

ABSENT — Messrs. Brogan, Garton, Hicks, Maclary, Mayhew, Smith, Wilkinson—7.

PRESENT—Messrs. Donovan, Keel, Mattiford—3.

SB 383 not having received the constitutional majority, was lost.

Mr. Shockley moved that SB 436—"An Act to Amend Chapter 83, Title 11 of the Delaware Code Relating to Eligibility of State Police for 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. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Wood, Mr. Speaker Quigley—30.

NAYS—None.

NOT VOTING—Mr. Wolf—1.

ABSENT—Messrs. Hicks, Lester, Maclary—3.

PRESENT—Mr. Snowden—1.

SB 436 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Alexander moved that HB 393—"An Act Authorizing and Directing the State Highway Department to Install a Traffic Control Light at the Intersection of State Highway No. 71 and County Road No. 25 at Ginn's Corner Near Townsend, New Castle County," having been vetoed by the Governor, be taken up for consideration in order to pass the House over the Governor's veto.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Garton, Hastings, B. W. Johnson, Keel, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—25.

NAYS — Messrs. Lawson, Layton, Lester, Maclary, Snowden, Wolf, Wood—7.

NOT VOTING—Mr. T. S. Johnson—1.

ABSENT—Messrs. Eskridge and Hicks—2.

HB 393 having received the constitutional three-fifths majority, passed the House and was ordered to the Senate for concurrence.

The following bills were reported by the Committee on Appropriations: HB 460, 3 favorable, 1 on merits; SB 186, 3 on merits, 2 favorable; by the Committee on Labor: SS 1 for SB 474 with SA 1, 3 on merits, 1 favorable.

The Chair announced he is about to sign: **SB 24** with **HA 1**, **SB 130**, **SB 131**, **SB 133**, **SB 450** with **SA 1** and **HA 1** and **HA 2**, **SCR 20**, **SCR 24**.

The House recessed at 10:15 P. M.

The Speaker called the House to order at 10:50 P. M.

On motion of Mr. Macklin, the House Clock was stopped at 10:51 P. M.

The following were reported by the Committee on Revised Statutes: **SB 170** with **SA 1**, on merits; **SB 210**, on merits; by the Committee on Miscellaneous: **HCR 39**, favorably; **HB 596**, on merits; **SB 366**, on merits; **SJR 1**, favorably; by the Committee on Public Buildings and Highways: **HB 305**, favorably; by the Committee on Private Corporations: **SB 407**, favorably; by the Committee on Municipal Corporations: **HCR 42**, favorably.

On motion of Mr. Garton, House rules were suspended for action on **HCR 42**.

Mr. Garton moved that **HCR 42**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," be taken up for consideration and read for the third time in order to pass the House.

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

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

**NAYS**—Mr. Wolf—1.

**ABSENT**—Messrs. Hicks, Lester, Maclary, Mattiford—4.

**HCR 42** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

The Secretary of the Senate informed the House that the Senate had concurred in: **HCR 44**, **HB 119** with **HA 1**, **HA 2**, **HA 3** and **SA 1**, **HB 310**, **HB 382** with **SA 1**.

The Chair announced he is about to sign: **HCR 45**, **HS 1** for **HB 300**; **HS 1** for **HB 560**, **HB 636**, **HB 637**, **HB 639**.

Pursuant to a request for a report on **HB 297**, filed July 12, the Speaker ordered the chairman of the Appropriation Committee to report the bill.

On motion of Mr. Rowan, House rules were suspended so that the House could consider **HB 297**.

Mr. Rowan moved that **HB 297**—"An Act Authorizing the State Highway Department to Erect, Build and Construct a Dyke and Sluice at Blackbird Creek, Near Taylor's Bridge, in Blackbird Hundred and Appoquinimink Hundred, New

Castle County; Appropriation Therefor," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Rowan, **HA 1** was adopted.

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

**YEAS** — Messrs. Alexander, Brogan, Deputy, Garton, B. W. Johnson, Lawson, Layton, Livingston, Mayhew, Snowden, Walls, Wilkinson, Wood—13.

**NAYS**—Messrs. Bostick, Donovan, Eskridge, Hastings, Macklin, Pepper, Shockley, Mr. Speaker Quigley—8.

Messrs. Hastings and Pepper changed from yea to nay for purpose of restoration.

**NOT VOTING**—Messrs. Massey, Rowan, Mrs. Tunnell—3.

**ABSENT**—Messrs. Hicks, T. S. Johnson, Lester, Maclary, Mattiford, Nechay, Wolf—7.

**PRESENT**—Messrs. Clark, Keel, Queen, Smith—4.

**HB 297** with **HA 1** not having received the constitutional majority, was lost.

On motion of Mr. Rowan, House rules were restored.

Pursuant to a request for a report of **SB 104** with **SA 1**, filed July 13, the Speaker ordered the chairman of the Appropriation Committee to report the bill.

On motion of Mr. Garton, House rules were suspended so that the House could consider **SB 104** with **SA 1**.

Mr. Garton moved that **SB 104** with **SA 1**—"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, Deputy, Livingston, Macklin, Pepper, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wolf, Wood—13.

**NAYS** — Messrs. Bostick, Brogan, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Layton, Mayhew, Nechay, Mr. Speaker Quigley—11.

Messrs. Brogan and Garton changed from yea to nay for purpose of reconsideration.

**NOT VOTING**—Mr. Massey—1.

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

**PRESENT**—Messrs. Clark, Keel, Lawson, Queen, Wilkinson—5.

**SB 104** with **SA 1** not having received the constitutional majority, was lost.

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

Mr. Donovan moved that **HCR 43**—"Request to the Governor of the State of Delaware to Return House Bill No. 634 as Amended for Reconsideration," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS** — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, B. W. Johnson, Keel, Lawson, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Queen, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—27.

**NAYS**—None.

**ABSENT** — Messrs. Hastings, Hicks, T. S. Johnson, Layton, Lester, Maclary, Mattiford, Rowan—8.

**HCR 43** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

**SB 514**—"An Act to Amend An Act Entitled "An Act to Reincorporate the Town of Middletown", Being Chapter 128, Volume 33, Laws of Delaware, as Amended, to Provide for Paving or Repairing of Sidewalks, Streets, Curbs, and Gutters and to Order Connection With Water Main or Sewer Main in the Town of Middletown and to Provide for the Collection of Costs Thereof from Owners of the Land Abutting and to Provide That the Costs Thereof When Done by the Town of Middletown Shall be a Lien on the Property Recoverable by the Sale of Lands and Premises Affected as a Special Assessment," to Municipal Corporations.

Mr. Nechay presented a petition on **SB 263** with **SA 1**, which was read and ordered filed.

We, the undersigned Members, request that Senate Bill No. 263 with Senate Amendment No. 1 be brought out of Committee:

Messrs. Peter Nechay, H. C. Clark, Roland H. Wilkinson, Irving N. Garton, Charles W. Bostick, H. E. Mayhew, Thos. C. Rowan, B. Walter Johnson, Paul E. Shockley, P. F. Livingston, Ernest S. Mattiford, John J. Brogan, Nelson Massey, Earl Deputy, Norman A. Eskridge, Daniel J. Queen, Jr., Edgar Alexander, Ebe T. Layton, Leon H. Donovan.

On motion of Mr. Macklin, the House Clock was started.

The House adjourned at 11:00 P. M. until 1:00 P. M., Friday, July 15, 1955.



## 125TH LEGISLATIVE DAY

House met pursuant to adjournment at 3:30 P. M., on Friday, July 15, 1955.

Prayer by the Chaplain, Rev. Buckley.

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

Members absent—Messrs. Hicks and Wood—2.

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

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

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

Dover, July 15, 1955

To the House of Representatives of the State of Delaware:

This will advise that on July 14, 1955, I approved the following legislation:

Senate Bill 122 with SA 1—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.

Senate Bill 162—An Act to Amend Title 29, Delaware Code, Entitled "State Government" in Respect to the Printing, Binding and Distribution of the Session Laws.

Senate Bill 221—An Act to Amend Title 13 of the Delaware Code by Removing the Monetary Limits Relative to the Support of and Relative to the Medical and Lying-In Expenses Incident to the Birth of an Illegitimate Child.

Senate Bill 265—An Act to Prohibit the Selling, Offering for Sale or Possession of Knives Whose Blade is Released by a Spring Mechanism Including Knives Known as "Switch-blades"; Authorizing the Seizure, Confiscation and Destruction Thereof; and Providing Penalties.

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

Senate Bill 471 with SA 1—An Act to Authorize the Mayor and Council of Wilmington to Provide for the Planning, Acquisition, Purchase, Construction, Reconstruction, Improvement, Betterment, Extension, Operation, and Maintenance of

Revenue-Producing Undertakings for the Improvement of the Water Front and to Increase the Harbor Terminal and Shipping Facilities of the City of Wilmington; Authorizing and Regulating the Issuance of Bonds for Financing Such Undertakings; Providing for the Payment of Such Bonds and the Rights of the Holders Thereof.

Senate Bill 513—An Act to Amend Chapter 196, Volume 22, Part One, Laws of Delaware, Being An Act Establishing a Board of Public Works for the Town of Lewes and Defining Its Powers, by Repealing Senate Bill No. 213, Which Was Passed by 118th General Assembly and Approved by the Governor on May 5, 1955, and by Granting to the Said Board the Authority to Make Certain Additions and Improvements to the Municipal Electric Light Plant and Distribution System and to the Water Pumping and Distribution Facilities, on Credit, Pledging the Revenues from Those Two Utilities for the Payment of the Cost Thereof.

House Bill 101—An Act to Appropriate Funds to the State Development Department for the Preparation and Publication of a State Information Booklet.

House Bill 165—An Act Providing for the Acquisition of Lands Constituting the Bottom of Horsey's Pond and Appropriating Certain Moneys to the State Highway Department for the Construction of a Dam and Sluiceway at the Old Dam Site.

House Bill 167 with HA 1—An Act Making an Appropriation to Delaware State College to Provide for the Erection of Certain Buildings and for the Equipping and Furnishing Thereof.

House Bill 219—An Act to Appropriate Funds to the State Board of Education for Payment of Substitute Teachers.

House Bill 268 with HA 1—An Act Making an Appropriation to the Department of Civil Defense for the Purpose of Purchasing Civil Defense Equipment and for Other Purposes Authorized by the Federal Civil Defense Matching Fund Program.

House Bill 275—An Act to Amend Chapter 55, Title 14, Delaware Code, Relative to Appropriating Certain Money to the University of Delaware for the Purpose of Establishing Scholarships at the University of Delaware.

House Bill 318 with HA 1—An Act to Amend Title 14, Delaware Code, by Providing for the Pay of Teachers and Other School Employees During Absences for Certain Reasons.

House Bill 331—An Act to Amend Chapter 7, Title 7, Delaware Code, Relative to Sale of Game Birds, Game Fish, and Game Animals and the Penalties Provided Therefor.

House Bill 342—An Act to Amend Chapter 1, Title 19, Delaware Code, Relating to Labor Commission of Delaware by Increasing the Salary of the Labor Inspector.

House Bill 343—An Act to Amend Chapter 1, Title 19, Delaware Code, Relating to the Labor Commission of Delaware by Increasing the Salary of the State Child Labor Inspector.

House Bill 370—An Act to Amend Chapter 37, Title 11, Delaware Code, Relating to the Crimes of Larceny and Driving Vehicle Without Consent of Owner.

House Bill 403 with HA 1—An Act to Amend Chapter 55, Title 29, Delaware Code, Entitled "Employees' Pension Plan" by Altering Various Provisions Thereof.

House Bill 419—An Act to Amend Section 2103, Title 30, Delaware Code, Relating to Duties of the Tax Department as to Licenses.

House Bill 420—An Act to Amend Section 363, Title 30, Delaware Code, Relating to List of Income Tax Taxables.

House Bill 517 with HA 1—An Act Appropriating Certain Moneys to Mary B. Maybee, Widow of Lyle T. Maybee in the Death of Her Husband, While in Performance of Official Duties in Line of Service of the State of Delaware.

HS 1 for House Bill 548—An Act to Amend An Act Entitled, "An Act to Incorporate the Town of Bethany Beach and Give It Authority to Issue Bonds", Being Chapter 212, Volume 25, Laws of Delaware, as Amended, Relative to the Election of the Commissioners of Bethany Beach.

House Bill 588 with HA 1—An Act to Amend Chapter 81, Title 9, Delaware Code, Relating to Specific Organizations Exempt from Certain Taxation and Assessment of Real Property.

House Bill 629—An Act to Provide for Payments to Persons Who Served in the Armed Forces of the United States During the Period Beginning June 25, 1950, and Ending January 31, 1955, and to Designated Beneficiaries of Such Persons; to Recreate and Reestablish the Delaware Veterans' Military Pay Commission to Carry Out Certain Provisions of This Act; to Authorize the Selection of Assistants to Said Commission; to Provide for a Review of Decisions Affecting Claims Made Under the Act; to Make Appropriations and to Authorize the Issuance of Bonds and Bond Anticipation Notes of the State of Delaware to Carry Out the Provisions of This Act; to Accept Federal Supplementary Funds for Said Purpose; and to Prescribe Penalties for Violations of the Provisions of This Act.

House Bill 632—An Act to Amend Chapter 7, Title 7, Delaware Code, Relating to Regulations and Prohibitions Concerning Hunting and Trapping Devices and Methods.

