

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

**SB 328**—"An Act to Amend Title 9, Delaware Code by Providing for a New Chapter 63, Entitled "Building Permits for Sussex County," to Miscellaneous.

Mr. Speaker signed: **HB 113** as amended, **HB 217**, **HB 103**, **SB 298**, **SB 39** and **SB 220**.

Mr. Massey introduced the following resolution, which on further motion by him was adopted: **HR 97**—"Authorizing the Payment of Certain Expenses for Bill Backers for the House of Representatives."

**BE IT RESOLVED** by the House of Representatives of the 119th General Assembly of the State of Delaware that the hereinafter named amounts are hereby appropriated out of any money in the State Treasury, not otherwise appropriated, on account of expenses connected with the present session and necessary to the work of the session, as follows:

The Milford Chronicle Publishing Company, Milford, Delaware, for supplying

200 original House Bill Backers .....	\$16.50
500 duplicate House Bill Backers .....	10.50
150 original House Resolution Backers .....	19.70

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TOTAL ..... \$46.70

Mr. Tribbitt moved that **SB 87**—"An Act to Amend Chapter 11, Title 10, Delaware Code, Relating to the Judge of the Juvenile Court of Kent and Sussex Counties," be taken up for further consideration in order to pass the House.

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

**YEAS**—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—18.

**NAYS**—None.

**ABSENT**—Messrs. Appleford, Bartleson, Carpenter, Ehinger, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Wolf—17.

**SB 87** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Tribbitt moved that **HB 365**—"An Act to Amend Chapter 21, Title 19, Delaware Code Relating to Workmen's Compensation by Providing for An Increase in Salary to the Secretary of the Industrial Accident Board; Appropriations," be taken up for consideration and read for the third time in order to pass the House.

**HA 1** to **HB 365** was introduced by Mr. Tribbitt, and on further motion by him was adopted.

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

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—18.

NAYS—None.

ABSENT—Messrs. Appleford, Bartleson, Carpenter, Ehinger, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Wolf—17.

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

Mr. West moved that **HB 334**—"An Act Appropriating Funds to the State Highway Department for a Public Park and Recreational Area at Ingram Pond," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—18.

NAYS—None.

ABSENT—Messrs. Appleford, Bartleson, Carpenter, Ehinger, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Wolf—17.

**HB 334** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley, the rules were suspended in order to take action on **SB 233**.

Mr. Shockley moved that **SB 233**—"An Act to appropriate \$23,500 to the State Highway Department to be Used for the Purpose of Dredging Out the "Old Inlet" of the Broadkilkiln River," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—18.

NAYS—None.

ABSENT—Messrs. Appleford, Bartleson, Carpenter, Ehinger, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Wolf—17.

**SB 233** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Pryor moved that **HB 347**—"An Act to Amend Chapter 39, Title 7, Providing for an Annual Appropriation to the State Soil Conservation Commission for the Use of the Board of Soil District Supervisors of the Soil Conservation District of New Castle County," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—18.

**NAYS**—None.

**ABSENT**—Messrs. Appleford, Bartleson, Carpenter, Ehinger, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Wolf—17.

**HB 347** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Quigley moved that **HB 386**—"An Act to Amend Title 7, Delaware Code, Entitled "Conservation" Relating to Hunting, Trapping and Fishing Licenses for Aliens," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—18.

**NAYS**—None.

**ABSENT**—Messrs. Appleford, Bartleson, Carpenter, Ehinger, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Wolf—17.

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

Mr. Walls moved that **HB 331**—"An Act to Amend Title 7, Delaware Code, Entitled "Conservation" in Respect to Funds Received by the Board of Game and Fish Commissioners from Rental of Facilities and Rental or Sale of Certain Commission Publications, Equipment or Products," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—18.

NAYS—None.

ABSENT—Messrs. Appleford, Bartleson, Carpenter, Ehinger, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Wolf—17.

**HB 331** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Quigley, the rules were suspended at 9:52 P. M.

**HB 394** was reported from the Committee on Revenue and Taxation, as favorably; **SB 307** was reported from the Committee on Judiciary, as favorably.

Messrs. McAllister and King introduced the following resolution, which on further motion by Mr. McAllister, was adopted: **HR 98**—"Providing for a Committee to Study the Various Pension Plans of the State of Delaware, to Investigate the Needs of the State and the Various Agencies of the State as to Improvements of the Present Pension Plans, and to Propose Legislation to the Current General Assembly Relative to This Matter."

WHEREAS, the members of the House of Representatives of the 119th General Assembly are interested in reviewing and improving the present pension plans existing for State Employees; AND

WHEREAS, it is deemed desirable and necessary that an intensive study be made by the House of Representatives of such pension plans; and

WHEREAS, it has been suggested that a Contributory Pension Plan be adopted, particularly for school employees who comprise a large portion of the total of state employees; and

WHEREAS, the House of Representatives is recessing from June 18, 1957, until January 6, 1958, and this interim time can be appropriately spent by a Committee of the House of Representatives studying the pension problems of the State; NOW THEREFORE,

BE IT RESOLVED, by the House of Representatives of the 119th General Assembly, that the Speaker appoint a committee of six members of the House, one of whom shall be Chairman, with equal representation from each County and from each political party, for the following purposes:

1. To make an intensive study of the present pension plans for state employees, and determine the feasibility of continuing the present pension plans.



2. To determine the feasibility of Contributory Pension Plan for school employees and for all State employees, and to submit recommendations as to such Contributory Pension Plans.
3. To prepare and submit proposals and recommendations for legislation to improve any existing deficiencies in the pension plans for state employees.
4. Submit recommendations for legislation as to any matter concerning pension plans for state employees which the committee in the course of its study and investigation finds desirable and necessary.

BE IT FURTHER RESOLVED that the aforesaid committee, to be known as the PENSION STUDY COMMITTEE OF THE HOUSE OF REPRESENTATIVES, be instructed by the Speaker that they present a written report to the House of Representatives by January 30th, 1957, and

BE IT FURTHER RESOLVED that the members of the Committee shall be entitled to mileage expenses for transportation from their home to Committee hearings, and the Committee be authorized to employ a stenographer, an attorney and an accountant, and the compensation for the stenographer shall not exceed \$20 per day, the compensation for the accountant shall not exceed \$60 per day, and the compensation for the attorney shall not exceed \$60 per day. The Committee is also authorized to obtain appropriate supplies from the State Librarian, and

BE IT FURTHER RESOLVED that the State Treasurer of the State of Delaware is hereby authorized and directed to pay such expenses and salaries on vouchers properly approved and signed by the Chairman of the PENSION STUDY COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

Mr. Tribbitt moved that **HB 398**—"An Act Making Certain Additional and Supplementary Appropriations for the Expenses of Certain State Agencies for Each of the Fiscal Years Ending June 30, 1958 and June 30, 1959," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—18.

NAYS—None.

ABSENT — Messrs. Appleford, Bartleson, Carpenter, Ehinger, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Wolf—17.

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

Mr. Quigley moved that **HB 344**—"An Act to Amend Chapter 50, Title 15, Delaware Code Relating to the Use of Voting Machines in Elections," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—18.

**NAYS**—None.

**ABSENT** — Messrs. Appleford, Bartleson, Carpenter, Ehinger, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Wolf—17.

**HB 344** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Alexander moved that **SB 210**—"An Act to Appropriate \$7500 to the State Highway Department for the Purpose of Constructing a Concrete Sidewalk Along the East Side of the duPont Highway Opposite the Minquadale School in New Castle County," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Massey, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, Mr. Speaker Mayhew—16.

**NAYS**—Mr. McAllister—1.

**ABSENT** — Messrs. Appleford, Bartleson, Carpenter, Ehinger, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Wolf—17.

**PRESENT**—Mr. West—1.

Messrs. Alexander, Quigley and Walls changed their vote from yea to nay for the purpose of reconsideration.

**SB 210** not having received the constitutional majority, was lost in the House.

**SB 210** was restored to the calendar on motion by Mr. Quigley.

Mr. Hussey moved that **SS 1** for **SB 78**—"An Act to Amend Chapter 41, Title 15 of the Delaware Code by Granting to the Several Departments of Elections the Power to Alter Election District Boundary Lines," be taken up for consideration and read for the third time in order to pass the House.

**HA 1** to **SS 1** for **SB 78** was introduced by Mr. Hussey and on further motion by him was adopted.

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

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—18.

NAYS—None.

ABSENT—Messrs. Appleford, Bartleson, Carpenter, Ehinger, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Wolf—17.

SS 1 for SB 78 with HA 1 having received the constitutional majority, passed the House and was ordered returned to the House for concurrence.

Mr. Alexander moved that SB 210—"An Act to appropriate \$7500 to the State Highway Department for the Purpose of Constructing a Concrete Sidewalk Along the East Side of the duPont Highway Opposite the Minquadale School in New Castle County," be taken up for further consideration in order to pass the House.

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

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—18.

NAYS—None.

ABSENT—Messrs. Appleford, Bartleson, Carpenter, Ehinger, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Wolf—17.

SB 210 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. West moved that SB 251—"An Act to appropriate Certain Funds to the Milton Consolidated School for the Purpose of Filling, Grading and Seeding 2½ Acres Around the School Property," be taken up for further consideration in order to pass the House.

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

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—18.

NAYS—None.

ABSENT—Messrs. Appleford, Bartleson, Carpenter, Ehinger, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Wolf—17.

SB 251 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Shockley moved that **SB 229**—"An Act to Appropriate Certain Funds to the Christiana School District No. 44 to Enable It to Purchase and Erect a Fence in and Around the Christiana School Property," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Massey, McAllister, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—17.

NAYS—Mr. Mills—1.

ABSENT — Messrs. Appleford, Bartleson, Carpenter, Ehinger, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Wolf—17.

Messrs. Shockley and West changed their vote from yea to nay for the purpose of reconsideration.

**SB 229** not having received the constitutional majority, was lost in the House.

Mr. Shockley moved that **HB 126**—"An Act Appropriating Funds to the State Board of Trustees of the Delaware State Hospital at Farnhurst, Delaware, to Replace Two Obsolete Cottages at the Hospital for the Mentally Retarded at Stockley, Delaware, and to Equip and Furnish Such Cottages," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, Mr. Speaker Mayhew—17.

NAYS—None.

ABSENT — Messrs. Appleford, Bartleson, Carpenter, Ehinger, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Wolf—17.

PRESENT—Mr. West—1.

Messrs. Hussey, Shockley and Walls changed their vote from yea to nay for the purpose of reconsideration.

**HB 126** not having received the constitutional majority, was lost in the House.

Mr. Speaker appointed Messrs. McAllister, Tribbitt, King, Snowden, Ehinger and Keller pursuant to **HR 98**.

Mr. Massey introduced the following resolution, which on further motion by him, was adopted: **HR 99**—"Authorizing the State Treasurer to Pay to the State Librarian Money for Postage Stamps for Use of the Mail Clerk."

**BE IT RESOLVED** by the House of Representatives of the 119th General Assembly of the State of Delaware, that the State Treasurer be and she hereby is authorized and directed

to pay to the State Librarian, upon warrant duly signed by her the sum of \$500.00 for the purchase of postage stamps for the use of the Mail Clerk of the House of Representatives as the part of the expenses of the House in the present Session thereof.

On motion of Mr. Shockley, the rules were restored.

On motion of Mr. Quigley, the House adjourned until Tuesday, June 18, 1957, at 10:00 A. M.

### 94TH LEGISLATIVE DAY

House met pursuant to adjournment at 11:00 A. M., on June 18, 1957.

There not being a quorum present, Mr. Snowden moved that the hearing with the State Department of Public Welfare begin. Motion prevailed.

Mr. Shockley moved that the House recess at the call of the Chair at 12:00 o'clock Noon.

The House was called to order at 3:23 P. M.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—33.

Members absent—Messrs. Carpenter and Wolf—2.

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

A communication was presented by Mr. Shockley, pursuant to **HB 402**.

Mr. Lawson moved that **HB 357**—"An Act Proposing an Amendment in the Constitution of the State of Delaware by Inserting at the End Thereof an Article Providing for Municipal Home Rule," be taken up for further consideration in order to pass the House.

**HA 1 to HB 357** was introduced by Mr. Quigley.

On the question, "Shall **HA 1 to HB 357** be Adopted?" the roll call revealed:

**YEAS**—Messrs. Alexander, Betts, Cain, Clark, English, King, (Mrs.) Manning, Mills, Pryor, Quigley, Snedeker, Tribbitt, Walls, West, Mr. Speaker Mayhew—15.

**NAYS**—Messrs. Appleford, Bartleson, Ehinger, Hussey, Kaufman, Keller, Lawson, Livingston, Reed, Richards, Shockley, Simpler, Snowden, Spicer—14.

**NOT VOTING**—Messrs. Eskridge and McAllister—2.

**ABSENT**—Messrs. Carpenter, Lambert, Massey, Wolf—4.

**HA 1 to HB 357** was lost in the House.

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

**YEAS**—Messrs. Appleford, Bartleson, Cain, Clark, Ehinger, Eskridge, Hussey, Kaufman, Keller, King, Lawson, Livingston, (Mrs.) Manning, McAllister, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Walls, Mr. Speaker Mayhew—24.

**NAYS**—Messrs. Alexander, Mills, Quigley—3.

**NOT VOTING**—Messrs. Betts, English, Tribbitt, West—4.

**ABSENT**—Messrs. Carpenter, Lambert, Massey, Wolf—4.

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

Mr. Clark moved that **SB 232**—"An Act Authorizing the State Board of Health to Provide Poliomyelitis Immunization and Making an Appropriation Therefor," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, Hussey, Kaufman, King, Lambert, Lawson, (Mrs.) Manning, McAllister, Mills, Pryor, Reed, Richards, Shockley, Simpler, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—25.

**NAYS**—None.

**ABSENT**—Messrs. Alexander, Carpenter, English, Eskridge, Keller, Livingston, Massey, Quigley, Snedeker, Wolf—10.

**SB 232** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mrs. Manning moved that **HB 395**—"An Act Appropriating Funds to the State Board of Education to Provide Itinerant Homebound and Hospital Instruction," be taken up for further consideration in order to pass the House.

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

**YEAS**—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, Hussey, Kaufman, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Reed, Richards, Shockley, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—23.

**NAYS**—Mr. Simpler—1.

**ABSENT**—Messrs. Alexander, Carpenter, English, Eskridge, Keller, Massey, Quigley, Snedeker, Snowden, West, Wolf—11.

**HB 395** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

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

**YEAS**—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, Hussey, Kaufman, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Reed, Richards, Shockley, Simpler, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—26.

**NAYS**—None.

**ABSENT** — Messrs. Alexander, Carpenter, English, Eskridge, Keller, Massey, Quigley, Snedeker, Wolf—9.

**SB 162** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. West moved that **SB 261**—"An Act to Amend Chapter 3, Title 11, Delaware Code, Relating to Lotteries, Gambling and Betting," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS** — Messrs. Appleford, Bartleson, Clark, Ehinger, King, McAllister, Pryor, Reed, Richards, Simpler, Snowden, Spicer, Walls, West, Mr. Speaker Mayhew—15.

**NAYS** — Messrs. Hussey, Kaufman, Lambert, Lawson, Livingston, Mills, Shockley—7.

**NOT VOTING**—Messrs. Betts and Tribbitt—2.

**ABSENT** — Messrs. Alexander, Carpenter, English, Eskridge, Keller, Massey, Quigley, Snedeker, Wolf—9.

**PRESENT**—Mr. Cain and Mrs. Manning—2.

Messrs. Ehinger, Snowden and West changed their vote from yea to nay for the purpose of reconsideration.

**SB 261** not having received the constitutional majority, was lost in the House.

Mr. West moved that **SB 261** be restored to the calendar.

The roll call revealed:

**YEAS** — Messrs. Appleford, Bartleson, Betts, Clark, Ehinger, King, (Mrs.) Manning, McAllister, Pryor, Reed, Richards, Simpler, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—18.

**NAYS** — Messrs. Hussey, Kaufman, Lambert, Lawson, Livingston, Mills, Shockley—7.

**ABSENT** — Messrs. Alexander, Carpenter, English, Eskridge, Keller, Massey, Quigley, Snedeker, Wolf—9.

**PRESENT**—Mr. Cain—1.

The motion having received the constitutional majority, **SB 261** was restored to the calendar.

Mr. Walls moved that **SB 241**—"An Act to Amend Part III, Title 3, Delaware Code, Providing for a New Chapter 32, Entitled, "Distribution; Regulation and Control of Milk Prices," be taken up for consideration and read for the third time in order to pass the House.

**HA 1** to **SB 241** was introduced by Messrs. Snowden and Wolf, and on further motion by Mr. Snowden, it was adopted.

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

**YEAS**—Messrs. Appleford, Betts, Cain, Clark, Kaufman, Keller, King, McAllister, Mills, Pryor, Reed, Richards, Walls, West, Mr. Speaker Mayhew—15.

**NAYS** — Messrs. Bartleson, Hussey, Lambert, Lawson, Livingston, (Mrs.) Manning, Shockley, Simpler—8.

**NOT VOTING**—Messrs. Snowden and Spicer—2.

**ABSENT** — Messrs. Alexander, Carpenter, Ehinger, English, Eskridge, Massey, Quigley, Snedeker, Tribbitt, Wolf—10.

Messrs. Appleford and West changed their vote from yea to nay for the purpose of reconsideration.

**SB 241** as amended not having received the constitutional majority, was lost in the House.

On motion of Mr. Appleford, **SB 241** as amended was restored to the calendar.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 77**, **HB 95**, **HB 213** with **HA 1**, **HB 221**, **HB 255**, **HB 292**, **HB 322** with **SA 1**, **HB 396**, **HB 107**, and that the Senate had passed and requested concurrence of the House in the following bills: **SB 161** with **SA 1**, **SB 194** with **SA 1**, **SB 297**, **SB 336**, **SB 337**, **SB 348**, **SB 351**, **SB 352**, **SB 331**, **SB 310**, **SB 323**, **SB 81**, **SB 340**.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 271**, and that the Senate had passed and requested the concurrence of the House in the following bills: **SB 13**, **SS 1** for **SB 170**.

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

**SB 346**—"An Act to Amend Title 6, Chapter 61, Delaware Code, by Creating the Office of State Petroleum Trust Commissioner and by Providing That the Trustees of Certain Oil Royalty and Similar Trust Shall be Under the Supervision of the State Petroleum Trust Commissioner Providing for the Payment of Fees to the State Petroleum Trust Commissioner for Examination; and Providing Penalties for Failure to Report and Submit to Examination," to Insurance and Banking.



**SB 320**—"An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees," to Education.

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

**SB 318**—"An Act to Amend Chapter 5, Title 18, Delaware Code, Relating to the Regulatory Provisions for Insurance Companies," to Insurance and Banking.

**SB 334**—"An Act Making an Appropriation to the Council on the Administration of Justice for the Purpose of Making a Study and Survey of the Judicial System of this State," to Judiciary.

**SB 319**—"An Act to Amend Chapter 5, Title 18, Delaware Code, Relating to Regulatory Provisions, Insurance," to Insurance and Banking.

**SB 299**—"An Act to Amend Title 11, of the Delaware Code Entitled "Crimes and Criminal Procedure" by Abolishing Capital Punishment," to Judiciary.

**SB 321**—"An Act to Amend Chapter 6, Title 9, Delaware Code, Relating to Suburban Parks and Recreation," to Public Buildings and Highways.

**SB 329**—"An Act Making an Appropriation to the Family Court of the State of Delaware in and for New Castle County for Additional Probation Officers and Staff and Their Annual Increments," to Appropriations.

**SB 214**—"An Act to Amend Chapter 21, Title 23, Delaware Code, by Providing for a Penalty for the Removal or Drainage of Water from Noxentown Lake in New Castle County," to Miscellaneous.

**SB 58**—"An Act Creating the Delaware Civil Service Commission, Providing for the Appointment, Duties and Powers of the Commissioners, a Director of Civil Service and Other Employees, Establishing a Classified and an Unclassified State Service, Providing for the Establishment of Regulations Governing Competitive Examinations, Employment Leaves, Records, Appeals, and Separation of Classified Civil Service Employees, and Appropriating Money Therefor," to Miscellaneous.

**SB 311**—"An Act to Establish a State Employees' Pension Plan to Supplement Benefits Payable Under the Social Security Act," to Miscellaneous.

**SB 13**—"An Act to Amend Chapter 45, Title 29, Delaware Code, Relating to the Custodian," to Miscellaneous.

**SS 1 for SB 170**—"An Act to Amend Chapter 39, Title 14, Delaware Code Relating to Teachers Retirement and Disability Benefits and Providing an Appropriation Therefore," to Education.

**SB 331**—"An Act to Further Amend Chapter 119, Volume 28, Laws of Delaware Entitled "An Act Providing for the Collection of Taxes for the City of Wilmington" as Amended by Chapter 116, Volume 50, Laws of Delaware, by Providing That the City of Wilmington Shall Have Power to Fix the Salary of the Collector of Taxes and the Salaries of the Clerks in the Office of Said Collectors," to Appropriations.

**SS 1 for SB 161**—"An Act to Amend Chapter 3, Title 18, Delaware Code Relating to the State Insurance Commissioner," to Insurance and Banking.

**SB 194 with SA 1**—"An Act to Amend Chapter 65, Title 11, Delaware Code, Entitled "State Correctional System", Providing for Minimum Salaries for Guards," to Appropriations.

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

**SB 310**—"An Act to Appropriate Money to the State Examining Board of Physical Therapists for Operating Expenses in the Next Biennium," to Public Health.

**SB 323**—"An Act to Amend Title 10, Delaware Code, Entitled "Court and Judicial Procedure" in Respect to a Constable at Large for Sussex County," to Judiciary.

**SB 336**—"An Act to Amend Title 28, Delaware Code, by Providing for Licensing, Regulation and Control of Dog Racing in the State of Delaware," to Private Corporations.

**SB 337**—"An Act Relating to a Refendum in the 1958 General Election on the Question of Wagering and Betting on Dog Races," to Private Corporations.

**SB 348**—"An Act to Amend Title 7, Delaware Code Entitled "Conservation" by Providing for a Tax on Oysters Taken from the Waters of the Murderkill River; Daily Catch Limits and Periods That Oysters May be Taken Therefrom; Appropriation for Planting of Seed Oysters Therein," to Fish, Oysters and Game.

**SB 351**—"An Act to Amend Chapter 1, Title 17, Delaware Code, Relating to the Compensation of the Chief Engineer of the State Highway Department," to Public Buildings and Highways.

**SB 340**—"An Act to Amend Chapter 15, Title 17, of the Delaware Code Relating to the Ferry Between Lewes and Cape May," to Miscellaneous.

**SB 352**—"An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees and Making Appropriation," to Education.

**SB 81**—"An Act to Amend Chapter 19, Title 9, Delaware Code Relating to Fire and Police Protection," to Judiciary.

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 103, HB 217, HB 287, HB 300, HB 316, HB 325, HB 375, HB 113** as amended, **HS 1** for **HB 308, HCR 12.**

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

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

Dover, June 18, 1957

To the House of Representatives of the 119th  
General Assembly of the State of Delaware:

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

June 13, 1957—House Substitute No. 1 for House Bill No. 54—An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety" by Creating An Air Pollution Authority, Prescribing Its Powers and Duties, Providing Penalties and Appropriating Funds.

June 13, 1957—House Bill No. 293—An Act to Amend Title 14, Delaware Code by Providing for Maternity Leave for Professional Employees of the Public School System.

June 13, 1957—House Bill No. 346—An Act to Amend Title 29, Section 5501, Delaware Code Relating to the Definition of a Covered Employment for the State Employees Pension Plan.

June 17, 1957—Senate Bill No. 197—An Act to Amend Chapter 297, Volume 50, Laws of Delaware Entitled "An Act Providing for a Park Police Pension Fund for Members of the Park Police of the City of Wilmington", by Changing the Pensions Payable Under the Said Act and by Providing Additional Benefits for Widows and Dependents of Pension Members.

June 17, 1957—Senate Bill No. 225—An Act Making a Deficiency Appropriation to the State Department of Welfare.

June 17, 1957—Senate Substitute No. 1 for Senate Bill No. 240—An Act to Amend Chapter 13, Title 14, Delaware Code Relating to State Supported Salary Schedules for School Employees and Making Appropriation.

June 17, 1957—Senate Bill No. 246—An Act to Amend Chapter 184, Volume 43, Laws of Delaware, Entitled "An Act Changing the Name of 'The Town of Seaford' to 'The City of Seaford' and Establishing a Charter Therefor", by Shortening the Hours That the Polls Must be Kept Open at the Annual Municipal Election if There is No Contest.

June 17, 1957—Senate Bill No. 248—An Act to Amend Chapter 237, Volume 46, Laws of Delaware as Amended, Entitled "City of Wilmington Employees' Retirement Act."

June 17, 1957—Senate Bill No. 249—An Act to Amend Title 9, Delaware Code, Entitled "Counties" in Respect to Employees Pensions in New Castle County.

June 17, 1957—Senate Bill No. 278—An Act to Amend Title 18, Delaware Code Relating to the Insurance Commissioner.

June 17, 1957—House Bill No. 173—An Act to Amend Chapter 11, Title 10, Delaware Code, Relative to the Jurisdiction of the Juvenile Court of Kent and Sussex County.

June 17, 1957—House Bill No. 161—An Act Appropriating Money to the State Soil Conservation Commission for the Drainage of Tax Ditches in New Castle County.

Respectfully submitted,

J. CALEB BOGGS, Governor

Mr. Speaker announced that he was about to sign: **SB 251, SB 232, SB 210, SB 233 and SB 87.**

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

**HB 408**—"An Act to Amend Title 19, Delaware Code, Relating to Workmen's Compensation," by West and Walls; to Labor.

**HB 409**—"An Act Appropriating Funds to the State Board of Education for Handicapped Children," by Manning; to Education.

**HB 410**—"An Act Making a Supplementary Appropriation to the Ferris School for Boys for Salaries and Wages of Employees," by Snowden; to Appropriations.

**HB 411**—"An Act Appropriating the Sum of Two Hundred Sixty-Four Thousand Seven Hundred Eighty-Nine Dollars and Eighty-Seven Cents (\$264,789.87) to the State Police Pension Board for the Purpose of Carrying Out the Provision of Law Relating to State Police Pensions," by Clark; to Appropriations.

**HB 412**—"An Act to Amend Chapter 9, Title 10, Delaware Code Relating to the Family Court for the State of Delaware in and for New Castle County by Providing for Additional Judges; Setting Their Terms and Salaries and Relating to the Court's Budget; Effective Date," by Quigley; to Judiciary.

Mr. Massey introduced the following resolution, which on further motion by him, was adopted: **HR 100**—"Relative to the Payment on Account for Collecting data, Compiling, Editing and Publishing the Weekly Calendar for the House of Representatives of the 119th General Assembly of the State of Delaware."

**BE IT RESOLVED** by the House of Representatives of the 119th General Assembly of the State of Delaware that the sum of Seven Hundred Seventy-Seven Dollars and Twenty Cents (\$777.20) is hereby appropriated out of the moneys of

the State Treasury, not otherwise appropriated, for payment to The Elder Printing Service, of Dover, Delaware, for collecting data, compiling, editing and publishing the weekly calendar for the House of Representatives of the State of Delaware, from June 10, 1957 through June 17, 1957, said calendar being necessary to the business of the House and the expense thereof being a necessary expense connected with this Session.

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

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

**YEAS**—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Reed, Richards, Shockley, Simpler, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—25.

**NAYS**—None.

**NOT VOTING**—Mr. Pryor—1.

**ABSENT** — Messrs. Alexander, Carpenter, Ehinger, English, Eskridge, Massey, Quigley, Snedeker, Wolf—9.

**SS 1** for **SB 163** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Clark moved that **SB 144**—"An Act to Appropriate Funds to the State Board of Health for the Purpose of Carrying Out the Provisions of Chapter 79, Title 16 of the Delaware Code Entitled "Basic Plumbing Principles" in Kent County," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Appleford, Bartleson, Clark, Ehinger, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Reed, Richards, Simpler, Snowden, Spicer, Walls, Mr. Speaker Mayhew—22.

**NAYS**—Messrs. Betts and Cain—2.

**ABSENT** — Messrs. Alexander, Carpenter, English, Eskridge, Massey, Quigley, Shockley, Snedeker, Tribbitt, West, Wolf—11.

**SB 144** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Lawson moved that **HB 311**—"An Act to Amend Chapter 117, Volume 40, Laws of Delaware, Being Entitled "An Act Establishing a Wilmington Park Trust Fund Com-

mission" by Amending Sections 3, 4 and 6 Thereof," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, Hussey, Kaufman, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Reed, Richards, Shockley, Simpler, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—26.

NAYS—None.

ABSENT — Messrs. Alexander, Carpenter, English, Eskridge, Keller, Massey, Quigley, Snedeker, Wolf—9.

**HB 311** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Appleford moved that **HB 138**—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" by Increasing the Compensation of the Custodian, and Appropriating Funds," be taken up for further consideration in order to pass the House.

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

YEAS—Messrs. Appleford, Bartleson, Ehinger, Kaufman, Keller, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Shockley, Simpler, Snowden, Spicer—14.

NAYS—Messrs. Betts, Hussey, King, McAllister, Mills—5.

NOT VOTING—Mr. Pryor and Mr. Speaker Mayhew—2.

ABSENT — Messrs. Alexander, Carpenter, English, Eskridge, Livingston, Massey, Quigley, Snedeker, Wolf—9.

PRESENT—Messrs. Cain, Clark, Tribbitt, Walls, West—5.

Mr. Appleford and Mrs. Manning changed their vote from yea to nay for the purpose of reconsideration.

**HB 138** not having received the constitutional majority, was lost in the House.

On motion of Mr. Appleford, **HB 138** was restored to the calendar.

Mr. Tribbitt moved that **HB 367**—"An Act to Amend "An Act to Reincorporate the Town of Middletown" and Relating to the Duties and Powers of the Alderman and the Jail of Said Town," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Bartleson, Betts, Cain, Clark, Ehinger, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Reed, Richards, Shickley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—27.

