Act to Amend an Act Entitled 'An Act Changing the Name of "The Town of Milford" to "The City of Milford" and Establishing a Charter Therefor' by Providing an Increase in the Limit of Taxation."

**HB 115**—"An Act to Amend Chapter 164, Volume 36, Laws of Delaware, Entitled 'An Act to Re-incorporate the Town of Laurel, by Increasing the Salary of Members of the Council.'"

**HB 116**—"An Act to Authorize Mayor and Council of Laurel to Borrow Not Exceeding \$100,000.00, and to Issue Bonds to Secure the Payment Thereof, for the Purpose of Extending Sewer and Water Lines, Installation of a New Water Well and the Broadening of Spruce Street in the Town of Laurel."

**HB 120**—"An Act Authorizing and Directing the Levy Court Commissioners of Kent County to Satisfy a Mortgage upon the Lands of the Lions Club of Smyrna, Delaware."

**HB 123**—"An Act to Amend Section 41-45, Revised Code of Delaware, 1935, as Amended, Relating to the New Castle County Warehouse."

**HB 129**—"An Act Authorizing, Empowering and Directing the Levy Court of New Castle County to Refund Certain Overpayments of Taxes, in Connection with a Special Assessment Against Certain Lands for the Construction of a Road in Brandywine Hundred, New Castle County, Delaware, Known as Hillside Road."

**HB 140**—"An Act to Amend Chapter 74, Revised Code



of Delaware, 1935, as Amended, Entitled 'Fish, Oysters and Game' by Repealing the Provision Pertaining to the Killing of Wild Turkeys."

**HB 141**—"An Act to Amend Chapter 74, Revised Code of Delaware, 1935, as Amended, Entitled 'Fish, Oysters and Game,' by Repealing the Provision Pertaining to the Killing of Hungarian Partridge or Pheasant."

**HB 154**—"An Act to Amend an Act Entitled, 'An Act, Amending, Revising and Consolidating the Charter of the Town of Georgetown,' Being Chapter 166, Volume 43, Laws of Delaware, as Amended, by Authorizing an Allowance of a Fixed Sum of Money for Attendance at Each Regularly Called Meeting of the Town Council."

**HB 155**—"An Act to Amend an Act Entitled, 'An Act Amending, Revising and Consolidating the Charter of the Town of Georgetown,' Being Chapter 166, Volume 43, Laws of Delaware, as Amended, by Authorizing an Increase in the Abatement of Taxes and by Authorizing a Certain Penalty for Non-Payment of Taxes After the Thirty-first Day of May of Each Year."

**HB 158**—"An Act Appropriating Certain Moneys to the State Soil Conservation Commission for the Drainage of Tax Ditches in Kent County."

**HB 176**—"An Act Authorizing the Commissioners of Bethany Beach, Delaware, to Erect, Construct, Equip, Enlarge, Purchase, Maintain and Operate a Plant or Plants for the Purpose of Furnishing Water to the Inhabitants of the Town of Bethany Beach and Immediate Vicinity Thereof and to Issue Bonds or Other Certificates of Indebtedness Not to Exceed the Sum of \$125,000.00 Therefor."

**HB 179**—"An Act Appropriating Money to Certain Fire Companies in the State of Delaware."

**HB 188**—"An Act to Amend an Act Entitled 'An Act to Re-incorporate the Town of Bridgeville' Relative to the Hours for Holding Town Elections."

**HB 194**—"An Act to Prohibit the Operation of a Boat in Silver Lake in New Castle County, by a Motor of More Than Five (5) Horsepower."

**HB 203**—"An Act Authorizing, Empowering and Directing the Levy Court of New Castle County to Refund Certain Monies in Connection with the Sale of Certain Lots in Brandywine Hundred, New Castle County, State of Delaware."

On motion of Mr. Cannon the Senate recessed until 1:30 p.m.

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

Mr. Crossley introduced the following Resolution, which on further motion by him was adopted: **SR 31**—"Relative to Payment on Account for Collecting Data, Compiling, Editing and Publishing the Daily Calendar for the State Senate."

**BE IT RESOLVED** by the Senate of the State of Delaware that the following amount be and the same is hereby

appropriated out of any money in the State Treasury, not otherwise appropriated, for collecting data, compiling, editing, and publishing the Daily Calendar for the Senate of the State of Delaware, same being expense connected with the present Session thereof, viz.:

To The Sussex Countian, Georgetown, Delaware, Two Thousand Four Hundred and Thirty-nine Dollars and Twenty Cents (\$2,439.20), being part payment on account for above.

The following Bills were reported favorably by the majority of the respective committees as follows: **SB 113**, **SB 107**, by Revised Statutes; **SB 195**, by Accounts.

On motion of Mr. Klair, **SB 103**—"An Act to Amend Chapter 117, Volume 32, Laws of Delaware, Entitled 'An Act to Amend an Act to Incorporate the Town of Elsmere, New Castle County, by Changing the Hours and Methods of Voting in Town Elections, and by Providing for More Than One Polling Place for Town Elections,'" 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. Barnard, Bengier, Burris, Crossley, Cubbage, Dolby, Handsberry, Johnson, Klair, Longbotham, Pedrick, Peeney, Powell, Steen, Webb, Mr. President Pro Tem—16.

Nays—None.

Absent—Mr. Reilly—1.

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

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

**SB 200**—"An Act to Amend Chapter 165 of the Revised Code of Delaware, 1935, Entitled 'Motor Vehicles,' as Amended, with Respect to the Fees for Registration of Motor Vehicles Propelled by Diesel Engines," by Cannon; to Revised Statutes.

**SB 201**—"An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, as Amended, Entitled 'Fish, Oysters and Game' with Respect to Bull Frogs," by Webb; to Fish, Oysters and Game.

**SB 202**—"An Act Appropriating Money to the Delaware Commission for the Blind for the Maintenance and Operation of 'Sunnybrook' a Nursery School for Blind Children," by Klair; to Finance.

Messrs. Longbotham, Johnson, Powell, Burris and Barnard asked to be marked present.

**SB 203**—"An Act to Amend Chapter 43, Revised Code of Delaware, 1935, as Amended, Entitled 'Levy Courts,' by Increasing the Amount Charged in the Treatment and Care of