House Bill 635—An Act to Require the State Highway Department to Install Traffic Light Controls for Certain Fire Companies.

House Bill 454—An Act to Amend Chapter 237, 46 Delaware Laws, as Amended, Relating to Pension Benefits to Employees of the Mayor and Council of Wilmington.

HS 1 for House Bill 497—An Act to Amend Chapter 57, Title 29, Delaware Code, Relating to Social Security.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Hastings, **HB 297** was restored to the calendar.

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

**HS 1** for **HB 573**—"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 Donovan; to Appropriations.

**HB 641**—"An Act Authorizing the Recorder of Kent County to Procure a New Seal," by Queen; to Private Corporations.

**HB 642**—"An Act to Amend Chapter 96, Title 9, Delaware Code, With Respect to Recording Fees in Kent and Sussex Counties," by Queen; to Private Corporations.

**HB 643**—"An Act Appropriating Funds to the State Building and Ground Commission for the Construction of Certain Facilities for the New State Armory to be Built at Dover," by Queen; to Appropriations.

**HB 644**—"An Act to Amend Chapter 35, Title 11, Delaware Code, as Amended by An Act of the 118th Session of the General Assembly Providing for the Admission in Evidence of the Weight of Alcohol in the Blood of a Person Being Tried for Operating a Motor Vehicle While Under the Influence of Intoxicating Liquor," by Queen; to Private Corporations.

Mr. Donovan, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: June 30, 1955—**HB 290** with **HA 1**; July 6, 1955—**HB 582**, **HB 470**, **HS 1** for **HB 520**, **HB 316**, **HB 240**, **HB 264**, **HB 277**, **HB 393**, **HB 322**, **HB 189** with **HA 1**, **HB 621**, **HB 610** with **HA 1**, **HB 355**, **HB 542**, **HB 435**, **HB 384**, **HB 634** with **SA 1**, **HB 348**, **HB 67** with **HA 1**, **HB 269**, **HS 1** for **HB 541**, **HS 1** for **HB 497**; Bills over Governor's veto—**HB 605**, **HB 606**, **HB 607**, **HB 56** with **SA 1**.

Mr. Nechay moved that **HB 640**—"An Act Making Certain Supplementary Appropriations for the Expenses of Certain State Agencies for Each of the Fiscal Years Ending June 30, 1956, and June 30, 1957," be taken up for consideration and read for the third time in order to pass the House.

**HA 1** was adopted on motion of Mr. Nechay.

**HA 2** was adopted on motion of Mr. Nechay.

**HA 3**, introduced by Mr. Maclary, was lost.

**HA 4**, introduced by Mr. Lawson, was lost.

**HA 5**, introduced by Mr. Lester, was lost.

**HA 6**, introduced by Mr. Maclary, was lost.

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

**YEAS** — Messrs. Alexander, Bostick, Brogan, Deputy, Donovan, Hastings, B. W. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—26.

**NAYS**—None.

**ABSENT**—Messrs. Clark, Eskridge, Garton, Hicks, T. S. Johnson, Massey, Snowden, Wolf, Wood—9.

**HB 640** with **HA 1** and **HA 2** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Brogan moved that **HB 119** with **HA 1**, **HA 3** and **HA 4** and **SA 1**—"An Act to Amend Chapter 29, Title 29, Delaware Code; Relating to the "State Treasurer", by Providing That the Salaries of State Officials and Employees be Paid Semi-Monthly," be taken up for consideration in order to pass the House.

**SA 1** was adopted on motion of Mr. Brogan.

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

**YEAS** — Messrs. Alexander, Bostick, Brogan, Deputy, Donovan, Eskridge, Hastings, B. W. Johnson, Keel, Layton, Lester, Livingston, Macklin, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—25.

**NAYS**—Mr. Lawson—1.

**ABSENT**—Messrs. Clark, Garton, Hicks, T. S. Johnson, Maclary, Massey, Snowden, Wolf, Wood—9.

**HB 119** with **HA 1**, **HA 3** and **HA 4** and **SA 1** having received the required constitutional majority, passed the House.

Mr. Mayhew moved that **SS 1** for **SB 424**—"An Act to Prevent Insurance Companies from Asserting the Defense of Sovereignty Where Property of the State of Delaware or Any Political Subdivision Thereof is Insured," be taken up for consideration and read for the third time in order to pass the House.

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

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

NAYS—None.

ABSENT—Messrs. Clark, Garton, Hicks, T. S. Johnson, Massey, Snowden, Wolf, Wood—8.

SS 1 for SB 424 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Shockley moved that SB 444—"An Act to Amend Chapter 83, Title 11 of the Delaware Code Relating to the Eligibility for Pensions of Dependents of the State Police," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Deputy, Donovan, Eskridge, Hastings, B. W. Johnson, Keel, Lawson, Layton, Livingston, Macklin, Maclary, Mattiford, Mayhew, Pepper, Queen, Rowan, Shockley, (Mrs.) Tunnell, Walls, Mr. Speaker Quigley—23.

NAYS—None.

ABSENT—Messrs. Clark, Garton, Hicks, T. S. Johnson, Lester, Massey, Nechay, Smith, Snowden, Wilkinson, Wolf, Wood—12.

SB 444 having received the constitutional majority, passed the House and was ordered returned to the Senate.

The following bill was reported by the Committee on Revenue and Taxation: SB 216, on merits.

House rules were suspended on motion of Mr. Queen, for the following bills to be reported by the Committee on Private Corporations: HB 641, favorably; HB 642, favorably; HB 644, favorably; by the Committee on Appropriations: HS 1 for HB 573, 2 favorable, 2 on merits; HB 643, on merits.

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

Mr. Tunnell moved that HB 382 with SA 1—"An Act to Amend Chapter 3, Title 11, Subchapters IX and X, Delaware Code, by Providing That Breaking and Entering the Dwelling House or Other Buildings of Another With Intent to Commit a Crime is Burglary, or Breaking Out of Any Building After Committing a Crime Therein is Burglary; Defining and Providing for the Punishment of the Crimes of Burglary in the First, Second, Third and Fourth Degrees; Defining and Providing for the Punishment of the Crime of Unlawful Entry of a Building With Intent to Commit a Crime; Defining and Providing for the Punishment of the Crime of Simple Breaking and Entering of a Building; Providing for the Punishment and Manner of Prosecution for Separate Crime Committed in Building by Burglar; and Providing That No Act Committed or Criminal Proceeding Commenced Prior to the Approval of This Act Shall be Affected Hereby," be taken up for consideration in order to pass the House.

SA 1 was adopted on motion of Mrs. Tunnell.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Deputy, Eskridge, Hastings, Lawson, Livingston, Macklin, Maclary, Mattiford, Mayhew, Nechay, Pepper, Queen, Shockley, (Mrs.) Tunnell, Walls, Mr. Speaker Quigley—19.

NAYS—Messrs. Donovan, B. W. Johnson, Keel, Smith—4.

ABSENT—Messrs. Clark, Garton, Hicks, T. S. Johnson, Layton, Lester, Massey, Rowan, Snowden, Wilkinson, Wolf, Wood—12.

**HB 382** with **SA 1** having received the constitutional majority, passed the House.

At the request of Mr. Speaker Quigley, Mr. Pepper took over the Chair.

Mr. Queen moved that **HB 633**—"An Act to Amend Titles 16 and 30, Delaware Code, With Respect to Permits for Public Eating Places and Approval of Construction and Reconstruction of Buildings to be Used for Such Purposes," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Brogan, Deputy, Donovan, Eskridge, Hastings, B. W. Johnson, Keel, Lawson, Livingston, Macklin, Maclary, Mattiford, Nechay, Pepper, Queen, Shockley, Smith, (Mrs.) Tunnell, Walls, Mr. Speaker Quigley—21.

NAYS—None.

ABSENT—Messrs. Clark, Garton, Hicks, T. S. Johnson, Layton, Lester, Massey, Mayhew, Rowan, Snowden, Wilkinson, Wolf, Wood—13.

PRESENT—Mr. Alexander—1.

**HB 633** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The House recessed at 5:00 P. M.

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

The Secretary of the Senate informed the House that the Senate had passed and requested the concurrence of the House in the following substitute bill, which was presented by the Chair, given its first and second readings by title only and referred to committee as follows:

**SS 1** for **SB 472**—"An Act to Amend Chapter 3, Title 17 of the Delaware Code Entitled "The Delaware Memorial Bridge" by Reorganizing and Reconstituting the Delaware Memorial Bridge Division of the State Highway Department as the Delaware Interstate Highway Division; by Authorizing Said Division to Issue Revenue Bonds to Finance the Construction and Reconstruction of Highways in the Interstate System, Bridge Approaches, By-Passes, for the Construction of Toll Crossings Over and Under the Delaware River, and for

Refunding Purposes; and by Vesting in the Delaware Interstate Highway Division the Maintenance, Repair and Operation of the Delaware Memorial Bridge," to Manufacturers and Commerce.

The House recessed at 5:30 P. M.

The Speaker called the House to order at 8:30 P. M.

Mr. Donovan, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: July 8, 1955—**HB 122, HB 142, HB 312, HB 455, HB 457** with **SA 1, HB 469, HB 483**. July 11, 1955 — **HS 1** for **HB 223** with **SA 1, HB 369** with **HA 1**, passed over Governor's veto; July 14, 1955—**HB 101, HB 165, HB 167** with **HA 1, HB 219, HB 268** with **HA 1, HB 275, HB 318** with **HA 1, HB 331, HB 342, HB 343, HB 370, HB 403** with **HA 1, HB 419, HB 420, HB 454, HB 517** with **HA 1, HS 1** for **HB 548, HB 555** with **HA 1** and **HA 2, HB 588** with **HA 1, HB 629, HB 631** with **HA 1, HB 632, HB 635, HCR 38, HCR 41, HCR 40**.

Mr. Macklin moved that **HB 447**—"An Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for Said Purposes; Authorizing the Financing of Such Enlargement and Improvement by the Issuance of Bonds and Bond Anticipation Notes of the State and by Contributions from Certain School Districts, and the City of Wilmington, Defining School Districts; Authorizing the Issuance of Bonds of Certain School Districts and the City of Wilmington for the Purpose of Raising Money to Make Such Contributions; and Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions," be taken up for consideration and read for the third time in order to pass the House.

**HA 1** was adopted on motion of Mr. Keel.

**HA 2** was adopted on motion of Mr. Macklin.

**HA 3** was adopted on motion of Mr. Macklin.

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

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

**NAYS**—None.

**ABSENT**—Messrs. Hicks, Rowan, Wood—3.

**HB 447** with **HA 1, HA 2** and **HA 3** 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 553** with **HA 1**, also over the Governor's veto: **HB 197** and **HB 393**.

The Chair announced he is about to sign the following Senate Bills: **SS 1** for **SB 424**, **SB 436**, **SB 444**, **SB 494**.

On motion of Mr. Queen the House rules were suspended to act on **HB 641**, **HB 642**, **HB 643**, **HB 644**, and **HS 1** for **HB 573**.

Mr. Queen moved that **HB 644**—"An Act to Amend Chapter 35, Title 11, Delaware Code, as Amended by An Act of the 118th Session of the General Assembly Providing for the Admission in Evidence of the Weight of Alcohol in the Blood of a Person Being Tried for Operating a Motor Vehicle While Under the Influence of Intoxicating Liquor," be taken up for consideration and read for the third time in order to pass the House.

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

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

**NAYS**—None.

**ABSENT** — Messrs. Hicks, Lester, Livingston, Rowan, Wood—5.

**HB 644** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Queen moved that **HB 641**—"An Act Authorizing the Recorder of Kent County to Procure a New Seal," be taken up for consideration and read for the third time in order to pass the House.

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

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

**NAYS**—None.

**ABSENT** — Messrs. Hicks, Lester, Livingston, Rowan, Wood—5.

**HB 641** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Queen moved that **HB 642**—"An Act to Amend Chapter 96, Title 9, Delaware Code, With Respect to Recording Fees in Kent and Sussex Counties," be taken up for consideration and read for the third time in order to pass the House.

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

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

NAYS—None.

ABSENT—Messrs. Hicks, B. W. Johnson, Lester, Rowan, Wood—5.

**HB 642** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Queen moved that **HB 643**—"An Act Appropriating Funds to the State Building and Grounds Commission for the Construction of Certain Facilities for the New State Armory to be Built at Dover," be taken up for consideration and read for the third time in order to pass the House.

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

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

NAYS—None.

ABSENT — Messrs. Donovan, Hicks, B. W. Johnson, Lester, Nechay, Rowan, Wood—7.

**HB 643** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Donovan, **HS 1** for **HB 573** was adopted.

Mr. Donovan moved that **HS 1** for **HB 573**—"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 consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Keel, Layton, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—27.

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

ABSENT—Messrs. Hicks, Lester, Rowan, Wood—4.

**HS 1** for **HB 573** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

The following bill was reported by the Committee on Municipal Corporations: **SB 514**, favorably.

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

**SCR 25**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," to Miscellaneous.

**SB 163**—"An Act to Amend the Constitution of the State of Delaware by Inserting at the End Thereof an Article Providing for Municipal Home Rule," to Municipal Corporations.

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

**HCR 46**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," by Queen and Quigley; to Miscellaneous.

On motion of Mr. Donovan, **HS 1** for **HB 586** was adopted.