NAYS—None.

NOT VOTING—Mr. Appleford—1.

ABSENT — Messrs. Alexander, Carpenter, English, Eskridge, Massey, Quigley, Wolf—7.

**HB 367** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Walls moved that **HB 361**—"An Act to Provide a Survivor's Pension for Helen L. Fenimore, a Widow Whose Husband Died Eleven Months and Fourteen Days Before Becoming Eligible for a State Pension," be taken up for further consideration and read in order to pass the House.

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

YEAS — Messrs. Appleford, Bartleson, Clark, Ehinger, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Walls—18.

NAYS—Messrs. Betts, Cain, McAllister, Mills, Shockley, West—6.

NOT VOTING—Mr. Pryor and Mr. Speaker Mayhew—2.

ABSENT — Messrs. Alexander, Carpenter, English, Eskridge, Hussey, Massey, Quigley, Wolf—8.

PRESENT—Mr. Tribbitt—1.

**HB 361** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Clark moved that **HB 345**—"An Act Making a Supplementary Appropriation to the State Board of Health for the Two Fiscal Years Ending June 30, 1958 and June 30, 1959," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Appleford, Bartleson, Clark, Hussey, Kaufman, King, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Walls—20.

NAYS — Messrs. Betts, Cain, Tribbitt, West and Mr. Speaker Mayhew—5.

NOT VOTING—Mr. Pryor—1.

ABSENT — Messrs. Alexander, Carpenter, English, Eskridge, Keller, Lambert, Massey, Quigley, Wolf—9.

**HB 345** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Spicer moved that **HB 330**—"An Act to Amend An Act Entitled "An Act Amending, Revising and Consolidating the Charter of the Town of Georgetown", Being Chapter 166, Volume 43, Laws of Delaware, as Amended, by Increasing the Authority of Council to Award Contracts Without Competitive Bidding; Authorizing Mortgaging of Municipal Property; Changing the Fiscal and Budget Year; Changing the Time of the Annual Audit and the Qualifications of the Audi-

tors; Eliminating the Office of Tax Collector and Transferring His Powers and Duties to the Treasurer and Requiring the Treasurer to Collect Sewer Rentals; Authorizing Suits for Delinquent Taxes in the Court of Common Pleas; Authorizing the Assessment and Collection of Taxes on Telegraph, Telephone and Power Poles and Equipment and Prescribing the Procedure Therefor; Increasing the Limitation Upon the Bonded Indebtedness; Defining the Authority of Town Police Within One Mile of the Town Limits; Adopting the Motor Vehicle Code and Increasing the Authority of the Alderman to Fix Fines, Penalties and Terms of Imprisonment; and, Revising the Procedure for Initiating the Paving, Curbing and Guttering of Streets and Sidewalks," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—26.

**NAYS**—None.

**ABSENT** — Messrs. Alexander, Carpenter, English, Eskridge, Massey, Pryor, Quigley, West, Wolf—9.

**HB 330** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. King moved that **HB 373**—"An Act Amending Title 9, Delaware Code, Entitled "Counties" Relative to the Indigent Sick of Kent County and Appropriating Funds," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—27.

**NAYS**—None.

**ABSENT** — Messrs. Alexander, Carpenter, English, Eskridge, Massey, Quigley, West, Wolf—8.

**HB 373** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Bartleson moved that **HB 256**—"An Act Appropriating Money to the Woods Haven School for Girls," be taken up for consideration and read for the third time in order to pass the House.



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

**YEAS**—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—30.

**NAYS**—Mr. West—1.

**ABSENT**—Messrs. Carpenter, Massey, Quigley, Wolf—4.

**HB 256** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Pryor, **HB 338** was given the third and final reading. **HA 1** to **HB 338** was introduced by Mr. Mayhew, and on motion of Mr. Eskridge was adopted. On motion of Mr. Snowden, action was deferred on **HB 338** as amended.

Mr. Lawson moved that **HB 57**—"An Act to Amend Chapter 119, Volume 28, Laws of Delaware, as Amended, Providing for the Collection of Taxes for the City of Wilmington by Increasing the Penalty for Late Payment of Such Taxes, and Accelerating the Date of Delinquency Thereof," be taken up for further consideration in order to pass the House.

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

**YEAS**—Messrs. Alexander, Appleford, Bartleson, Cain, Clark, Ehinger, Hussey, Kaufman, Keller, King, Lawson, (Mrs.) Manning, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—23.

**NAYS**—Mr. Mills—1.

**NOT VOTING**—Mr. McAllister—1.

**ABSENT**—Messrs. Betts, Carpenter, English, Eskridge, Lambert, Livingston, Massey, Quigley, West, Wolf—10.

Messrs. Lawson and Shockley changed their vote from yea to nay for the purpose of reconsideration.

**HB 57** not having received the constitutional majority, was lost in the House.

On motion of Mr. Lawson, **HB 57** was restored to the calendar.

The following bills were reported out of committee as favorably, unless otherwise stated: **HB 402**, from Judiciary; **SB 174** and **SB 330**, from Municipal Corporations; **SB 60** and **SB 217**, from Public Buildings and Highways; **SB 239** and **SB 269**, from Miscellaneous, 2 favorable, 3 on merits; **HB 405**, from Miscellaneous, 4 favorable, 1 on merits.

On motion of Mr. Shockley, Section 2 of Rule 1 was suspended.

On motion of Mr. Shockley, **SB 229**, **SB 324**, **HB 126** and **HB 262** were restored to the calendar.

On motion of Mr. Tribbitt, **HB 366** was given the third and final reading. **HA 1** to **HB 366** was introduced by Mr. Tribbitt. On further motion by him the bill and amendment were recalled.

Mr. Alexander moved that **HS 1** for **HB 154**—"An Act to Amend Chapters 1, 3 and 5 of Title 10 of the Delaware Code Relating to the Supreme Court, Court of Chancery and Superior Court," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Alexander, Clark, English, Eskridge, Hussey, King, Livingston, Pryor, Shockley, Tribbitt, Walls—11.

**NAYS** — Messrs. Bartleson, Betts, Ehinger, Kaufman, Lambert, (Mrs.) Manning, McAllister, Mills, Quigley, Richards, Simpler, Spicer, West—13.

**NOT VOTING** — Messrs. Appleford, Lawson, Massey, Snowden, Mr. Speaker Mayhew—5.

**ABSENT** — Messrs. Carpenter, Keller, Reed, Snedeker, Wolf—5.

**PRESENT**—Mr. Cain—1.

Messrs. Alexander, Hussey and Livingston changed their vote from yea to nay for the purpose of reconsideration.

**HS 1** for **HB 154** not having received the constitutional majority, was lost in the House.

On motion of Mr. Alexander, **HS 1** for **HB 154** was restored to the calendar.

Mr. King moved that **HB 326**—"An Act to Amend Chapter 192, Volume 36, Laws of Delaware Entitled "An Act to Reincorporate the Town of Smyrna", and Relating to the Taxing Powers of the Town of Smyrna," be taken up for further consideration in order to pass the House.

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

**YEAS**—Messrs. Alexander, Appleford, Betts, Cain, Clark, English, Eskridge, Hussey, Kaufman, Keller, King, Lawson, Livingston, (Mrs.) Manning, Massey McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—30.

**NAYS**—None.

**ABSENT**—Messrs. Bartleson, Carpenter, Ehinger, Lambert, Wolf—5.

**HB 326** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The Secretary of the Senate informed the House that the Senate had passed and requested the concurrence of the House in the following resolution: **SJR 2**.

The following bills were reported out of their respective committees as favorably; **SB 19**, from Agriculture; **SB 297** and **SB 348**, from, Fish, Oysters and Game.

On motion of Mr. Shockley, the House recessed until Monday, June 24, 1957, at 1:00 P. M.

The House met at 2:35 P. M., on June 24, 1957, pursuant to recess on June 18, 1957.

Prayer by the Chaplain, Rev. Donohoe.

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

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

Dover, June 24, 1957

To the House of Representatives of the 119th  
General Assembly of the State of Delaware:

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

June 18, 1957—Senate Bill No. 148—An Act to Amend Title 9, Delaware Code Entitled "Counties" by Providing for Payment of Pension Benefits to Certain Employees of Kent County, Providing Regulations and Procedure Therefore, Exemptions from Attachment, Non-Assignability and Other General Provisions.

June 18, 1957—House Bill No. 114—An Act to Amend Chapter 237, Volume 46, Laws of Delaware, as Amended, Entitled "City of Wilmington Employees' Retirement Act".

June 18, 1957—House Bill No. 134—An Act to Appropriate Money to the Augustine Beach Fire Co., Inc.

June 19, 1957—Senate Bill No. 39—An Act to Amend Chapter 31 Title 19, Delaware Code, Relating to Unemployment Compensations, by Changing Certain of the Administrative Provisions Thereof.

June 19, 1957—Senate Bill No. 87—An Act to Amend Chapter 11, Title 10, Delaware Code, Relating to the Judge of the Juvenile Court of Kent and Sussex Counties.

June 19, 1957—Senate Bill No. 210—An Act to Appropriate \$7500 to the State Highway Department for the Purpose of Constructing a Concrete Sidewalk Along the East Side of the duPont Highway Opposite the Minquadale School in New Castle County.

June 19, 1957—Senate Bill No. 220—An Act to Amend Title 12, Delaware Code Relating to Decedents' Estates and Fiduciary Relations.

June 19, 1957—Senate Bill No. 233—An Act to Appropriate \$23,500 to the State Highway Department to be Used for the Purpose of Dredging Out the "Old Inlet" of the Broad-kiln River.

June 19, 1957—Senate Bill No. 251—An Act to Appropriate Certain Funds to the Milton Consolidated School for the Purpose of Filling, Grading and Seeding 2½ Acres Around the School Property.

June 19, 1957—Senate Bill No. 298—An Act to Appropriate Funds to the Board of Game and Fish Commissioners for the Fiscal Year Ending June 30, 1957.

June 19, 1957—House Bill No. 103—An Act Authorizing the Levy Court of Kent County to Appropriate Certain Sums to the Kent County Volunteer Firemen's Association for the Maintenance of Radio Equipment Used in Connection With Volunteer Fire Fighting Apparatus.

June 19, 1957—House Bill No. 113 with House Amendment No. 1—An Act to Amend Chapter 17, Title 9, Delaware Code, Relating to Employees Pensions in New Castle County.

June 19, 1957—House Bill No. 217—An Act to Appropriate Money to the State Tax Department.

June 19, 1957—House Bill No. 287—An Act Appropriating Money to the University of Delaware for Capital Improvements on the University Campus, and at the University's Agricultural Experimental Substation in Sussex County.

June 19, 1957—House Bill No. 300—An Act Appropriating Funds to the Supreme Court of the State of Delaware.

June 19, 1957—House Substitute No. 1 for House Bill No. 308 with House Amendment No. 1—An Act to Amend Chapter 39, Title 12, Delaware Code Relating to Guardian and Ward.

June 19, 1957—House Bill No. 316—An Act Making Appropriations for Certain Contingencies, for the Respective Years of the Biennium July 1, 1957 to June 30, 1959, and Prescribing Limitations Upon Use Thereof and the Powers and Duties of Budget Commission in Relation Thereto.

June 19, 1957—House Bill No. 325—An Act to Amend Chapter 37, Title 12, Delaware Code by Empowering the Court of Chancery to Authorize Charitable Contributions Under Certain Circumstances by Trustees for Mentally Ill Persons.

June 19, 1957—House Bill No. 375—An Act Appropriating Money to the State Soil Conservation Commission for the Drainage of Tax Ditches in Sussex County.

Respectfully submitted,

J. CALEB BOGGS, Governor

Mr. Speaker announced that he was about to sign: **HB 77, HB 95, HB 107, HB 213 as amended, HB 221, HB 255, HB 271, HB 292, HB 396, SB 60, SB 124, SB 144, SB 162, SB 164, SB 167, SS 1 for SB 163, SB 200, SB 212, SB 232, SB 247, SB 250, SB 279, SB 328 and SB 330.**

The following bills were reported out of their respective committees as favorably: **HB 406**, from Revenue and Taxation; **HB 407**, from Public Buildings and Highways; **SB 224**,

from Public Health; **SB 311**, from Miscellaneous; **SB 318**, **SB 319** and **SB 346**, from Insurance and Banking.

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

**HB 413**—"An Act to Amend Chapter 23, Title 10, Delaware Code, Relating to the Compensation of the Prothonotary in New Castle County," by Livingston, Shockley, Lawson and Snedeker; to Judiciary.

**HB 414**—"An Act to Amend Chapter 43, Title 29, Delaware Code, Relating to the Appointment of Notaries for Service Organizations; Limitations," by Ehinger; to Judiciary.

**HB 415**—"An Act to Appropriate Money to the Treasurer and Custodian of the Contribution Fund in Relation to Social Security Payments to the United States Department of Health, Education and Welfare," by Tribbitt; to Public Health.

**HB 416**—"An Act to Amend Title 17, Delaware Code, Entitled "Highways", to Provide for the Regulation of Traffic, Adoption of Rules and Regulations, Provide Penalties for Violations and to Confer Jurisdiction Over Violations on Justices of the Peace," by Mayhew; to Public Buildings and Highways.

On motion of Mr. Ehinger, **HB 391** was stricken from the calendar.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 176**, **HS 1** for **HB 211**, **HB 239** as amended, **HB 256**, **HB 312** as amended, **HB 326**, **HB 361**, **HB 370**, **HB 398** and **HJR 4**, and that the Senate had passed and requested the concurrence of the House in the following bills: **SS 1** for **SB 69**, **SB 125** as amended, **SB 177**, **SB 178**, **SB 322**, **SB 343**, **SB 353**.

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 271**, **HB 107**, **HB 77**, **HB 95**, **HB 221**, **HB 225**, **HB 213**, **HB 292**, **HB 396**.

Mr. English introduced the following resolution, which on further motion by him, was adopted: **HR 101**—"Authorizing the Payment of Certain Expenses of the House of Representatives for Telephone Service."

**BE IT RESOLVED** by the House of Representatives of the 119th General Assembly of the State of Delaware that the hereinafter named amounts are hereby appropriated out of any money in the State Treasury, not otherwise appropriated, on account of expenses connected with the present session and necessary to the work of the session, as follows:

The Diamond State Telephone Company, 124 South State Street, Dover, Delaware, for local service and equipment and calls on telephone numbered Dover 5711, Extensions 222, 223, 224, 228, covering the period from June 11, 1957 to and including June 21, 1957. . . . . \$20.00

The Diamond State Telephone Company, 124 South State Street, Dover, Delaware, for local service and equipment and calls on telephone numbered Dover 7854 and 8541, covering the period from June 11, 1957 to and including June 21, 1957..... \$50.00

Mr. Lawson moved that **HB 57**—"An Act to Amend Chapter 119, Volume 28, Laws of Delaware, as Amended, Providing for the Collection of Taxes for the City of Wilmington by Increasing the Penalty for Late Payment of Such Taxes, and Accelerating the Date of Delinquency Thereof," be taken up for further consideration in order to pass the House.

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

**YEAS**—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—31.

**NAYS**—None.

**ABSENT**—Messrs. Carpenter, Massey, Snedeker, Wolf—4.

**HB 57** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Quigley moved that **HB 84**—"An Act to Further Amend the Charter of the City of New Castle, as Amended, by Increasing the Compensation of the City Clerk," be taken up for further consideration in order to pass the House.

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

**YEAS**—Messrs. Alexander, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—30.

**NAYS**—Messrs. Appleford and Bartleson—2.

**ABSENT**—Messrs. Carpenter, Massey, Wolf—3.

**HB 84** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bills were reported out of their respective committees as favorably, unless otherwise stated: **SB 213**, from Municipal Corporations; **SB 320** and **SB 352**, from Education; **SB 81**, **SB 286**, and **SB 334**, from Judiciary; **SB 299**, 2 favorable, 3 on merits, from Judiciary; **SB 323**, 3 favorable, 1 on merits, from Judiciary; **SB 305** as amended, from Public Buildings and Highways; **HB 410**, 3 favorable, 1 on merits, from Appropriations; **HB 404**, **HB 411** and **SB 331**, from Appropriations.

On motion of Mr. Reed, **HB 387** was stricken from the calendar.

Mr. English introduced the following resolution, which on further motion by him, was adopted: **HR 102**—"Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 119th General Assembly."

BE IT RESOLVED, by the House of Representatives of the 119th General Assembly of the State of Delaware, that the following amounts are appropriated out of any money in the General Fund of the State Treasury for the payment of certain expenses connected with the present session of the 119th General Assembly of the State of Delaware, up to and including the Ninety-fourth Legislative Day, which expenses are declared proper and reasonable expenses actually incurred by the respective members of the House of Representatives for traveling expenses, commonly called mileage expenses, in traveling from their respective homes to Dover and returning from Dover to their respective homes in the performance of their duties as members of the House of Representatives, during the present Legislative Session thereof, and the Auditor of Accounts is directed to approve and properly execute warrants for, and the State Treasurer is directed to pay to the respective members of the House of Representatives hereinafter named, the respective amounts set opposite their respective names, viz:

Mr. Paul F. Livingston .....	\$60.00
Mr. James H. Snowden .....	60.00
Mr. Harry G. Lawson .....	60.00
Mr. Paul E. Shockley .....	60.00
Mr. Edward J. Hussey, Jr. ....	60.00
Mr. T. Lees Bartleson .....	62.40
Mr. Harry H. Lambert .....	57.60
Mrs. Margaret R. Manning .....	57.60
Mr. Henry H. Wolf .....	54.00
Mr. James R. Quigley .....	54.00
Mr. William H. Carpenter .....	54.00
Mr. Henry E. Snedeker .....	42.00
Mr. Sherman W. Tribbitt .....	30.00
Mr. Edgar Alexander .....	30.00
Mr. Charles R. Pryor .....	18.00
Mr. Charles C. King .....	15.60
Mr. H. Clifford Clark .....	15.60
Mr. Nelson Massey .....	6.00
Mr. Charles R. Richards .....	2.40
Mr. Elmer L. Betts .....	21.60
Mr. Henry B. Appleford .....	6.00
Mr. Clifford M. Simpler .....	14.40
Mr. George W. Cain .....	22.80
Mr. Harry E. Mayhew .....	24.00
Mr. John Keller .....	30.00
Mr. Edgar English .....	39.60

Mr. Norman Eskridge .....	42.00
Mr. Horace W. Mills .....	60.00
Mr. Harry G. McAllister .....	63.60
Mr. Charles P. West .....	75.60
Mr. Lester M. Kaufman .....	72.00
Mr. Joseph B. Walls .....	55.20
Mr. Harvey B. Spicer .....	48.00
Mr. Arthur R. Reed .....	40.40

Mr. Shockley moved that **SB 324**—"An Act to Amend Chapter 40, of the Charter of the City of Wilmington, Being Section 40, Chapter 20, Volume 17, Laws of Delaware, as Heretofore Amended and Referred to as Part of Article 6.52, Sec. 52, of the Revised Code of Wilmington 1942, as Published by the Authority of the Council of the Mayor and Council of Wilmington, at a Meeting of the Council Held October 19, 1939, and Relating to the Position of City Solicitor," be taken up for further consideration in order to pass the House.

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

**YEAS**—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—31.

**NAYS**—None.

**ABSENT**—Messrs. Carpenter, Quigley, West, Wolf—4.

**SB 324** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Shockley moved that **SB 157**—"An Act Appropriating Money to the Mayor and Council of Wilmington for Use in Maintenance of Fire Apparatus and Equipment in Wilmington," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Alexander, Appleford, Bartleson, Betts, Clark, Ehinger, Eskridge, Hussey, Kaufman, Keller, King, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—29.

**NAYS**—Messrs. Cain and Lambert—2.

**ABSENT**—Messrs. Carpenter, English, Quigley, Wolf—4.

**SB 157** having received the constitutional majority, passed the House and was ordered returned to the Senate.



Mr. Walls moved that **SB 241** as amended—"An Act to Amend Part III, Title 3, Delaware Code, Providing for a New Chapter 32, Entitled "Distribution; Regulation and Control of Milk Prices," be taken up for further consideration in order to pass the House.

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

YEAS—Messrs. Alexander, Appleford, Betts, Cain, Clark, Ehinger, Eskridge, Kaufman, Keller, King, Lawson, Massey, McAllister, Mills, Pryor, Reed, Richards, Simpler, Walls, West, Mr. Speaker Mayhew—21.

NAYS—Messrs. Bartleson, Hussey, Lambert, Livingston, (Mrs.) Manning, Shockley, Snowden—7.

NOT VOTING—Messrs. Spicer and Tribbitt—2.

ABSENT—Messrs. Carpenter, English, Quigley, Snedeker, Wolf—5.

Messrs. Mills, Walls and West changed their vote from yea to nay for the purpose of reconsideration.

**SB 241** as amended not having received the constitutional majority, was lost in the House.

On motion of Mr. West, **SB 241** as amended, was restored to the calendar.

Mr. Bartleson moved that **HB 280**—"An Act to Amend Title 24, Delaware Code, Entitled "Professions and Occupations" in Respect to Chiropody," be taken up for further consideration in order to pass the House.

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

YEAS—Messrs. Bartleson, Reed, Snowden, Spicer—4.

NAYS—Messrs. Appleford, Cain, Clark, Ehinger, Lawson, (Mrs.) Manning, Massey, McAllister, Mills, Tribbitt, Mr. Speaker Mayhew—11.

NOT VOTING—Messrs. Betts, Eskridge, Kaufman, Livingston, Pryor, Richards, Simpler—7.

ABSENT—Messrs. Alexander, Carpenter, English, Keller, Lambert, Quigley, Snedeker, Wolf—8.

PRESENT—Messrs. Hussey, King, Shockley, Walls, West—5.

**HB 280** not having received the constitutional majority, was lost in the House.

Mr. Pryor moved that **SS 1** for **SB 14**—"An Act to Amend Chapter 1, Title 5, Delaware Code Relating to the State Bank Commissioner," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Betts, Cain, Clark, Eskridge, Hussey, King, Livingston, Massey, McAllister, Pryor, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—15.

NAYS—Messrs. Appleford, Bartleson, Ehinger, Kaufman, Lambert, Lawson, (Mrs.) Manning, Mills, Quigley, Reed, Richards, Simpler, Snowden, Spicer—14.

NOT VOTING—Mr. English—1.

ABSENT—Messrs. Alexander, Carpenter, Keller, Snedeker, Wolf—5.

Messrs. Eskridge, Tribbitt and West changed their vote from yea to nay for the purpose of reconsideration.

SS 1 for SB 14 not having received the constitutional majority, was lost in the House.

On motion of Mr. West, SS 1 for SB 14 was restored to the calendar.

Mr. King moved that SB 213—"An Act to Amend the Charter of the City of Rehoboth Beach as Established by Chapter 161, Volume 41, Laws of Delaware, as Amended by Increasing the Amount of Taxes That May be Raised for Municipal Purposes," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—29.

NAYS—None.

ABSENT—Messrs. Alexander, Carpenter, Keller, McAllister, Snedeker, Wolf—6.

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

The rules were suspended on motion of Mr. Clark in order to take action on HB 411.

Mr. Clark moved that HB 411—"An Act Appropriating the Sum of Two Hundred Sixty-Four Thousand Seven Hundred Eighty-Nine Dollars and Eighty-Seven Cents (\$264,789.87) to the State Police Pension Board for the Purpose of Carrying Out the Provision of Law Relating to State Police Pensions," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, King, Lambert, Lawson, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Richards, Shockley, Simpler, Snowden, Spicer, Tribbitt, Mr. Speaker Mayhew—26.

NAYS—None.

ABSENT—Messrs. Alexander, Carpenter, Keller, Livingston, Reed, Snedeker, Walls, West, Wolf—9.

**HB 411** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Tribbitt moved that **SB 102**—"An Act to Appropriate Money to the Supreme Court of the State of Delaware for the Purpose of Printing and Indexing the Transcripts of Debates and Proceedings of the Constitutional Convention of 1897," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Alexander, Appleford, Bartleson, Betts, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—31.

**NAYS**—None.

**ABSENT**—Messrs. Cain, Carpenter, Snedeker, Wolf—4.

**SB 102** having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Eskridge, **SB 269** was given the third and final reading. On further motion by him, action was deferred on the bill.

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

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

**SB 125** with **SA 1**—"An Act to Amend Chapter 66, Title 16 of the Delaware Code, Entitled "State Fire Marshal by Creating a State Fire Prevention Commission and Appropriating Money Thereafter," to Appropriations.

**SS 1** for **SB 69**—"An Act to Amend Chapter 31, Title 15, of the Delaware Code Relating to Primary Elections," to Elections.

**SB 322** with **SA 1**—"An Act to Appropriate Funds to the Delaware Commission on Interstate Cooperation," to Appropriations.

**SB 177**—"An Act to Amend Chapter 6, Title 11 of the Delaware Code Relating to the Crime of Shoplifting," to Judiciary.

**SB 178**—"An Act to Amend Chapter 6, Title 11 of the Delaware Code Relating to the Crime of Larceny of Goods Held for Sale," to Judiciary.

**SB 332**—"An Act Making an Supplementary Appropriation to the Collector of State Revenue for the Salary of the Collector of State Revenue," to Appropriations.

**SB 353**—"An Act to Amend Chapter 27, Title 21, Delaware Code, Relating to Revocation of Motor Vehicle Operators Licenses," to Public Buildings and Highways.

**SB 343**—"An Act to Amend the Delaware Code by Increasing the Salaries of the Levy Court Commissioners," to Judiciary.

The following bills were introduced and assigned to committees as follows:

**HB 417**—"An Act Appropriating Funds to the State Board of Education for the Purpose of Distributing Money to Designated Private Schools so as to Provide for the Education and Care of Handicapped Children," by McAllister; to Education.

**HB 418**—"An Act to Amend Chapter 17, Title 14, Delaware Code, Relating to State Appropriations to Provide for Revolving Funds for School Sites, School Architects' Fees and Appropriating Funds," by McAllister; to Education.

**HB 419**—"An Act Authorizing the State of Delaware to Borrow a Certain Sum of Money for Sundry Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes Therefor," by Shockley; to Appropriations.

**SB 351** was reported out of the Committee on Public Buildings and Highways as being favorably; **SB 137** was reported out of the Committee on Revenue and Taxation as 3 favorable, 1 on merits.

On motion of Mr. Eskridge, the rules were suspended for **SB 311** to be given the third and final reading in order to pass the House. On motion of Mr. Snowden, action was deferred.

Mr. Ehinger moved that **HB 274**—"An Act to Create a State Board of Examiners of Barbers; Regulate Barbering and Appropriate Funds," be taken up for further consideration in order to pass the House.

**HA 1** to **HB 274** was introduced by Mr. Ehinger.

On the question, "Shall **HA 1** to **HB 274** pass the House?" the roll call revealed:

**YEAS**—Messrs. Appleford, Bartleson, Ehinger, Kaufman, Keller, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer—14.

**NAYS**—Messrs. Betts, Cain, Clark, Hussey, King, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Tribbitt, Walls, West, Mr. Speaker Mayhew—15.

**ABSENT**—Messrs. Alexander, Carpenter, English, Eskridge, Wolf—5.

**PRESENT**—Mr. Shockley—1.

**HA 1** to **HB 274** not having received the constitutional majority, was lost in the House.

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

**YEAS**—Messrs. Appleford, Bartleson, Ehinger, Eskridge, Kaufman, Keller, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Shockley, Simpler, Snedeker, Spicer—15.

NAYS—Messrs. Betts, Cain, Clark, Hussey, King, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Tribbitt, Walls, West, Mr. Speaker Mayhew—15.

ABSENT—Messrs. Alexander, Carpenter, English, Wolf—4.

PRESENT—Mr. Shockley—1.

Messrs. Appleford, Ehinger and Snowden changed their vote from yea to nay for the purpose of reconsideration.

**HB 274** not having received the constitutional majority, was lost in the House.

On motion of Mr. McAllister, the rules were suspended for a committee report. **HB 417** was reported out of the Committee on Education with 2 favorable and 3 on merits. On further motion by him, **HB 417** was given the third and final reading in order to pass the House. Mr. Snowden moved that action be deferred on **HB 417**.

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

YEAS—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Kaufman, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Pryor, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls—22.

NAYS—Messrs. Alexander, McAllister, Mills, Quigley, Shockley, West, Mr. Speaker Mayhew—7.

NOT VOTING—Messrs. Eskridge and Massey—2.

ABSENT—Messrs. Carpenter, Keller, Wolf—3.

PRESENT—Mr. Hussey—1.

Motion prevailed and action on **HB 417** was deferred.

On motion of Mr. Quigley, **SB 346** was given the third and final reading in order to pass the House. On further motion by him, action was deferred.

The following bills were reported out of committee as being favorably: **SB 194** as amended and **SB 329**, from Appropriations; **SB 98** as amended and **HB 403**, from Agriculture.

Mr. Speaker announced that he was about to sign: **SB 102**, **SB 157**, **SB 213**, **SB 324**, **HJR 4**, **HB 176**, **HS 1** for **HB 211**, **HB 256**, **HB 326**, **HB 361**, **HB 370** and **HB 398**.

On motion of Mr. Quigley, the House recessed at the call of the Chair at 5:50 P. M.

The House was called to order at the expiration of the recess.

On motion of Mr. Tribbitt, the rules were suspended in order to take action on **SB 334**.

Mr. Tribbitt moved that **SB 334**—"An Act Making an Appropriation to the Council on the Administration of Justice for the Purpose of Making a Study and Survey of the Judicial System of This State," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt, Walls, West, Mr. Speaker Mayhew—31.

NAYS—None.

NOT VOTING—Mr. Spicer—1.

ABSENT—Messrs. Alexander, Carpenter, Wolf—3.

SB 334 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Eskridge moved that SB 239—"An Act to Amend Title 21, Delaware Code Relating to Fees Paid by the Department of Motor Vehicles for the Return of Number Plates," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—33.