Mr. Donovan moved that **HS 1** for **HB 586**—"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," be taken up for consideration and read for the third time in order to pass the House.

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

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

**NAYS**—None.

**ABSENT**—Messrs. Hicks, Lawson, Lester, Rowan, Wood—5.

**HS 1** for **HB 586** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Livingston moved that **HB 185**—"An Act Amending Title 19, Delaware Code, Creating a State Commission Against Discrimination in Employment of Persons Because of Race, Creed, Color or National Origin," having had its third reading, be taken up for consideration in order to pass the House.

On motion of Mr. Rowan, **HA 1** was adopted.

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

YEAS — Messrs. Alexander, Brogan, Clark, Deputy, Lawson, Macklin, Rowan, Snowden, (Mrs.) Tunnell, Wilkinson, Wolf, Mr. Speaker Quigley—12.

NAYS—Messrs. Donovan, Eskridge, B. W. Johnson, Keel, Layton, Livingston, Massey, Mayhew, Nechay, Pepper, Shockley, Walls—12.

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

NOT VOTING—Mr. Bostick—1.

ABSENT—Messrs. Garton, Hicks, T. S. Johnson, Lester, Maclary, Smith, Wood—7.

PRESENT—Messrs. Hastings, Mattiford, Queen—3.

**HB 185** with **HA 1** not having received the constitutional majority, was lost.

On motion of Mr. Livingston, **HB 185** with **HA 1** was restored to the calendar.

Mr. Lawson moved that **HB 243**—"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," having had its third reading, be taken up for consideration in order to pass the House.

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

YEAS — Messrs. Lawson, Layton, Macklin, Mattiford, Nechay, Queen, Rowan, Snowden, (Mrs.) Tunnell, Wolf—10.

NAYS—Messrs. Bostick, Donovan, Eskridge, Hastings, B. W. Johnson, Livingston, Pepper, Shockley, Walls, Mr. Speaker Quigley—10.

NOT VOTING—Mr. Deputy—1.

ABSENT — Messrs. Alexander, Brogan, Garton, Hicks, T. S. Johnson, Lester, Maclary, Smith, Wood—9.

PRESENT — Messrs. Clark, Keel, Massey, Mayhew, Wilkinson—5.

**HB 243** not having received the constitutional majority, was lost.

On motion of Mr. Macklin, House rules were suspended in order to act on **SCR 25** and **HCR 46**.

The following were reported by the Committee on Miscellaneous: **SCR 25**, favorably; **HCR 46**, favorably.

Mr. Bostick moved that **SCR 25**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Brogan, Clark, Donovan, Garton, Hastings, Keel, Lawson, Layton, Livingston, Macklin,

Massey, Mayhew, Pepper, Queen, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Mr. Speaker Quigley—23.

NAYS—None.

NOT VOTING—Mr. Deputy—1.

ABSENT — Messrs. Alexander, Eskridge, Hicks, B. W. Johnson, T. S. Johnson, Lester, Maclary, Mattiford, Nechay, Smith, Wood—11.

SCR 25 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Bostick, on behalf of Mr. Quigley, moved that **HCR 46**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," be taken up for consideration and read for the third time in order to pass the House.

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

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

NAYS—Messrs. Lawson and Wolf—2.

NOT VOTING—Mr. Maclary—1.

ABSENT—Messrs. Deputy, Hicks, Lester, Livingston, Queen, Snowden, Wood—7.

PRESENT—Mr. T. S. Johnson—1.

**HCR 46** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

Mr. Pepper moved that **HB 277**—"An Act to Amend Chapter 19, Title 7, Delaware Code, With Respect to the Leasing of Acreage for Shell Fisheries in Rehoboth Bay and Indian River Bay," be taken up for consideration in order to pass the House over the Governor's veto.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, B. W. Johnson, Keel, Layton, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—25.

NAYS—Messrs. Lawson and Wolf—2.

NOT VOTING—Mr. T. S. Johnson—1.

ABSENT—Messrs. Hastings, Hicks, Lester, Livingston, Maclary, Snowden, Wood—7.

**HB 277** having received the constitutional three-fifths majority, passed the House and was ordered to the Senate for concurrence.

Mr. Mayhew moved that **SB 319**—"An Act to Amend Chapter 1, Title 5 of the Delaware Code Relating to the State Bank Commissioner Affecting His Appointment, Removal, Term and Bond," be taken up for consideration in order to pass the House over the Governor's veto.

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

**YEAS** — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Layton, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—25.

**NAYS** — Messrs. Lawson, Maclary, Rowan, Snowden, Wood—5.

**NOT VOTING**—Mr. T. S. Johnson—1.

**ABSENT**—Messrs. Hicks, Lester, Livingston, Wood—4.

**SB 319** having received the constitutional three-fifths majority, passed the House and was ordered returned to the Senate.

Mr. Lawson moved that **HB 251**—"An Act Creating a Traffic Engineering Bureau in the Street and Sewer Department of the Mayor and Council of Wilmington, Prescribing the Rights and Duties of Said Bureau, Providing for the Employment of Personnel Within Said Bureau and Authorizing the Council of the Mayor and Council of Wilmington to Dispose of Parking Meter Collections," having had its third reading, be taken up for consideration in order to pass the House.

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

**YEAS**—Messrs. Clark, Deputy, Garton, Hastings, T. S. Johnson, Keel, Lawson, Macklin, Maclary, Massey, Mattiford, Nechay, Queen, Rowan, Snowden, (Mrs.) Tunnell, Wolf—17.

**NAYS**—Messrs. Alexander, Bostick, Brogan, Donovan, B. W. Johnson, Shockley, Walls, Wilkinson—8.

**NOT VOTING**—Mr. Pepper—1.

**ABSENT** — Messrs. Eskridge, Hicks, Layton, Lester, Livingston, Mayhew, Wood—7.

**PRESENT**—Mr. Smith and Mr. Speaker Quigley—2.

**HB 251** *not* having received the constitutional majority, was lost.

Mr. Pepper moved that **HB 513**—"An Act Authorizing and Directing the State Highway Department to Pay Thirty-Five Hundred Dollars to Carey D. Sapp for Damages to Property in Milton, Sussex County, Delaware, Widening Union and Federal Streets in 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. Alexander, Clark, Deputy, Hastings, B. W. Johnson, T. S. Johnson, Layton, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—21.

NAYS—Messrs. Garton, Lawson, Livingston, Snowden—4.

NOT VOTING—Messrs. Brogan and Wolf—2.

ABSENT — Messrs. Donovan, Eskridge, Hicks, Lester, Maclary, Wood—6.

PRESENT—Messrs. Bostick and Keel—2.

**HB 513** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Macklin moved that **HCR 39**—"Authorizing and Directing the Secretary of the Senate and the Chief Clerk of the House to Deposit Certain Senate and House Records With the Public Archives Commission for Preservation," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Garton, Hastings, T. S. Johnson, Keel, Lawson, Layton, Livingston, Macklin, Massey, Mattiford, Nechay, Pepper, Queen, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—25.

NAYS—None.

ABSENT — Messrs. Donovan, Eskridge, Hicks, B. W. Johnson, Lester, Maclary, Mayhew, Rowan, Wolf, Wood—10.

**HCR 39** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Pepper moved that **SB 170** with **SA 1**—"An Act Amending Title 11, Delaware Code, Relating to Prisons and Prisoners, and Creating a State Board of Corrections, Having Responsibility for the Care, Supervision and Administration of Prisoners, Correctional Facilities and Prisoners in Lieu of County Boards and Officers and the Transferring of Property and Prisoners to the Jurisdiction of the State, Defining Certain Crimes, Appropriating Funds and Repealing Contrary Provisions," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Brogan, Clark, Deputy, Garton, Hastings, B. W. Johnson, Lawson, Layton, Livingston, Macklin, Maclary, Queen, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Wolf, Mr. Speaker Quigley—19.

NAYS — Messrs. Bostick, Donovan, Massey, Pepper, Walls—5.

NOT VOTING—Messrs. T. S. Johnson, Keel, Wilkinson—3.

ABSENT — Messrs. Eskridge, Hicks, Lester, Nechay, Smith, Wood—6.

PRESENT—Messrs. Mattiford and Mayhew—2.

SB 170 with SA 1 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Macklin, the House Clock was stopped at 10:50 P. M.

The Chair announced he is about to sign: HB 119 with HA 1, HA 3, and HA 4 and SA 1, and HB 310 with HA 1.

The Secretary of the Senate informed the House that the Senate had concurred in HB 213, HS 1 for HB 245 with HA 1, HB 274, HB 640 with HA 1 and HA 2, and SA 1, HB 641, HB 643, HB 644, and that the Senate had passed and requested the concurrence of the House in SB 406 and SB 518.

Mr. Garton moved that SB 151—"An Act to Amend Chapter 25, Title 29 of the Delaware Code Relating to the Salary of the Register of Wills of Kent County," having had its third reading, be taken up for consideration in order to pass the House.

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

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

NAYS—Messrs. Lawson and Lester—2.

NOT VOTING—Messrs. Maclary and Wolf—2.

ABSENT—Messrs. Donovan, Hicks, Mattiford, Wood—4.

PRESENT—Mr. Snowden—1.

SB 151 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Alexander moved that SB 502—"An Act to Amend Chapter 162, Volume 37, Laws of Delaware by Prohibiting the Introduction of Fluorine Into Drink Water by the City of Milford for One Year and Providing for a Referendum Thereafter," be taken up for consideration and read for the third time in order to pass the House.

Action deferred on motion of Mr. Alexander.

Mr. Macklin introduced the following resolution, which upon further motion by him was adopted: HR 111—"Discharging Certain Officers of the House, Naming Certain Officers to Serve the House at a Later Date, and Suspending Printing of the House Calendar."



BE IT RESOLVED by the House of Representatives of the 118th General Assembly of the State of Delaware that at the close of the 125th legislative day of this Session all officers and employees of the House except Bill Clerk S. Elwood Veasey and Chief Clerk John E. Babiarz are discharged and released from their duties, with the sincere thanks of the members of the House for their loyal and competent service.

BE IT FURTHER RESOLVED that the following named officers are hereby elected to serve the House in the capacities indicated on Monday, August 1, 1955, for such time as their services shall be required:

Assistant Chief Clerk—Melville C. Taylor  
 Chaplain—Rev. Frank G. Buckley  
 Attorney—James H. Hughes, III  
 Reading Clerk—John Walmsley  
 Stenographer—Mary W. Rawlins  
 Stenographer—Clara Campese  
 Speaker's Clerk—Leon Bacon  
 Machine Operator—Howard Lane, Jr.  
 Sergeant-at-Arms—Martin J. Walsh  
 Door Tender—Michael Watson  
 Door Tender—Charles Warner  
 Mail Clerk—Grover C. Dill  
 Page—Dorothy B. Green  
 Majority Leader's Clerk—Constance M. Barto  
 Minority Leader's Clerk—Francis E. Holliday

BE IT FURTHER RESOLVED that no further House Calendars shall be printed until the calendar for August 1, 1955.

The Chair announced he is about to sign the following:  
**HCR 43, HB 213, HB 274, HB 553 with HA 1, HB 641, HB 643, HB 644.**

On motion of Mr. Queen, the House Rules were suspended in order to act on **SB 514**.

Mr. Garton moved that **SB 514**—"An Act to Amend An Act Entitled "An Act to Reincorporate the Town of Middletown", Being Chapter 128, Volume 33, Laws of Delaware, as Amended, to Provide for Paving or Repairing of Sidewalks, Streets, Curbs, and Gutters and to Order Connection With Water Main or Sewer Main in the Town of Middletown and to Provide for the Collection of Costs Thereof from Owners of the Land Abutting and to Provide That the Costs Thereof When Done by the Town of Middletown Shall be a Lien on the Property Recoverable by the Sale of Lands and Premises Affected as a Special Assessment," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS** — Messrs. Alexander, Bostick, Clark, Deputy, Donovan, Garton, Hastings, B. W. Johnson, T. S. Johnson, Keel, Lawson, Livingston, Macklin, Maclary, Massey, Matti-

ford, Mayhew, Pepper, Queen, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Mr. Speaker Quigley—27.

NAYS—None.

NOT VOTING—Mr. Brogan—1.

ABSENT — Messrs. Eskridge, Hicks, Layton, Lester, Nechay, Wood—6.

PRESENT—Mr. Rowan—1.

SB 514 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Queen moved that SB 407 with SA 1—"An Act to Amend Title 29 of the Delaware Code by Creating the Board of Post Mortem Examiners and the Post of State Medical Examiner and Defining the Powers and Duties Thereof," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Garton, Hastings, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Mr. Speaker Quigley—29.

NAYS—Mr. Donovan—1.

ABSENT—Messrs. Eskridge, Hicks, Lester, Smith, Wood—5.

SB 407 with SA 1 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Livingston moved that HB 88—"An Act to Amend Chapter 96, Title 9, Delaware Code, Relating to Recorders; Compensation," be taken up for consideration and read for the third time in order to pass the House.

HA 1 was adopted on motion of Mr. Livingston.

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

YEAS—Messrs. Brogan, Clark, Eskridge, Garton, T. S. Johnson, Lawson, Livingston, Macklin, Massey, Mattiford, Nechay, Pepper, Queen, Rowan, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—19.

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

NOT VOTING—Messrs. Bostick, Deputy, Wolf—3.

ABSENT—Messrs. Alexander, Hastings, Hicks, B. W. Johnson, Lester, Shockley, Wood—7.

PRESENT—Messrs. Donovan, Keel, Mayhew—3.

HB 88 with HA 1 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mrs. Tunnell, HS 1 for HB 125 was adopted.

Mrs. Tunnell moved that **HS 1** for **HB 125**—"An Act to Amend Chapter 39, Title 14, Delaware Code, Relating to Teachers' Retirement and Disability Benefits," be taken up for consideration and read for the third time in order to pass the House.

**HA 1** was adopted on motion of Mrs. Tunnell.

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

**YEAS** — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Hastings, T. S. Johnson, Keel, Lawson, Layton, Livingston, Massey, Mattiford, Mayhew, Pepper, Queen, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—25.

**NAYS**—None.

**NOT VOTING**—Messrs. Maclary and Wolf—2.

**ABSENT**—Messrs. Garton, Hicks, B. W. Johnson, Lester, Macklin, Nechay, Smith, Wood—8.

**HS 1** for **HB 125** with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

At request of Mr. Speaker Quigley, Mr. Mayhew took over the Chair.

Mr. Massey moved that **SB 402**—"An Act to Amend Chapter 15, Title 10, of the Delaware Code Relating to the Court of Common Pleas 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. Alexander, Bostick, Brogan, Clark, Deputy, Lawson, Layton, Macklin, Massey, Mayhew, Shockley, Mrs. Tunnell—12.

**NAYS**—Messrs. Donovan, Garton, B. W. Johnson, Keel, Livingston, Queen—6.

**NOT VOTING** — Messrs. Eskridge, Maclary, Pepper, Snowden, Wolf—5.

**ABSENT**—Messrs. Hicks, T. S. Johnson, Lester, Nechay, Smith, Wilkinson, Wood, Mr. Speaker Quigley—8.

**PRESENT**—Messrs. Hastings, Mattiford, Rowan, Walls—4.

**SB 402** not having received the constitutional majority, was lost.

The Secretary of the Senate informed the House that the Senate had concurred in: **HCR 42**, **HB 447** with **HA 1**, **HA 2**, and **HA 3**, **HS 1** for **HB 586** with **SA 1**.

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

The following bill was reported by the Committee on Manufacturers and Commerce: **SS 1** for **SB 472** with **SA 2**, **SA 3** and **SA 4**, favorably.

While under suspension of rules, Mr. Wolf's motion to bring out **HB 392** was tabled.

Mr. Speaker Quigley returned to the Chair.

Mr. Wilkinson moved that **SS 1** for **SB 472** as Amended—"An Act to Amend Chapter 3, Title 17 of the Delaware Code Entitled "The Delaware Memorial Bridge" by Reorganizing and Reconstituting the Delaware Memorial Bridge Division of the State Highway Department as the Delaware Interstate Highway Division; by Authorizing Said Division to Issue Revenue Bonds to Finance the Construction and Reconstruction of Highways in the Interstate System, Bridge Approaches, By-Passes, for the Construction of Toll Crossings Over and Under the Delaware River, and for Refunding Purposes; and by Vesting in the Delaware Interstate Highway Division the Maintenance, Repair and Operation of the Delaware Memorial Bridge," be taken up for consideration and read for the third time in order to pass the House.

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

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

**NAYS**—Mr. Livingston—1.

**ABSENT**—Messrs. Hicks, T. S. Johnson, Lester, Wood—4.

**SS 1** for **SB 472** as Amended having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Garton moved that **SB 307**—"An Act to Amend Chapter 82, Title 9 of the Delaware Code Relating to Salaries of Members of Board of Assessment of Kent County," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS** — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Layton, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—25.

**NAYS**—Messrs. Donovan and Livingston—2.

**NOT VOTING** — Messrs. Lawson, Maclary, Snowden, Wolf—4.

**ABSENT**—Messrs. Hicks, T. S. Johnson, Lester, Wood—4.

**SB 307** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Garton moved that SB 385—"An Act Relating to Limitations of Law Affecting the Amount of Bonds Which May be Issued or Bonded Debt Which May be Incurred by "The Mayor and Council of Wilmington", Specifically Excepting from Bonded Debt in Connection With the Slum Clearance and Redevelopment Program and the Urban Renewal Program, and Repealing Inconsistent Acts or Parts of Acts," having had its third reading, be taken up for consideration in order to pass the House.

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

YEAS — Messrs. Alexander, Brogan, Clark, Deputy, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Lawson, Layton, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Wolf—24.

NAYS—Messrs. Donovan and Smith—2.

ABSENT—Messrs. Hicks, T. S. Johnson, Lester, Livingston, Wood—5.

PRESENT — Messrs. Bostick, Walls, Wilkinson, Mr. Speaker Quigley—4.

SB 385 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Garton moved that SB 408 with SA 1—"An Act to Authorize the Mayor and Council of Wilmington to Borrow and Issue Bonds of the City for the Purpose of Aiding the Wilmington Housing Authority as the Slum Clearance and Redevelopment Authority of Slum Clearance and Redevelopment Agency, or the Local Public Agency of the City of Wilmington, Delaware, in Carrying Out Its Purposes and Functions Under 31 Del. C. c. 45, and to Further Enable the Mayor and Council of Wilmington to Comply With the Provisions of the Housing Act of 1954 as the Last Two Acts Have Been Approved by the Congress of the United States of America," having had its third reading, be taken up for consideration in order to pass the House.

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

YEAS — Messrs. Alexander, Brogan, Clark, Deputy, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Lawson, Layton, Macklin, Maclary, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Wilkinson, Wolf—24.

NAYS—Messrs. Donovan, Smith, Walls—3.

ABSENT—Messrs. Hicks, T. S. Johnson, Lester, Livingston, Wood—5.

PRESENT—Messrs. Bostick, Massey, Mr. Speaker Quigley—3.

**SB 408** with **SA 1** 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 54**, **HB 172** with **HA 1**, **HB 628**, **HS 1** for **HB 518** with **SA 1**.

Mr. B. W. Johnson moved that **SS 1** for **SB 470**—"An Act Creating a Department of Labor and Industrial Relations for the State of Delaware Under the Supervision and Direction of a Commissioner Transferring the Industrial Accident Board and the Unemployment Compensation Commission to Said Department, Abolishing the Labor Commission of Delaware and Transferring the Powers and Duties Thereof to Said Department, and Prescribing the Powers and Duties of Said Department, Its Commissioner and Divisions; Providing for Punishment for Violations and Enforcements," be taken up for consideration and read for the third time in order to pass the House.

Action was deferred on motion of Mr. B. W. Johnson.

The Secretary of the Senate informed the House that the Senate had concurred in: **HS 1** for **HB 573** with **HA 1**, **HS 1** for **HB 125** with **HA 1**, **HB 652**, **HB 88** with **HA 1**, **HB 232**, **HB 254**, **HB 513**, **HJR 3**, **HCR 39**.

Mr. Donovan moved that **HB 634** with **SA 1**—"An Act to Amend Chapter 11, Title 12, Delaware Code, Entitled "Escheats", Declaring Abandoned Certain Money and Personal Property Held by Courts and Banking Organizations Which Have Been Unclaimed for Certain Periods of Time and Appropriating the Same for the Use of the State of Delaware; Providing for the Return of Certain Such Property to the Person Entitled Thereto and the Assumption of Liability Therefor by the State of Delaware; Providing for the Publication of the Names of the Persons Entitled Thereto on Such Property and Requiring Certain Reports; Providing for the Suspension of the Statute of Limitations in Certain Cases; Providing for the Assessment of Certain Service Charges; Providing for Penalties and Making an Appropriation," having had its third reading, be taken up for consideration in order to pass the House.

**HA 1** was adopted on motion of Mr. Donovan.

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

**YEAS**—Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Lawson, Layton, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Shockley, Smith, Snowden, (Mrs.) Tunnell, Wilkinson, Wolf, Mr. Speaker Quigley—28.

**NAYS**—None.

**ABSENT** — Messrs. Alexander, Hicks, T. S. Johnson, Lester, Rowan, Walls, Wood—7.

**HB 634** with **SA 1** and **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Macklin, House rules were suspended to act on **HB 17**.

Mr. Macklin moved that **HB 17**—"An Act Appropriating Money for the Burial of Indigent Soldiers, Sailors, Sailors, Marines, Members of the Air Forces and Coast Guard," be taken up for consideration and read for the third time in order to pass the House.

Action was deferred on motion of Mr. Macklin, and upon further motion by him, House rules were restored.

Mr. Deputy moved that **SB 47**—"An Act Authorizing the Payment of the Sum of \$186.30 to Everett Toomey, Jr., for Expenses Incurred as a Result of an Injury Received at the John M. Clayton School," having had its third reading, be taken up for consideration in order to pass the House.

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

**YEAS** — Messrs. Bostick, Brogan, Clark, Deputy, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Lawson, Layton, Livingston, Maclary, Mattiford, Pepper, Queen, Rowan, Shockley, Smith, Snowden, Wilkinson, Mr. Speaker Quigley—22.

**NAYS**—Messrs. Donovan and Macklin—2.

**NOT VOTING**—Messrs. Massey, Mayhew, (Mrs.) Tunnell, Wolf—4.

**ABSENT** — Messrs. Alexander, Hicks, T. S. Johnson, Lester, Walls, Wood—6.

**PRESENT**—Mr. Nechay—1.

**SB 47** having received the constitutional majority, passed the House and was ordered returned to the Senate.

The Chair announced he is about to sign: **HS 1** for **HB 245** with **HA 1** and **HB 382** with **SA 1**.

At request of Mr. Speaker Quigley, Mr. Donovan took over the Chair.

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

**HB 645**—"An Act to Amend the Charter of the Town of Clayton by Extending the Limits of Said Town," by Mattiford; to Municipal Corporation.

**HB 646**—"An Act to Amend Chapter 17, Title 7, Delaware Code, Relating to Dog and Kennel License Fees," by Garton; to Revenue and Taxation.

Mr. Deputy introduced the following resolution, which upon further motion by him was adopted: **HR 112**—"Appropriating Certain Money Out of the General Fund of the State Treasury to Pay Allowance 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 118th 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 allowance for the compensation of the officers and employees of the House of Representatives, being expenses connected with the present Session of the 118th 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 118th 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:

Albert J. Stiffl, Attorney .....	\$7,687.50
James H. Hughes, III, Attorney .....	7,687.50
John E. Babiartz, Chief Clerk .....	5,968.75
Leon Bacon, Speaker's Clerk .....	3,406.25
Edna Brasure, Document Clerk .....	2,500.00
Jeanette Brown, Stenographer .....	2,312.50
Rev. Frank G. Buckley, Chaplain .....	1,937.50
William D. Burton, Messenger .....	1,937.50
Harold Butler, Telephone Messenger .....	2,200.00
Clara Campese, Stenographer .....	2,612.50
Ann Christopher, File Clerk .....	1,937.50
H. Carleton Clifton, Majority Leader's Clerk .....	646.00
Nelson Coverdale, Cloak Room Attendant ..	465.00
L. C. Covington, Door Tender .....	1,937.50
Charles W. Daly, Machine Operator .....	1,848.00
Charles Warner, Sergeant-at-Arms .....	1,410.00
Robert Davidson, Mail Clerk .....	1,937.50
Grover C. Dill, Mail Clerk .....	1,937.50
Edgar Downes, Attorney's Clerk .....	775.00
Charles Dukes, Sergeant-at-Arms .....	511.50
William A. Easom, Telephone Messenger ..	620.00
I. Griffith Ellison, Door Tender .....	1,937.50
August Breeding, Cloak Room Attendant ..	1,457.00
Arnold E. Emory, Reading Clerk .....	2,687.50
Charles Figun, Messenger .....	1,937.50
Frances C. Garvey, File Clerk .....	1,937.50
Mildred V. Hall, Ditto Machine Operator ..	1,937.50
Mack E. Hudson, Page .....	620.00
Willis Kates, Sergeant-at-Arms .....	1,937.50
Sadie Lafferty, File Clerk .....	1,937.50



Howard Lane, Jr., Machine Operator .....	2,750.00
Ronald P. Lynch, Sergeant-at-Arms .....	248.00
Ira P. Messick, Sergeant-at-Arms .....	1,937.50
Woodrow W. McDonald, Sergeant-at-Arms .....	1,937.50
Carl Prettyman, Assistant Bill Clerk .....	2,687.50
Mary Rawlins, Stenographer .....	3,000.00
Edward Robb, Page .....	1,937.50
Ellis Sartin, Sergeant-at-Arms .....	1,937.50
John Smith, Attorney's Messenger .....	713.00
Alma L. Stant, Attorney's Clerk .....	2,137.50
Melville C. Taylor, Assistant Bill Clerk ....	4,500.00
Olive Ann Thornton, Stenographer .....	2,312.50
Lee Waller, Messenger .....	1,937.50
Martin J. Walsh, Sergeant-at-Arms .....	2,687.50
John L. Walmsley, Reading Clerk .....	2,687.50
Michael Watson, Door Tender .....	1,937.50
Charles H. Woodward, Messenger .....	1,937.50
S. Elwood Veasey, Bill Clerk .....	2,687.50
Allan C. Layton, Sergeant-at-Arms .....	697.50
Dorothy B. Green, Page .....	1,302.00
Constance M. Barto, Majority Leader's Clerk .....	1,710.00
Beverly Ann Evans, File Clerk .....	1,302.00
Mabel Layton, Sergeant-at-Arms .....	976.50
Rebecca Layfield, Attorney's Clerk .....	1,247.00
Thomas Collins, Attorney's Clerk .....	1,209.00
George Littleton, Accountant .....	2,350.00
Kathryn Palmer, Secretary .....	500.00
Hobson Davis, Accountant .....	2,500.00
Francis E. Holliday, Minority Leader's Clerk .....	2,312.50

Mr. Deputy introduced the following resolution, which upon further motion by him was adopted: **HR 113**—"Appropriating Certain Money Out of the General Fund of the State of Delaware as Compensation for Services to the House."