NAYS—None.

ABSENT—Carpenter and Wolf—2.

SB 239 having received the constitutional majority, passed the House and was ordered returned to the Senate.

We, the undersigned, do hereby petition SB 336 and SB 337 out of the Private Corporations Committee pursuant to the rules of the House of Representatives of the State of Delaware:

Messrs. Quigley, Lambert, Kaufman, Reed, Keller, (Mrs.) Manning, Appleford, Bartleson, Spicer, Hussey, Shockley, McAllister, King, English, Mayhew, Mills, Walls, Clark, Livingston, Tribbitt, Massey, Snedeker, Alexander, Ehinger.

Mr. Quigley moved that SB 336—"An Act to Amend Title 28, Delaware Code, by Providing for Licensing, Regulation and Control of Dog Racing in the State of Delaware," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Alexander, Betts, Cain, Hussey, King, Livingston, Massey, McAllister, Mills, Quigley, Richards, Shockley, Walls—13.

**NAYS** — Messrs. Appleford, Bartleson, Clark, Ehinger, Eskridge, Lambert, Lawson, (Mrs.) Manning, Pryor, Simpler, Snowden, West, Mr. Speaker Mayhew—13.

**NOT VOTING**—Messrs. Snedeker, Spicer, Tribbitt—3.

**ABSENT**—Messrs. Carpenter, English, Kaufman, Keller, Reed, Wolf—6.

Messrs. Livingston, Mills and Quigley changed their vote from yea to nay for the purpose of reconsideration.

**SB 336** not having received the constitutional majority, was lost in the House.

On motion of Mr. Quigley, **SB 336** was restored to the calendar.

The Secretary of the Senate informed the House that the Senate had passed and requested the concurrence of the House in the following bills: **SB 358, SB 359, SB 355.**

The Secretary of the Senate informed the House that the Senate had concurred in **HB 341, HB 311** and **HB 330**, and that the Senate had passed and requested the concurrence of the House in the following bill: **SB 231** with **SA 1.**

The Secretary of the Senate informed the House that the Senate had concurred in **HB 267, HB 264, HB 89, HB 116, HB 328, HS 1** for **HB 283, HB 336, HB 385, HB 302, HB 315, HB 381, HB 335, HB 144.**

The Secretary of the Senate informed the House that the Senate had concurred in **HB 376, HB 102, HB 266, HB 208, HB 196, HB 178, HB 115, HB 235, HB 395**, and that the Senate had passed and requested the concurrence of the House in the following bill: **SB 356.**

Mr. Shockley moved that **HB 262**—"An Act to Amend Chapter 13, Title 26, Delaware Code, Relating to Gas, Water and Oil Corporations," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Alexander, Betts, Cain, Clark, Eskridge, Hussey, King, Livingston, McAllister, Pryor, Quigley, Shockley, Tribbitt, Walls, Mr. Speaker Mayhew—15.

**NAYS**—Messrs. Appleford, Bartleson, Ehinger, Kaufman, Keller, Lambert, Lawson, (Mrs.) Manning, Mills, Reed, Richards, Simpler, Snowden, Spicer, West—15.

**NOT VOTING**—Messrs. English, Massey, Snedeker—3.

**ABSENT**—Messrs. Carpenter and Wolf—2.

Messrs. Eskridge, Livingston and Shockley changed their vote from yea to nay for the purpose of reconsideration.

**HB 262** not having received the constitutional majority, was lost in the House.

On motion of Mr. Shockley, **HB 262** was restored to the calendar.

On motion of Mr. McAllister, the rules were suspended in order to take up **SB 320** for consideration.

Mr. McAllister moved that **SB 320**—"An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—32.

**NAYS**—None.

**NOT VOTING**—Mr. English—1.

**ABSENT**—Messrs. Carpenter and Wolf—2.

**SB 320** having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. McAllister, the rules were suspended in order that **SB 352** could be given the third and final reading in order to pass the House. On further motion by him, action was deferred.

Mr. Massey introduced the following resolution, which on further motion by him, was adopted: **HR 103**—"Relative to the Payment on Account for Collecting Data, Compiling, Editing and Publishing the Weekly Calendar for the House of Representatives of the 119th General Assembly of the State of Delaware."

**BE IT RESOLVED** by the House of Representatives of the 119th General Assembly of the State of Delaware that the sum of Four Hundred and Two Dollars (\$402.00) is hereby appropriated out of the moneys of the State Treasury, not otherwise appropriated, for payment to The Elder Printing Service, of Dover, Delaware, for collecting data, compiling, editing and publishing the weekly calendar for the House of Representatives of the State of Delaware, from June 17, 1957 through June 24, 1957, said calendar being necessary to the business of the House and expense thereof being a necessary expense connected with this Session.

Mr. Pryor moved that **SB 346**—"An Act to Amend Title 6, Chapter 61, Delaware Code, by Creating the Office of State Petroleum Trust Commissioner and by Providing That the Trustees of Certain Oil Royalty and Similar Trust Shall be Under the Supervision of the State Petroleum Trust Commissioner Providing for the Payment of Fees to the State Petroleum Trust Commissioner for Examination; and Providing Penalties for Failure to Report and Submit to Examination," be taken up for consideration and read for the third time in order to pass the House.



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

**YEAS**—Messrs. Alexander, Bartleson, Clark, Hussey, Lawson, Livingston, Pryor, Quigley, Shockley, Snowden, Tribbitt, Walls, Mr. Speaker Mayhew—13.

**NAYS**—Messrs. Lambert and Mills—2.

**NOT VOTING**—Messrs. Appleford, Betts, Ehinger, Eskride, Kaufman, King, Massey, McAllister, Reed, Richards, Simpler, Spicer, West—13.

**ABSENT**—Messrs. Carpenter, English, Keller, (Mrs.) Manning, Snedeker, Wolf—6.

**PRESENT**—Mr. Cain—1.

Messrs. Alexander, Pryor and Tribbitt changed their vote from yea to nay for the purpose of reconsideration.

**SB 346** not having received the constitutional majority, was lost in the House.

On motion of Mr. Pryor, **SB 346** was restored to the calendar.

Mr. Walls moved that **SB 19**—"An Act to Amend Part III, Title 6, Delaware Code, Entitled "Weights, Measures and Standards" by Repealing Most of the Present Provisions and Substituting New Administrative and Substantive Provisions, Defining Certain Crimes and Appropriating Funds," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Alexander, Appleford, Bartleson, Clark, Ehinger, Kaufman, Keller, Lambert, Lawson, (Mrs.) Manning, Pryor, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Walls, West, Wolf—20.

**NAYS**—Messrs. Betts, Cain, Hussey, Mills, Tribbitt, Mr. Speaker Mayhew—6.

**NOT VOTING**—Messrs. Massey and McAllister—2.

**ABSENT**—Messrs. Carpenter, English, Eskridge, King, Livingston, Quigley—6.

**PRESENT**—Mr. Shockley—1.

Mr. Appleford, Mrs. Manning and Mr. Snowden changed their vote from yea to nay for the purpose of reconsideration.

**SB 19** not having received the constitutional majority, was lost in the House.

On motion of Mr. Snowden, **SB 19** was restored to the calendar.

Mr. Walls moved that **SB 241**—"An Act to Amend Part III, Title 3, Delaware Code, Providing for a New Chapter 32, Entitled "Distribution; Regulation and Control of Milk Prices," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Alexander, Appleford, Betts, Cain, Clark, English, Massey, McAllister, Mills, Pryor, Reed, Walls, West, Mr. Speaker Mayhew—14.

**NAYS**—Messrs. Bartleson, Ehinger, Hussey, Lambert, Lawson, Livingston, (Mrs.) Manning, Shockley, Simpler, Snedeker, Snowden—11.

**NOT VOTING**—Messrs. Keller, Richards, Spicer, Tribbitt—4.

**ABSENT**—Messrs. Carpenter, Eskridge, Kaufman, King, Quigley, Wolf—6.

Messrs. Alexander, English and West changed their vote from yea to nay for the purpose of reconsideration.

**SB 241** not having received the constitutional majority, was lost in the House.

On motion of Mr. West, **SB 241** was restored to the calendar.

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 398, HB 370, HB 361, HB 326, HB 256, HB 176, HS 1** for **HB 211, HJR 4**.

On motion of Mr. McAllister, the rules were suspended for a committee report. **HB 418** was reported out of the Committee on Education as favorably.

Mr. McAllister moved that **HB 418**—"An Act to Amend Chapter 17, Title 14, Delaware Code, Relating to State Appropriations to Provide for Revolving Funds for School Sites, School Architects; Fees and Appropriating Funds," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Alexander, Appleford, Bartleson, Betts, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—28.

**NAYS**—Mr. West—1.

**NOT VOTING**—Mr. Cain—1.

**ABSENT**—Messrs. Carpenter, Keller, Mills, Quigley, Wolf—5.

**HB 418** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following bills and resolution were reported out of the Miscellaneous Committee as follows: **SCR 26** as being favorably; **SB 58** and **SB 214**, 3 favorable and 2 on merits; **SB 340**, 4 favorable and 1 on merits.

On motion of Mr. Eskridge, the rules were suspended in order that **SCR 26** could be given the third and final reading in order to pass the House. Action was deferred on motion of Mr. Snowden.

On motion of Mr. Eskridge, the rules were suspended in order to take up **SB 340** for consideration.

Mr. Eskridge moved that **SB 340**—"An Act to Amend Chapter 15, Title 17, of the Delaware Code Relating to the Ferry Between Lewes and Cape May," be taken up for consideration and read for the third time in order to pass the House.

**HA 1** to **SB 340** was introduced by Mr. Snowden and on further motion by him, was adopted.

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

**YEAS**—Messrs. Clark, Eskridge, Mills, Tribbitt, West, Mr. Speaker Mayhew—6.

**NAYS**—Messrs. Bartleson, Betts, Cain, Ehinger, Kaufman, Lambert, Lawson, Mrs. Manning—8.

**NOT VOTING**—Messrs. English, Hussey, King, Livingston, Massey, McAllister, Pryor, Reed, Richards, Simpler, Snedeker, Snowden, Spicer—13.

**ABSENT**—Messrs. Appleford, Carpenter, Keller, Wolf—4.

**PRESENT**—Messrs. Alexander, Quigley, Shockley, West—4.

Messrs. Eskridge, Mills and Walls changed their vote from yea to nay for the purpose of reconsideration.

**SB 340** as amended not having received the constitutional majority, was lost in the House.

On motion of Mr. Walls, **SB 340** as amended was restored to the calendar.

Mr. Mills moved that **HB 401**—"An Act Amending Title 20, Delaware Code, by Providing for Workmen's Compensation for Civil Defense Workers While in the Service of the State," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Alexander, Appleford, Bartleson, Betts, Clark, Ehinger, English, Hussey, Kaufman, King, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—29.

**NAYS**—None.

**ABSENT**—Messrs. Carpenter, Eskridge, Keller, Lambert, Wolf—5.

**PRESENT**—Mr. Cain—1.

**HB 401** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

**HCR 13**—"Providing for a Joint Committee to Study the Powers, Duties, Regulations and Policies of the State Department of Public Welfare," was introduced by Mr. West, and on further motion by him, the rules were suspended in order to take up **HCR 13** for consideration.

Mr. West moved that **HCR 13**—"Providing for a Joint Committee to Study the Powers, Duties, Regulations and Policies of the State Department of Public Welfare," be taken up for consideration and read in order to pass the House.

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

**YEAS**—Messrs. Alexander, Appleford, Betts, Cain, Clark, Kaufman, King, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Quigley, Richards, Simpler, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—20.

**NAYS** — Messrs. Bartleson, Ehinger, Hussey, Keller, Lambert, Lawson, Reed, Snedeker, Snowden—9.

**NOT VOTING**—Mr. English—1.

**ABSENT**—Messrs. Carpenter, Eskridge, Massey, Wolf—4.

**PRESENT**—Mr. Shockley—1.

**HCR 13** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Walls moved that **HB 312** with **SA 1**—"An Act Appropriating Funds to the State Highway Department for a Picnic Area at Oak Orchard," be taken up for further consideration in order to pass the House.

On motion of Mr. Walls, **SA 1** to **HB 312** was adopted.

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

**YEAS**—Messrs. Alexander, Appleford, Betts, Cain, Clark, Ehinger, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—29.

**NAYS**—Mr. Bartleson—1.

**ABSENT**—Messrs. Carpenter, English, Eskridge, Massey, Wolf—5.

**HB 312** as amended with **SA 1** having received the constitutional majority, passed the House.

Mr. Tribbitt moved that **HB 366**—"An Act to Increase the Compensation of the State Auditor, Insurance Commissioner, and Treasurer and Certain Other Officers and Appropriating Funds," be taken up for further consideration.

**HA 2** to **HB 366** was introduced by Mr. Tribbitt. He moved that **HA 2** to **HB 366** be adopted.

The roll call revealed:

**YEAS**—Messrs. Alexander, Betts, Cain, Clark, Ehinger, Hussey, King, Livingston, Pryor, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—14.

NAYS—Messrs. Appleford, Bartleson, Kaufman, Lambert, Lawson, (Mrs.) Manning, McAllister, Mills, Quigley, Simpler—10.

NOT VOTING—Messrs. Keller, Reed, Richards, Snowden, Spicer—5.

ABSENT—Carpenter, English, Eskridge, Massey, Snedeker, Wolf—6.

**HA 2 to HB 366** was lost in the House.

**HA 3 to HB 366** was introduced by Mr. Ehinger, and on further motion by him a roll call was ordered.

The roll call revealed:

YEAS—Messrs. Appleford, Bartleson, Ehinger, Kaufman, Keller, Lawson, (Mrs.) Manning, Reed, Richards, Simpler, Snowden, Spicer—12.

NAYS—Messrs. Alexander, Betts, Cain, Clark, English, Hussey, King, Livingston, McAllister, Mills, Quigley, Shockley, Tribbitt, West, Mr. Speaker Mayhew—15.

NOT VOTING—Mr. Pryor—1.

ABSENT—Messrs. Carpenter, Eskridge, Lambert, Massey, Snedeker, Wolf—6.

PRESENT—Mr. Walls—1.

**HA 3 to HB 366** was lost in the House.

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

YEAS — Messrs. Alexander, Ehinger, Keller, Lawson, Reed, Richards, Snowden, Spicer, Walls, West—10.

NAYS — Messrs. Betts, Cain, Clark, English, Hussey, King, McAllister, Mills, Pryor, Quigley, Tribbitt—11.

NOT VOTING—Messrs. Appleford, Bartleson, Kaufman, (Mrs.) Manning, Shockley, Simpler, Mr. Speaker Mayhew—7.

ABSENT—Messrs. Carpenter, Eskridge, Lambert, Massey, Snedeker, Wolf—6.

PRESENT—Mr. Livingston—1.

**HB 366** not having received the constitutional majority, was lost in the House.

Mr. Walls moved that **HB 322** as amended—"An Act to Amend Title 17, Delaware Code, Entitled "Highways", to Authorize the State Highway Department to Perform Work to Prevent and Repair Damage from Beach Erosion, to Confer Upon It Jurisdiction Over Improvements and Structures, to Authorize the Issuance of Bonds to Finance the Cost of Construction and Maintenance of Necessary Facilities, and to Provide Penalties for the Unauthorized Alteration Thereof," be taken up for further consideration in order to pass the House.

On motion of Mr. Walls, **SA 1 to HB 322** was adopted.

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

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lawson, Livingston, (Mrs.) Manning, McAllis-

ter, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—31.

NAYS—None.

ABSENT—Messrs. Carpenter, Lambert, Massey, Wolf—4.

**HB 322** as amended having received the constitutional majority, passed the House.

Mr. Speaker announced that he was about to sign: **HB 335, HB 336, HB 381, HB 385, HB 315, HB 312, HB 302, HS 1** for **HB 283, HB 267, HB 264, HB 116, HB 144, HB 89, HB 196** as amended, **HB 208** as amended, **HB 395, HB 376, HB 266, HB 235, HB 178, HB 115, HB 102, SB 295** as amended, **SS 1** for **SB 78, SB 334, SB 239** and **SB 320**.

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

**SB 355**—"An Act to Amend Title 14, Delaware Code, Entitled "Education" in Regard to Exceptional Children and Appropriating Funds," to Education.

**SB 356**—"An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety", to Authorize the State Board of Trustees of the Delaware State Hospital at Farnhurst to Operate Centers for, the Daytime Care of Severely Retarded Persons and to Appropriate Funds," to Education.

**SB 359**—"An Act to Appropriate Funds to the State Highway Department for a Picnic Area at Portsville Pond in Sussex County," to Miscellaneous.

On motion of Mr. Tribbitt, the rules were suspended to present the following committee reports: **SB 343**, from Judiciary, 3 favorable, 1 unfavorable; **HB 412**, from Judiciary, 2 favorable, 3 on merits; **HB 413**, from Judiciary, 2 favorable, 2 on merits.

On motion of Mr. West, the rules were suspended in order to take **SB 358** up for consideration.

Mr. West moved that **SB 358**—"An Act to Amend Chapter 61, Title 9, Delaware Code by Authorizing the Levy Court of Sussex County to Make an Annual Appropriation to Sussex Memorial Post No. 7422, V. F. W., at Millsboro for Ambulance Service," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Spicer, Tribbitt, West, Mr. Speaker Mayhew—27.

NAYS—None.

NOT VOTING—Messrs. English, Eskridge, McAllister, Snowden—4.

ABSENT—Messrs. Carpenter, Massey, Walls, Wolf—4.

**SB 358** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Lawson moved that **HB 234**—"An Act to Amend Chapter 13, Title 10, Delaware Code Relating to the Court of Common Pleas for New Castle County," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, Hussey, Kaufman, Keller, King, Lawson, Livingston, (Mrs.) Manning, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—26.

NAYS—Messrs. Eskridge and Mills—2.

NOT VOTING—Mr. English—1.

ABSENT—Messrs. Carpenter, Lambert, Massey, McAllister, Wolf—5.

PRESENT—Mr. West—1.

**HB 234** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Appleford moved that **HB 138**—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" by Increasing the Compensation of the Custodian, and Appropriating Funds," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Alexander, Appleford, Bartleson, Ehinger, Kaufman, Keller, Lambert, Lawson, (Mrs.) Manning, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer—17.

NAYS—Messrs. Betts, Eskridge, King, McAllister, Mills, Pryor—6.

NOT VOTING—Messrs. English and Hussey—2.

ABSENT—Messrs. Carpenter, Massey, Wolf—3.

PRESENT—Messrs. Cain, Clark, King, Livingston, Tribbitt, Walls, West, Mr. Speaker Mayhew—7.

Messrs. Appleford and Snowden changed their vote from yea to nay for the purpose of reconsideration.

**HB 138** not having received the constitutional majority, was lost in the House.

On motion of Mr. Appleford, **HB 138** was restored to the calendar.

Mr. Alexander moved that **HS 1** for **HB 154**—"An Act to Amend Chapters 1, 3 and 5 of Title 10 of the Delaware Code Relating to the Supreme Court, Court of Chancery and Superior Court," be taken up for further consideration in order to pass the House.

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

**YEAS**—Messrs. Alexander, Betts, Clark, Hussey, King, Lambert, Livingston, Quigley, Shockley, Simpler, Spicer, Tribbitt, Walls—13.

**NAYS**—Messrs. Appleford, Bartleson, Ehinger, Eskridge, Kaufman, (Mrs.) Manning, McAllister, Mills, Reed, West, Mr. Speaker Mayhew—11.

**NOT VOTING**—Messrs. English, Lawson, Pryor, Richards—4.

**ABSENT**—Messrs. Carpenter, Keller, Massey, Snedeker, Snowden, Wolf—6.

**PRESENT**—Mr. Cain—1.

Messrs. Livingston, Quigley and Shockley changed their vote from yea to nay for the purpose of reconsideration.

**HS 1** for **HB 154** not having received the constitutional majority, was lost in the House.

On motion of Mr. Quigley, **HS 1** for **HB 154** was restored to the calendar.

A petition, consisting of 21 signatures, was presented by Mr. Richards requesting that **SB 159** be removed from the Revised Statutes Committee and placed before the House for action. Mr. Quigley moved that action be deferred on **SB 159**.

The roll call was ordered, which revealed:

**YEAS**—Messrs. Cain, Clark, Livingston, Quigley, Mr. Speaker Mayhew—5.

**NAYS**—Messrs. Alexander, Appleford, Bartleson, Ehinger, English, Hussey, Kaufman, Keller, King, Lambert, Lawson, (Mrs.) Manning, McAllister, Mills, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, West, Wolf—25.

**NOT VOTING**—Messrs. Betts and Eskridge—2.

**ABSENT**—Messrs. Carpenter and Massey—2.

**PRESENT**—Mr. Walls—1.

The motion was lost and **SB 159** was ordered taken up for action.

Mr. Richards moved that **SB 159**—"An Act Amending Title 24, of the Delaware Code, Creating a State Board of Electrical Examiners, and to Prescribe Regulations for Reduction of Fire Hazards and for Protection of Life and Property," be taken up for consideration and read for the third time in order to pass the House.



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

**YEAS**—Messrs. Alexander, Appleford, Bartleson, Ehinger, English, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Reed, Richard, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, Wolf—26.

**NAYS**—Messrs. Cain, Clark, Quigley, West, Mr. Speaker Mayhew—5.

**NOT VOTING**—Messrs. Betts and Eskridge—2.

**ABSENT**—Messrs. Carpenter and Massey—2.

**SB 159** having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Snowden, the rules were suspended in order to take action on **HB 410**.

Mr. Snowden moved that **HB 410**—"An Act Making a Supplementary Appropriation to the Ferris School for Boys for Salaries and Wages of Employees," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Alexander, Appleford, Bartleson, Ehinger, Hussey, Kaufman, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Walls—21.

**NAYS**—Messrs. Betts, Cain, Clark, McAllister, Mills, West—6.

**NOT VOTING**—Messrs. English, Eskridge, Keller, Tribbitt, Mr. Speaker Mayhew—5.

**ABSENT**—Messrs. Carpenter, Massey, Wolf—3.

**HB 410** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 365** with **HA 1**, and that the Senate had passed and requested the concurrence of the House in the following bill: **SB 364**.

The Secretary of the Senate informed the House that the Senate had passed and requested the concurrence of the House in the following bills and resolution: **HB 368** with **SA 1**, **HB 149** with **SA 1** and **SCR 27**.

Mr. Quigley moved that the rules be suspended in order to take up **HB 412** for consideration.

Mr. Quigley moved that **HB 412**—"An Act to Amend Chapter 9, Title 10, Delaware Code Relating to the Family Court for the State of Delaware in and for New Castle County by Providing for Additional Judges; Setting Their Terms and Salaries and Relating to the Court's Budget; Effective Date," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Alexander, Appleford, Bartleson, Clark, Ehinger, Hussey, Kaufman, Keller, King, Livingston, (Mrs.) Manning, Pryor, Quigley, Reed, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—22.

NAYS—Messrs. English, Eskridge, McAllister, Mills—4.

NOT VOTING—Messrs. Betts, Cain, Lambert, Lawson, Richards—5.

ABSENT—Messrs. Carpenter, Massey, Wolf—3.

PRESENT—Mr. West—1.

Mrs. Manning and Messrs. Quigley and Tribbitt changed their vote from yea to nay for the purpose of reconsideration.

**HB 412** not having received the constitutional majority, was lost in the House.

On motion of Mr. Quigley, **HB 412** was restored to the calendar.

On motion of Mr. Livingston, the rules were suspended in order to take up **HB 413** for consideration.

Mr. Livingston moved that **HB 413**—"An Act to Amend Chapter 23, Title 10, Delaware Code, Relating to the Compensation of the Prothonotary in New Castle County," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Appleford, Bartleson, Clark, Ehinger, Hussey, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Wolf—20.

NAYS—Messrs. Betts, Eskridge, King, McAllister, Mills, Quigley, Mr. Speaker Mayhew—7.

NOT VOTING—Messrs. English and Tribbitt—2.

ABSENT—Messrs. Alexander, Carpenter, Massey—3.

PRESENT—Messrs. Cain, Walls, West—3.

**HB 413** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Quigley moved that **HB 338**—"An Act Making an Appropriation to the State Board of Agriculture to Provide for the Control of Brucellosis, Tuberculosis, and Other Contagious Diseases of Animals, Poultry, and Plants, and to Provide for Payment of Cattle Slaughtered as Brucellosis and Tuberculosis Reactors," be taken up for further consideration in order to pass the House.

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

YEAS—Messrs. Alexander, Betts, Cain, Clark, Hussey, King, McAllister, Pryor, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—13.

**NAYS** — Messrs. Appleford, Bartleson, Ehinger, Kaufman, Mills, Quigley, Reed—7.

**NOT VOTING**—Messrs. English, Eskridge, Keller, Lambert, Livingston, (Mrs.) Manning, Richards, Simpler, Snowden, Spicer—10.

**ABSENT**—Messrs. Carpenter, Lawson, Massey, Snedeker, Wolf—5.

Messrs. Pryor, Shockley and West changed their vote from yea to nay for the purpose of reconsideration.

**HB 338** not having received the constitutional majority, was lost in the House.

On motion of Mr. Quigley, **HB 338** was restored to the calendar.

Mr. Alexander moved that **SB 305** as amended—"An Act to Appropriate Funds to the Levy Courts of the State of Delaware to Repay Suburban Streets Improvement Bonds and Interest," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Alexander, Betts, Cain, Clark, Hussey, King, McAllister, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—14.

**NAYS**—Messrs. Bartleson, English, Lambert, Lawson, Mills, Simpler, Snedeker, Snowden, Spicer—9.

**NOT VOTING**—Messrs. Appleford, Ehinger, Kaufman, Keller, (Mrs.) Manning, Reed, Richards—7.

**ABSENT**—Messrs. Carpenter, Eskridge, Massey, Wolf—4.

**PRESENT**—Mr. Livingston—1.

Messrs. Alexander, Quigley and West changed their vote from yea to nay for the purpose of reconsideration.

**SB 305** as amended not having received the constitutional majority, was lost in the House.

On motion of Mr. Quigley, **SB 305** as amended was restored to the calendar.

On motion of Mr. McAllister, the rules were suspended in order to present two committee reports. **SB 355** and **SB 356** were reported out of the Committee on Education as being favorably.

Mr. McAllister moved that **SB 356**—"An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety", to Authorize the State Board of Trustees of the Delaware State Hospital at Farnhurst to Operate Centers for the Daytime Care of Severely Retarded Persons and to Appropriate Funds," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Pryor, Quigley, Reed, Richards, Snedeker, Snowden, Spicer, Tribbitt, Walls, Wolf, Mr. Speaker Mayhew—26.

NAYS—Messrs. Mills and West—2.

NOT VOTING — Messrs. English, Eskridge, Shockley, Simpler—4.

ABSENT—Messrs. Carpenter, Hussey, Massey—3.

SB 356 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. McAllister moved that SB 355—"An Act to Amend Title 14, Delaware Code, Entitled "Education" in Regard to Exceptional Children and Appropriating Funds," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Pryor, Quigley, Reed, Richards, Snedeker, Snowden, Spicer, Tribbitt, Walls, Wolf, Mr. Speaker Mayhew—27.

NAYS—Messrs. Mills and West—2.

NOT VOTING—Messrs. Eskridge, Shockley, Simpler—3.

ABSENT—Messrs. Carpenter, Hussey, Massey—3.

SB 355 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. McAllister moved that SB 352—"An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees and Making Appropriations," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Appleford, Betts, Clark, Ehinger, Hussey, Kaufman, Keller, King, Lambert, Lawson, (Mrs.) Manning, McAllister, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—25.

NAYS—Messrs. Mills and West—2.

NOT VOTING—Messrs. Bartleson, English, Eskridge—3.

ABSENT—Messrs. Carpenter, Livingston, Massey, Wolf—4.

PRESENT—Mr. Cain—1.

SB 352 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Alexander moved that **SB 351**—"An Act to Amend Chapter 1, Title 17, Delaware Code, Relating to the Compensation of the Chief Engineer of the State Highway Department," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Alexander, Betts, Clark, Hussey, King, McAllister, Pryor, Shockley, Tribbitt, Walls—10.

**NAYS** — Messrs. Bartleson, Cain, Ehinger, Eskridge, Kaufman, Lambert, Lawson, (Mrs.) Manning, Mills, Quigley, Reed, Richards, Simpler, Snedeker, Snowden, West—16.

**NOT VOTING**—Messrs. Appleford, English, Spicer, Mr. Speaker Mayhew—4.

**ABSENT**—Messrs. Carpenter, Keller, Livingston, Massey, Wolf—5.

Messrs. Alexander, Betts and Shockley changed their vote from yea to nay for the purpose of reconsideration.

**SB 351** not having received the constitutional majority, was lost in the House.

Mr. West moved that **SB 261**—"An Act to Amend Chapter 3, Title 11, Delaware Code, Relating to Lotteries, Gambling and Betting," be taken up for further consideration in order to pass the House.

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

**YEAS** — Messrs. Appleford, Bartleson, Clark, Ehinger, Keller, (Mrs.) Manning, McAllister, Pryor, Reed, Richards, Simpler, Snowden, West, Mr. Speaker Mayhew—14.

**NAYS**—Messrs. Alexander, Betts, Cain, Hussey, Kaufman, Lambert, Lawson, Livingston, Mills, Quigley, Shockley, Spicer, Walls—13.

**NOT VOTING**—Messrs. Snedeker and Tribbitt—2.

**ABSENT**—Messrs. Carpenter, English, Eskridge, King, Massey, Wolf—6.

Messrs. Appleford, Ehinger and West changed their vote from yea to nay for the purpose of reconsideration.

**SB 261** not having received the constitutional majority, was lost in the House.

Mr. West moved that **SB 261** be restored to the calendar. Mr. Speaker ordered a roll call, which revealed the following:

**YEAS**—Messrs. Appleford, Betts, Clark, Ehinger, Keller, Lawson, (Mrs.) Manning, McAllister, Pryor, Reed, Richards, Simpler, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—18.