**BE IT RESOLVED** by the House of Representatives of the 118th General Assembly of the State of Delaware that the sum of Five Hundred Dollars (\$500.00) is hereby appropriated out of the General Fund of the State to Anna M. Fox, Supply Clerk, as compensation for services rendered to the House, said expense being connected with the present Session of the General Assembly, and the State Treasurer is hereby directed to pay said sum to the said Anna M. Fox.

Pursant to a petition filed July 14, 1955, Mr. Nechay moved that **SB 263** with **SA 1** be reported out of committee.

The bill was reported out and on motion of Mr. Nechay, House rules were suspended for purpose of acting on **SB 263** with **SA 1**.

Mr. Nechay moved that SB 263 with SA1—"An Act to Amend Chapter 5, Title 28 of the Delaware Code, Relating to the Award of Dates for Harness Racing Meets," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Clark, Deputy, Donovan, Garton, Keel, Livingston, Massey, Mattiford, Mayhew, Queen, Shockley—13.

NAYS — Messrs. Hastings, Lawson, Maclary, Nechay, Pepper, Rowan, Smith, Wilkinson, Wolf—9.

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

NOT VOTING—Messrs. Brogan, Macklin, Mrs. Tunnell—3.

ABSENT—Messrs. Eskridge, Hicks, B. W. Johnson, T. S. Johnson, Layton, Lester, Walls, Wood, Mr. Speaker Quigley—9.

PRESENT—Mr. Snowden—1.

SB 263 with SA 1 not having received the constitutional majority, was lost.

On motion of Mr. Nechay, SB 263 with SA 1 was restored to the calendar.

Mr. Bostick moved that SB 115—"An Act to Amend Chapter 53, Title 30 of the Delaware Code by Repealing the Cigar Tax," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Brogan, Clark, Garton, Hastings, Keel, Lawson, Layton, Livingston, Macklin, Mattiford, Nechay, Pepper, Queen, Shockley, Smith, Snowden, (Mrs.) Tunnell, Wilkinson, Wolf—19.

NAYS — Messrs. Deputy, Donovan, B. W. Johnson, Maclary, Massey, Mayhew—6.

ABSENT—Messrs. Alexander, Eskridge, Hicks, T. S. Johnson, Lester, Walls, Wood, Mr. Speaker Quigley—8.

PRESENT—Messrs. Bostick and Rowan—2.

SB 115 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Queen, House Rules were suspended, and the following bills were reported by the Committee on Municipal Corporations: **HB 645**, favorably; by the Committee on Revenue and Taxation: **HB 646**, on merits.

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

On motion of Mr. Garton, SB 104 with SA 1 was restored to the calendar.

Mr. B. W. Johnson moved that **SS 1** for **SB 470**—"An Act Creating a Department of Labor and Industrial Relations for the State of Delaware Under the Supervision and Direction of a Commissioner Transferring the Industrial Accident Board and the Unemployment Compensation Commission to Said Department, Abolishing the Labor Commission of Delaware and Transferring the Powers and Duties Thereof to Said Department, and Prescribing the Powers and Duties of Said Department, Its Commisisoner and Divisions; Providing for Punishment for Violations and Enforcements," having had its third reading, be taken up for consideration in order to pass the House.

On motion of Mr. Queen, **HA 1** was adopted.

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

**YEAS**—Messrs. Deputy, B. W. Johnson, Rowan, Mrs. Tunnell, Mr. Speaker Quigley—5.

**NAYS**—Messrs. Brogan, Donovan, Garton, Keel, Layton, Macklin, Maclary, Massey, Mayhew, Pepper, Queen, Shockley, Smith, Snowden, Wilkinson, Wolf—16.

Messrs. Brogan and Shockley changed from yea to nay for purpose of reconsideration.

**ABSENT**—Messrs. Alexander, Eskridge, Hicks, T. S. Johnson, Lester, Livingston, Walls, Wood—8.

**PRESENT**—Messrs. Bostick, Clark, Hastings, Lawson, Mattiford, Nechay—6.

**SS 1** for **SB 470** with **HA 1** not having received the constitutional majority, was lost.

On motion of Mr. Shockley, **SS 1** for **SB 470** with **HA 1** was restored to the calendar.

Mr. Shockley moved that **SB 267**—"An Act to Appropriate Additional Funds for the Construction of a State Detention Home for Juveniles and to Authorize the Sale of the Present Detention Home," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Shockley, **HA 1** was adopted.

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

**YEAS**—Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Keel, Lawson, Layton, Livingston, Macklin, Maclary, Mattiford, Mayhew, Nechay, Pepper, Queen, Shockley, Snowden, (Mrs.) Tunnell, Wilkinson, Wolf—24.

**NAYS**—None.

**ABSENT**—Messrs. Alexander, Hicks, B. W. Johnson, T. S. Johnson, Lester, Massey, Rowan, Smith, Walls, Wood, Mr. Speaker Quigley—11.

**SB 267** with **HA 1** having received the constitutional majority, passed the House and was ordered returned to the Senate for concurrence.

Mr. Nechay moved that **HB 640** with **HA 1** and **HA 2** and **SA 1**—"An Act Making Certain Supplementary Appropriations for the Expenses of Certain State Agencies for Each of the Fiscal Years Ending June 30, 1956, and June 30, 1957," having been amended in the Senate, be taken up for consideration in order to pass the House.

**SA 1** was adopted on motion of Nechay.

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

**YEAS**—Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Layton, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Wilkinson—23.

**NAYS**—None.

**ABSENT** — Messrs. Alexander, Hicks, T. S. Johnson, Lester, Livingston, Walls, Wood, Mr. Speaker Quigley—8.

**PRESENT**—Messrs. Lawson, Maclary, Snowden, Wolf—4.

**HB 640** with **HA 1**, and **HA 2** and **SA 1** having received the constitutional majority, passed the House.

The Secretary of the Senate informed the House that the Senate had concurred in: **HB 354** and **HB 634** with **SA 1** and **HA 1**.

Mr. Speaker Quigley resumed the Chair and announced he is about to sign the following: **SCR 25**, **SB 151**, **SS 1** for **SB 472** with **SA 2**, **SA 3**, and **SA 4**, **SB 514**, and **HB 54**, **HB 225** with **HA 1**, **HA 2** and **HA 3**, **HB 387** with **SA 1**, **HB 628**, **HS 1** for **HB 125** with **HA 1**, **HCR 42**, **HCR 44**.

On motion of Mr. Macklin, the House Clock was started at 10:51 P. M.

The House adjourned at 11:00 P. M. until 1:00 P. M., Monday, July 18, 1955, with skeleton session to be held only.

## 126TH LEGISLATIVE DAY

House met pursuant to adjournment at 1:00 P. M., on Monday, July 18, 1955.

Prayer by Mr. Mattiford.

All members were absent except Mr. Queen and Mr. Mattiford, and there being no quorum present the House adjourned at 2:30 P. M. until 1:00 P. M., Tuesday, July 19, 1955.

## 127TH LEGISLATIVE DAY

House met pursuant to adjournment at 1:00 P. M., on Tuesday, July 19, 1955.

Prayer by Mr. Queen.

All members were absent except Mr. Queen, and there being no quorum present the House adjourned at 3:00 P. M. until 1:00 P. M., Wednesday, July 20, 1955.

**128TH LEGISLATIVE DAY**

House met pursuant to adjournment at 1:00 P. M., on Wednesday, July 20, 1955.

Prayer by Mr. Queen.

All members were absent except Mr. Queen, and there being no quorum present the House adjourned at 3:00 P. M. until 1:00 P. M., Thursday, July 21, 1955.

**129TH LEGISLATIVE DAY**

House met pursuant to adjournment at 1:00 P. M., on Thursday, July 21, 1955.

Prayer by Mr. Queen.

All members were absent except Mr. Queen. The Governor's veto message on **HB 555** was received and filed. There being no quorum present the House adjourned at 3:00 P. M. until 1:00 P. M., Friday, July 22, 1955.

**130TH LEGISLATIVE DAY**

House met pursuant to adjournment at 1:00 P. M., on Friday, July 22, 1955.

Prayer by Mr. Queen.

All members were absent except Mr. Queen, and there being no quorum present the House adjourned at 1:30 P. M. until 1:00 P. M., Monday, July 25, 1955.

**131ST LEGISLATIVE DAY**

House met pursuant to adjournment at 1:00 P. M., on Monday, July 25, 1955.

Prayer by Mr. Queen.

All members were absent except Mr. Queen, and there being no quorum present the House adjourned at 2:30 P. M. until 11:00 A. M., Tuesday, July 26, 1955.

**132ND LEGISLATIVE DAY**

House met pursuant to adjournment at 11:25 A. M., on Tuesday, July 26, 1955.

Prayer by the Chaplain, Rev. Buckley.

Members present — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Mr. Speaker Quigley—30.

Members absent — Messrs. T. S. Johnson, Snowden, Wilkinson, Wolf, Wood—5.

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

The House recessed at 11:30 A. M.

The Speaker called the House to order at 11:55 A. M.

The Chair announced he is about to sign the following bills: SB 47, SB 115, SB 170 with SA 1, SB 267 with HA 1, SB 307, SB 385, SB 407 with SA 1, SB 408 with SA 1, HCR 39, HCR 44, HJR 3, HB 88 with HA 1, HS 1 for HB 125 with HA 1, HB 172 with HA 1, HB 232, HB 254, HB 354, HB 447 with HA 1, HA 2 and HA 3, HB 513, HB 640 with HA 1 and SA 1, HB 642.

Mr. Donovan, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: July 15, 1955—HS 1 for HB 300, HS 1 for HB 560, HB 636, HB 637, HB 639, HB 344 with HA 1 and HA 2 and SA 1, HB 315 with SA 1, HCR 45, HCR 43. July 18, 1955—HB 119 with HA 1, HA 2, HA 4 and SA 1, HB 310 with HA 1, HB 641, HB 643, HB 644, HB 553 with HA 1, HB 274, HB 213, HB 382 with SA 1, HS 1 for HB 245 with HA 1, HB 225 with HA 1, HA 2 and HA 3, HB 54, HB 628, HCR 42. Over Governor's veto—HB 192, HB 393.

Mr. Queen moved that HS 1 for HB 518 with SA 1—"An Act to Amend Title 17, Delaware Code of 1953, Entitled "Highways" by Changing § 504 Thereof, Relating to Drainage of Roads or Causeways," be taken up for consideration in order to pass the House.

On motion of Mr. Queen, HA 1 was adopted.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Shockley, Smith, Walls, Mr. Speaker Quigley—28.

NAYS—None.

ABSENT — Messrs. T. S. Johnson, Rowan, Snowden, (Mrs.) Tunnell, Wilkinson, Wolf, Wood—7.

HS 1 for HB 518 with SA 1 having received the constitutional majority, passed the House.

Mr. Donovan moved that HS 1 for HB 573 with SA 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," be taken up for consideration in order to pass the House.

On motion of Mr. Donovan, SA 1 was adopted.

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

**YEAS** — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Rowan, Shockley, Smith, Walls, Mr. Speaker Quigley—27.

**NAYS**—None.

**ABSENT** — Messrs. T. S. Johnson, Livingston, Queen, Snowden, (Mrs.) Tunnell, Wilkinson, Wolf, Wood—8.

**HS 1 for HB 573 with SA 1** having received the constitutional majority, passed the House.

Mr. Donovan moved that **HS 1 for HB 586 with SA 1**—"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," be taken up for consideration in order to pass the House.

On motion of Mr. Donovan, **SA 1** was adopted.

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

**YEAS** — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Rowan, Smith, Walls, Mr. Speaker Quigley—27.

**NAYS**—None.

**ABSENT** — Messrs. T. S. Johnson, Queen, Shockley, Snowden, (Mrs.) Tunnell, Wilkinson, Wolf, Wood—8.

**HS 1 for HB 586 with SA 1** having received the constitutional majority, passed the House.

The House adjourned at 1:25 P. M. until 1:00 P. M., Wednesday, July 27, 1955.

### 133RD LEGISLATIVE DAY

House met pursuant to adjournment at 1:00 P. M., on Wednesday, July 27, 1955.

Prayer by Mr. Queen.

All members were absent except Mr. Queen, and there being no quorum present the House adjourned at 1:30 P. M. until 9:00 A. M., Thursday, July 28, 1955.

### 134TH LEGISLATIVE DAY

House met pursuant to adjournment at 9:00 A. M., on Thursday, July 28, 1955.

Prayer by Mr. Queen.