**NAYS** — Messrs. Alexander, Bartleson, Cain, Hussey, Kaufman, Livingston, Mills, Quigley, Shockley—9.

**ABSENT**—Messrs. Carpenter, English, Eskridge, King, Lambert, Massey, Snedeker, Wolf—8.

Motion prevailed and **SB 261** was restored to the calendar.

Mr. Shockley moved that **SB 331** be given the third and final reading in order to pass the House. On further motion by him, action was deferred.

Mr. Clark moved that **SB 173**—"An Act to Amend Chapter 53, Title 16, Delaware Code, by Changing the Age Limits for Maladjusted Children at Governor Bacon Health Center," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Appleford, Bartleson, Betts, Cain, Ehinger, Hussey, Kaufman, Lambert, Lawson, Livingston, (Mrs.) Manning, Pryor, Quigley, Reed, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—22.

NAYS—Mr. West—1.

NOT VOTING—Messrs. English and Eskridge—2.

ABSENT—Messrs. Alexander, Carpenter, Clark, Keller, King, Massey, McAllister, Mills, Richards, Wolf—10.

**SB 173** having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Shockley, the rules were suspended for the purpose of presenting two committee reports from the Appropriations Committee: **SB 322** with **SA 1**, 1 favorable, 3 on merits; **HB 419**, favorably.

Mr. Shockley moved that **HB 419**—"An Act Authorizing the State of Delaware to Borrow a Certain Sum of Money for Sundry Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes Therefore," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, Livingston, McAllister, Mills, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—16.

NAYS—None.

NOT VOTING—Messrs. Appleford, Bartleson, Ehinger, Kaufman, Lambert, Lawson, (Mrs.) Manning, Reed, Simpler, Snedeker, Snowden, Spicer—12.

ABSENT — Messrs. Carpenter, Keller, King, Massey, Pryor, Richards, Wolf—7.

Messrs. Cain, Shockley and Tribbitt changed their vote from yea to nay for the purpose of reconsideration.

**HB 419** not having received the constitutional majority, was lost in the House.

On motion of Mr. Shockley, **HB 419** was restored to the calendar.

Mr. Speaker announced that he was about to sign: **HB 341**, **HB 322** as amended, **HB 311** and **HB 330**.

**HB 230** was reported out of the Judiciary Committee, 3 favorable, 1 on merits. **SB 245** was reported out of the Judiciary Committee favorably.

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

**HB 420**—"An Act Appropriating Funds to the State Board of Education for Handicapped Children," by Ehinger; to Education.

On motion of Mr. Appleford, **HB 274** was restored to the calendar.

Mr. English introduced the following resolution, which on further motion by him, was adopted: **HR 104**—"Appropriating Certain Money Out of the General Fund of the State Treasury to Pay Allowances as Compensation of the Officers and Employees of the House of Representatives, Being Expenses Connected With the Present Session of the House of Representatives of the 119th General Assembly."

BE IT RESOLVED, by the House of Representatives of the State of Delaware, that the following amounts be and they are hereby appropriated out of any money in the General Fund of the State Treasury, as allowances for the compensation of the officers and employees of the House of Representatives, being expenses connected with the present Session of the 119th General Assembly, and the State Treasurer is hereby authorized and directed to pay to the respective persons hereinafter named the respective sums set opposite their respective names; provided, however, that any sum or sums heretofore paid to any officer or employee whose name is hereinafter listed as part of an allowance for compensation for services rendered during the 119th Session of the General Assembly shall be deducted from the amount set opposite his or her name so that the total paid to the persons named shall not be in excess of the amounts set forth as below:

William G. Bush, III, Attorney .....	\$8,456.00
Albert J. Stiftel, Attorney .....	8,456.00
William J. Gordy, Chief Clerk .....	5,290.75
Anna Fox, Assistant Chief Clerk .....	3,722.00
Rev. John M. Donohoe, Chaplain .....	2,131.25
Hubert Kenney, Accountant .....	4,000.00
Frank Shoemaker, Assistant Reading Clerk ...	2,887.00
Nellie Walsh, Document Clerk .....	2,838.00
Carl Prettyman, Assistant Document Clerk ...	2,838.00
George Roberson, Messenger .....	2,131.25
J. Leslie Ford, Messenger .....	2,125.00
Alfred Fruschon, Messenger .....	315.00
Ray M. Jones, Messenger .....	2,131.25
Paul Lowe, Messenger .....	1,080.00
Ruth Rusby, Stenographer .....	3,128.15

Albert Neal, Messenger .....	2,131.25
Mildred Hall, Mail Clerk .....	2,131.25
Joseph Grabowski, Sergeant-at-Arms .....	472.50
Michael Watson, Sergeant-at-Arms .....	2,131.25
George Kirby, Sergeant-at-Arms .....	2,131.25
Granville Lowe, Sergeant-at-Arms .....	2,131.25
Carlton Hudson, Door Tender .....	1,080.00
John T. Loder, Door Tender .....	1,100.00
W. W. Opdyke, Door Tender .....	2,131.25
Ruth Ross, Page .....	2,131.25
Ethel Walls, Page .....	900.00
Benjamin Jackson, Telephone Messenger .....	2,131.25
Harry J. Mitchell, Cloak Room Attendant .....	1,125.00
B. Walter Johnson, Attorney's Clerk .....	1,250.00
Ruth Haas, Attorney's Clerk .....	2,647.25
J. P. Reynolds, File Clerk .....	2,131.25
Connie Joseph, File Clerk .....	2,331.25
Mildred Shugard, File Clerk .....	900.00
James Sylvester, File Clerk .....	2,331.25
Harold Powell, File Clerk .....	2,131.25
Vickie Blendt, Stenographer .....	3,128.15
Elaine Gurley, Stenographer .....	3,429.25
James H. Latchum, Parliamentarian .....	3,429.25
Tom Gray, Ditto Machine Operator .....	3,025.00
Francis E. Holliday, Minority Leader's Clerk..	3,128.15
Earl Deputy, Messenger .....	2,131.25
Hyland Webb, Messenger .....	1,890.00
Lewis Killen, Messenger .....	2,131.25
W. Lee Pennington, Sergeant-at-Arms .....	2,131.25
Charles Staats, Sergeant-at-Arms .....	2,131.25
Raymond Welsh, Sergeant-at-Arms .....	2,131.25
John Holloway, Cloak Room Attendant .....	1,175.00
Richard Boyce, Door Tender .....	2,131.25
Harry W. Cannon, Sergeant-at-Arms .....	2,131.25
John P. Cannon, Mail Clerk .....	2,131.25
Helen Marie Dugan, Stenographer .....	3,128.15
Hubert W. Insolo, Sr., Messenger .....	2,131.25
Chester Gove, Jr., Reading Clerk .....	2,887.00
Ira P. Messick, Assistant Bill Clerk .....	2,772.00
Leon Donovan, Majority Leader's Clerk .....	3,128.15
Edward Lank, Attorney's Clerk .....	1,125.00
Lillian Weston, File Clerk .....	2,131.25
Lena Fruschon, Messenger .....	1,800.00
John Smith, Cloak Room Attendant .....	2,131.25
Charles X. Newell, Sergeant-at-Arms .....	1,642.50
Betty Cordrey, File Clerk .....	1,431.00
Rebecca Layfield, Page .....	1,215.00
Clarence E. Truitt, Messenger .....	1,035.00
George R. Mears, Door Tender .....	1,035.00
Ellis Sarten, Attorney's Clerk .....	700.00



Thomas M. Hearne, Cloak Room Attendant . . . .	967.50
Thomas M. Gooding, Door Tender . . . . .	382.50
Esther Willin, Attorney's Clerk . . . . .	650.00
Elwood Wright, Messenger . . . . .	225.00
James Rowlinson, Door Tender . . . . .	225.00
Temple Heinold, File Clerk . . . . .	240.00
Walter Pyle, Bill Clerk . . . . .	3,488.77

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 116, HB 264, HB 267, HB 283, HB 302, HB 312, HB 315, HB 385, HB 381, HB 336, HB 335, HB 395, HB 89, HB 196, HB 144, HB 328, HB 115, HB 102, HB 235, HB 178, HB 376, HB 266, HB 208.**

**SB 259** was reported out of the Revised Statutes Committee as favorably.

On motion of Mr. Quigley, the House adjourned until January 6, 1958, at 1:00 P. M., pursuant to **HCR 12.**

### 95TH LEGISLATIVE DAY

House met at 10:50 P. M., on Friday, July 19, 1957.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—35.

Members absent—None.

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

On motion of Mr. Shockley, Section 2 of Rule 1 was suspended.

A communication was presented by Mr. Wolf. Mr. Quigley moved that the communication be tabled. The roll call revealed:

**YEAS**—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—19.

**NAYS**—Messrs. Appleford, Bartleson, Carpenter, Ehinger, Kaufman, Keller, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Wolf—16.

The motion prevailed and the communication was tabled.

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

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

Dover, July 19, 1957

To the House of Representatives of the 119th General Assembly of the State of Delaware:

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

June 20, 1957—House Bill No. 323 with Senate Amendment No. 2—An Act to Amend Title 14, Delaware Code, Entitled "Education" in Respect to Use of Tax Revenues.

June 28, 1957—Senate Bill No. 102—An Act to Appropriate Money to the Supreme Court of the State of Delaware for the Purpose of Printing and Indexing the Transcripts of Debates and Proceedings of the Constitutional Convention of 1897.

June 28, 1957—Senate Bill No. 124—An Act Making an Appropriation to Delaware State College to Provide for the Erection of or Improvements to Certain Buildings and for the Equipping and Furnishing Thereof.

June 28, 1957—Senate Bill No. 144—An Act to Appropriate Funds to the State Board of Health for the Purpose of Carrying Out the Provisions of Chapter 79, Title 16 of the Delaware Code Entitled "Basic Plumbing Principles" in Kent County.

June 28, 1957—Senate Bill No. 162—An Act to Amend Chapter 212, Volume 25, Laws of Delaware, 1909, Entitled "An Act to Incorporate the Town of Bethany Beach and Give It Authority to Issue Bonds" by Providing for an Increase in Fines and Penalties for the Violations of a Town Ordinance and by Increasing the Jurisdiction of the Town Alderman in That Respect.

June 28, 1957—Senate Substitute No. 1 for Senate Bill No. 163—An Act to Amend Chapter 212, Volume 25, Laws of Delaware, 1909, Entitled "An Act to Incorporate the Town of Bethany Beach and Give It Authority to Issue Bonds," by Providing for an Increase in Fines and Penalties for the Violations of a Town Ordinance.

June 28, 1957—Senate Bill No. 164—An Act to Amend Chapter 212, Volume 25, Laws of Delaware, 1909, Entitled "An Act to Incorporate the Town of Bethany Beach and Give It Authority to Issue Bonds", as Amended by Providing for an Increase in the Amount to be Raised by Taxation.

June 28, 1957—Senate Bill No. 167—An Act to Amend Chapter 196, Volume 22, Laws of Delaware, 1901, Entitled "An Act to Authorize the Commissioners of Lewes to Appoint

a Board of Public Works for the Town of Lewes, Which Shall Establish, Control and Regulate an Electric Light Plant, Water Works and a Sewer System for Said Town; Prescribing the Powers and Duties of Said Board and Providing for the Election of Their Successors", by Granting to Qualified Leaseholders the right to vote in the Election of Members of the Said Board of Public Works.

June 28, 1957—Senate Bill No. 200 with House Amendment No. 1—An Act Authorizing the State Highway Department to Study and Construct Flood Control Measures Along Little Mill Creek in Christiana Hundred and Appropriating Funds Therefore.

June 28, 1957—Senate Bill No. 212—An Act to appropriate Money to the State Highway Department for the Purpose of Repairing and Replacing the Boardwalk at Rehoboth Beach.

June 28, 1957—Senate Bill No. 213—An Act to Amend the Charter of the City of Rehoboth Beach as Established by Chapter 161, Volume 41, Laws of Delaware, as Amended, by Increasing the Amount of Taxes That May be Raised for Municipal Purposes.

June 28, 1957—Senate Bill No. 232—An Act Authorizing the State Board of Health to Provide Poliomyelitis Immunization and Making an Appropriation Therefor.

June 28, 1957—Senate Bill No. 239—An Act to Amend Title 21, Delaware Code Relating to Fees Paid by the Department of Motor Vehicles for the Return of Number Plates.

June 28, 1957—Senate Bill No. 247—An Act to Amend Chapter 184, Volume 43, Laws of Delaware, Entitled "An Act Changing the Name of 'The Town of Seaford' to 'The City of Seaford' and Establishing a Charter Therefor" by Changing the Months of the Fiscal Years.

June 28, 1957—Senate Bill No. 250—An Act to Amend Chapter 9, Title 2, Delaware Code Relating to Airports of Political Subdivisions.

June 28, 1957—Senate Bill No. 279—An Act to Amend the Charter of the Town of Delmar, Chapter 182, Volume 45, Laws of Delaware, Relative to Sewer Rentals.

June 28, 1957—Senate Bill No. 330—An Act to Amend Chapter 196, Volume 22, Laws of Delaware, by Extending to the Board of Public Works of Lewes the Authority to Construct, Operate, and Regulate a Sewage Disposal Plant and an Improved Sewerage System and Authorizing the Commissioners of Lewes to Issue Bonds to Finance the Project.

June 28, 1957—Senate Bill No. 334—An Act Making an Appropriation to the Council on the Administration of Justice for the Purpose of Making a Study and Survey of the Judicial System of This State.

June 28, 1957—House Bill No. 77—An Act Appropriating Money to Certain Fire Companies in the State of Delaware Which Maintain and Operate an Ambulance.

June 28, 1957—House Bill No. 89—An Act to Amend Chapter 96, Title 9, Delaware Code, Entitled "Recorders" in Regard to the Fees of the Recorder in New Castle County.

June 28, 1957—House Bill No. 95—An Act Appropriating Certain Monies to the Adjutant General's Department Delaware National Guard, for the Purpose of Constructing an Armory.

June 28, 1957—House Bill No. 102—An Act Appropriating Money to Sussex Memorial Post No. 7422, V. F. W. at Millsboro, With Which to Operate and Maintain an Ambulance.

June 28, 1957—House Bill No. 107—An Act Appropriating Funds for Delaware Participation Under the Southern Regional Education Compacc.

June 28, 1957—House Bill No. 115—An Act to Amend Chapter 65, Title 11, Delaware Code, Entitled "Prisons and Prisoners" in Respect to Payments Received for Keeping Federal Prisoners.

June 28, 1957—House Bill No. 116—An Act to Amend Chapter 65, Title 11, Delaware Code, Entitled "Prisons and Prisoners" in Respect to Forfeiture of Granted Time.

June 28, 1957—House Bill No. 178—An Act Appropriating Certain Money to the State Soil Conservation Commission for the Drainage of Tax Ditches in Kent County.

June 28, 1957—House Bill No. 196 with House Amendment No. 1—An Act to Authorize the Dover Special School District to Make Certain Tax Refunds.

June 28, 1957—House Bill No. 208 with House Amendment No. 1—An Act to Amend Chapter 16, Title 10, Delaware Code Relating to the Court of Common Pleas for Sussex County.

June 28, 1957—House Substitute No. 1 for House Bill No. 211—An Act to Amend the Delaware Code in Respect to the Tax on House Trailers.

June 28, 1957—House Bill No. 255—An Act Making Appropriations to the American Legion, Department of Delaware, for the Furnishing of Services to Veterans and Their Dependents.

June 28, 1957—House Bill No. 256—An Act Appropriating Money to the Woods Haven School for Girls.

June 28, 1957—House Bill No. 264—An Act to Amend Title 14, Delaware Code Entitled "Education" in Respect to State Appropriations for Public Education.

June 28, 1957—House Bill No. 266—An Act to Amend Title 29, Delaware Code Entitled "State Government" in Respect to Estimates of Expenses by State Agencies.

June 28, 1957—House Bill No. 267—An Act to Amend Title 14, Delaware Code, Entitled "Education" in Respect to Buildings and Grounds Supervisors.

June 28, 1957—House Substitute No. 1 for House Bill No. 283—An Act to Amend Section 6510, Title 14, Delaware Code Relating to Scholarships at Delaware State College.

June 28, 1957—House Bill No. 292—An Act to Appropriate Funds to the Delaware Geological Commission for the River Master Program and Salinity Tests.

June 28, 1957—House Bill No. 302—An Act Making a Supplementary Appropriation to State Board of Trustees of Delaware State Hospital at Farnhurst for the Purpose of Paying Its Share of Sewage Treatment Plant.

June 28, 1957—House Bill No. 315—An Act Appropriating Funds to the State Board of Education for Allocation to School Districts When New Units are Opened.

June 28, 1957—House Bill No. 328—An Act to Amend Chapter 550, Volume 50, Laws of Delaware, Relative to State Pensions of Members of the General Assembly, and Appropriating Funds.

June 28, 1957—House Bill No. 336—An Act to Amend Title 29, Delaware Code, Entitled "State Government" in Regard to State Pensions.

June 28, 1957—House Bill No. 361—An Act to Provide a Survivor's Pension for Helen L. Fenimore, a Widow Whose Husband Died Eleven Months and Fourteen Days Before Becoming Eligible for a State Pension.

June 28, 1957—House Bill No. 376—An Act Providing for the Acquisition of Public Documents by the Public Archives Commission.

June 28, 1957—House Bill No. 381—An Act to Appropriate \$2410 to the State Highway Department for the Purpose of Improving the Entrance and Parking Lot at the Sussex County Correctional Institution.

June 28, 1957—House Bill No. 385—An Act to Amend Chapter 351, Volume 50, Laws of Delaware in Regard to An Act to Appropriate Funds to the Delaware Commission for the Feeble Minded for the Care of Abnormal Infants Until Space is Available at the Delaware Colony, Stockley.

June 28, 1957—House Bill No. 395—An Act Appropriating Funds to the State Board of Education to Provide Itinerant Homebound and Hospital Instruction.

June 28, 1957—House Bill No. 398—An Act Making Certain Additional and Supplementary Appropriations for the Expenses of Certain State Agencies for Each of the Fiscal Years Ending June 30, 1958 and June 30, 1959.

Respectfully submitted,

J. CALEB BOGGS, Governor

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

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

Dover, July 19, 1957

To the House of Representatives of the 119th  
General Assembly of the State of Delaware:

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

July 2, 1957—Senate Bill No. 157—An Act Appropriating Money to the Mayor and Council of Wilmington for Use in Maintenance of Fire Apparatus and Equipment in Wilmington.

July 2, 1957—Senate Bill No. 324—An Act to Amend Section 40, of the Charter of the City of Wilmington, Being Section 40, Chapter 20, Volume 17, Laws of Delaware, as Heretofore Amended (and referred to as part of Article 6, 52, Sec. 52, of the Revised Code of Wilmington 1942, as Published by the Authority of the Council of the Mayor and Council of Wilmington, at a Meeting of the Council Held October 19, 1939) and Relating to the Position of City Solicitor.

July 2, 1957—Senate Bill No. 328—An Act to Amend Title 9, Delaware Code by Providing for a New Chapter 63, Entitled "Building Permits for Sussex County."

July 2, 1957—House Bill No. 144—An Act to Amend Chapter 21, Title 14, Delaware Code, Relative to Local School Bond Elections.

July 2, 1957—House Bill No. 176—An Act to Amend Chapter 216, Volume 27, Laws of Delaware, as Amended, Entitled "An Act Amending, Revising and Consolidating the Charter of the City of New Castle" by Changing the Salary of Certain Officials.

July 2, 1957—House Bill No. 271—An Act to appropriate Certain Funds to the State Highway Department for the Purpose of Increasing Salaries of State Police Employees.

July 3, 1957—Senate Bill No. 60—An Act to Amend Chapter 43, Title 21, Delaware Code, Relating to Equipment and Construction of Vehicles.

July 3, 1957—Senate Substitute No. 1 for Senate Bill No. 78 with House Amendment No. 1—An Act to Amend Chapter 41, Title 15, of the Delaware Code Relating to Division of Election Districts.

July 3, 1957—Senate Bill No. 295 with Senate Amendment No. 1 and House Amendment No. 1—An Act to Reincorporate the Town of Bridgeville.

July 3, 1957—House Bill No. 213 with House Amendment No. 1—An Act to Amend Title 6, Delaware Code Relating to Commerce and Trade.

July 3, 1957—House Bill No. 221—An Act to Amend Chapter 1, Title 4, Delaware Code, Relating to the Sale of Alcoholic Liquors by Importers.

July 3, 1957—House Bill No. 326—An Act to Amend Chapter 192, Volume 36, Laws of Delaware Entitled "An Act to Reincorporate the Town of Smyrna", Relating to the Taxing Powers of the Town of Smyrna.

July 3, 1957—House Bill No. 335—An Act to Amend Title 14, Delaware Code Entitled "Education" Relative to School Board Elections; Local School Taxes; Local School Bonds.

Respectfully submitted,

J. CALEB BOGGS, Governor

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

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

Dover, July 19, 1957

To the House of Representatives of the  
119th General Assembly:

As members of the General Assembly of Delaware, I know you share my grave concern over the gradual but persistent erosion of the rights and responsibilities of our sovereign states. Every thoughtful citizen will agree that this presents a dangerous threat to the preservation of individual freedom—our most cherished possession.

Government is most effective, and it is most responsive to the will of the people, when it is carried out at the level closest to the people. The wise patriots who wrote our Federal Constitution were well aware of this fundamental truth. They endeavored to bind it into our fabric of Government by reserving to the states and communities all powers not specifically bestowed upon the Federal system.

Our generation has witnessed an accelerating surrender of these powers to the central government. It serves no purpose to debate whether the transfer was by gift or by seizure. The question before us is whether—and how—this trend can be reversed before it is too late. I firmly believe the people of Delaware want to make their own decisions on their own problems, rather than have this done in Washington.

We now have an opportunity to make a start in this direction. At the Conference of Governors which I attended as the representative of Delaware last month in Williamsburg, Virginia, the President of the United States took the initiative in proposing a cooperative effort to restore to the states those responsibilities which the states are willing to reassume.

The result has been the appointment of a bi-partisan committee of nine Governors to work with representatives of the President as a task force with three responsibilities which he outlined as follows:

“One—to designate functions which the States are ready and willing to assume and finance that are now performed or financed wholly or in part by the Federal Government;

“Two—to recommend the Federal and State revenue adjustments required to enable the States to assume such functions; and

“Three—to identify functions and responsibilities likely to require State or Federal attention in the future and to recommend the level of State effort, or Federal effort, or both, that will be needed to assure effective action.”

The importance of this undertaking to the people of Delaware can scarcely be over-emphasized. Certainly no one would deny that the municipal authorities in our cities and towns, and the General Assembly for our State, are in a better position than the Congress to decide what should be done about carrying on functions of a state or local character.

Nor can we afford to overlook the financial question presented. Our state and municipal treasuries are sorely pressed to meet rising expenditures in fulfilling the needs of our expanding population. We are reluctant to ask for new or increased revenues at the state and local level because we know how heavily our citizens are burdened by Federal taxation. Yet the latest figures available tell us that in 1955, the Federal Government collected \$779,010,000 from the citizens and industries of Delaware. In return, our state and local Governments received only \$8,100,000 in Federal grants-in-aid, while Federal payments to individuals and institutions in our state amounted to only, \$2,600,000.

As President Eisenhower told us at Williamsburg, and I quote again from his speech: “This effort presupposes that Federal taxes would be cut more than State taxes would be raised to support the transferred functions. The elimination of Federal overhead—stopping, in other words, the ‘freight charges’ on money being hauled from the States to Washington and back (a bill, I remind you, that is always collected in full)—would save the American taxpayer a tidy sum.”

So the purpose of this message today is to recommend that the General Assembly of the First State be the first in the nation to offer its support and cooperation for this movement to restore to the States those rights and responsibilities which are properly theirs. I am confident that an appropriate resolution of support would not only meet with the approval of our citizens, but would also lend encouragement to those who are actively engaged in this effort.



May I offer my congratulations to members of the General Assembly for returning in session today for the transaction of such legislative business as may be deemed necessary and desirable at this time for the proper operation of our State government in the best interests and welfare of the citizens of Delaware.

Respectfully submitted,

J. CALEB BOGGS, Governor

Mr. Eskridge introduced the following resolution, which on further motion by him, was adopted: **HR 105**—"Appropriating Certain Money Out of the General Fund of the State Treasury to Correct Pay Allowance for Employee of the House of Representatives of the 119th General Assembly."

WHEREAS, Esther Willin, received the amount of \$650.00 as compensation as Attorney's Clerk in House Resolution No. 104 of the 119th General Assembly, and

WHEREAS, such amount should have been \$1065.00,  
NOW THEREFORE

BE IT RESOLVED, by the House of Representatives of the State of Delaware that the State Treasurer is hereby authorized and directed to pay the additional amount of \$415.00 to Esther Willin as part of allowance for compensation for services rendered during the 119th Session of the General Assembly.

Mr. Eskridge introduced the following resolution, which on further motion by him, was adopted: **HR 106**—"Relative to the Death of Former Representative Irving F. Smoot."

WHEREAS, the House of Representatives of the 119th General Assembly of the State of Delaware has learned with regret of the passing of Irving F. Smoot, a resident of Seaford and a former member of the House from the Third Representative District of Sussex County; and

WHEREAS, former State Representative Irving F. Smoot served his State faithfully and well during the 106th General Assembly of the State of Delaware; and

WHEREAS, the members of the House 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 House of Representatives of the 119th General Assembly of the State of Delaware, that the members wish to give expression to the regret they experienced at the passing of Irving F. Smoot, a prominent figure in his community and a former member of the House of Representatives; and

BE IT FURTHER RESOLVED, that the family of the deceased has the full sympathy of the members of the House of Representatives of the 119th General Assembly of the State of Delaware 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 House of Representatives of the 119th General Assembly of the State of Delaware, and that a copy be sent to the Press and to William Irving Smoot, surviving son, Mrs. Walter McNeilly, Mrs. Dale Wheatley, and Mrs. Thomas O. Mathia, surviving daughters.

Mr. Speaker announced that he was about to sign: **SB 365** as amended.

Mr. Wolf introduced the following resolution: **HR 107**—“Relative to the Appointment of an Interim Temporary Committee to Consider the Rules of the House of Representatives of the General Assembly.”

WHEREAS, there appears to be no way by which a minority of the members of the House of Representatives may gain the right to be heard against the will of the majority of the members in the House of Representatives if the majority acts according to the duly adopted rules of the House of Representatives, NOW, THEREFORE

BE IT RESOLVED by the House of Representatives of the 119th General Assembly of the State of Delaware that the Speaker of the House appoint from the members thereof a bipartisan interim temporary committee of six members with one member designated as chairman by the Speaker of the House of Representatives to consider the present rules of the House of Representatives of the State of Delaware and report back to the House of Representatives on January 15, 1958 their recommendations for a change therein.

Mr. Quigley moved that the resolution be tabled.

The roll call revealed:

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—19.

NAYS—Messrs. Appleford, Bartleson, Carpenter, Ehinger, Kaufman, Keller, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Wolf—16.

Motion prevailed and **HR 107** was ordered tabled.

Mr. Snowden moved that **HB 239** be taken up for further consideration. On further motion by him, **SA 2** to **HB 239** was adopted. On motion of Mr. Quigley, action was deferred on **HB 239** as amended.

Mr. Ehinger moved that **HB 149** with **SA 1**—“An Act Making an Appropriation for the Purchase and Improvement of Real Property on or Near the Green in Dover and Authorizing Use of Funds Previously Appropriated,” be taken up for further consideration in order to pass the House.

On further motion by him, **SA 1** to **HB 149** was adopted.

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

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, Wolf, Mr. Speaker Mayhew—32.

NAYS—Messrs. Mills and Quigley—2.

PRESENT—Mr. West—1.

**HB 149** as amended having received the constitutional majority, passed the House.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 360** and **HB 359**.

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 311, HB 322, HB 341, HB 365**.

Mr. Tribbitt moved that **SB 343**—"An Act to Amend the Delaware Code by Increasing the Salaries of the Levy Court Commissioners," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Alexander, Betts, Cain, Clark, Eskridge, Hussey, Livingston, Pryor, Shockley, Tribbitt, Walls, West—12.

NAYS—Messrs. Kaufman, Lambert, (Mrs.) Manning, Mills, Quigley, Snowden—6.

NOT VOTING—Messrs. Appleford, Bartleson, Ehinger, English, Keller, King, Lawson, Massey, McAllister, Reed, Richards, Simpler, Spicer, Mr. Speaker Mayhew—14.

ABSENT—Messrs. Snedeker and Wolf—2.

PRESENT—Mr. Carpenter—1.

Messrs. Pryor and Tribbitt changed their vote from yea to nay for the purpose of reconsideration.

**SB 343** not having received the constitutional majority, was lost in the House.

On motion of Mr. Tribbitt, **SB 343** was restored to the calendar.

Mr. Shockley moved that **SB 331**—"An Act to Further Amend Chapter 119, Volume 28, Laws of Delaware Entitled "An Act Providing for the Collection of Taxes for the City of Wilmington" as Amended by Chapter 116, Volume 50, Laws of Delaware, by Providing That the City of Wilmington Shall Have Power to Fix the Salary of the Collector of Taxes and the Salaries of the Clerks in the Office of Said Collectors," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Livingston, Massey, McAllister, Mills, Pryor, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—18.

**NAYS**—Messrs. Appleford, Bartleson, Carpenter, Ehinger, Kaufman, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Simpler, Snowden, Wolf—13.

**NOT VOTING**—Messrs. Keller and Spicer—2.

**ABSENT**—Messrs. Quigley and Snedeker—2.

Messrs. Alexander, Mills and Shockley changed their vote from yea to nay for the purpose of reconsideration.

**SB 331** not having received the constitutional majority, was lost in the House.

On motion of Mr. Shockley, **SB 331** was restored to the calendar.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 338** with **HA 1** and **HA 2**, and that the Senate had passed and requested the concurrence of the House in the following: **HB 342** with **SA 1**, **SB 171** and **SB 327**.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 58**, **HB 413**, **HB 410**, and that the Senate had passed and requested the concurrence of the House in the following: **SCR 28**.

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

**HB 421**—"An Act Making a Supplementary Appropriation to the State Board of Registration for Professional Engineers and Land Surveyors for Salary and Operations," by Mayhew and Snowden; to Appropriations.

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

**HCR 14**—"Creating a Special Temporary and Interim Committee of the Members of the House and the Senate of the 119th General Assembly to Study Statutory Salaries and Wages of Elective and Appointive Officials," by Mayhew and Snowden; to Miscellaneous.

Mr. Pryor moved that **HB 338** as amended, be taken up for further consideration and placed before the House for passage.

**HA 2** to **HB 338** was introduced by Mr. Mayhew and on motion of Mr. Eskridge, was adopted.

On motion of Mr. Quigley, **HB 338** as amended was deferred.

Mr. Eskridge moved that **SB 340**—"An Act to Amend Chapter 15, Title 17, of the Delaware Code Relating to the Ferry Between Lewes and Cape May," be taken up for further consideration in order to pass the House.

Mr. Quigley moved that **HA 1** to **SB 340** be stricken.

On the question, "Shall **HA 1** to **SB 340** be Stricken?" the roll call revealed:

**YEAS**—Messrs. Alexander, Cain, Clark, English, Eskridge, Hussey, Kaufman, Keller, King, Livingston, Massey, McAllister, Mills, Quigley, Shockley, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—20.

**NAYS**—Messrs. Appleford, Bartleson, Carpenter, Ehinger, Lambert, Lawson, Reed, Snedeker, Snowden, Wolf—10.

**NOT VOTING**—Messrs. Betts, (Mrs.) Manning, Pryor, Richards, Simpler—5.

Motion prevailed and **HA 1** to **SB 340** was stricken from the bill.

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

**YEAS**—Messrs. Alexander, Clark, English, Eskridge, Hussey, Kaufman, Keller, King, Livingston, Massey, McAllister, Mills, Quigley, Reed, Shockley, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—20.

**NAYS**—Messrs. Bartleson, Ehinger, Lambert, Lawson, (Mrs.) Manning, Snowden, Wolf—7.

**NOT VOTING**—Messrs. Appleford, Betts, Cain, Carpenter, Pryor, Richards, Simpler, Snedeker—8.

Messrs. Eskridge, Mills and Shockley changed their vote from yea to nay for the purpose of reconsideration.

**SB 340** not having received the constitutional majority, was lost in the House.

On motion of Mr. Eskridge, **SB 340** was restored to the calendar.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 298** with **HA 1**, **HB 399** with **HA 1** and **HA 2**, **HB 418**, and that the Senate had passed and requested the concurrence of the House in the following: **SB 366**.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 411** and that the Senate had passed and requested the concurrence of the House in the following: **SB 365** with **SA 1**.

Mr. Speaker announced that he was about to sign: **HB 149** as amended, **HB 234**, **HB 58**, **HB 359**, **HB 360**, **HB 418**, **HB 298** as amended, **SB 287**, **SB 352**, **SB 356**, **SB 355**, **SB 358**, **SB 159**.

The Chair presented **SCR 27**—"Appropriating Money to the State Librarian to Cover Cost of Legislative Supplies."

On motion of Mr. Eskridge, the rules were suspended and **SCR 27** was taken up for action. On motion of Mr. Snowden, **SCR 27** was adopted and ordered returned to the Senate.

The Chair presented **SCR 28**—"Creating a Special Temporary and Interim Committee of the Members of the House and the Senate of the 119th General Assembly to Study the School Construction Program in the State of Delaware and Appropriating Funds Therefor."

On motion of Mr. Eskridge, the rules were suspended for action on **SCR 28**. On motion of Mr. Snowden, **SCR 28** was adopted and ordered returned to the Senate.

**HJR 6**—"Endorsing the Cooperative Program of the Federal Government and the Conference of Governors to Define and Restore to the States Their Respective Rights and Responsibility," was introduced by Messrs. Mayhew and Snowden, and on further motion by Mr. Snowden, the rules were suspended in order to put **HJR 6** before the House for passage.

Mr. Snowden moved that **HJR 6**—"Endorsing the Cooperative Program of the Federal Government and the Conference of Governors to Define and Restore to the States Their Respective Rights and Responsibility," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, Eskridge, Hussey, Kaufman, Keller, King, Lawson, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, West, Wolf, Mr. Speaker Mayhew—26.

**NAYS**—None.

**NOT VOTING**—Messrs. Livingston, McAllister, Mills—3.

**ABSENT**—Messrs. English, Lambert, (Mrs.) Manning, Massey, Quigley, Walls—6.

**HJR 6** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Tribbitt moved that **SB 81**—"An Act to Amend Chapter 19, Title 9, Delaware Code Relating to Fire and Police Protection," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, Eskridge, Sussey, Kaufman, Keller, King, Lawson, Livingston, (Mrs.) Manning, McAllister, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Wolf, Mr. Speaker Mayhew—28.

**NAYS**—Mr. West—1.

**ABSENT**—Messrs. Alexander, English, Lambert, Massey, Mills, Walls—6.

**SB 81** having received the constitutional majority, passed the House and was ordered returned to the Senate.

The Secretary of the Senate informed the House that the Senate had passed and requested the concurrence of the House in the following: **SCR 29**.

Mr. Snowden moved that **HB 239** as amended—"An Act to Appropriate Funds to the School Boards for the Maintenance and Improvement of Public School Buildings of the State," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, West, Wolf, Mr. Speaker Mayhew—32.

NAYS—None.

ABSENT—Messrs. English, Massey, Walls—3.

**HB 239** as amended having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Alexander moved that **HS 1** for **HB 154**—"An Act to Amend Chapters 1, 3 and 5 of Title 10 of the Delaware Code Relating to the Supreme Court, Court of Chancery and Superior Court," be taken up for further consideration in order to pass the House.

Mr. Quigley moved that action be deferred. The roll call revealed:

YEAS—Messrs. Betts, Cain, Clark, Eskridge, King, Livingston, McAllister, Mills, Quigley, Simpler, West, Mr. Speaker Mayhew—12.

NAYS—Messrs. Alexander, Appleford, Bartleson, Carpenter, Ehinger, Hussey, Kaufman, Keller, Lambert, Lawson, (Mrs.) Manning, Pryor, Reed, Richards, Shockley, Snedeker, Snowden, Spicer, Tribbitt, Wolf—20.

ABSENT—Messrs. English, Massey, Walls—3.

The motion was lost and action on **HS 1** for **HB 154** was not deferred.

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

YEAS — Messrs. Alexander, Clark, Hussey, Kaufman, Lambert, Lawson, Livingston, Pryor, Reed, Shockley, Snedeker, Snowden, Spicer, Tribbitt, Wolf—15.

NAYS — Messrs. Appleford, Bartleson, Betts, Ehinger, Eskridge, (Mrs.) Manning, McAllister, Mills, Quigley, Richards, Simpler, West, Mr. Speaker Mayhew—13.

NOT VOTING—Messrs. Keller and King—2.

ABSENT—Messrs. English, Massey, Walls—3.

PRESENT—Messrs. Cain and Carpenter—2.

**HS 1** for **HB 154** not having received the constitutional majority, was lost in the House.

On motion of Mr. Hussey, **HB 368** with **SA 1** was taken up for further consideration. **SA 1** to **HB 368** was lost in the House.

Mr. Speaker signed: **HB 399** and **HB 411**.

Mr. Shockley moved that **SB 194**—"An Act to Amend Chapter 65, Title 11, Delaware Code, Entitled "State Correctional System", Providing for Minimum Salaries for Guards," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Appleford, Bartleson, Cain, Carpenter, Clark, Ehinger, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—30.

**NAYS**—Mr. Betts—1.

**ABSENT**—Messrs. Alexander, English, Massey, McAllister—4.

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

The Secretary of the Senate informed the House that the Senate had concurred in **HB 296** as amended.

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 330**, **HB 149**, **HB 359**, **HB 360**, **HB 58**, **HB 234**, **HB 413**.

The Chair presented **SCR 29**—"Fixing the Time for Temporary Adjournment by the Senate and the House of Representatives of the 119th General Assembly." On motion of Mr. Eskridge, the rules were suspended and **SCR 29** was adopted by voice vote and returned to the Senate.

**HCR 14**—"Creating a Special Temporary and Interim Committee of the Members of the House and the Senate of the 119 General Assembly to Study Statutory Salaries and Wages of Elective and Appointive Officials," was reported out of the Miscellaneous Committee as favorably. On motion of Mr. Eskridge, the rules were suspended and the resolution was adopted by voice vote and ordered to the Senate for concurrence.

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

**SB 364**—"An Act Authorizing and Directing the Smyrna Special School District to Repay to Frank P. and Helen Johnson Certain School Tax Over-Payments," to Claims.

**SB 365**—"An Act Amending Chapter 133, Volume 51, Laws of Delaware, Relative to a State Law Library in Kent County," to Judiciary.



**SB 366**—"An Act Making a Supplementary Appropriation to the State Board of Education for Secretarial and Health Services for Certain Schools," to Education.

Mr. Snowden moved that **SB 231** as amended—"An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees Pension plan by Providing for an Increase in the Monthly Benefits and by Appropriating Funds Therefore," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, Eskridge, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Wolf, Mr. Speaker Mayhew—28.

**NAYS**—None.

**ABSENT**—Messrs. English, Hussey, Massey, McAllister, Mills, Walls, West—7.

**SB 231** as amended having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Speaker signed **SB 194** as amended, **SB 81**, **SCR 28**, **SCR 27** and **HB 269** as amended.

The Secretary of the Senate informed the House that the Senate had concurred in **HJR 6**.

Mr. Shockley moved that **SB 316**—"An Act to Amend Title 31, Delaware Code, to Provide for the Consolidation of Ferris' School for Boys, Kruse School and the Detention Home for Juvenile Delinquents and Method for Voluntary Consolidation as to Woods Haven School for Girls; Change Laws Relating to Such Institutions and Appropriate Funds," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Wolf, Mr. Speaker Mayhew—29.

**NAYS**—None.

**ABSENT**—Messrs. English, Massey, McAllister, Mills, Walls, West—6.

**SB 316** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Shockley moved that **SB 331**—"An Act to Further Amend Chapter 119, Volume 28, Laws of Delaware Entitled "An Act Providing for the Collection of Taxes for the City of Wilmington" as Amended by Chapter 116, Volume 50, Laws of Delaware, by Providing That the City of Wilmington Shall

Have Power to Fix the Salary of the Collector of Taxes and the Salaries of the Clerks in the Office of Said Collectors," be taken up for further consideration in order to pass the House.

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

YEAS—Messrs. Alexander, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, Eskridge, Hussey, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt, Wolf, Mr. Speaker Mayhew—26.

NAYS—Messrs. Appleford and Kaufman—2.

NOT VOTING—Mr. Spicer—1.

ABSENT—Messrs. English, Massey, McAllister, Mills, Walls, West—6.

**SB 331** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Snowden moved that **HB 419**—"An Act Authorizing the State of Delaware to Borrow a Certain Sum of Money for Sundry Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes Therefor," be taken up for further consideration in order to pass the House.

**HA 1** to **HB 419** was introduced by Mr. Snowden and on further motion by him was adopted.

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

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, West, Wolf, Mr. Speaker Mayhew—30.

NAYS—None.

ABSENT—Messrs. English, Massey, McAllister, Mills, Walls—5.

**HB 419** as amended having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 368**, and that the Senate had passed and requested the concurrence of the House in the following bill, which was presented by the Chair, given first and second readings by title only, and referred to committee as follows:

**SB 368**—"An Act to Amend Section 5715, Chapter 57, Title 11, Delaware Code Concerning the Municipal Court for the City of Wilmington and Relating to Fees, Costs, and Charges in Said Court," to Municipal Corporations.

Mr. Pryor moved that **HB 338** as amended—"An Act to Authorize the State of Delaware to Borrow a Certain Sum of Money to Provide for Highway Improvements and for Build-

ings Under the Jurisdiction of the State Highway Department by Acquiring Lands and Rights-of-Way, Constructing and Reconstructing Highways, Bridges, by Providing Buildings and Improvements Incidental Thereto and to Issue Bonds and Notes Therefor and Appropriating Funds," be taken up for further consideration in order to pass the House.

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

**YEAS**—Messrs. Alexander, Betts, Cain, Carpenter, Clark, Eskridge, Hussey, Kaufman, King, Lambert, Livingston, Pryor, Quigley, Shockley, Snedeker, Tribbitt, Walls, West, Mr. Speaker Mayhew—19.

**NAYS**—Mr. Lawson—1.

**NOT VOTING**—Messrs. Appleford, Bartleson, Ehinger, Keller, (Mrs.) Manning, Reed, Richards, Simpler, Snowden, Spicer, Wolf—11.

**ABSENT**—Messrs. English, Massey, McAllister, Mills—4.

Messrs. Tribbitt and West changed their vote from yea to nay for the purpose of reconsideration.

**HB 338** as amended not having received the constitutional majority, was lost in the House.

On motion of Mr. West, **HB 338** as amended, was restored to the Calendar.

Mr. Speaker signed: **HB 368, HJR 6 and HB 239.**

Mr. Speaker appointed Messrs. McAllister, Tribbitt and Simpler in concurrence with **SCR 28.**

Mr. Walls moved that **SB 241** as amended—"An Act to Amend Part III, Title 3, Delaware Code, Providing for a New Chapter 32, Entitled "Distribution; Regulations and Control of Milk Prices," be taken up for further consideration in order to pass the House.

**HA 2 to SB 241** was introduced by Mr. Keller and was lost in the House.

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

**YEAS**—Messrs. Appleford, Betts, Cain, Clark, Ehinger, Eskridge, Kaufman, Keller, King, Lambert, McAllister, Mills, Pryor, Reed, Richards, Simpler, Snedeker, Spicer, Walls, West, Mr. Speaker Mayhew—21.

**NAYS**—Messrs. Bartleson, Hussey, Lawson, (Mrs.) Manning, Shockley, Snowden, Wolf—7.

**NOT VOTING**—Mr. Tribbitt—1.

**ABSENT**—Messrs. Alexander, English, Livingston, Massey, Quigley—5.

**PRESENT**—Mr. Carpenter—1.

Messrs. Mills, Pryor, Walls and West changed their vote from yea to nay for the purpose of reconsideration.

**SB 241** as amended not having received the constitutional majority, was lost in the House.

On motion of Mr. West, **SB 241** as amended, was restored to the Calendar.

Mr. Pryor moved that **HB 338**—"An Act to Authorize the State of Delaware to Borrow a Certain Sum of Money to Provide for Highway Improvements and for Buildings Under the Jurisdiction of the State Highway Department by Acquiring Lands and Rights-of-Way, Constructing and Reconstructing Highways, Bridges, by Providing Buildings and Improvements Incidental Thereto and to Issue Bonds and Notes Therefor and Appropriating Funds," be taken up for further consideration in order to pass the House.

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

**YEAS**—Messrs. Alexander, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Quigley, Reed, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—31.

**NAYS**—None.

**NOT VOTING**—Messrs. Appleford and Richards—2.

**ABSENT**—Messrs. English and Massey—2.

**HB 338** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The rules were suspended on motion of Mr. McAllister for a committee report. **SB 366**, from Education, 3 favorable, 1 on merits.

Mr. McAllister moved that **SB 366**—"An Act Making a supplementary Appropriation to the State Board of Education for Secretarial and Health Services for Certain Schools," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—31.

**NAYS**—None.

**NOT VOTING**—Mr. Shockley—1.

**ABSENT**—Messrs. English and Massey—2.

**PRESENT**—Mr. Quigley—1.

**SB 366** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Eskridge moved that **SB 340**—"An Act to Amend Chapter 15, Title 17, of the Delaware Code Relating to the Ferry Between Lewes and Cape May," be taken up for further consideration in order to pass the House.

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

YEAS — Messrs. Alexander, Clark, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Livingston, McAllister, Mills, Pryor, Quigley, Reed, Shockley, Snedeker, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—21.

NAYS — Messrs. Appleford, Bartleson, Cain, Ehinger, Lawson, (Mrs.) Manning, Wolf—7.

NOT VOTING—Messrs. Betts, Richards, Simpler, Snowden—4.

ABSENT—Messrs. English and Massey—2.

PRESENT—Mr. Carpenter—1.

Messrs. Keller, Lambert, Mills, Shockley and West changed their vote from yea to nay for the purpose of reconsideration.

**SB 340** not having received the constitutional majority, was lost in the House.

On motion of Mr. West, **SB 340** was restored to the calendar.

Mr. Tribbitt moved that the rules be suspended in order to present a committee report. **SB 365**, from Judiciary, favorably.

Mr. Tribbitt moved that **SB 365**—"An Act Amending Chapter 133, Volume 51, Laws of Delaware, Relative to a State Law Library in Kent County," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Alexander, Betts, Cain, Clark, Ehinger, Eskridge, Hussey, King, Livingston, (Mrs.) Manning, Pryor, Quigley, Shockley, Tribbitt, West, Mr. Speaker Mayhew—16.

NAYS—Messrs. Appleford, Bartleson, Carpenter, Kaufman, Lambert, Lawson, McAllister, Mills, Reed, Simpler, Snedeker, Snowden, Spicer, Walls—14.

NOT VOTING—Messrs. Keller and Richards—2.

ABSENT—Messrs. English, Massey, Wolf—3.

Messrs. King, Shockley and Tribbitt changed their vote from yea to nay for the purpose of reconsideration.

**SB 365** not having received the constitutional majority, was lost in the House.

On motion of Mr. Tribbitt, **SB 365** was restored to the calendar.

Mr. King moved that the rules be suspended in order to present a committee report. **SB 368**, from Municipal Corporations, favorably.

Mr. King moved that **SB 368**—"An Act to Amend Section 5715, Chapter 57, Title 11, Delaware Code Concerning the Municipal Court for the City of Wilmington and Relating to Fees, Costs, and Charges in Said Court," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Alexander, Betts, Cain, Clark, Eskridge, Hussey, King, Livingston, (Mrs.) Manning, Pryor, Shockley, Spicer, Tribbitt, Walls, Mr. Speaker Mayhew—15.

NAYS—Messrs. Bartleson, Carpenter, Ehinger, Kaufman, McAllister, Mills, Quigley, Reed, Richards, Snedeker, Snowden, West—12.

NOT VOTING—Messrs. Appleford and Simpler—2.

ABSENT—Messrs. English, Keller, Lambert, Massey, Wolf—5.

PRESENT—Mr. Lawson—1.

Messrs. Hussey, King, Livingston and Shockley changed their vote from yea to nay for the purpose of reconsideration.

SB 368 not having received the constitutional majority, was lost in the House.

Mr. Pryor moved that SS 1 for SB 14—"An Act to Amend Chapter 1, Title 5, Delaware Code Relating to the State Bank Commissioner," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Alexander, Cain, Clark, Eskridge, Hussey, Keller, King, Lawson, Livingston, McAllister, Mills, Richards, Shockley, Simpler, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—20.

NAYS—Messrs. Appleford, Betts, Carpenter, Ehinger, Kaufman, Lambert, (Mrs.) Manning, Pryor, Quigley, Reed, Snedeker—11.

NOT VOTING—Mr. Bartleson—1.

ABSENT—Messrs. English, Massey, Wolf—3.

SS 1 for SB 14 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Walls moved that SB 348—"An Act to Amend Title 7, Delaware Code Entitled "Conservation" by Providing for a Tax on Oysters Taken from the Waters of the Murderkill River; Daily Catch Limits and Periods That Oysters May be Taken Therefrom; Appropriation for Planting of Seed Oysters Therein," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—31.

NAYS—Mr. Alexander—1.

ABSENT—Messrs. English, Massey, Wolf—3.

**SB 348** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Walls moved that **SB 113**—"An Act to Amend Chapter 9, Title 7, Delaware Code, Entitled "Fishing in Delaware River and Delaware Bay," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Appleford, Bartleson, Betts, Cain, Ehinger, Eskridge, Hussey, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt, Walls, West, Mr. Speaker Mayhew—26.

**NAYS**—None.

**ABSENT**—Messrs. Alexander, Carpenter, Clark, English, King, Massey, Pryor, Spicer, Wolf—9.

**SB 113** having received the constitutional majority, passed the House and was ordered returned to the Senate.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 138** and **HB 26**.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 419**, **HCR 14**, and that the Senate had passed and requested the concurrence of the House in the following: **SCR 30**.

Mr. Appleford moved that **HB 138**—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" by Increasing the Compensation of the Custodian and Appropriating Funds," be taken up for further consideration in order to pass the House.

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

**YEAS**—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, Eskridge, Hussey, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt, Walls, West, Mr. Speaker Mayhew—26.

**NAYS**—Mr. Mills—1.

**ABSENT** — Messrs. Alexander, Carpenter, English, King, Massey, Pryor, Spicer, Wolf—8.

**HB 138** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The Chair presented the following communication:

July 20, 1957

Honorable Harry E. Mayhew, Speaker of the House:

Because of the necessity of my having to leave the House of Representatives Chamber at 7:00 o'clock A. M., to take care of my farm, I hereby authorize, delegate and constitute

Representative Paul E. Shockley to act in my place instead to present to the House, Senate Bill No. 161 and Senate Joint Resolution No. 2.

Respectfully submitted,

CHARLES PRYOR, Chairman  
Insurance and Banking

Witness: Frank Shoemaker

Rules were suspended on motion of Mr. Shockley, to take action on **SJR 2**.

Mr. Shockley moved that **SJR 2**—"Appointing Directors on the Part of the State for the Farmers Bank of the State of Delaware," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, Eskridge, Hussey, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Reed, Richards, Shockley, Simpler, Snedeker, Tribbitt, Walls, West, Mr. Speaker Mayhew—25.

NAYS—Messrs. Quigley and Snowden—2.

ABSENT — Messrs. Alexander, Carpenter, English, King, Massey, Pryor, Spicer, Wolf—8.

**SJR 2** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Speaker signed: **SS 1** for **SB 14**, **SB 331**, **SB 348**, **SB 316** and **SB 366**.

Mr. Shockley moved that **SB 161**—"An Act to Amend Chapter 3, Title 18, Delaware Code Relating to the State Insurance Commissioner," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, Eskridge, Hussey, Kaufman, Keller, Lawson, Livingston, (Mrs.) Manning, McAllister, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt, Walls, West, Mr. Speaker Mayhew—24.

NAYS—Messrs. Mills and Quigley—2.

ABSENT — Messrs. Alexander, Carpenter, English, King, Lambert, Massey, Pryor, Spicer, Wolf—9.

**SB 161** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Walls moved that **HB 342** with **SA 1**—"An Act Providing for the Acquisition of Lands in Connection With Certain Ponds and Appropriating Moneys to the State Highway Department for the Construction of Dams and Other Improvements, be taken up for consideration and read for the third time in order to pass the House.



**SA 1** was adopted on motion of Mr. Walls.

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

**YEAS**—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, Eskridge, Hussey, Kaufman, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt, Walls, West, Mr. Speaker Mayhew—27.

**NAYS**—None.

**ABSENT** — Messrs. Alexander, Carpenter, English, Keller, Massey, Pryor, Spicer, Wolf—8.

**HB 342** as amended having received the constitutional majority, passed the House.

Mr. Tribbitt moved that **SB 343**—"An Act to Amend the Delaware Code by Increasing the Salaries of the Levy Court Commissioners," be taken up for further consideration in order to pass the House.

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

**YEAS**—Messrs. Appleford, Betts, Cain, Clark, Ehinger, Eskridge, Hussey, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt, Walls, West, Mr. Speaker Mayhew—24.

**NAYS**—Messrs. Mills and Quigley—2.

**NOT VOTING**—Mr. Bartleson—1.

**ABSENT** — Messrs. Alexander, Carpenter, English, King, Massey, Pryor, Spicer, Wolf—8.

**SB 343** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Walls moved that **SB 297**—"An Act to Amend Title 7, Delaware Code Entitled "Conservation" by Providing for a Tax on Oysters Taken from the Waters of the Mispillion River, Daily Catch Limits and Periods That Oysters May be Taken Therefrom; Appropriation for Planting of Seed Oysters Therein," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, Eskridge, Hussey, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt, Walls, West, Mr. Speaker Mayhew—27.

**NAYS**—None.

**ABSENT** — Messrs. Alexander, Carpenter, English, King, Massey, Pryor, Spicer, Wolf—8.

**SB 297** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Tribbitt moved that **SB 365**—"An Act Amending Chapter 133, Volume 51, Laws of Delaware, Relative to a State Law Library in Kent County," be taken up for further consideration in order to pass the House.

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

**YEAS**—Messrs. Appleford, Betts, Cain, Clark, Ehinger, Eskridge, Hussey, Kaufman, Keller, Lambert, Livingston, (Mrs.) Manning, McAllister, Quigley, Reed, Richards, Shockley, Snedeker, Snowden, Tribbitt, Walls, West, Mr. Speaker Mayhew—23.

**NAYS**—Messrs. Bartleson, Lawson, Mills—3.

**NOT VOTING**—Mr. Simpler—1.

**ABSENT** — Messrs. Alexander, Carpenter, English, King, Massey, Pryor, Spicer, Wolf—8.

**SB 365** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Shockley moved that **SB 322** as amended—"An Act to Appropriate Funds to the Delaware Commission on Interstate Cooperation," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, Eskridge, Hussey, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Walls, West, Mr. Speaker Mayhew—25.

**NAYS**—None.

**ABSENT** — Messrs. Alexander, Carpenter, English, King, Massey, Pryor, Spicer, Tribbitt, Wolf—9.

**PRESENT**—Mr. Snowden—1.

**SB 322** as amended having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Simpler moved that **HB 203**—"An Act to Amend Title 10, Delaware Code, Entitled "Courts and Judicial Procedure" to Permit the Governor to Appoint a Constable for Kent county," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Appleford, Bartleson, Clark, Ehinger, Eskridge, Hussey, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt—19.

**NAYS** — Messrs. Betts, Cain, McAllister, Mills, Walls, West, Mr. Speaker Mayhew—7.

ABSENT — Messrs. Alexander, Carpenter, English, King, Massey, Pryor, Spicer, Wolf—8.

PRESENT—Mr. Quigley—1.

**HB 203** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Tribbitt moved that **SB 307**—"An Act to Amend Chapter 25, Title 29, Delaware Code, Relating to the Attorney General by Increasing the Salaries of the Deputies of Sussex County," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bartleson, Clark, Ehinger, Eskridge, Hussey, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt, Walls, West, Mr. Speaker Mayhew—23.

NAYS—None.

NOT VOTING—Messrs. Appleford, Betts, Cain—3.

ABSENT — Messrs. Alexander, Carpenter, English, King, Massey, Pryor, Spicer, Wolf—8.

PRESENT—Mr. Quigley—1.

**SB 307** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Shockley moved that **HB 262**—"An Act to Amend Chapter 13, Title 26, Delaware Code Relating to Gas, Water and Oil Corporations," be taken up for further consideration in order to pass the House.

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

YEAS—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, Eskridge, Hussey, Kaufman, Keller, Lambert, Livingston, (Mrs.) Manning, McAllister, Mills, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt, Walls, West, Mr. Speaker Mayhew—26.

NAYS—None.

ABSENT — Messrs. Alexander, Carpenter, English, King, Lawson, Massey, Pryor, Spicer, Wolf—9.

**HB 262** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. West moved that **SB 259**—"An Act Proposing an Amendment to the Constitution of the State of Delaware to Increase the Annual Salaries of the Members of the General Assembly," be taken up for consideration and read for the third time in order to pass the House.

**HA 1** to **SB 259** was introduced by Mr. Mills and on further motion by him was withdrawn.

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

YEAS—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, Hussey, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt, Walls, West, Mr. Speaker Mayhew—26.

NAYS—None.

ABSENT — Messrs. Alexander, Carpenter, English, Eskridge, King, Massey, Pryor, Spicer, Wolf—9.

SB 259 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Clark moved that SB 224—"An Act to Amend Chapter 62, Title 9, Delaware Code Relating to "Sussex County Indigent Sick Fund," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Appleford, Bartleson, Betts, Cain, Clark, Ehinger, Hussey, Kaufman, Keller, Lambert, Lawson, Livingston, (Mrs.) Manning, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt, Walls, West, Mr. Speaker Mayhew—23.

NAYS—None.

ABSENT — Messrs. Alexander, Carpenter, English, Eskridge, King, Massey, McAllister, Mills, Pryor, Quigley, Spicer, Wolf—12.

SB 224 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Speaker signed: HCR 14, HB 14, HB 342, HB 419 and HB 338.

Mr. Cain, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: HB 298, HB 418, HB 411, HB 399.

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

SB 171—"An Act to Amend Chapter 3, Title 4 of the Delaware Code Relating to the Powers and Duties of the Delaware Alcoholic Beverage Control Commission," to Appropriations.

Mr. Speaker signed: HB 26, HB 138, SB 224, SB 259, SJR 2, SB 113, SB 161, SB 343, SB 365, SB 297, SB 322 as amended, SB 307 and SCR 29.

On motion of Mr. Shockley, the House adjourned until Tuesday, January 6, 1958, pursuant to SCR 29.

## 96TH LEGISLATIVE DAY

House met at 10:20 P. M., on Wednesday, August 14, 1957.

Prayer by Mr. Leon Donovan.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—35.

Members absent—None.

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

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

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

Dover, July 24, 1957

To the House of Representatives of the 119th General Assembly of the State of Delaware:

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

July 16, 1957—Senate Bill No. 320—An Act to Amend Chapter 13, Title 14, Delaware Code Relating to State Supported Salary Schedules for School Employees.

July 20, 1957—House Bill No. 399—An Act to Amend Chapter 55, Volume 51, Laws of Delaware Known as "An Act to Amend Title 30, Delaware Code by Providing for a State Municipal Street Aid Fund from the Proceeds of the State Motor Fuel Tax; Distribution of Such Fund to Incorporated Cities and Towns for Street Purposes."