All members were absent except Mr. Queen, and there being no quorum present the House adjourned at 9:05 A. M. until 9:00 A. M., Friday, July 29, 1955.

### 135TH LEGISLATIVE DAY

House met pursuant to adjournment at 9:00 A. M., on Friday, July 29, 1955.

Prayer by Mr. Queen.

All members were absent except Mr. Queen. The Governor's veto message on **HB 54** was received and filed. There being no quorum present the House adjourned at 9:30 A. M. until 1:00 P. M., Monday, August 1, 1955.

### 136TH LEGISLATIVE DAY

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

Prayer by the Chaplain, Rev. Buckley.

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

Members absent—Messrs. Massey and Wood—2.

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

The Secretary of the Senate informed the House that the Senate had passed **SR 110** and requested the concurrence of the House.

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

**HCR 47**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," by Macklin; to Miscellaneous.

**HCR 48**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," by Lester; to Miscellaneous.



The Chair presented the following veto messages, which were read and ordered spread upon the Journal as follows:

# **GOVERNOR'S MESSAGE**

## **STATE OF DELAWARE**

### **EXECUTIVE DEPARTMENT**

Dover, July 21, 1955

To the House of Representatives of the State of Delaware:

On July 14, 1955, I received House Bill No. 555 with House Amendments No. 1 and No. 2, entitled:

An Act to Amend Titles 11, 14, and 29, Delaware Code, by Creating a Public Employees' Retirement Commission of the State of Delaware to Administer All the Retirement, Disability and Pension Laws of the State of Delaware, Defining the Powers and Duties of the Commission, Transferring Certain Administrative Functions and Duties Thereto, and Abolishing the Arbitration Committee and the Disability Commission.

I respectfully return herewith this Bill without my approval.

The purported purpose of this Bill is to create a single agency "to administer all the retirement, disability and pension laws of the State of Delaware."

The State Employees' Pension Study Commission created by the 117th General Assembly gave full and careful consideration to the creation of a commission such as is provided for in this Bill, but reached the conclusion that such a commission is wholly unnecessary, undesirable and exceedingly costly in view of the small number of State pensioners. The commission did recommend certain administrative changes which were embodied in Senate Bill No. 232, passed by the Senate on June 8, 1955. With certain amendments, Senate Bill No. 232 represents desirable and adequate legislation for the improvement of the administration of our State Pension systems.

The expense of a new agency for this purpose cannot be justified. House Bill No. 555 makes an appropriation of \$25,000 per year to the proposed commission. However, the Bill also provides that all appropriations to other agencies or departments for the administration of a pension system be transferred to the proposed new commission. Thus this Bill in fact appropriates an additional \$25,000 each year.

The Bill creates a seven member commission and authorizes payment, to the members who are not State agency heads of the sum of \$25.00 for each day or part thereof spent by a commissioner in attending meetings, hearings or conferences or on any other administrative assignment which may be made. Furthermore, there is no limit on the number of days for which a commissioner may be paid at that rate in any year.

The Bill circumvents the Constitutional concept that the Governor as Chief Executive shall appoint the members of agencies, boards and commissions by naming the first four appointive members. Yet the Bill simultaneously recognizes the Governor's right to make appointments by providing that succeeding members of the commission shall be named by the Governor. However, in order to postpone such appointments by the Governor, the terms of the original members named in the Bill are set to range from seven years to four years although all future terms shall be for a period of only four years.

House Bill No. 555 also provides for the appointment by the commission of a director of pensions as well as "such other officers, accountants, attorneys, experts, secretaries, actuaries and other employees as may be necessary". No salary limitation is established in the Bill for the director or any other employee.

The Bill contains no provision for the commissioners to be from the respective major political parties. Consequently the commissioners may all be of the same political party. Such a situation should not be permitted to exist in any public agency of the State and is especially dangerous and undesirable with respect to a commission authorized to determine the eligibility of State employees for disability or retirement pension.

In view of the decision reached by the Pension Study Commission that this proposed legislation is unnecessary, undesirable and uneconomical and in view of the above recital of undesirable features of the Bill itself, and the further fact that there are only about 750 State pensioners at this time, it appears that this proposed legislation has been motivated by partisan political considerations in order to create opportunities for many persons to be placed on the State pay-roll at unnecessary expense to the taxpayer to a greater extent than it has been motivated by any desire to improve the administration of the State retirement and disability pension laws.

Respectfully submitted,

J. CALEB BOGGS, Governor

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

Dover, July 29, 1955

To the House of Representatives of the State of Delaware:

On July 18, 1955, I received House Bill No. 54, entitled:  
An Act to Amend Title 28, Delaware Code, by  
Providing for the Licensing, Regulation and Control of Dog Racing Within New Castle County  
in the State of Delaware.

I respectfully return herewith this Bill without my approval.

This Bill seeks to establish a Commission authorized to license and regulate, in New Castle County only, dog racing upon which wagering or betting would be permitted for an unusually long period of up to 90 days each year.

In New Castle County racing enthusiasts have an opportunity to watch and wager on horse racing and harness racing. If 90 days of dog racing are added, New Castle County will be unique in that it will offer the public 150 days of pari-mutual race track activities per year.

The lack of popularity of dog racing or its unacceptability by the public, or both, is clearly evidence by the fact that such activity is either prohibited or unauthorized in surrounding or nearby states.

Neither political party has advocated the legalizing and establishment of dog racing in Delaware. Any effort to create public interest in dog racing has not met with success and no claim, if made, has been substantiated that the people of Delaware or New Castle County desire this proposed activity and the gambling which accompanies it.

It is concluded that the vast majority of citizens of this State are not interested in this particular activity. It is known that this form of wagering and betting is strongly opposed by many citizens.

A further extension of race track gambling as a pastime cannot be justified either as a desirable form of creation, as a useful industry, or as an activity producing sufficient revenue to justify its existence or compensate for expenditures required to operate the Commission, construct and maintain roads, or to provide police and other public services which would be required.

New Castle Countians have no desire to have their place of residence become the wagering center of the East. This it may well become if dog racing is authorized, for I know of no other single county in the East in which all three forms of pari-mutual racing are available.

Respectfully submitted,

J. CALEB BOGGS, Governor

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

Dover, May 12, 1955

To The Senate of The State of Delaware:

On May 2, 1955, I received Senate Bill No. 241, entitled:  
**AN ACT TO AMEND CHAPTER 45, TITLE 7 OF  
THE DELAWARE CODE RELATING TO THE  
SALE OF PUBLIC LANDS AND PRODUCTS.**

I respectfully return herewith this bill without my approval.

This bill provides that no public lands may be sold by the State Highway Department without specific authority of the General Assembly.

Such a restriction on the authority of an administrative agency of the state is unwise as well as impractical. Furthermore, it is contrary to our concept of governmental practice whereby authority to act on administrative matters is rightfully delegated by the legislative branch to agencies of the executive branch in the public interest.

In the matter at hand the Department has a capable and qualified staff which can investigate and evaluate the advisability of the sale or transfer of public lands. The General Assembly has no such staff. The Department is able to act promptly in the public interest. The General Assembly, for long periods of time, is not able to act on matters of this nature—and in any event should not be burdened with such an administrative task.

The intended scope of this Bill is ambiguous. It is not clear whether this bill applies only to certain public lands or to all public lands.

If it applies, or conceivably could be applied, to all public lands it would deprive the Department of the essential and necessary power to transfer public lands in connection with its highway construction and improvement program. Without such power, or with continuing uncertainty concerning such power, the ability of the Department to act promptly and properly would be most seriously impeded.

To conduct a highway improvement program the Department must have clear and unrestricted authority, under changing conditions, to buy, sell or otherwise transfer land. It would be entirely impractical to obtain specific authority from the General Assembly for the transfer of each parcel of land.

Respectfully submitted,

J. CALEB BOGGS, Governor

GOVERNOR'S MESSAGES  
STATE OF DELAWARE  
EXECUTIVE DEPARTMENT

Dover, June 20, 1955

To The Senate of the State of Delaware:

On June 13, 1955, I received Senate Bill 280, entitled:

AN ACT TO AMEND CHAPTER 19, TITLE 10,  
DELAWARE CODE BY PROVIDING FOR THE  
APPOINTMENT BY THE LEVY COURT OF NEW  
CASTLE COUNTY OF COMMISSIONERS TO EX-  
AMINE CERTAIN LIEN INDICES IN NEW  
CASTLE COUNTY AND SATISFACTION THERE-  
OF.

I respectfully return herewith this Bill without my approval.

This Bill deprives the Resident Associate Judge of New Castle County of the power to appoint the commissioners who inspect the indices of official records in New Castle County. The Bill transfers the power to make such appointments to the Levy Court.

Ever since such office was created in 1905, the Resident Judge has been deemed to be the appropriate appointing official. It is desirable to maintain a close relationship between the Superior Court and the work of the commissioners because the records involved are either court records or are similar permanent records.

These commissioners determine whether the indices of official court records and other documents are properly executed and exact. They also pass on the legality of notations that judgments are satisfied.

A considerable number of legal questions arise in connection with these duties. The Resident Judge is in a position to know which individuals are qualified by training and experience to carry out these duties. He is also in a position to consult with such officer from time to time as to legal problems which arise. Such Judge would, of course, be especially interested in proper indices for these records. The public, however, would also suffer if the indices are inaccurate.

The work has been efficiently and carefully done in the past. I see no reason for a change in the provisions of the present law in respect to these appointments.

Respectfully submitted,

J. CALEB BOGGS, Governor

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT

Dover, June 20, 1955

To The Senate of the State of Delaware:

On June 8, 1955, I received Senate Bill 283, entitled:

AN ACT TO AMEND CHAPTER 19, TITLE 10,  
DELAWARE CODE BY PROVIDING FOR THE  
APPOINTMENT BY THE LEVY COURT OF NEW  
CASTLE COUNTY OF COMMISSIONERS TO EX-  
AMINE MORTGAGE SATISFACTION IN NEW  
CASTLE COUNTY.

I respectfully return herewith this Bill without my approval.

This Bill deprives the Resident Associate Judge of New Castle County of the power to appoint the mortgage commissioner for that County and transfers the power to make such an appointment to the Levy Court.

When the office of mortgage commissioner was created in 1917, the Resident Judge was deemed the appropriate appointing official. It is desirable to maintain this relationship between the Superior Court and the work of the mortgage commissioner.

The mortgage Commissioner determines whether recorded mortgages which have been marked satisfied are in fact legally and fully satisfied. He then makes a notation of his decision on the official mortgage index and signs the same.

A considerable number of legal questions arise in connection with these duties. The Resident Judge is in a position to know which individuals are qualified by training and experience to carry out these duties. He is also in a position to consult with such officer from time to time as to legal problems which arise.

The work has been efficiently and carefully done. I see no reason for a change in the provisions of the present law in respect to this appointment.

Respectfully submitted,

J. CALEB BOGGS, Governor

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT

Dover, July 1, 1955

To The Senate of The State of Delaware:

On June 23, 1955, I received Senate Bill No. 358 entitled:  
AN ACT TO AMEND CHAPTER 1, TITLE 17 OF  
THE DELAWARE CODE RELATING TO THE  
STATE HIGHWAY DEPARTMENT BY AFFECT-  
ING THE AWARDED OF CONTRACTS WITH-  
OUT BIDS.

I respectfully return herewith this Bill without my approval.

This bill reduces from five to three the number of highway commissioners who must concur in the awarding of emergency contracts without bids.

A Bill of doubtful constitutionality (Senate Bill No. 285) was recently passed and hastily re-passed over my veto, whereby the duly constituted Highway Department was ripped out and a new Department was created, the members of which were named in the Bill. A court test is awaited.

Meanwhile it was belatedly realized that the ripper bill referred to above does not absolutely assure one political party of complete control over every phase of the Highway Department administration including the awarding of emergency contracts without the necessity for competitive bids. That bill failed to reduce the number of commissioners who are required to concur in certain actions of the Highway Department.

Thus it remains possible for the minority members of the acting Highway Department to prevent the Department from conducting its affairs along purely partisan political lines in the rare instances in which their vote is legally essential. This Bill seeks to eliminate even that contingency by making absolute the partisan political power sought by the enactment of Senate Bill No. 285. Thus this bill alters the previous concept of proper administration by removing the desirable provision that emergency contracts of the Highway Department be awarded without bids only when there is bi-partisan approval.

This Bill would make it easier to award a greater number of contracts without competitive bids since under its provisions any three commissioners may declare that an emergency exists.

In the public interest I cannot endorse such undesirable principles of public administration as this Bill proposes.

Respectfully submitted,

J. CALEB BOGGS, Governor

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT

Dover, July 1, 1955

To The Senate of The State of Delaware:

On June 23, 1955, I received Senate Bill No. 360 entitled:  
AN ACT TO AMEND CHAPTER 1, TITLE 17 OF  
THE DELAWARE CODE RELATING TO THE  
STATE HIGHWAY DEPARTMENT BY CHANG-  
ING THE NUMBER OF MEMBERS REQUIRED  
FOR CONCURRENCE IN THE APPOINTMENT  
OF A CHIEF ENGINEER.

I respectfully return herewith this Bill without my approval.

This Bill reduces from four to three the number of highway commissioners who must concur in the selection of the Chief Engineer of the Highway Department.