July 20, 1957—House Bill No. 413—An Act to Amend Chapter 23, Title 10, Delaware Code, Relating to the Compensation of the Prothonotary in New Castle County.

July 22, 1957—S. S. #1 for Senate Bill No. 14—An Act to Amend Chapter 1, Title 5, Delaware Code, Relating to the State Bank Commissioner.

July 22, 1957—Senate Bill No. 81—An Act to Amend Chapter 19, Title 9, Delaware Code, Relating to Fire and Police Protection.

July 22, 1957—Senate Bill No. 113—An Act to Amend Chapter 9, Title 7, Delaware Code, Entitled "Fishing in Delaware River and Delaware Bay."

July 22, 1957—Senate Bill No. 159—An Act Amending Title 24 of the Delaware Code Creating a State Board of Electrical Examiners, and to Prescribe Regulations for Reduction of Fire Hazards and for Protection of Life and Property.

July 22, 1957—Senate Bill No. 194 with S. A. #1—An Act to Amend Chapter 65, Title 11, Delaware Code Entitled, "State Correctional System," Providing for Minimum Salaries for Guards.

July 22, 1957—Senate Bill No. 224—An Act to Amend Chapter 62, Title 9, Delaware Code Relating to "Sussex County Indigent Sick Fund".

July 22, 1957—Senate Bill No. 231 with S. A. #1—An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pension Plan by Providing for an Increase in the Monthly Benefits and by Appropriating Funds Therefore.

July 22, 1957—Senate Bill No. 287—An Act to Amend Title 12 of the Delaware Code Relating to Decedents' Estates and Fiduciary Relations.

July 22, 1957—Senate Bill No. 297—An Act to Amend Title 7, Delaware Code Entitled "Conservation" by Providing for a Tax on Oysters Taken from the Waters of the Mispillion River, Daily Catch Limits and Periods That Oysters May be Taken Therefrom; Appropriation for Planting of Seed Oysters Therein.

July 22, 1957—Senate Bill No. 307—An Act to Amend Chapter 25, Title 29, Delaware Code, Relating to the Attorney General by Increasing the Salaries of the Deputies of Sussex County.

July 22, 1957—Senate Bill No. 316—An Act to Amend Title 31, Delaware Code, to Provide for the Consolidation of Ferris School for Boys, Kruse School and the Detention Home for Juvenile Delinquents and Method for Voluntary Further Consolidation as to Woods Haven School for Girls; Change Laws Relating to Such Institutions and Appropriate Funds.

July 22, 1957—Senate Bill No. 322 with S. A. #1—An Act to Appropriate Funds to the Delaware Commission on Interstate Cooperation.

July 22, 1957—Senate Bill No. 331—An Act to Further Amend Chapter 119, Volume 28, Laws of Delaware Entitled "An Act Providing for the Collection of Taxes for the City of Wilmington" as Amended by Chapter 116, Volume 50, Laws of Delaware by Providing That the Council of the City of Wilmington Shall Have Power to Fix the Salary of the Collector of Taxes and the Salaries of the Clerks in the Office of Said Collector.

July 22, 1957—Senate Bill No. 343—An Act to Amend the Delaware Code by Increasing the Salaries of the Levy Court Commissioners.

July 22, 1957—Senate Bill No. 348—An Act to Amend Title 7, Delaware Code Entitled "Conservation" by Providing for a Tax on Oysters Taken from the Waters of the Murderkill River, Daily Catch Limits and Periods That Oysters May be Taken Therefrom; Appropriation for Planting of Seed Oysters Therein.

July 22, 1957—Senate Bill No. 352—An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to State Supported Salary Schedules for School Employees and Making Appropriation.

July 22, 1957—Senate Bill No. 358—An Act to Amend Chapter 61, Title 9, Delaware Code by Authorizing the Levy Court of Sussex County to Make an Annual Appropriation to Sussex Memorial Post No. 7422, V. F. W. at Millsboro for Ambulance Service.

July 22, 1957—Senate Bill No. 365 with S. A. #1—An Act Amending Chapter 133, Volume 51, Laws of Delaware, Relative to a State Law Library in Kent County.

July 22, 1957—Senate Bill No. 366—An Act Making a Supplementary Appropriation to the State Board of Education for Secretarial and Health Services for Certain Schools.

July 22, 1957—Senate Joint Resolution No. 2—Appointing Directors on the Part of the State for the Farmers Bank of the State of Delaware.

July 22, 1957—House Bill No. 26—An Act Appropriating Funds for the Construction of a Building for the Use of the State Board of Health to Include Offices, a Bacteriological Laboratory, and Clinical Facilities on Grounds Now Owned by the State in Dover, and for the Furnishing and Equipping of Such Building and Incidental Expenses.

July 22, 1957—House Bill No. 58—An Act Amending the Charter of the City of New Castle by Placing the Appointment and Operation of Police Constables Under the Jurisdiction of the City Council, by Requiring the Mayor to be a Bona Fide Owner of Property Within the City Limits and to Give the Mayor Authority to Prescribe the Same Punishment for Criminal Violations as May be Prescribed by Justices of the Peace.

July 22, 1957—House Bill No. 138—An Act to Amend Title 29, Delaware Code, Entitled "State Government" by Increasing the Compensation of the Custodian, and Appropriating Funds.

July 22, 1957—House Bill No. 149 with S. A. #1—An Act Making an Appropriation for the Purchase and Improvement of Real Property on or Near the Green in Dover and Authorizing Use of Funds Previously Appropriated.

July 22, 1957—House Bill No. 234—An Act to Amend Chapter 13, Title 10, Delaware City Relating to the Court of Common Pleas for New Castle County.

July 22, 1957—House Bill No. 239 with S. A. #1 and #2—An Act to Appropriate Funds to the School Boards for the Maintenance and Improvement of Public School Buildings of the State.

July 22, 1957—House Bill No. 296 with H. A. #1, 2, 3 and 4—An Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for Said Purposes; Authorizing the Financing of Such Enlargement and Improvement by the Issuance of Bonds and Bond Anticipation Notes of the State and by Contributions from Certain School Districts, and the City of Wilmington, Defining School Districts; Authorizing the Issuance of Bonds of Certain School Districts and the City of Wilmington for the Purpose of Raising Money to Make Such Contributions; and Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commisions.

July 22, 1957—House Bill No. 298 with H. A. #1—An Act Appropriating Funds to the Kruse School.

July 22, 1957—House Bill No. 311—An Act to Amend Chapter 117, Volume 40, Laws of Delaware, Being Entitled "An Act Establishing a Wilmington Park Trust Fund Commission" by Amending Sections 3, 4 and 6 Thereof.

July 22, 1957—House Bill No. 322 with S. A. #1—An Act to Amend Title 17, Delaware Code, Entitled "Highways" to Authorize the State Highway Department to Perform Work to Prevent and Repair Damage from Beach Erosion, to Confer Upon It Jurisdiction Over Improvements and Structures, to Authorize the Issuance of Bonds to Finance the Cost of Construction and Maintenance of Necessary Facilities, and to Provide Penalties for the Unauthorized Alteration Thereof.

July 22, 1957—House Bill No. 330—An Act to Amend An Act Entitled "An Act Amending, Revising and Consolidating the Charter of the Town of Georgetown", Being Chapter 166, Volume 43, Laws of Delaware, as Amended, by Increasing the Authority of Council to Award Contracts Without Competitive Bidding; Authorizing the Mortgaging of Municipal Property; Changing the Fiscal and Budget Year; Changing the Time of the Annual Audit and the Qualifications of the Auditors; Eliminating the Office of Tax Collector and Transferring His Powers and Duties to the Treasurer and Requiring the Treasurer to Collect Sewer Rentals; Authorizing Suits for Delinquent Taxes in the Court of Common Pleas; Authorizing the Assessment and Collection of Taxes on Telegraph, Telephone and Power Poles and Equipment and Prescribing the Procedure Therefor; increasing the Limitation Upon the Bonded Indebtedness; Defining the Authority of Town Police Within One Mile of the Town Limits; Adopting the Motor Vehicle Code and Increasing the Authority of



the Alderman to Fix Fines; Penalties and Terms of Imprisonment; and, Revising the Procedure for Initiating the Paving, Curbing and Guttering of Streets and Sidewalks.

July 22, 1957—House Bill No. 338 with H. A. #1 and #2—An Act to Authorize the State of Delaware to Borrow a Certain Sum of Money to Provide for Highway Improvements and for Buildings Under the Jurisdiction of the State Highway Department by Acquiring Lands and Rights-of-Way, Constructing and Reconstructing Highways, Bridges, by Providing Buildings and Improvements Incidental Thereto and to Issue Bonds and Notes Therefor and Appropriating Said Funds.

July 22, 1957—House Bill No. 341—An Act to Amend Chapter 162, Volume 37, Laws of Delaware Entitled "An Act Changing the Name of 'The Town of Milford', to 'The City of Milford' and Establishing a Charter Therefor, Relating to the Powers, Duties and Jurisdiction of the Alderman and Fines, Terms of Imprisonment for Violation of Ordinance or Law".

July 22, 1957—House Bill No. 342 with S. A. #1—An Act Providing for the Acquisition of Lands in Connection With Certain Ponds and Appropriating Moneys to the State Highway Department for the Construction of Dams and Other Improvements.

July 22, 1957—House Bill No. 359—An Act to Amend the Charter of the Town of Magnolia, Chapter 568, Volume 17, Laws of Delaware, by Authorizing the Council to Extend the Boundaries of Said Town to Include Certain Territories After a Special Election of the Qualified Voters and Real Estate Owners of the Territory Proposed to be Annexed.

July 22, 1957—House Bill No. 360—An Act Making an Appropriation to the State Board of Education for the Payment of Pensions to Retired and Disabled Teachers Over and Above the Present Appropriation Available to the State Board of Education for This Purpose.

July 22, 1957—House Bill No. 365 with H. A. #1—An Act to Amend Chapter 21, Title 19, Delaware Code Relating to Workman's Compensation by Providing for an Increase in Salary to the Secretary of the Industrial Accident Board; Appropriations.

July 22, 1957—House Bill No. 368—An Act to appropriate Funds to the Department of Public Welfare for Salaries and Other Administrative Expenses.

July 22, 1957—House Bill No. 396—An Act to Amend Chapter 14, Title 25, Delaware Code, Relating to Timber Trespass.

July 22, 1957—House Bill No. 411—An Act Appropriating the Sum of Two Hundred Sixty-Four Thousand Seven Hundred Eighty-Nine Dollars and Eighty-Seven Cents

(\$264,789.87) to the State Police Pension Board for the Purpose of Carrying the Provisions of Law Relating to State Police Pensions.

July 22, 1957—House Bill No. 419 with H. A. #1—An Act Authorizing the State of Delaware to Borrow a Certain Sum of Money for Sundry Capital Improvements and Expenditures in the Nature of Capital Investments and to Issue Bonds and Notes Therefor.

July 22, 1957—House Bill No. 418—An Act to Amend Chapter 17, Title 14, Delaware Code, Relating to State Appropriations to Provide for Revolving Funds for School Sites, School Architects' Fees and Appropriating Funds.

July 22, 1957—House Joint Resolution No. 6—Endorsing the Cooperative Program of the Federal Government and the Conference of Governors to Define and Restore to the States Their Respective Rights and Responsibilities.

Respectfully submitted,

J. CALEB BOGGS, Governor

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

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

Dover, August 6, 1957

To the House of Representatives of the 119th  
General Assembly of the State of Delaware:

This will advise that on July 24, 1957, I approved the following legislation:

Senate Bill No. 355—An Act to Amend Title 14, Delaware Code, Entitled "Education" in Regard to Exceptional Children and Appropriating Funds.

Senate Bill No. 356—An Act to Amend Title 16, Delaware Code, Entitled "Health and Safety" to Authorize the State Board of Trustees of the Delaware State Hospital at Farnhurst to Operate Centers for the Daytime Care of Severely Retarded Persons and to Appropriate Funds.

Respectfully submitted,

J. CALEB BOGGS, Governor

Communications were presented from Senator John J. Williams and the Maryland State Roads Commission pursuant to **HR 96**.

Mr. Speaker announced that he was about to sign: **SB 173**.

**HS 1** for **HB 154** was restored to the calendar on motion of Mrs. Manning.

The Secretary of the Senate informed the House that the Senate had passed and requested the concurrence of the House in the following bill and resolution, which were presented by the Chair, given first and second readings by title only, and referred to committee as follows:

**SB 369**—"An Act Further Providing for the Issuance of Bonds of the State of Delaware Authorized by Chapters 449 and 529 of Volume 50, Laws of Delaware, and Relating to the Interest Rate," to Appropriations.

**SCR 31**—"Pertaining to Adjournment of the General Assembly."

On motion of Mr. Quigley, the rules were suspended in order that **SCR 31** could be given the third and final reading in order to pass the House. On further motion by him the resolution was adopted by voice vote, and ordered returned to the Senate.

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

**HS 1** for **HB 412**—"An Act to Amend Chapter 9, Title 10, Delaware Code Relating to the Family Court for the State of Delaware in and for New Castle County by Providing for Additional Judges; Setting Their Terms and Salaries and Relating to the Court's Budget; Effective Date," by Quigley; to Judiciary.

**HB 422**—"An Act to Amend Chapter 15, Title 9, Delaware Code, Relating to the Powers and Duties of the Levy Court of New Castle County," by Quigley and Snowden; to Judiciary.

**HB 423**—"An Act to Appropriate Money to be Used for the Relief of Delaware Farmers Whose Income Has Been Reduced Below a Decent Living Standard by the Drought of 1957," Quigley; to Appropriations.

Mr. Quigley moved that the only business of the House be the consideration of **SB 369**.

Mr. Snowden moved that **HS 1** for **HB 154** be included in the motion of Mr. Quigley. On motion of Mr. Quigley, the motion of Mr. Snowden, was tabled.

The former motion by Mr. Quigley, was carried.

On motion of Mr. Shockley, the rules were suspended in order to present a committee report. **SB 369** was reported out of the Appropriations Committee as being favorably.

On motion of Mr. Shockley, the rules were suspended in order to take up **SB 369** for consideration.

Mr. Shockley moved that **SB 369**—"An Act Further Providing for the Issuance of Bonds of the State of Delaware Authorized by Chapter 449 and 529 of Volume 50, Laws of Delaware, and Relating to the Interest Rate," be taken up for consideration and read for the third time in uorder to pass the House.

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

**YEAS**—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, Wolf, Mr. Speaker Mayhew—32.

**NAYS**—Mr. Clark—1.

**PRESENT**—Messrs. Quigley and West—2.

**SB 369** having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Quigley, the House recessed until the call of the Chair at 10:45 P. M.

The House was called to order at 11:05 P. M.

Mr. Speaker announced that he was about to sign: **SB 369** and **SCR 31**.

On motion of Mr. Quigley, the House adjourned until Tuesday, January 6, 1958 at 1:00 P. M., pursuant to **SCR 31**.

## SPECIAL SESSION

### 97TH LEGISLATIVE DAY

Dover, Del., December 3rd, 1957

House met at 11:40 A. M., pursuant to a proclamation by the Governor of the State of Delaware on November 25th, 1957.

Prayer by Mr. Leon Donovan.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—34.

Member absent—Mr. Carpenter—1.

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

Mr. Quigley moved that only bills relating to the present financial situation of the State of Delaware be considered. Motion prevailed.

The Secretary of the Senate informed the House that the Senate had concurred in **SCR 32** and requested the concurrence of the House in the same.

On motion by Mr. Quigley, the rules were suspended in order that the resolution be given the third and final reading in order to pass the House.

**SCR 32**—"That the Two House Meet in Joint Session to Hear the Message of the Governor. (Special Session)," was adopted by voice vote on motion by Mr. Quigley, and ordered returned to the Senate.

On motion by Mr. Quigley, the House recessed at the call of the Chair at 11:50 A. M.

Mr. Speaker called the House to order at 2:10 P. M.

Mr. Quigley moved that the House recess for the Joint Session pursuant to **SCR 32**. Motion prevailed.

### **JOINT SESSION**

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

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

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

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

Mr. Riley moved that Senate Rule 22 be suspended during the Joint Session. Motion prevailed.

Mr. Riley moved that the President Pro Tem appoint four members to escort the Governor to the Joint Session. Motion prevailed.

Mr. President Pro Tem appointed Messrs. Johnson, Riley, Snowden and Quigley to escort the Governor.

The Hon. J. Caleb Boggs was escorted to the Rostrum by the appointed committee.

The following message was delivered by the Governor:

### **GOVERNOR'S MESSAGE**

#### **TO THE SPECIAL SESSION OF THE 119TH GENERAL ASSEMBLY**

December 3, 1957

Mr. President, Mr. Speaker and distinguished members of the 119th General Assembly of the State of Delaware:

I very much appreciate your presence here today in response to my Proclamation of November 25 calling the 119th General Assembly into session for the purpose of considering and acting upon legislation to balance the budget of the State of Delaware, to maintain its necessary and essential public services and preserve the credit of the State.

The present financial situation of the State of Delaware is extremely serious. Appropriate legislative remedial action is necessary at the earliest possible date in order to serve the best interests of the State of Delaware and its more than 400,000 citizens.

In order to meet and satisfy the financial obligations of this State during the past two months it has been necessary for the State's fiscal officers to borrow \$7,000,000 through the sale of short term deficiency notes. The authority and the responsibility for the fiscal officers to sell such deficiency notes in order to meet current financial obligations was imposed upon them through legislation enacted by this General Assembly.

The unexpended balance of the \$7,000,000 already borrowed, when added to anticipated December revenues, will again be insufficient to satisfy December's debt service requirements and other fully authorized and properly incurred expenditures. Consequently some of December's obligations either will not be met or further deficiency borrowing must be made.

The four largest banks in Delaware, recognizing this situation, have offered to purchase as a syndicate another deficiency note in the amount of \$5,000,000. However if this note is sold by the State's fiscal officers it will bear a due date or maturity of January 31, 1958. Because it appears certain that December and January revenues will be wholly inadequate to pay off the proposed \$5,000,000 deficiency note and other bond and note obligations due on or before January 31, and at the same time meet payroll, pension and other obligations, the fiscal officers delayed a decision on the borrowing of the additional \$5,000,000.

This decision with respect to further borrowing was held in abeyance pending an opinion requested from the Attorney General of Delaware on various aspects of our fiscal situation and with special reference to fixed debt service obligations. Only last evening I was informed by the Attorney General that in so long as funds may continue to be borrowed, General Fund revenues must be used to meet financial obligations as they arise and are presented for payment, without consideration of the category of indebtedness. Consequently the \$5,000,000 will be borrowed and the urgency for your prompt action becomes even greater.

Before issuing a Proclamation convening the General Assembly today all available information on Delaware's financial problem was presented to the Joint Legislative Finance Committee. This committee extended every courtesy to me and carefully reviewed the facts, but a majority thereof voted against any action to reconvene the General Assembly prior to next January.

All available facts were also presented to the legislative leaders with a request that the General Assembly be reconvened in December, such action to be taken under the authority contained in Senate Concurrent Resolution No. 31 of August 14, 1957. These legislative leaders informed me that they had arrived at a conclusion not to exercise the authority

contained in the Concurrent Resolution and to wait until January before meeting to consider and bring into balance the State's budget.

My further review of this situation caused me as the Chief Executive to conclude that such further delay was detrimental to the best interest of this State and its people and represented a further endangering of Delaware's present and future credit standing through the very real possibility of default on Delaware's bonds—of which approximately \$130,000,000 are outstanding—or on its short term notes.

This conclusion is substantiated by the fact that estimated funds available for expenditure in December and January total only about \$6,000,000 whereas estimated expenditures total about \$13,600,000. It is important to point out that the latter figure includes the \$4,000,000 borrowed on November 29 and due on January 29, but does not include the \$5,000,000 offered by the Delaware banking syndicate on which the due date would be January 31.

Those figures describe the situation faced for this month and next. Should this situation be permitted to continue, which I am sure you will agree with me is unthinkable, it is estimated on the basis of present circumstances and existing facts that the State would have a \$20,000,000 deficit by the end of this biennium on June 30, 1959—which is less than nineteen months from today.

In view of the foregoing I repeat here today a statement contained in my Proclamation of November 25. That statement was as follows: "Every passing day compounds the State's critical financial situation, makes solutions more costly and more difficult to accomplish, and creates additional problems for our entire economy."

It therefore appears clear that it was necessary and proper for me to convene this General Assembly without further delay and that it is imperative that appropriate remedial legislative action be taken at the earliest date possible.

Many people have asked why Delaware is in this critical fiscal situation. They are certainly entitled to an answer.

Basically, Delaware is in this situation because:

(1) Nearly all levels of government are presently faced with revenues lower than had been anticipated.

(2) Delaware has grown very rapidly in population, in industrial development, and in the public desire and demand for more and better public services.

(3) Delaware has not improved its fiscal organization and operation to provide the controls to cope with today's large fiscal affairs. The Department of Finance which I have repeatedly recommended would have substantially corrected this situation.

(4) Our State should have been operating on an annual budget instead of a biennial one. I am glad to report that a Constitutional amendment to bring this about is awaiting final approval.

(5) Authorized appropriations are greater than revenue being received. The appropriations were more than I recommended and the revenue coming in is less than I estimated. Both the Governor and the Legislature have a responsibility in this regard.

The facts are that the 118th and 119th General Assemblies appropriated \$17,981,828 more than I recommended, except that I did recommend \$11,200,000 for authorized capital improvements in the event revenue estimates materialized. My recommendations also included \$3,300,000 for additional educational units due to increased school enrollment. The 119th General Assembly did not appropriate for this but authorized this expenditure in addition to all other appropriations. Thus this makes the total authorized expenditures for this biennium \$137,950,156.83 without any provision for capital improvements in lieu of the sale of bonds. While my estimate of revenue is not materializing, yet if my budget recommendations to both the 118th and 119th General Assemblies had been followed, the State of Delaware at this date would not be in the present fiscal crisis. Furthermore, the 119th General Assembly apparently concurred in my estimates of revenue, otherwise it would have revised the estimates because the statute requires an approved estimate of revenues by the General Assembly. The 118th General Assembly recognized this responsibility and established its own revenue estimates.

Our present critical fiscal situation should provide the impetus which will result in action to prevent a recurrence. I shall renew many of my recommendations and make additional ones dedicated to this objective.

Each member of the General Assembly has at his desk, or has previously been given, a copy of the voluminous statistics which have been prepared relative to this situation and the problem at hand. This material has been provided for your study and use because only the Legislature has the power and authority to take the actions required to end this emergency.

Although I realize that my recommendations have been generally disregarded in the past, I am making some suggestions today for your consideration in meeting this crisis. I shall also continue to do everything I can to be of help to the Legislature in meeting its responsibility.

Serious though our problem is, I respectfully direct your attention to a number of matters, which in my opinion should be reviewed and recognized before I submit my recommendations.



Always have confidence in America, in Delaware, and in our people and appreciation for our economic system and the freedom we enjoy. There may be a leveling off in business activity, but I feel sure the future is bright and offers great promise.

Always keep Delaware a good place in which to live, work and do business—both today and in the future.

Remember that our population and industrial growth in Delaware have been enormous in recent years and that we may anticipate a continuing growth at a dynamic rate.

Recognize that living and doing business, including farming, successfully today is keyed in many ways to good up-to-date public service. Thus governmental services in the areas of education, health, welfare, highways, agriculture and recreation must be practically planned and expanded with vision rather than downgraded or contracted to fit an out-moded pattern of revenue.

Remember that the combination of local and State Taxes in Delaware is about the lowest in the nation.

Keep in mind the fact that most of us favor a strong State government position as distinguished from a too powerful Federal government. Yet at the present time nearly 20% of the adjusted gross income of Delaware taxables is paid to the Federal government where as normal Delaware General Fund revenues represent less than 6% of such gross income. Another example is that at present on the first \$1000 of net personal income only \$10 a year is collected by the State of Delaware compared with \$200 a year by the Federal government.

We must recognize that the great majority of our people want and need good State services and realize that this is impossible without paying for such services. We may well confuse the natural desire of people for the lowest possible taxes with their desire for the lowest possible taxes consistent with adequate State services and facilities.

A final but very important factor to have in mind is that local government over the years, and especially recently, has shifted more and more public services to the State. This necessarily increases State expenses.

Again I respectfully request that you bear all those matters in mind as you evaluate and act in accordance with our present fiscal problem.

If the good name and reputation of the State of Delaware are to be jeopardized as a result of allowing this crisis to continue, the decision to do so will not be mine. The decision for Delaware at this time rests in the General Assembly under our Constitution and statutes.

The General Assembly should have two objectives:

(1) to balance the budget and provide adequate working capital, and

(2) to provide an improved fiscal system to prevent a re occurrence of the present situation.

In an effort to contribute toward the fulfillment of the first legislative objective I have suggested immediately above, it will be recalled that I have already requested the administrative heads of every State agency to eliminate totally at this time all expenditures not absolutely essential.

In a further effort to be of service to the General Assembly and to the people of Delaware, and in my capacity as Chief Executive of this State, I respectfully submit the following recommendations for your consideration:

A review by the Legislature of all unexpended appropriations which it approved earlier this year to be followed by such action as it considers feasible and appropriate as to any reduction of such appropriations;

A review by the Legislature of the adequacy under existing circumstances of present rates with respect to all taxes and fees. In this connection I suggest an earnest and careful review and study by every member of the General Assembly of the report submitted by McKinsey & Company in November 1954 entitled "Fiscal Affairs in Delaware." A study of that report will provide the Legislature with an analysis of the revenues which may be derived from existing taxes with adjustments in rates and from sources not yet utilized in this State. Taxes and fees discussed and evaluated in this report include: general and selective sales, corporate income, corporate franchise, personal income, inheritance and estate, pari-mutuel and admissions, motor fuel, insurance, as well as automobile registration, liquor and cigarette.

Specific consideration of a moderate adjustment in personal income tax rates and the imposition of a moderate tax upon the net profits of corporations conducting business in Delaware. These possibilities for increased revenue merit your special consideration because, as the McKinsey report reflects, they are productive of relatively large amounts of revenue without delay and with comparative ease as to collection.

The enactment of legislation to create a long-needed Department of Finance to place better controls on the State's fiscal affairs, including the recommendation for a system of quarterly allotments of appropriations;

Appropriate action to create a commission, or other body, competent and charged with the responsibility to review the entire revenue situation of this State as it now exists by our statutes; to review the program by which our State now finances schools, highway and other capital improvements; and to report and recommend to the 120th General Assembly when it first convenes a complete fiscal program for adoption by the State of Delaware;

Any other appropriate action to balance the budget of the State of Delaware, including consideration of the imposition of taxes not mentioned heretofore.

There may be those who will contemplate the achievement of some partisan political advantage from the recommendations I have made. If there be such—and it already appears that distorted, defensive and guilt-conscious statements are emanating from the majority party—I suggested that this is a time when the people expect political partisanship to give way to the public interest.

The control of both the 118th and 119th General Assemblies has been held by the Democratic Party. The Governor has been Republican. Most of the Governor's fiscal recommendations have been ignored by the Legislature. I recognize that as being a prerogative of the Legislature, but having done so it must accept the responsibility for the results it created.

It is now my urgent recommendation that we join together without partisanship to serve the public interest and the needs of this State and its people. To accomplish that goal I pledge my fullest cooperation.

The Governor was escorted from the Joint Session by the previously appointed committee.

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

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

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

Mr. Snowden introduced the following resolution: **HR 108** "Concerning the Meetings of the Committee on Revenue and Taxation."

WHEREAS, the Governor of the State of Delaware has convened the General Assembly of the State in extraordinary special session for the purpose of considering legislation with reference to the State's financial status, AND

WHEREAS, there have been or will be submitted to the House of Representatives of the General Assembly one or more proposals affecting the State's finances and revenues, NOW, THEREFORE

BE IT RESOLVED that the Speaker of the House of Representatives order the House Committee on Revenue and Taxation to immediately convene for the purpose of studying any and all such proposals, AND

BE IT FURTHER RESOLVED that the House Committee on Revenue and Taxation be ordered to hold public hearings on any and all proposals and upon any matter pertinent to the State's system of revenue, AND

BE IT FURTHER RESOLVED that the House Committee on Revenue and Taxation be ordered to report to the House of Representatives not later than Tuesday, December 17, 1957 with a full report of its findings and recommendations, AND

BE IT FURTHER RESOLVED that the House Committee on Revenue and Taxation be empowered to employ any and all persons or services necessary to competently fulfil its duties, all such expenses to be paid out of the General Fund of the State of Delaware.

Mr. Quigley moved that **HR 108** be tabled.

Roll Call revealed:

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—19.

NAYS—Messrs. Appleford, Bartleson, Ehinger, Kauffman, Keller, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Wolf—15

ABSENT—Mr. Carpenter—1.

Motion prevailed.

Mr. Quigley introduced the following resolution: **HR 109** "Empowering the Committee on Revenue and Taxation to Study the Possibility of Granting the Governor Power to Reduce Expenditures and Monies Appropriated to State Agencies."

BE IT RESOLVED, by the House of Representatives of the 119th General Assembly that the Revenue and Taxation Committee be authorized and empowered to study the possibility and feasibility of the General Assembly enacting into law a bill which would permit the Governor of the State of Delaware to reduce the expenditures and appropriations of all state agencies in an amount that he may consider necessary and appropriate. The committee shall report to the next meeting of the House of Representatives its recommendations in regard to any proposed legislation.

Mr. Quigley moved that **HR 109** be adopted.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manninf, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—33.

NAYS—Mr. Spicer—1.

ABSENT—Mr. Carpenter—1.

Motion prevailed.

The Secretary of the Senate informed the House that the Senate had passed and requested the concurrence of the House in the following: **SCR 34**.

On motion by Mr. Eskridge, the rules were suspended for the purpose of giving the resolution the third and final reading in order to pass the House.

Mr. Eskridge moved that **SCR 34**—"Requesting the Governor of the State of Delaware to Submit to the General Assembly Specific Recommendations to Meet the Existing Financial Conditions Temporary Adjournment of Special Session," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

**YEAS**—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, Hussey, King, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—19.

**NAYS**—Messrs. Appleford, Bartleson, Ehinger, Kauffman, Keller, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden, Spicer, Wolf—15.

**ABSENT**—Mr. Carpenter—1.

**SCR 34** having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion by Mr. Quigley, the House adjourned until Thursday, December 12th, 1957, at 1:00 P. M.

## SPECIAL SESSION

### 98TH LEGISLATIVE DAY

Dover, Delaware, December 12th, 1957

House met pursuant to adjournment at 2:00 P. M. on December 3rd, 1957.

Prayer by Mr. McAllister.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—34.

Member absent—Mr. Carpenter—1.

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

Mr. Quigley moved that the only legislation be considered was that to correct the present financial situation of the State. Motion prevailed.

The following message from the Governor was read:

### GOVERNOR'S MESSAGE

December 12, 1957

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

I am enclosing herewith the report to the Governor and the Legislature of a bi-partisan committee selected to study the State's financial situation.

I endorse, and recommend for your fullest consideration, this committee's report as offering a proper course to solve Delaware's present serious fiscal problem.

Bills to implement the recommendations of the study committee and its suggested program of action are being presented today to the House of Representatives for legislative consideration. It is hoped that these bills may be introduced with joint sponsorship in order to continue the bi-partisan approach which has now been established and to serve the best interests of the State of Delaware.

These bills include:

(1) A bill to repeal the revolving school sites and architects fund at a saving of \$233,713.50.

(2) A bill repealing the State's obligation to pay certain registration and election expenses at a saving of \$208,000.

(3) A bill to suspend appropriations and spending authorizations for fiscal 1959 until a further review and re-evaluation of them may be made with a view to an estimated \$4 million reduction.

(4) A bill to suspend indefinitely certain General Fund public works projects not considered urgent at this time at a saving of \$602,120.45.

(5) A bill to revert \$50,000 to the General Fund from the New Castle Historic Buildings Commission, providing a saving in that amount.

(6) A bill to give the State Tax Department ninety days within which to audit tax returns and make refunds, where necessary, before any interest on refunds is to be credited. This should provide a saving of several thousand dollars.

(7) Two bills amending the authority of the Board of Trustees for the Delaware State Hospital and the Hospital for the Mentally Retarded pertaining to its special emergency fund account in order that voluntary savings in this area may be effected to the extent of an estimated \$200,000 or more.

(8) A bill to revise and amend the present personal income tax law to produce an estimated additional amount of \$6 million annually.

(9) A bill providing for a corporate tax at the rate of five per cent on net income derived from doing business in Delaware. This is estimated to yield approximately \$5 million annually.

(10) A bill, or bills, extending the authorized number of days of horse racing and increasing the pari-mutuel tax, estimated to yield an additional \$1,500,000 for this biennium.

I wish to report at this date that various State agencies have made voluntary commitments to the Governor's office totaling approximately \$1,200,000 in reductions of their expenditures for fiscal 1958. It is hoped that this amount may be increased through the cooperation of other state agencies who have volunteered no specific amounts and which will be reflected in substantially increased reversions.

In summary, and on the premise of a predicted \$27 million deficit for the biennium ending June 30, 1959, it is hoped that this deficit may be liquidated by reductions of expenditures for the remainder of fiscal 1958 in the sum of approximately \$2,250,000 and by a review, re-evaluation and reduction in fiscal 1959 appropriations of approximately \$4 million, making a hoped for total reduction of \$6,250,000. This leaves an estimated \$20,750,000 to be provided by additional revenue.

The net corporate income tax, at an estimated yield of \$5 million annually, should provide \$7,500,000 by June 30, 1959. The proposed revision in personal income taxes should provide \$12 million additional revenue by June 30, 1959. The revisions concerning racing and pari-mutuel betting should provide an estimated \$1,500,000 additional revenue by June 30, 1959.

Accordingly, anticipated additional revenues, in combination with expected reductions in expenditures, would thus total \$27,250,000—thus overcoming the State of Delaware's immediate and critical financial situation.

I take this opportunity to express high praise and appreciation to both political parties, their leadership, to the members of the General Assembly and to the distinguished citizens of Delaware who served so ably and conscientiously on the bipartisan committee. It is my hope and prayer that by working together we will be able to serve the needs and best interests of Delaware and its citizens.

Respectfully submitted,

J. CALEB BOGGS, Governor

#### REPORT OF THE BI-PARTISAN COMMITTEE TO STUDY THE STATE'S FINANCIAL SITUATION TO THE GOVERNOR AND THE LEGISLATURE

This committee was formed at the invitation of Governor Boggs, and the state chairmen of the two political parties appointed three members as their representatives. Representing the Democratic Party were Garrett E. Lyons, State Chairman, former Governor Elbert N. Carvel and United States Senator J. Allen Frear, Jr. Representing the Republican Party were C. Edward Duffy, State Chairman, C. J. Killoran, former Attorney General and Otis H. Smith, Mayor

of Lewes. The committee at all of its meetings worked closely with the Governor and with legislative leaders of both political parties.

The first action of the committee was to employ the accounting firm of Isaacson, Stolper & Company to make an independent estimate of the indicated deficit for the biennium ending June 30, 1959. The accounting firm reported an estimated deficit of 27 million dollars. This figure contemplated no change in the appropriations shown in the Governor's report to the General Assembly on December 3rd, but decreased the amount of the anticipated revenue for the two years of the biennium from 110 million dollars to 103 million dollars. After careful study and consideration the committee accepted the figure of 27 million dollars deficit as the basis for its further deliberations.

The committee proposes that this deficit be liquidated in two ways: (1) By a reduction of expenditures in the amount of approximately six million dollars; and (2) By an increase of revenues aggregating approximately 21 million dollars.

The reduction in expenditures for the fiscal year 1958 is estimated at \$2,250,000. Of this amount \$1,200,000 represents voluntary reductions so far committed to the Governor by various State agencies. Legislation is being recommended for effecting further reductions amounting to approximately one million dollars composed of projects not considered to be urgent at this time. A target figure of four million dollars has been set for reductions in the fiscal year 1959, and legislation permitting a period of study and review for 1959 appropriations is being submitted to the General Assembly.

The committee recommends the enactment of three major tax bills: (1) A tax upon net corporate income at a rate of five per cent—estimated to yield approximately five million dollars per year, or \$7,500,000 by June 30, 1959; (2) An increase in personal income taxes estimated to yield an additional six million dollars per annum, or 12 million dollars in the period ending June 30, 1959; (3) Increases in the State share of proceeds from pari-mutuel betting which will aggregate \$1,500,000 in the period ending June 30, 1959.

These calculations would on the basis of approximate figures balance the State's budget for the biennium but would not leave a cash balance or working balance. The committee strongly recommends to the Governor and to the General Assembly that serious study be given to additional methods or means by which certain types of mandatory appropriations might be reduced in order to provide both a working balance and a lesser burden on the State's revenue-producing sources.

The committee wishes to emphasize to the people of Delaware and to the Legislature that it is merely recommending what it considers to be a proper course to solve this serious



fiscal condition. These recommendations are submitted in the hope that they may be of assistance to the Governor and the members of the Legislature.

**STATE OF DELAWARE**  
**STATEMENT OF ESTIMATED DEFICIT AND PROPOSED**  
**ADDITIONAL REVENUE AS OF DECEMBER 12, 1957**

**ESTIMATED DEFICIT**

As of June 30, 1959 .....	\$27,000,000.
Less: Cut-backs and reductions in fiscal 1958 .....	\$2,250,000.
Target reductions in fiscal 1959..	4,000,000.
	<hr/>
Total Estimated Reductions .....	6,250,000.

<b>ESTIMATED TOTAL TO BE RAISED BY</b> <b>ADDITIONAL REVENUE .....</b>	<b>\$20,750,000.</b>
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**ESTIMATED ADDITIONAL REVENUE**

From revised Personal Income Tax .....	\$12,000,000.
From Net Corporate Income Tax .....	7,500,000.
From Revised Pari-Mutuel Tax .....	1,500,000.

<b>ESTIMATED TOTAL</b> <b>ADDITIONAL REVENUE .....</b>	<b>\$21,000,000.</b>
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On motion of Mr. Quigley, the House recessed at the call of the Chair at 2:15 P. M.

The House was called to order at 5:42 P. M.

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

**HB 424**—"An Act to Amend Chapter 51, Title 16, Delaware Code, Entitled "Delaware State Hospital" and Relating to Special Emergency Funds of the Delaware State Hospital at Farnhurst," by Appleford and West; to Appropriations.

**HB 425**—"An Act to Amend Chapter 55, Title 16, Delaware Code, Entitled "Mentally Retarded" and Relating to the Special Account of the Hospital for the Mentally Retarded at Stockley, Delaware," by Appleford and West; to Appropriations.

**HB 426**—"An Act to Amend Chapter 262, Volume 51, Laws of Delaware, Relating to the Appropriations Contained Therein," by Manning and McAllister; to Appropriations.

**HB 427**—"An Act to Amend Title 30, Delaware Code, Relating to the Income Tax and the Payment of Interest on Refunds," by Bartleson and Shockley; to Revenue and Taxation.

**HB 428**—"An Act to Reduce Certain General Fund Appropriations and Authorizations to the State Highway Department for Certain Public Works Projects," by Ehinger and Pryor; to Appropriations.

**HB 429**—"An Act to Suspend All General Fund Appropriations and Authorizations Applicable to the Fiscal Year 1959," by Lawson and Tribbitt; to Appropriations.

**HB 430**—"An Act to Amend Chapter 3, Title 28, Delaware Code, Relating to Horse Racing," by Lambert, Hussey and Walls; to Revenue and Taxation.

**HB 431**—"An Act to Amend Title 15, Delaware Code, by Transferring the Obligation to Pay Certain Registration and Election Expenses from the State of Delaware to the Counties and the City of Wilmington; Reducing the Appropriation Therefor; and Reverting the Unexpended Appropriations to the General Fund of the State of Delaware," by Snowden; to Elections.

**HB 432**—"An Act Amending Chapter 43, Volume 51, Laws of Delaware, Relating to the New Castle Historic Building Commission and Directing the Commission to Transfer a Portion of the Appropriation to the General Fund of the State of Delaware," by Snowden; to Appropriations.

**HB 433**—"An Act to Levy, Assess and Collect a Tax Upon the Net Income of Every Corporation Transacting or Conducting Business Within the State of Delaware," by Snowden, Shockley and King; to Revenue and Taxation.

**HB 434**—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" by Providing for a State Department of Finance, Transferring Certain Functions Thereto, Defining Its Powers and Duties, Transferring Certain Other Functions Among Existing State Agencies, Repealing Contrary Provisions and Appropriating Funds," by Snowden; to Miscellaneous.

On motion by Mr. Quigley, the House adjourned until Monday, December 16th, 1957, at 1:00 P. M.

## SPECIAL SESSION

### 99TH LEGISLATIVE DAY

Dover, Delaware, December 16th, 1957

House met pursuant to adjournment at 2:23 P. M. on December 12th, 1957.

The Lord's Prayer was repeated.

Members present—Messrs. Alexander, Appleford, Bartletson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—34.

Member absent—Mr. Wolf—1.

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

A communication was presented by Mr. Keller.

The floor was granted Mrs. Manning on a point of personal privilege.

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

**HJR 7**—"Relating to Mileage," by Manning; to Appropriations.

The following bills were reported out of the Appropriation Committee with 4 on merits and 1 favorable: **HB 424**, **HB 425**, **HB 426**, **HB 428**, **HB 429** and **HB 432**.

**HB 427** was reported out of the Committee on Revenue and Taxation with 3 favorable and 1 on merits.

Mr. Shockley moved that the rules be suspended in order that **HB 426** be taken up for consideration. Motion prevailed.

Mrs. Manning moved that **HB 426**—"An Act to Amend Chapter 262, Volume 51, Laws of Delaware, Relating to the Appropriations Contained Therein," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

**YEAS**—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, (Mrs.) Manning, Massey, McAllister, Mills, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt, Walls, West, Mr. Speaker Mayhew—31.

**NAYS**—None.

**NOT VOTING**—Mr. Spicer—1.

**ABSENT**—Messrs. Pryor and Wolf—2.

**PRESENT**—Mr. Livingston—1.

**HB 426** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Snowden moved the rules be suspended in order that **HB 428** be taken up for consideration. Motion prevailed.

Mr. Quigley moved that action be deferred on **HB 428**. Motion lost.

Mr. Ehinger moved that **HB 428**—"An Act to Reduce Certain General Fund Appropriations and Authorizations to the State Highway Department for Certain Public Works Projects," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Reed, Richards, Shockley, Simpler, Snowden, Tribbitt, Walls, West, Mr. Speaker Mayhew—29.

NAYS—Messrs. Quigley, Snowden and Spicer—3.

ABSENT—Messrs. Lambert, Pryor and Wolf—3.

**HB 428** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Snowden moved that the rules be suspended in order that **HB 424** and **HB 425** be taken up for consideration. Motion prevailed.

Mr. Appleford moved that **HB 424**—"An Act to Amend Chapter 51, Title 16, Delaware Code, Entitled "Delaware State Hospital" and Relating to Special Emergency Funds of the Delaware State Hospital at Farnhurst," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—32.

NAYS—None.

ABSENT—Messrs. Pryor and Wolf—2.

PRESENT—Mr. Quigley—1.

**HB 424** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Appleford moved that **HB 425**—"An Act to Amend Chapter 55, Title 16, Delaware Code, Entitled "Mentally Retarded" and Relating to the Special Account of the Hospital for the Mentally Retarded at Stockley, Delaware," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—33.

NAYS—None.

ABSENT—Messrs. Pryor and Wolf—2.

**HB 425** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Snowden moved that the rules be suspended in order that **HB 429** be taken up for consideration. Motion prevailed.

Mr. Lawson moved that **HB 429**—"An Act to Suspend All General Fund Appropriations and Authorizations Applicable to the Fiscal Year 1959," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—33.

NAYS—None.

ABSENT—Messrs. Pryor and Wolf—2.

**HB 429** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Snowden moved that the rules be suspended in order that **HB 432** be taken up for consideration. Motion prevailed.

Mr. Snowden moved that **HB 432**—"An Act Amending Chapter 43, Volume 51, Laws of Delaware, Relating to the New Castle Historic Buildings Commission and Directing the Commission to Transfer a Portion of the Appropriation to the General Fund of the State of Delaware," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—33.

NAYS—None.

ABSENT—Messrs. Pryor and Wolf—2.

**HB 432** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Snowden moved that the rules be suspended in order that **HB 427** be taken up for consideration. Motion prevailed.

Mr. Bartleson moved that **HB 427**—"An Act to Amend Title 30, Delaware Code, Relating to the Income Tax and the Payment of Interest on Refunds," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—33.

NAYS—None.

ABSENT—Messrs. Pryor and Wolf—2.

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

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

**HB 435**—"An Act to Amend Chapter 3, Title 28, Delaware Code, Relating to Horse Racing," by Lambert and Hussey; to Revenue and Taxation.

On motion by Mr. Lambert, **HB 430** was stricken from the Calendar.

On motion by Mr. Quigley, the House adjourned until Thursday, December 19th, 1957, at 1:00 P. M.

## SPECIAL SESSION

### 100TH LEGISLATIVE DAY

Dover, Delaware, December 19th, 1957

House met pursuant to adjournment at 2:13 P. M., on December 16th, 1957.

Prayer by Rev. Spry.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Walls, West, Mr. Speaker Mayhew—32.

Members absent—Messrs. Kauffman, Tribbitt and Wolf—3.

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

The following message from the Governor was read to the members of the House:

## GOVERNOR'S MESSAGE

### STATE OF DELAWARE EXECUTIVE DEPARTMENT

Dover, 19 December 1957

To the House of Representatives of the  
119th General Assembly of the State of Delaware:

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

August 14, 1957—Senate Bill No. 369—An Act Further Providing for the Issuance of Bonds of the State of Delaware, Authorized by Chapter 449 and 529 of Volume 50, Laws of Delaware, and Relating to the Interest Rate.

August 19, 1957—Senate Bill No. 173—An Act to Amend Chapter 53, Title 16, Delaware Code, by Changing the Age Limits for Maladjusted Children at Governor Bacon Health Center.

Respectfully submitted,

J. CALEB BOGGS, Governor

The Secretary of the Senate informed the House that the Senate had concurred in **HB 424, HB 425, HB 426, HB 427, HB 429 and HB 432.**

On motion by Mr. Snowden, the House was to sit as a Committee on Public Hearing on **HB 433.**

The Public Hearing started at 2:20 P. M. and came to a close at 3:10 P. M.

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

**HB 436**—"An Act Amending Chapter 11, Title 30, Delaware Code, Relating to Rates of Income Tax," by Manning and Shockley; to Appropriations.

**HB 437**—"An Act to Amend Title 28, Delaware Code, Relating to Horse and Dog Racing in the State of Delaware," by Quigley, Walls, Shockley, Alexander, Mills, Livingston and English; to Miscellaneous.

**HB 438**—"An Act to Amend Chapter 3, Title 28, Delaware Code, Relating to Horse Racing," by Cain, English, Pryor and Betts; to Revised Statutes.

**HB 439**—"An Act to Amend Title 30, Delaware Code, Relating to Refunds on Cigarettes," by West, Walls and Mills; to Revenue and Taxation.

**HB 440**—"An Act to Amend Title 30, Delaware Code, Relating to Cigarette Tax Levy and Rate," by Mills, West and English; to Revenue and Taxation.

**HB 441**—"An Act to Amend Title 30, Delaware Code, Relating to Permit for Sale of Cigarettes," by Walls, English, Mills and West; to Miscellaneous.

**HB 442**—"An Act Repealing Section 582, Title 4, Delaware Code, Relating to Tax Exemption of Instrumentalities of the United States Armed Forces," by Eskridge (by request); to Revenue and Taxation.

Mr. Speaker announced that he was about to sign **HB 424, HB 425, HB 426, HB 427, HB 429 and HB 432.**

On motion by Mr. West, the rules were suspended in order for a committee report.

**HB 438** was reported out of the Revised Statutes Committee with 4 favorable and 1 on merits.

On further motion by Mr. West, the rules were suspended for action on **HB 438.** Action was deferred on motion by Mr. Quigley.

**HS 1 for HB 433**—"An Act to Levy, Assess and Collect a Tax Upon the Net Income of Every Corporation Transacting or Conducting Business Within the State of Delaware," was introduced by Messrs. Snowden, Shockley and King and referred to the Committee on Revenue and Taxation.

Mr. Cain, Chairman of Committee on Passed Bills, reported that he had delivered **HB 424, HB 425, HB 426, HB 427, HB 429 and HB 432** to the Governor.

On motion by Mr. Quigley, all rules were suspended for the day.

**HS 1 for HB 433** was reported out of the Committee on Revenue and Taxation with four members signing favorable.

On motion by Mr. Snowden, **HS 1 for HB 433** was adopted.

On further motion by Mr. Snowden, **HB 433** was stricken from the Calendar.

Mr. Snowden moved that **HS 1 for HB 433**—"An Act to Levy, Assess and Collect a Tax Upon the Net Income of Every Corporation Transacting or Conducting Business Within the State of Delaware," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

**YEAS**—Messrs. Alexander, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, King, Lambert, Lawson, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Walls, West, Mr. Speaker Mayhew—28.

**NAYS**—None.

**NOT VOTING**—Messrs. Appleford and Keller—2.

**ABSENT**—Messrs. Kauffman, Livingston, Spicer, Tribbitt and Wolf—5.

**HS 1 for HB 433** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Quigley introduced **HA 1 to HB 436**.

On motion for the adoption of the amendment the roll call revealed:

**YEAS**—Messrs. Lambert, Quigley and West—3.

**NAYS**—Messrs. Alexander, Appleford, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Keller, King, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Walls, Mr. Speaker Mayhew—27.

**NOT VOTING**—Mr. Bartleson—1.

**ABSENT**—Messrs. Kauffman, Spicer, Tribbitt and Wolf—4.

**HA 1 to HB 436** not having received the constitutional majority, was lost in the House.

**HB 436** was reported out of the Appropriations Committee with 3 on merits and 1 favorable.

On motion by Mr. Shockley, **HB 436** was given the third and final reading.



**HA 2** to **HB 436** was introduced by Mr. Shockley, and on further motion by him was adopted by voice vote.

Mr. Shockley moved that **HB 436** as amended—"An Act Amending Chapter 11, Title 30, Delaware Code, Relating to Rates of Income Tax," be taken up for consideration in order to pass the House.

Roll Call revealed:

**YEAS**—Messrs. Alexander, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, King, Lawson, (Mrs.) Manning, Massey, McAllister, Pryor, Reed, Richards, Shockley, Simpler, Snowden, Walls—22.

**NAYS**—Messrs. Appleford, Keller, Lambert, Livingston, Mills, Quigley, West and Mr. Speaker Mayhew—8.

**ABSENT**—Messrs. Kauffman, Snedeker, Spicer, Tribbitt and Wolf—5.

**HB 436** as amended having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Cain moved that **HB 438**—"An Act to Amend Chapter 3, Title 28, Delaware Code, Relating to Horse Racing," be taken up for consideration in order to pass the House.

Roll Call revealed:

**YEAS**—Messrs. Alexander, Appleford, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Keller, King, Livingston, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Walls, Mr. Speaker Mayhew—23.

**NAYS**—Messrs. Bartleson, Carpenter, (Mrs.) Manning and Snowden—4.

**ABSENT**—Messrs. Kauffman, Lambert, Snedeker, Spicer, Tribbitt, West and Wolf—7.

**PRESENT**—Mr. Lawson—1.

**HB 438** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Quigley introduced the following resolution, which was referred to the Miscellaneous Committee: **HCR 15**—"Relating to Adjournment of Special Session."

The following bills were reported out of committee as follows: **HB 439**, **HB 440** and **HB 442** from Revenue and Taxation as 2 favorable and 1 on merits; **HB 441** from Miscellaneous with 4 favorable; **HCR 15** from Miscellaneous with 4 favorable.

Mr. Alexander moved that **HB 439**—"An Act to Amend Title 30, Delaware Code, Relating to Refunds on Cigarettes," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

**YEAS**—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Ehinger, English, Eskridge, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Mills, Pryor,

Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Walls, Mr. Speaker Mayhew—25.

NAYS—Mr. Quigley—1.

NOT VOTING—Mr. Massey—1.

ABSENT—Messrs. Clark, Hussey, Kauffman, Spicer, Tribbitt, West and Wolf—7.

PRESENT—Mr. McAllister—1.

**HB 439** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Alexander moved that **HB 440**—"An Act to Amend Title 30, Delaware Code, Relating to Cigarette Tax Levy and Rate," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Mills, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Walls, Mr. Speaker Mayhew—26

NAYS—Mr. Quigley—1.

NOT VOTING—Mr. Massey—1.

ABSENT—Messrs. Hussey, Kauffman, Spicer, Tribbitt, West and Wolf—6.

PRESENT—Mr. McAllister—1.

**HB 440** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Alexander moved that **HB 442**—"An Act Repealing Section 582, Title 4, Delaware Code, Relating to Tax Exemption of Instrumentalities of the United States Armed Forces," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Pryor, Reed, Richard, Shockley, Simpler, Snedeker, Snowden, Walls, Mr. Speaker Mayhew—26.

NAYS—Mr. Mills—1.

NOT VOTING—Messrs. Massey and West—2.

ABSENT—Messrs. Hussey, Kauffman, Quigley, Spicer, Tribbitt and Wolf—6.

**HB 442** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Snowden moved that **HB 441**—"An Act to Amend Title 30, Delaware Code, Relating to Permit for Sale of Cigarettes," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, Eskridge, Hussey, Keller,

King, Lambert, Lawson, Livingston, McAllister, Mills, Pryor, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Walls, Mr. Speaker Mayhew—26.

NAYS—Mr. Quigley—1.

NOT VOTING—Mrs. Manning and Mr. Massey—2.

ABSENT—Messrs. English, Kauffman, Spicer, Tribbitt, West and Wolf—6.

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

On motion by Mr. Quigley, **HCR 15** was adopted by voice vote and ordered to the Senate for concurrence.

On motion by Mr. Quigley, the House recessed at the call of the Chair at 12:10 A. M.

The House was called to order at 1:18 A. M.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 438, HB 439, HB 440, HB 441, HB 442, HS 1 for HB 433, HB 436 with HA 2, HB 428.**

The Secretary of the Senate informed the House that the Senate had concurred in **HCR 15.**

On motion by Mr. Quigley, the House recessed at the call of the Chair at 1:35 A. M.

The House was called to order at 1:50 A. M.

Mr. Speaker announced that he was about to sign **HCR 15, HS 1 for HB 433, HB 442, HB 441, HB 440, HB 439, HB 438, HB 436 as amended and HB 428.**

On motion by Mr. Quigley, the House adjourned until January 6th, 1958, at 1:00 P. M., pursuant to **HCR 15.**

## 101ST LEGISLATIVE DAY

Dover, Delaware, January 6th, 1958

House met pursuant to adjournment at 1:53 A. M. on December 19th, 1957.

Prayer by Rev. Spry.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Carpenter, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—35.

Members absent—None.

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

The following message from the Governor was read:

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

Dover, January 6, 1958

To the House of Representatives of the  
119th General Assembly of the State of Delaware:

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

December 20, 1957—House Bill No. 24—An Act to Amend Chapter 51, Title 16, Delaware Code, Entitled "Delaware State Hospital" and Relating to Special Emergency Funds of the Delaware State Hospital at Farnhurst.

December 20, 1957—House Bill No. 425—An Act to Amend Chapter 55, Title 16, Delaware Code, Entitled "Mentally Retarded" and Relating to the Special Account of the Hospital for the Mentally Retarded at Stockley, Delaware.

December 20, 1957—House Bill No. 426—An Act to Amend Chapter 262, Volume 51, Laws of Delaware, Relating to the Appropriations Contained Therein.

December 20, 1957—House Bill No. 427—An Act to Amend Title 30, Delaware Code, Relating to the Income Tax and the Payment of Interest on Refunds.

December 20, 1957—House Bill No. 428—On Act to Reduce Certain General Fund Appropriations and Authorizations to the State Highway Department for Certain Public Works Projects.

December 20, 1957—House Bill No. 429—An Act to Suspend All General Fund Appropriations and Authorizations Applicable to the Fiscal Year 1959.

December 20, 1957—House Bill No. 432—An Act Amending Chapter 43, Volume 51, Laws of Delaware, Relating to the New Castle Historic Buildings Commission and Directing the Commission to Transfer a Portion of the Appropriation to the General Fund of the State of Delaware.

December 20, 1957—House Substitute No. 1 for House Bill No. 433—An Act to Levy, Assess and Collect a Tax Upon the Net Income of Every Corporation Transacting or Conducting Business Within the State of Delaware.

December 20, 1957—House Bill No. 436 with H. A. #2—An Act Amending Chapter 11, Title 30, Delaware Code, Relating to Rates of Income Tax.

December 20, 1957—House Bill No. 438—An Act to Amend Chapter 3, Title 28, Delaware Code, Relating to Horse Racing.

December 20, 1957—House Bill No. 439—An Act to Amend Title 30, Delaware Code, Relating to Refunds on Cigarettes.

December 20, 1957—House Bill No. 440—An Act to Amend Title 30, Delaware Code, Relating to Cigarette Tax Levy and Rate.

December 20, 1957—House Bill No. 441—An Act to Amend Title 30, Delaware Code Relating to Permit for Sale of Cigarettes.

December 20, 1957—House Bill No. 442—An Act Repealing Section 582, Title 4, Delaware Code, Relating to Tax Exemption of Instrumentalities of the United States Armed Forces.

Respectfully submitted,

J. CALEB BOGGS, Governor

A communication was presented by Mr. Keller.

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

**HB 443**—"An Act to Authorize the Mayor and Council of Wilmington to Issue Negotiable Notes in Anticipation of the Issuance of Bonds Previously Authorized for Lawful Purposes," by Shockley; to Municipal Corporations.

Mr. Quigley introduced the following resolution, which on further motion by him was adopted by voice vote: **HR 110**—"Expressing the Best Wishes of the House of Representatives of the 119th General Assembly to State Representative Edgar Alexander."

WHEREAS, the House of Representatives of the 119th General Assembly is pleased to know that today is the birthday of Representative Edgar Alexander of Townsend, New Castle County, Delaware, and

WHEREAS, the Members of the House of Representatives wish to express their best wishes to Representative Edgar Alexander, NOW, THEREFORE,

BE IT RESOLVED by the House of Representatives of the 119th General Assembly of the State of Delaware, that the best wishes of its members for the good health and happiness of Representative Edgar Alexander are hereby extended to him on this his birthday, and

BE IT FURTHER RESOLVED, that a copy of this Resolution be entered on the Journal of the House, a copy delivered to the press, and a copy be given to Representative Edgar Alexander.

Mr. English introduced the following resolution, which on further motion by him was adopted by voice vote: **HR 111**—"Discharging Certain Officers and Employees of the House, Retaining Certain Officers and Employees of the House, and Naming New Officers and Employees of the House."

BE IT RESOLVED by the House of Representatives of the 119th General Assembly of the State of Delaware that at the close of the 94th legislative day of this session all the officers and employees of the House except the following who

are listed below are discharged and released from their duties, with the sincere thanks from the House for their loyal and competent services.