A bill of doubtful constitutionality (Senate Bill No. 285) was recently passed and hastily re-passed over my veto, whereby the duly constituted Highway Department was ripped out and a new Department was created, the members of which were named in the Bill. A court test is awaited.

Meanwhile it was belatedly realized that the ripper bill referred to above does not absolutely assure one political party of complete control over every phase of the Highway Department administration since that Bill failed to reduce the number of commissioners who are required to concur in certain actions of the Highway Department.

Thus it remains possible for the minority members of the acting Highway Department to prevent the Department from conducting its affairs along purely partisan political lines in the rare instances in which their vote is legally essential. This Bill seeks to eliminate even that contingency by making absolute the partisan political power sought by the enactment of Senate Bill No. 285.

The Chief Engineer of the Highway Department is far more than the head of the engineering staff of the Department. He is in fact the chief professional executive of the Department. The law as it now stands is not unreasonable in requiring that such executive be chosen with the concurrence of four of the five commissioners.

It is always desirable that the Highway Department be conducted on the highest plane of professional and non-partisan efficiency. During a period when legislation affecting the Department is to be under court review it would be particularly inappropriate to enact legislation which might reduce such professional and non-partisan efficiency within the Department.

Respectfully submitted,

J. CALEB BOGGS, Governor



STATE OF DELAWARE  
EXECUTIVE DEPARTMENT

Dover, July 1, 1955

To The Senate of The State of Delaware:

On June 23, 1955, I received Senate Bill No. 361, entitled:

AN ACT TO AMEND CHAPTER 1, TITLE 17 OF  
THE DELAWARE CODE RELATING TO THE  
STATE HIGHWAY DEPARTMENT BY CHANG-  
ING THE NUMBER OF MEMBERS REQUIRED  
FOR A QUORUM.

I respectfully return herewith this Bill without my approval.

The purpose of this Bill is to reduce from four to three the number of members of the Highway Department who shall constitute a quorum.

Under ordinary circumstances I would have no objection to the fact that three members should constitute a quorum of a five-member body. However, this Bill is directly related to another Bill of doubtful constitutionality (Senate Bill No. 285) which recently was passed and hastily repassed over my veto. The latter Bill ripped out a duly constituted Highway Department and created a new Department, the members of which were named in that Bill. A court test of Senate Bill No. 285 is awaited.

The Department ripped out by the contested bill consisted of seven members and consequently it was appropriate that four members constitute a quorum. Therefore, until it is finally determined by the courts which Department is legally authorized to administer the important and extensive affairs of the Highway Department, it seems desirable that no change be made in the provision establishing the number of members constituting a quorum.

Because all acts of the newly created Department may ultimately be subjected to review as to their legality; the retention at this time of the present provision that four members shall constitute a quorum will serve as a safeguard to the members of the Department who will be liable for their acts; to all those who do business with the Highway Department; and to the general public.

Respectfully submitted,

J. CALEB BOGGS, Governor

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT

Dover, July 1, 1955

To The Senate of The State of Delaware:

On June 23, 1955, I received Senate Bill No. 362, entitled:  
AN ACT TO AMEND CHAPTER 1, TITLE 17 OF  
THE DELAWARE CODE RELATING TO THE  
STATE HIGHWAY DEPARTMENT BY CHANG-  
ING THE NUMBER OF MEMBERS REQUIRED  
FOR CONCURRENCE IN THE APPOINTMENT  
OF A SECRETARY.

I respectfully return herewith this Bill without my approval.

This Bill reduces from four to three the number of highway commissioners who must concur in the selection of the Secretary of the Highway Department.

A Bill of doubtful constitutionality (Senate Bill No. 285) was recently passed and hastily re-passed over my veto, whereby the duly constituted Highway Department was ripped out and a new Department was created, the members of which were named in the Bill. A court test is awaited.

Meanwhile it was belatedly realized that the ripper bill referred to above does not absolutely assure one political party of complete control over every phase of the Highway Department administration since that Bill failed to reduce the number of commissioners who are required to concur in certain actions of the Highway Department.

Thus it remains possible for the minority members of the acting Highway Department to prevent the Department from conducting its affairs along purely partisan political lines in the rare instances in which their vote is legally essential. This Bill seeks to eliminate even that contingency by making absolute the partisan political power sought by the enactment of Senate Bill No. 285.

The Secretary of the Highway Department also acts as its accountant, responsible for many fiscal matters. The law as it now stands is not unreasonable in requiring that such executive be chosen with the concurrence of four of the five acting commissioners.

It is always desirable that the Highway Department be conducted on the highest plane of competence and non-partisan efficiency. During a period when legislation affecting the Department is to be under court review it would be particularly inappropriate to enact legislation which might reduce such competence and non-partisan efficiency within the Department.

Respectfully submitted,

J. CALEB BOGGS, Governor

Mr. Donovan, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: July 26, 1955—**HB 88** with **HA 1**, **HS 1** for **HB 125** with **HA 1**, **HB 172** with **HA 1**, **HB 232**, **HB 254**, **HB 354**, **HB 447** with **HA 1**, **HA 2**, and **HA 3**, **HB 513**, **HB 640** with **HA 1** and **SA 1**, **HB 634** with **SA 1**, **HCR 39**, **HCR 44**, **HJR 3**.

Mr. Maclary moved that **HB 305**—"An Act Authorizing the State Highway Department to Transfer Funds from Funds Appropriated for Highway Construction to Funds Appropriated for Highway Maintenance in an Emergency Due to Unexpected or Unusual Climatic Conditions; Limitations," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS** — Messrs. Bostick, Clark, Deputy, Donovan, Garton, Hastings, Hicks, B. W. Johnson, Lester, Livingston, Macklin, Maclary, Mattiford, Nechay, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Mr. Speaker Quigley—23.

**NAYS**—None.

**ABSENT**—Messrs. Alexander, Brogan, Eskridge, T. S. Johnson, Keel, Lawson, Layton, Massey, Mayhew, Pepper, Queen, Wood—12.

**HB 305** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Maclary moved that **HB 461**—"An Act to Amend Chapter 6, Title 9, Delaware Code, Relating to Suburban Parks and Recreation, by Revising the Qualifications for Voters in Suburban Park Communities," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Brogan, Clark, Deputy, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Layton, Livingston, Macklin, Maclary, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, (Mrs.) Tunnell, Walls, Wilkinson—22.

**NAYS**—None.

**NOT VOTING**—Mr. Bostick—1.

**ABSENT** — Messrs. Alexander, Hicks, T. S. Johnson, Lawson, Lester, Massey, Snowden, Folf, Wood—9.

**PRESENT**—Messrs. Donovan, Smith, Mr. Speaker Quigley—3.

**HB 461** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Mattiford moved that **HB 645**—"An Act to Amend the Charter of the Town of Clayton by Extending the Limits 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. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Layton, Livingston, Macklin, Maclary, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—26.

**NAYS**—None.

**ABSENT** — Messrs. Alexander, Hicks, T. S. Johnson, Lawson, Lester, Massey, Snowden, Folf, Wood—9.

**HB 645** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following resolution was introduced by Mr. Layton, and upon further motion by him was adopted: **HR 114**—"Authorizing the Payment of Certain Expenses of This Session of the House."

**BE IT RESOLVED** by the House of Representatives of the 118th 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:

To John E. Babiarez, Chief Clerk, for:

60 Post Cards .....	\$1.20	
Postage for Calendars .....	2.64	
Two telephone calls to Mr. Macklin—		
35c each .....	.70	\$4.54

To Mrs. Clara Campese, 104 W. Jackson Ave., Wilmington Manor, New Castle, Delaware:

6 days typing—\$15. per day .....	\$90.00
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To the Diamond State Telephone Company, for local service and equipment and calls on telephone numbered Dover 9636, covering the period from June 10, 1955 to and including July 11, 1955 .....

\$31.35

To The Sussex Countian, Georgetown, Del.:

Printing House Calendars—July 5, 1955, to and including August 1, 1955 .....	\$3,440.80
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The Chair announced he is about to sign the following:  
**HS 1** for **HB 518** with **SA 1**, **HS 1** for **HB 573** with **SA 1**, **HS 1** for **HB 586** with **SA 1**.

The following messages from the Governor were read:

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

Dover, July 20, 1955

To the House of Representatives of the State of Delaware:

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

July 18, 1955, Senate Bill No. 24 with H. A. No. 1—An Act to Amend Chapter 5, Title 31 of the Delaware Code, by Providing for an Increase in the Amount of Assistance Allowed to Aged Persons.

July 18, 1955, Senate Bill No. 130—An Act to Amend Chapter 96, Title 9 of the Delaware Code Relating to the Salary of the Recorder of Kent County.

July 18, 1955, Senate Bill No. 131—An Act to Amend Chapter 94, Title 9 of the Delaware Code Relating to the Salary of the Clerk of the Peace of Kent County.

July 18, 1955, Senate Bill No. 133—An Act to Amend Chapter 21, Title 10 of the Delaware Code Relating to the Salary of the Sheriff of Kent County.

July 18, 1955, Senate Substitute Bill No. 1 for Senate Bill No. 424—An Act to Amend Chapter 5, Title 18, Delaware Code by Prohibiting Insurance Companies from Asserting the Defense of Sovereignty where Employees or Property of the State of Delaware or any Political Subdivision thereof are Insured.

July 18, 1955, Senate Bill No. 447 with H. A. No. 1—An Act to Amend Chapter 21, Title 24 of the Delaware Code Relating to the Definition of Optometry, The Board of Examiners of Optometrists, The Internship and the Filling of Prescriptions.

July 18, 1955, Senate Bill No. 494—An Act to Amend Chapter 55, Title 16, Delaware Code by Providing for the Commitment of Certain Feeble Minded or Mentally Retarded Persons in a Penal Institution or Detention Home Upon Petition by the Superintendent of the Delaware Colony to the Superior Court.

July 18, 1955, House Bill No. 119 with H. A. Nos. 1, 2 and 4 and S. A. No. 1—An Act to Amend Chapter 29, Title 29, Delaware Code, Relating to The "State Treasurer", by Providing that the Salaries of State Officials and Employees be Paid Semi-Monthly.

July 18, 1955, House Bill No. 213—An Act to Amend Chapter 16, Title 10 of the Delaware Code Relating to the Compensation of the Clerk and Other Officers of the Court of Common Pleas of Sussex County.

July 18, 1955, House Bill No. 225 with H. A. Nos. 1, 2 and 3—An Act to Change the Corporate Name of "The Commissioners of the Town of Bethany Beach" to the "Town of Bethany Beach" and to Establish a Revised Charter Therefor.

July 18, 1955, House Substitute No. 1 for House Bill No. 300—An Act to Establish a Board on Mental Health Training and Research and Making an Appropriation Thereto.

July 18, 1955, House Bill No. 310 with H. A. No. 1—An Act to Amend Chapter 23, Title 19, Delaware Code, Relating to Workmen's Compensation.

July 18, 1955, House Bill No. 315 with S. A. No. 1—An Act to Amend Chapter 5, Title 19, Delaware Code, Entitled "Child Labor", Omitting Obsolete Provisions and Changing Substantive and Administrative Provisions of the Chapter.

July 18, 1955, House Bill No. 344 with H. A. Nos. 1 and 2 and S. A. No. 1—An Act to Amend Chapter 1, Title 8, Delaware Code, Relating to Corporations.

July 18, 1955, House Bill No. 382 with S. A. No. 1—An Act to Amend Chapter 3, Title 11, Subchapters IX and X, Delaware Code, by Providing that Breaking and Entering the Dwelling House or Other Buildings of Another with Intent to Commit a Crime is Burglary, or Breaking Out of any Building After Committing a Crime Therein is Burglary; Defining and Providing for the Punishment of the Crimes of Burglary in the First, Second, Third and Fourth Degrees; Defining and Providing for the Punishment of the Crime of Unlawful Entry of a Building With Intent to Commit a Crime; Defining and Providing for the Punishment of the Crime of Simple Breaking and Entering of a Building; Providing for the Punishment and Manner of Prosecution for Separate Crime Committed in Building by Burglar; and Providing that No Act Committed or Criminal Proceeding Commenced Prior to the Approval of This Act Shall be Affected Hereby.

July 18, 1955, House Substitute No. 1 for House Bill No. 560—An Act to Establish the State Fire Prevention Commission and Defining Its Powers and Duties.

July 18, 1955, House Bill No. 628—An Act Appropriating Money for the Observance of Memorial Day in Honor of the Grand Army of the Republic.

July 18, 1955, House Bill No. 636—An Act to Amend An Act Entitled "An Act Changing the Name of 'The Town of Dover' to 'The City of Dover' and Establishing a Charter Therefor."

July 18, 1955, House Bill No. 637—An Act to Amend "An Act to Reincorporate the Town of Smyrna" and Relating to the Establishment of a Police Pension Fund.

July 18, 1955, House Bill No. 639—An Act to Amend Title 29, Delaware Code, Entitled "State Government" in Regard to State Departmental Supplies.

July 18, 1955, House Bill No. 641—An Act Authorizing the Recorder of Kent County to Procure a New Seal.

July 18, 1955, House Bill No. 643—An Act Appropriating Funds to the State Building and Grounds Commission for the Construction of Certain Facilities for the New State Armory to be Built at Dover.