Attorney—Albert J. Stiftel  
 Attorney—William G. Bush, III  
 Chief Clerk—William Gordy  
 Reading Clerk—Frank Shoemaker  
 Bill Clerk—Walter Pyle  
 Ditto Machine Operator—Tom Gray  
 Stenographer—Elaine Gurley  
 Chaplain—Rev. John M. Donohe  
 Sergeant-at-Arms—Granville Lowe  
 Typist—Ruth Rusby  
 Door Tender—Charles Newell  
 File Clerk—James Sylvester  
 Attorney's Clerk—Betty Cordrey  
 Messenger—Earl Deputy  
 Page—Ruth Ross  
 File Clerk—Lillian Weston  
 Messenger—Raymond Welch  
 Office Clerk—Mildred Hall  
 Typist—Marie Dugan  
 Minority Clerk—Francis Holliday

BE IT FURTHER RESOLVED, that the persons named in the preceding paragraph shall not be paid for any day that they did not work during the special session of the General Assembly and that only the following persons shall be paid for working during the special session:

Frank Shoemaker  
 William Gordy  
 Albert J. Stiftel  
 Walter Pyle  
 Elaine Gurley  
 Ruth Rusby  
 Tom Gray  
 Granville Lowe

BE IT FURTHER RESOLVED, by the House of Representatives of the 119th General Assembly that the said House proceed with the nomination and election of the following new officers and employees and to elect, in addition to the persons already named in the first paragraph, those whose names appear hereafter to serve in the offices placed opposite their respective names during the pleasure of the 119th General Assembly of the State of Delaware:

Mail Clerk—John N. Holloway  
 Legislative Reference Bureau—Ella Harris  
 Door Tender—Frank Calhoun  
 Document Clerk—Francis Downs  
 Page—Townsend Rust  
 Sergeant-at-Arms—Roland West

Typist—Elizabeth Covell  
Sergeant-at-Arms—Norman Conway

Pursuant to **HR 111**, the following employees were sworn in:

Frank Calhoun—Door Tender  
Elizabeth Covell—Typist  
Francis Downs—Document Clerk  
Roland West—Sergeant-at-Arms  
Townsend Rust—Page  
John H. Holloway—Mail Clerk  
Ella Harris—Legislative Reference Bureau  
Norman Conaway—Sergeant-at-Arms

### ILLUSTRATION OF EMPLOYEES' OATH

The State of Delaware, County of Kent, ss.

I, Norman Conaway, 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 Sergeant-at-Arms for the House of Representatives in the General Assembly of the State, according to the best of my ability

**NORMAN CONAWAY**

Sworn and subscribed to this 6th day of January, A. D. 1958.

**H. E. MAYHEW**

Speaker of the House of Representatives

The Secretary of the Senate informed the House that the Senate had passed and requested the concurrence of the House in **SCR 35**.

**SCR 35**—"That the Two Houses Meet in Joint Session to Hear the Message of the Governor," was given the first and second reading by title only and on motion by Mr. Quigley the rules were suspended in order that the resolution be given the third and final reading and be taken up for consideration. On further motion by Mr. Quigley, **SCR 35** was adopted by voice vote and ordered returned to the Senate.

On motion by Mr. Quigley, the House adjourned until Tuesday, January 7th, 1957, at 1:00 P. M.

### 102ND LEGISLATIVE DAY

Dover, Delaware, January 7th, 1958

House met pursuant to adjournment at 2:12 P. M., on January 6th, 1958.

Prayer by Rev. Spry.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning,

Massey, McAllister, Mills, Quigley, Richards, Shockley, Simpler, Snedeker, Snowden, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—30.

Members absent—Messrs. Carpenter, Kauffman, Pryor, Reed and Spicer—5.

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

On motion by Mr. Snowden, the House adjourned for a Joint Session with the Senate.

### JOINT SESSION

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

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

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

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

Mr. Riley moved that Senate Rule 22 be suspended during the Joint Session. Motion prevailed.

Mr. Riley moved that a committee be appointed by the President of the Senate to escort the Governor to the Joint Session. Motion prevailed.

Messrs. Riley, Correll, Tribbitt and Snowden were appointed to escort the Governor to the Joint Session.

The Governor was escorted to the Joint Session by the committee and delivered the following message to the Joint Session:

### GOVERNOR'S MESSAGE

MESSAGE OF GOVERNOR J. CALEB BOGGS TO 119TH  
GENERAL ASSEMBLY OF THE STATE OF  
DELAWARE, JANUARY 7, 1958

Mr. President, Mr. Speaker, Members of the  
119th General Assembly:

Thank you for permitting me to present this message to you.

It is undoubtedly as serious a message as I have ever delivered to you. And that includes my message to the Special Session last month.

Let no one be deceived. The financial condition of the State of Delaware is still a very serious matter.



Although the Legislature, in Special Session last month, took prompt action to remedy the urgent and immediate need for increased revenues, it did not provide for a balanced budget by the end of the fiscal biennium on June 30, 1959.

Action to balance the budget must now be taken. I hope that this will be done without delay in a cooperative, bi-partisan manner.

On the basis of presently accepted revenue estimates, the task at hand is to reduce 1959 appropriations by about \$6 million—or to increase revenues still further by a like sum.

I am recommending reductions in state appropriations as the more desirable method.

I do not anticipate that my recommendations will win your acclaim. I know that they will produce protests from many sources. Reductions in appropriations are painful and distasteful—but at this time they are essential to the fiscal soundness and credit position of Delaware.

Your right to disagree with my recommendations is fully recognized. In that case, however, it is also your responsibility to endorse and enact other methods of reducing expenditures or increasing state revenues, or both.

You will recall that in December the Legislature suspended until May 1, 1958, all appropriations for fiscal year 1959. This was done so that those appropriations could be reviewed and substantially reduced.

Under those circumstances I am submitting today for your consideration a proposed new 1959 appropriation bill. This bill provides reductions in appropriations for highway maintenance and construction and for mosquito control. A special feature of this appropriation bill provides for certain educational costs to be shared by the counties. This method seems justified on the basis that it will not reduce our public education standards and will provide a broader basis for meeting the mounting costs of education. It provides that 75 per cent of school operational costs shall be paid by the State and 25 per cent be shared by the counties based upon each county's unit enrollment. Educational costs have been presented according to the enrollment for September 1957, and in order to designate the amount payable by each county, anticipated enrollments for the fiscal year 1959 are contained in the figures and are eliminated from the contingency fund bill.

I am also presenting a contingency fund bill for fiscal year 1959. This bill conforms generally with the recently suspended contingency fund bill. However, it does provide funds for: (1) the Tax Department due to the increased workload in that Department; (2) deficiencies in pension appropriations; (3) agricultural contagious diseases and indemnity claims; and (4) maintenance to schools in order to replace in part the appropriation for that purpose which I am recommending be repealed.

There are several supplemental appropriation bills which I am recommending be repealed. These bills, for the most part, represent new outlays and additional State expenses which the State cannot afford at this time. They include Department of Election expenses, municipal aid and certain educational expenses.

The new budget bill, the contingency fund bill and the repeal of certain supplemental appropriations for fiscal year 1959, would provide a total reduction of approximately \$6 million in appropriation authorizations for fiscal year 1959.

But even these proposed reductions in expenditures for fiscal year 1959 are not wholly adequate for the solution of our problem. In my opinion, it is also necessary to effect certain additional reductions from unexpended balances of appropriations made for fiscal year 1958. Specifically, in this category, I recommend a bill to reduce in a total sum of \$500,000, the more than ample funds previously provided for highway maintenance and mosquito control. As a result of a survey which will be completed soon, I will probably have another bill recommending reductions in school maintenance appropriations for fiscal year 1958.

As severe as these recommended reductions in appropriations may seem to be, they are barely adequate to balance the budget for this fiscal biennium ending June 30, 1959. Even if all of today's revenue estimates are fully realized, my recommended reductions are only sufficient to provide a cash surplus as of June 30, 1959, of an estimated \$1,500,000 in excess of authorized commitments.

At this time I also renew my recommendation for the enactment of legislation to create a long-needed Department of Finance to place better controls on the State's fiscal affairs.

I think legislative action is highly important and essential to create a competent commission, or other body, charged with the responsibility to review the entire revenue situation of this State as it now exists; to review the program by which our State now finances schools, highways and other capital improvements; and to report and recommend to the 120th General Assembly, when it first convenes, a complete fiscal program designed to avoid recurring deficits and to provide a practical and realistic program for financing State services and long-term capital improvements.

Another continuing problem in the area of budget control is the uneven flow of receipts from various revenue sources. As at least a partial solution to this problem, I have prepared a bill for introduction which provides that personal income tax withholdings by employers shall be paid to the State Tax Commissioner once each month, instead of quarterly, in a manner comparable to the system long in operation with respect to similar federal withholdings.

Somewhat related to the same problem of delayed payment of revenues is the present personal income tax provision for quarterly payments of tax obligations reported on the tax return forms due on April 30 of each year. Furthermore, this present provision has aspects of being inequitable for the reason that those receiving their total incomes from salaries and wages are not permitted the same opportunity for delayed tax payments. Consequently, I have had another bill prepared for your consideration which provides that effective April 30, 1959, all personal income tax payments due for the preceding calendar year shall be paid in full with the filing of the annual return.

In this message I have thus far dealt only with fiscal matters. In doing so I have not intended to exclude your consideration of such additional matters and measures as may be necessary and desirable in the best interests of the people of the State of Delaware. I must, however, express the hope that such other matters will not deter the Legislature from prompt action on legislation to bring our budget into balance and to strengthen the State's fiscal and credit position.

STATE OF DELAWARE  
FINANCIAL STATEMENT OF GOVERNOR J. CALEB  
BOGGS TO 119TH GENERAL ASSEMBLY  
JANUARY 7, 1958

STATEMENT OF FINANCIAL CONDITION OF  
BIENNIUM ENDING JUNE 30, 1959

ANTICIPATED RECEIPTS

Short Term Notes .....	\$ 12,000,000.00
Fiscal 1958 Revenue .....	49,600,000.00
Fiscal 1959 Revenue .....	53,475,000.00
New Revenue .....	21,000,000.00
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	136,075,000.00
Cash Balance July 1, 1957 .....	5,573,784.00
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TOTAL AVAILABLE .....	\$141,648,784.00
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RECOMMENDED COMMITMENTS

Repayment of Notes .....	\$ 12,000,000.00
Fiscal 1958 .....	68,061,444.86
Fiscal 1959 .....	60,166,790.78
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	140,228,235.64
Surplus—July 1, 1959 .....	1,420,548.36
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TOTAL .....	\$141,648,784.00
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STATE OF DELAWARE  
FISCAL STATEMENTS OF GOVERNOR J. CALEB BOGGS  
TO 119TH GENERAL ASSEMBLY—JANUARY 7, 1958

STATEMENT OF FISCAL 1958 RECOMMENDED  
APPROPRIATION AUTHORIZATIONS

Total Authorized .....	\$70,288,378.30
Pension Deficiency Bill .....	80,000.00
LESS: Reductions	
Public Works (HB 428) .. \$	602,120.45
New Castle Historical	
Buildings (HB 432) ....	50,000.00
State Highway Department	500,000.00
Voluntary Reductions ....	1,154,812.99
Total Recommended Reductions .....	2,306,933.44
TOTAL .....	\$68,061,444.86

STATEMENT OF FISCAL 1959 RECOMMENDED  
APPROPRIATIONS

General Appropriation Bill .....	\$54,615,265.78
Contingency Fund Bill .....	1,063,100.00
All Supplementals (Page 3) .....	2,070,925.00
Automatic Appropriations (Page 4) .....	2,342,500.00
Department of Finance (HB 434) .....	75,000.00
TOTAL .....	\$60,166,790.78

STATE OF DELAWARE  
FISCAL STATEMENTS OF GOVERNOR J. CALEB BOGGS  
TO 119TH GENERAL ASSEMBLY—JANUARY 7, 1958

STATEMENT OF FISCAL 1959 SUPPLEMENTAL  
APPROPRIATIONS RECOMMENDED FOR  
CONTINUATION AS PROVIDED BY HB 429

PURPOSE	AMOUNT
Woods Haven School for Girls (HB 256) .....	\$ 91,300.00
VFW—Operations (HB 7) .....	1,500.00
Education—Veterans' Children (HB 9) .....	6,750.00
American Legion—Operations (HB 10) .....	2,000.00
Disabled Veterans—Operations (HB 11) .....	500.00
Palmer Home (HB 13) .....	4,350.00
Hospitals (HB 15) .....	874,775.00
Layton Home (HB 17) .....	5,000.00
Fire Companies—Rescue Trucks (HB 18) .....	15,000.00
Kent-Sussex Fair—Prizes (HB 19) .....	15,000.00

VFW—Services (HB 21) .....	4,000.00
Fire Companies—Equipment (HB 75) .....	98,000.00
Education—Salaries (SS2-43) .....	680,000.00
	(approximately)
Education—Custodian Salaries (SB 352) .....	160,000.00
	(approximately)
American Legion Post No. 8—Ambulance (HB 76) .....	750.00
Fire Companies—Ambulances (HB 77) .....	17,250.00
VFW Post No. 7422—Ambulance (HB 102) ...	750.00
Augustine Beach Fire Company (HB 134) ....	500.00
S. P. C. A. (HB 228) .....	2,000.00
American Legion—Boys' and Girls' State (HB 237) .....	1,000.00
Belvedere Fire Company (HB 251) .....	1,750.00
American Legion—Service (HB 255) .....	4,000.00
Wilmington Fire Co.—Equipment (SB 157) ...	22,750.00
Soil Conservation—New Castle County Ditches (HB 161) .....	1,500.00
Soil Conservation—Kent County Ditches (HB 178) .....	10,000.00
Soil Conservation—Sussex County Ditches (HB 375) .....	22,500.00
Southeast Regional Educational Compact Act (HB 107) .....	28,000.00
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TOTAL .....	\$2,070,925.00
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## STATE OF DELAWARE

FISCAL STATEMENTS OF GOVERNOR J. CALEB BOGGS  
TO 119TH GENERAL ASSEMBLY—JANUARY 7, 1958STATEMENT OF PROBABLE EXPENDITURES FROM  
STATUTES PROVIDING AUTOMATIC APPROPRIATIONS

General Assembly .....	\$ 300,000.00
Libraries .....	10,000.00
Insurance Commissioner .....	2,000.00
General Relief .....	500,000.00
Revenue Refunds .....	1,000,000.00
Agriculture .....	15,000.00
Education—Flags .....	500.00
Burial Indigent Veterans .....	5,000.00
Judicial Pensions .....	5,000.00
Bond Issuing Expenses .....	5,000.00
Bond and Note Interest .....	500,000.00
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TOTAL .....	\$2,342,500.00
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STATE OF DELAWARE  
FISCAL STATEMENTS OF GOVERNOR J. CALEB BOGGS  
TO 119TH GENERAL ASSEMBLY—JANUARY 7, 1958  
FISCAL 1958 APPROPRIATIONS RECOMMENDED  
FOR REDUCTION

Highway—General Appropriation Act (HB 268 aa)

Maintenance

Operations .....	\$ 200,000.00
Repairs and Replacements .....	200,000.00

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400,000.00

Mosquito Control

Operations .....	100,000.00
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TOTAL ..... \$ 500,000.00

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SUSPENDED APPROPRIATIONS FOR FISCAL YEAR  
1959 RECOMMENDED FOR REPEAL

Contingency Fund (HB 316) .....	\$ 535,800.00
Department of Elections Expenses (SB 257) .	100,000.00
	(approximate)
Municipal Aid (HB 157 aa) .....	1,200,000.00
Education—Building and Grounds	
Supervisors (HB 267) .....	24,000.00
Education—Capital Outlay New Units	
(HB 315) .....	70,400.00
Education—Salaries School Lunch Employees	
(SB 240) .....	228,750.00
Education—Salaries Secretaries and Health	
(SB 366) .....	61,170.00
Education—School Secretaries (SB 320) ....	36,000.00
Education—Maintenance (HB 239) .....	662,635.00
General Appropriation Act (HB 268 aa) ....	58,388,640.53

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TOTAL ..... \$61,307,395.53

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At the end of the message by the Governor he was escorted from the Joint Session by the previously appointed committee.

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

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

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

House met in regular Session following the Joint Session.

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

**HB 444**—"An Act to Amend Chapter 17, Chapter 1, Delaware Code and Relating to Controlled-Access Facilities and Other Public Ways," by Hussey; to Public Buildings and Highways.

**HB 445**—"An Act to Amend Chapter 1, Title 17 of the Delaware Code Relating to the Authority of the Highway Department to Establish Controlled-Access Facilities," by Hussey; to Public Buildings and Highways.

**HB 333** was reported from the Miscellaneous Committee with four members signing favorably.

On motion by Mr. Snowden, the House adjourned until Friday, January 10th, 1958, at 1:00 P. M.

### 103RD LEGISLATIVE DAY

Dover, Delaware, January 10th, 1958

House met pursuant to adjournment at 2:23 P. M., on January 7th, 1958.

Prayer by Rev. Spry.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Pryor, Quigley, Richards, Shockley, Simpler, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—29.

Members absent—Messrs. Carpenter, Kauffman, Mills, Reed, Snedeker and Snowden—6.

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

**SCR 30**—"In Reference to Payment of Acco Binders for Digests for the Members of the 119th General Assembly," was given the first and second reading by title only and referred to the Miscellaneous Committee.

**SB 327**—"An Act to Amend Paragraph (8), Subsection (c), Section 132, Title 17, Delaware Code, Pertaining to the Power of the State Highway Department to Grant Franchises and Licenses to Use the State Highways," was given the first and second reading by title only and referred to the Public Buildings and Highways Committee.

Mr. Speaker signed **SCR 35**.

Mr. Speaker announced that there would be a Public Hearing held on **SB 261**, **SB 264**, **SB 265** and **SB 266** on Tuesday, January 14th, 1958, at 2:00 P. M.

Mr. Eskridge moved that **SB 149**—"An Act to Amend Chapter 3, Title 11 of the Delaware Code Relating to Specific Crimes by Regulating Certain Advertising of "Farmers Market" and "Farmers Auction Market," be taken up for consideration and read for the third time in order to pass the House.

Senator Pryor was given the privilege of the floor to explain the bill on request of Mr. Eskridge.

Roll Call revealed:

**YEAS**—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Keller, King, Lambert, Lawson, (Mrs.) Manning, Massey, McAllister, Pryor, Quigley, Richards, Shockley, Simpler, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—27.

**NAYS**—Messrs. Livingston and Wolf—2.

**ABSENT** — Messrs. Carpenter, Kauffman, Mills, Reed, Snedeker and Snowden—6.

**SB 149** having received the constitutional majority, passed the House and was ordered returned to the Senate.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 262**, and that the Senate had passed and requested the concurrence of the House in the following resolution: **SCR 36**.

The following bills were reported out of committee as follows: **HB 444** and **HB 445** from Public Buildings and Highways with 3 favorable; **HB 443** from Municipal Corporations, 5 favorable; **SB 364** from Claims, 2 favorable and 1 on merits; **SB 264** from Temperance, 4 favorable.

Mr. McAllister introduced the following resolution, which on further motion by him was adopted: **HR 112**—"Expressing the Sympathy of the House on the Illness of Representative Horace W. Mills."

**WHEREAS**, it has come to the attention of the House of the 119th General Assembly of the State of Delaware that Representative Horace W. Mills has been confined due to an unfortunate accident, and

**WHEREAS**, all the members of the House of the 119th General Assembly of the State of Delaware desire to express and extend their regret and sympathy unto Representative Horace W. Mills, **NOW THEREFORE**

**BE IT RESOLVED** that the members of the House of the 119th General Assembly of the State of Delaware do hereby express their best and sincere wishes for a rapid and complete recovery of his health.

**BE IT FURTHER RESOLVED** that a copy of this resolution be spread upon the Journal of the House of the 119th General Assembly of the State of Delaware and a copy be forwarded to Representative Horace W. Mills and a further copy be delivered to the Press.



Mr. Massey introduced the following resolution, which on further motion by him was adopted: **HR 113**—"Relative to the Payment on Account for Collecting Data, Compiling, Editing and Publishing the Weekly Calendar for the House of Representatives of the 119th General Assembly of the State of Delaware."

**BE IT RESOLVED** by the House of Representatives of the 119th General Assembly of the State of Delaware that the sum of Six Hundred Forty-one Dollars and Twenty-two Cents (\$641.22) is hereby appropriated out of the moneys of the State Treasury, not otherwise appropriated, for payment to The Elder Printing Service, of Dover, Delaware, the lowest and responsible bidder, for collecting data, compiling, editing and publishing the weekly calendar for the House of Representatives of the State of Delaware, said calendar being necessary to the business of the House and the expense thereof being a necessary expense connected with this Session.

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

**HB 446**—"An Act to Amend Chapter 11, Title 30, Delaware Code by Lowering the Rates of Tax on Individual Incomes After the Tax Year Ending December 31, 1959, by Quigley and Alexander; to Revenue and Taxation.

**HB 447**—"An Act to Amend Title 25, Delaware Code, Entitled "Property" by Validating Certain Instruments as Deeds," by Lawson; to Judiciary.

**HB 448**—"An Act to Amend Title 14, Delaware Code, Relating to the Public Schools of Delaware; Providing for the Automatic Closing and Suspension of Operation of Any Public School in the State Upon the Employ of Federal Troops in the Vicinity of Said School for Certain Purposes; Providing Certain Powers and Duties of School Board of Education in Connection With Such Closing of Schools," by West; to Education.

**HB 449**—"An Act to Amend Chapter 489, Volume 50 Laws of Delaware, (1955-56) and to Provide for the Use of the Old Detention Home as a Temporary Place of Residence for Persons on Probation or Released from Correctional Institutions," by Shockley; to Miscellaneous.

**HB 450**—"An Act to Amend Chapter 81, Title 9, Delaware Code, by Exempting Municipally Owned Real Estate from Taxation by Counties or Other Political Subdivisions," by Eskridge; to Revenue and Taxation.

**HB 451**—"An Act to Amend Chapter 283, Volume 51, Laws of Delaware, to Provide That Rehoboth Special School District be Permitted to Finance Capital Improvements Thereunder and Appropriating the Necessary Funds," by Reed; to Education.

**SCR 36**—"Relative to the Reporting Date of the Special Committee Created by Senate Concurrent Resolution 28 to Study the School Construction Program," to Education.

On motion by Mr. Quigley, the House adjourned until Monday, January 13th, 1958, at 1:00 P. M.

### 104TH LEGISLATIVE DAY

Dover, Delaware, January 13th, 1958

House met pursuant to adjournment at 2:23 P. M., on January 10th, 1958.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—32.

Members absent—Messrs. Carpenter, Massey and Wolf—3.

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

A communication was presented by Mr. Mayhew.

The following bills and resolution were reported out of committee as follows: **HB 448** from Education, 4 favorable and 1 unfavorable; **HB 303** from Revenue and Taxation, 3 favorable and 1 unfavorable; **HB 450** from Revenue and Taxation, 3 favorable and 1 on merits; **SCR 36** from Education, 4 favorable.

Mr. English introduced the following resolution, which on further motion by him was adopted: **HR 114**—"Authorizing the Payment of Certain Expenses of the House of Representatives for Telephone Service."

**BE IT RESOLVED** by the House of Representatives of the 119th General Assembly of the State of Delaware that the hereinafter named amounts are hereby appropriated out of any money in the State Treasury, not otherwise appropriated, on account of expenses connected with the present session and necessary to the work of the session, as follows:

The Diamond State Telephone Company, 124 South State Street, Dover, Delaware, for local service and equipment and calls on telephone numbered Dover 5711, Extensions 222, 223, 224, 228, covering the period from April 11, 1957 to and including June 10, 1957 ..... \$32.48

The Diamond State Telephone Company, 124 South State Street, Dover, Delaware, for local service and equipment and calls on telephone numbered Dover 5711, Extension 223, covering the period from June 11, 1957 to and including December 10, 1957 ..... \$55.98

Mrs. Manning moved that **HB 319** be given the third and final reading for the purpose of adding an amendment to the bill. Motion prevailed.

**HA 1** to **HB 319** was given the first and second reading. Mr. Quigley moved that the amendment be tabled.

Roll Call revealed:

YEAS—Messrs. Alexander, Betts, Cain, Clark, English, Eskridge, King, Livingston, McAllister, Mills, Pryor, Quigley, Shockley, Tribbitt, Walls, West, Mr. Speaker Mayhew—17.

NAYS—Messrs. Appleford, Bartleson, Ehinger, Kauffman, Keller, Lambert, Lawson, (Mrs.) Manning, Reed, Richards, Simpler, Snedeker, Snowden and Spicer—14.

ABSENT—Messrs. Carpenter, Hussey, Massey and Wolf—4.

Motion to table **HA 1** to **HB 319** prevailed.

On motion by Mrs. Manning, action was deferred on **HB 319**.

Mr. English moved that **SB 364**—"An Act Authorizing and Directing the Smyrna Special School District to Repay to Frank P. and Helen Johnson Certain School Tax Over-payments," be taken up for consideration and read for the third time in order to pass the House.

Roll Call revealed:

YEAS—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Kauffman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Mr. Speaker Mayhew—31.

NAYS—None.

ABSENT—Messrs. Carpenter, Hussey, Massey and Wolf—4.

**SB 364** having received the constitutional majority, passed the House and was ordered returned to the Senate.

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

**HB 452**—"An Act Making a Supplementary Appropriation to the State Board of Education, Certain School Districts and the Wilmington Board of Education for the Fiscal Year Ending June 30, 1958," by Snowden; to Appropriations.

**HB 453**—"An Act to Amend Section 4126, Title 21, Delaware Code, in Respect to Speed Limit for Motor Trucks and Motor Truck Tractors," by Mills; to Public Buildings and Highways.

**HB 454**—"An Act Making Appropriations for Certain Contingencies, for the Fiscal Year Ending June 30, 1959, and Prescribing Limitations Upon Use Thereof and the Powers and Duties of Budget Commission in Relation Thereto," by Snowden; to Appropriations.

**HB 455**—"An Act Making Appropriations for the Expenses of the State Government for the Fiscal Year Ending June 30, 1959 and Providing Authority for the Issuance of Revenue Anticipation Notes or Certificates," by Snowden; to Appropriations.

**HB 456**—"An Act to Amend Section 1191, Title 30, Delaware Code, Relating to Duties of Withholding Agent," by Lawson; to Revenue and Taxation.

**HB 457**—"An Act Amending Section 1171, (A), Title 30, Delaware Code, Relating to the Time, Place, and Manner of Payment of Income Tax," by Lawson; to Revenue and Taxation.

**HB 458**—"An Act to Amend Chapter 203, Volume 51, Laws of Delaware, Relating to School Districts Units and Repealing Appropriations for the Fiscal Year Beginning July 1, 1958," by Snedeker; to Education.

**HB 459**—"An Act to Amend Chapter 282, Volume 51, Laws of Delaware, Relating to Secretarial and Health Services for Certain Schools by Repealing Appropriations for the Fiscal Year Beginning July 1, 1958," by Bartleson; to Education.

**HB 460**—"An Act to Amend Chapter 250, Volume 51, Laws of Delaware, Relating to the Maintenance and Improvement of Public School Buildings by Repealing All Appropriations for the Fiscal Year Beginning July 1, 1958," by Bartleson; to Education.

**HB 461**—"An Act to Reduce Certain General Fund Appropriations and Authorizations to the State Highway Department for the Fiscal Year Ending June 30, 1958," by Keller and Appleford; to Appropriations.

**HB 462**—"An Act to Amend Title 15, Delaware Code, by Transferring the Obligation to Pay Certain Registration and Election Expenses from the State of Delaware to the Counties and the City of Wilmington; and Reverting the Unexpended Appropriations to the General Fund of the State of Delaware," by Ehinger; to Elections.

**HB 463**—"An Act to Amend Chapter 242, Volume 51, Laws of Delaware, Relating to State Supported Salary Schedules for School Employees," by Simpler; to Education.

**HB 464**—"An Act to Amend Section 703, Title 7, Delaware Code, Relating to Open Season for Game," by McAllister, Cain, Betts and Walls; to Fish, Oysters and Game.

**HB 465**—"An Act to Authorize the Townsend School District to Make Certain Tax Refunds," by Tribbitt; to Education.

**HB 466**—"An Act to Amend Chapter 283, Volume 51, Laws of Delaware, to Provide That Frederica School #32 be Permitted to Finance Capital Improvements Thereunder and Appropriating the Necessary Funds," by Simpler; to Education.

**HCR 16**—"Creating a Committee to Study All Tax Laws of the State of Delaware, Sources of Revenue, the Mandatory Appropriations of the State of Delaware, Make Recommendations Thereon, and Appropriating Funds Therefor," by Ehinger; Revenue and Taxation.

Mr. Speaker signed **HB 262**.

On motion of Mr. Quigley, the House adjourned until Tuesday, January 14th, 1958, at 1:00 P. M.

## 105TH LEGISLATIVE DAY

Dover, Delaware, January 14th, 1958

House met pursuant to adjournment at 2:05 P. M., on January 13th, 1958.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kaufman, Keller, King, Lambert, Lawson, Livingston, (Mrs.) Manning, Massey, McAllister, Mills, Pryor, Quigley, Reed, Richards, Shockley, Simpler, Snedeker, Snowden, Spicer, Tribbitt, Walls, West, Wolf, Mr. Speaker Mayhew—34.

Member absent—Mr. Carpenter—1.

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

Mr. Cain, Chairman of Committee on Passed Bills, delivered **HB 262** to the Governor.

**HB 465** was reported out of the Education Committee as favorable.

Mr. Speaker announced that the Public Hearing scheduled on **SB 261**, **SB 264**, **SB 265** and **SB 266** would begin.

Mr. John B. Jessup, foreman of the 1957 Grand Jury was the principal speaker for the bills and presented other speakers in behalf of the bills.

At the conclusion of the hearing a telegram, presented by Mr. Speaker Mayhew was read from the Council of Churches of Wilmington.

On motion of Mr. Quigley, the House adjourned until Wednesday, January 15th, 1958, at 1:00 P. M.

## 106TH LEGISLATIVE DAY

Dover, Delaware, January 15th, 1958

House met pursuant to adjournment at 2:16 P. M., on January 14th, 1958.

Prayer by the Chaplain, Rev. Donohoe.

Members present—Messrs. Alexander, Appleford, Bartleson, Betts, Cain, Clark, Ehinger, English, Eskridge, Hussey, Kauffman, Keller, King, Lamber, Lawson, Livingston, (Mrs.)