July 18, 1955, House Bill No. 644—An Act to Amend Chapter 35, Title 11, Delaware Code, as Amended by An Act of the 118th Session of the General Assembly Providing for the Admission in Evidence of the Weight of Alcohol in the Blood of a Person Being Tried for Operating a Motor Vehicle While Under the Influence of Intoxicating Liquor.

Respectfully submitted,

J. CALEB BOGGS, Governor

### GOVERNOR'S MESSAGE

#### STATE OF DELAWARE

#### EXECUTIVE DEPARTMENT

Dover, July 28, 1955

To the House of Representatives of the State of Delaware:

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

July 21, 1955, House Bill No. 274—An Act to Amend Title 17, Delaware Code, Entitled "Highways" by providing for a State Communication Division within the Highway Department, Defining Its Duties and Appropriating Funds.

July 26, 1955, Senate Bill No. 170 with S. A. No. 1—An Act Amending Title 11, Delaware Code, Pertaining to Prisons and Prisoners, and Creating a State Board of Corrections Having Responsibility for the Care, Supervision and Administration of Prisons, Correctional Facilities and Prisoners in Lieu of County Boards and Officers and the Transferring of Property and Prisoners to the Jurisdiction of the State, Defining Certain Crimes, Appropriating Funds and Repealing Contrary Provisions.

July 27, 1955, Senate Bill No. 47—An Act Authorizing the Payment of the Sum of \$186.30 to Everett Toomey, Jr., for Expenses Incurred as a Result of an Injury Received at the John M. Clayton School.

July 27, 1955, Senate Bill No. 151—An Act to Amend Chapter 25, Title 29 of the Delaware Code Relating to the Salary of the Register of Wills of Kent County.

July 27, 1955, Senate Bill No. 267 with H. A. No. 1—An Act to Appropriate Additional Funds for the Construction of a State Detention Home for Juveniles and to Authorize the Sale of the Present Detention Home.

July 27, 1955, Senate Bill No. 307—An Act to Amend Chapter 82, Title 9 of the Delaware Code Relating to Salaries of Members of Board of Assessment of Kent County.

July 27, 1955, Senate Bill No. 444—An Act to Amend Chapter 83, Title 11 of the Delaware Code Relating to the Eligibility for Pensions of Dependents of the State Police.

July 27, 1955, S. S. 1 for Senate Bill No. 472 with S. A. 2, 3, and 4—An Act to Amend Chapter 3, Title 17, Delaware Code Entitled "The Delaware Memorial Bridge" by reorganizing and Reconstituting the Delaware Memorial Bridge Division of the State Highway Department as the Delaware Interstate Highway Division by Authorizing Said Division to Issue Revenue Bonds to Finance the Construction and Reconstruction of Highways in the Interstate System, Including Express Highways, for the Construction of Toll Crossings Over and Under the Delaware River, and for Refunding Purposes and by Vesting in the Delaware Interstate Highway Division the Maintenance, Repair and Operation of the Delaware Memorial Bridge.

July 27, 1955, Senate Bill No. 514—An Act to Amend An Act Entitled "An Act to Reincorporate the Town of Middletown", Being Chapter 128, Volume 33, Laws of Delaware, as Amended, to Provide for Paving or Repairing of Sidewalks, Streets, Curbs, and Gutters and to Order Connection with Water Main or Sewer Main in the Town of Middletown and to Provide for the Collection of Costs Thereof from Owners of the Land Abutting and to Provide that the Costs Thereof When Done by the Town of Middletown Shall be a Lien on the Property Recoverable by the Sale of Lands and Premises Affected as a Special Assessment.

July 27, 1955, House Bill No. 88 with H. A. No. 1—An Act to Amend Chapter 96, Title 9, Delaware Code, Relating to Recorders; Compensation.

July 27, 1955, House Bill No. 232—An Act to Provide that any Unused Funds Appropriated for Maintenance and Construction to the State Highway Department in the Budget Appropriation Act for the Biennium Ending June 30, 1957 Shall be Credited by the State Treasurer for the Use of the State Highway Department for the Purpose for Which They Were Originally Appropriated.

July 27, 1955, House Bill No. 254—An Act Directing the State Highway Department to Tar and Chip Country Road Leading from Cantwell Avenue at Corporate Line of Odessa, St. Georges Hundred to U. S. Route 13.

July 27, 1955, House Bill No. 354—An Act Appropriating Funds for the Payment of a Claim of James L. Sease, Jr., Rising Out of the Negligent Operation of a Delaware National Guard Vehicle.

July 27, 1955, House Bill No. 553 with H. A. No. 1—An Act to Amend Chapter 55, Title 29, Delaware Code, Relating to State Employees' Pension Plan, by Providing for Payments to the Surviving Spouse of an Eligible Employee.



July 27, 1955, House Bill No. 640 with H. A. 1 and S. A. 1—An Act Making Certain Supplementary Appropriations for the Expenses of Certain State Agencies for Each of the Fiscal Years Ending June 30, 1956, and June 30, 1957.

Respectfully submitted,

J. CALEB BOGGS, Governor

The House adjourned at 5:25 P. M. until 2:00 P. M., Tuesday, August 2, 1955.

### 137TH LEGISLATIVE DAY

House met pursuant to adjournment at 4:00 P. M., on Tuesday, August 2, 1955.

Prayer by the Chaplain, Rev. Buckley.

Members present — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Hastings, Hicks, T. S. Johnson, Keel, Layton, Lester, Livingston, Massey, Mattiford, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wolf, Mr. Speaker Quigley—26.

Member absent—Messrs. Garton, B. W. Johnson, Lawson, Macklin, Maclary, Mayhew, Nechay, Wilkinson, Wood—9.

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

The following resolution was introduced by Mr. Pepper, and upon further motion by him was adopted: **HR 115**—"Extending the Sympathy of the House of Representatives to Representative George T. Macklin Upon the Death of His Brother, James H. Macklin."

WHEREAS, the Members of the House of Representatives have learned with deep regret of the death of James H. Macklin, brother of Representative George T. Macklin; and

WHEREAS, the Members of the House wish to express sincere and heartfelt sympathy to Representative George T. Macklin; NOW, THEREFORE,

BE IT RESOLVED by the House of Representatives of the 118th General Assembly of the State of Delaware that the sincere and heartfelt sympathy of all members of the House be and it is hereby extended to Representative George T. Macklin and all the members of his family and the family of James H. Macklin upon the loss of their relative James H. Macklin; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be spread upon the Journal of the House and a copy thereof sent to Representative George T. Macklin and the family of James H. Macklin.

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

**HCR 49**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing Three New Bills," by Shockley; to Miscellaneous.

The following concurrent resolutions were reported by the Committee on Miscellaneous: **HCR 47**, favorably; **HCR 48**, favorably.

Mr. Donovan, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: August 2, 1955—**HS 1** for **HB 586** with **SA 1**, **HS 1** for **HB 518** with **SA 1**, **HS 1** for **HB 573** with **SA 1**.

The Secretary of the Senate informed the House that the Senate had passed and requested the concurrence of the House in the following concurrent resolutions, which were presented by the Chair, given first and second readings by title only and referred to committees as follows:

**SCR 27**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill," to Rules.

**SCR 28**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill," to Rules.

The House adjourned at 4:10 P. M. until 8:00 P. M., Thursday, August 4, 1955.

### 138TH LEGISLATIVE DAY

House met pursuant to adjournment at 9:45 P. M., Eastern Standard Time, on Thursday, August 4, 1955.

Prayer by the Chaplain, Rev. Buckley.

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

Members absent—Messrs. Hicks, Keel, Livingston, Wood—4.

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

On motion of Mr. Shockley, Section 2 of Rule 1 was suspended for balance of tonight's session.

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

**HCR 50**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," by Queen; to Miscellaneous.

The Secretary of the Senate informed the House that the Senate had passed and requested the concurrence of the House in **SCR 29**, and that the Senate had concurred in **HB 645**.

Mr. Macklin moved that **HCR 47**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," be taken up for consideration and read for the third time in order to pass the House.

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

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

**NAYS**—Mr. Wolf—1.

**ABSENT**—Messrs. Hicks, Keel, Livingston, Wood—4.

**HCR 47** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Lester moved that **HCR 48**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," be taken up for consideration and read for the third time in order to pass the House.

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

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

**NAYS**—None.

**ABSENT**—Messrs. Hicks, Keel, Livingston, Wood—4.

**HCR 48** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following were reported by the Committee on Miscellaneous: **HCR 49**, favorably; **HCR 50**, favorably.

On motion of Mr. Queen, House rules were suspended for purpose of acting on **HCR 50**.

Mr. Queen moved that **HCR 50**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," be taken up for consideration and read for the third time in order to pass the House.

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

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

**NAYS**—Mr. Alexander—1.

**NOT VOTING**—Mr. Wolf—1.

**ABSENT**—Messrs. Hicks, Keel, Livingston, Wood—4.

**HCR 50** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

Mr. Garton moved that **HB 646**—"An Act to Amend Chapter 17, Title 7, Delaware Code, Relating to Dog and Kennel License Fees," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Nechay, **HB 646** was tabled.

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

**HCR 51**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," by Pepper; to Miscellaneous.

**HCR 52**—"Requesting the Governor of the State of Delaware to Return House Bill No. 447 as amended to the House for Reconsideration," by Macklin; to Miscellaneous.

The Chair announced he is about to sign: **HB 645**.

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

### **GOVERNOR'S MESSAGE**

#### **STATE OF DELAWARE**

#### **EXECUTIVE DEPARTMENT**

Dover, August 4, 1955

To the House of Representatives of the State of Delaware:

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

August 1, 1955, Senate Bill No. 385—An Act Relating to Limitations of Law Affecting the Amount of Bonds Which May be Issued or Bonded Debt Which May be Incurred by "The Mayor and Council of Wilmington", Specifically Excepting from Bonded Debt Bonds in Connection with the Slum Clearance and Redevelopment Program and the Urban Renewal Program, and Repealing Inconsistent Acts or Parts of Acts.

August 1, 1955, Senate Bill No. 408 with S. A. 1—An Act to Authorize the Mayor and Council of Wilmington to Borrow and Issue Bonds of the City for the Purpose of Aiding the Wilmington Housing Authority as the Slum Clearance and Redevelopment Authority or Slum Clearance and Redevelopment Agency, or the Local Public Agency of the City of Wilmington, Delaware in Carrying Out its Purposes and Functions Under 31 Del. C. c. 45, and to Further Enable the Mayor and Council of Wilmington to comply with the Provisions of the Housing Act of 1949 as Amended and the Housing Act of 1954 as the Last Two Acts Have Been Approved by the Congress of the United States of America.

August 2, 1955, Senate Bill No. 407 with S. A. 1—An Act to Amend Title 29 of the Delaware Code by Creating the Board of Post Mortem Examiners and the Post of State Medical Examiner and Defining the Powers and Duties Thereof.

August 2, 1955, House Bill No. 172 with H. A. 1—An Act Directing the State Highway Department of the State of Delaware to Hard Surface All the Dirt Roads in the State and Authorizing the Issuance of Bonds to Finance the Cost Thereof.

August 2, 1955, H. S. 1 for House Bill No. 518 with S. A. 1—An Act to Amend Title 17, Delaware Code of 1953, Entitled "Highways" by Changing § 504 Thereof, Relating to Drainage of Roads or Causeways.

August 2, 1955, H. S. 1 for House Bill No. 573 with S. 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.

August 2, 1955, H. S. 1 for House Bill No. 586 with S. A. 1—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.

August 2, 1955, House Bill No. 634 with S. A. 1 and H. A. 1—An Act to Amend Chapter 11, Title 12, Delaware Code, Entitled "Escheats", Declaring Abandoned Certain Money and Personal Property Held by Courts and Banking Organizations Which Have Been Unclaimed for Certain Periods of Time and Appropriating the Same for the Use of the State of Delaware; Providing for the Return of Certain Such Property to the Person Entitled Thereto and the Assumption of Liability Therefor by the State of Delaware; Providing for the Publication of the Names of the Persons Entitled Thereto; Providing for the Suspension of Interest on Such Property and Re-

quiring Certain Reports; Providing for the Suspension of the Statute of Limitations in Certain Cases; Providing for the Assessment of Certain Service Charges; Providing for the Penalties and Making an Appropriation.

August 2, 1955, House Joint Resolution No. 3—Appointment of Commission to Study Enabling Legislation to Supplement House Bill Number 245 Which Proposes Amendment to State Constitution so as to Permit Playing of Bingo by Certain Tax Exempt Organizations.

Respectfully submitted,

J. CALEB BOGGS, Governor

On motion of Mr. Shockley, House rules were suspended for purpose of acting on **HCR 49**.

Mr. Shockley moved that **HCR 49**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing Three New Bills," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS** — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Lawson, Layton, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—27.

**NAYS**—None.

**NOT VOTING**—Mr. Wolf—1.

**ABSENT** — Messrs. Hicks, Keel, Lester, Livingston, Smith, Snowden, Wood—7.

**HCR 49** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

Mr. Smith moved that **SB 237**—"An Act Providing for Repairs, Replacements and Additions to the Boardwalk in the City of Rehoboth Beach, in Sussex County, and Appropriating Money Therefore," having had its third reading, be taken up for consideration in order to pass the House.

Action deferred on motion of Mrs. Tunnell.

Mr. Nechay moved that **SB 358**—"An Act to Amend Chapter 1, Title 17 of the Delaware Code Relating to the State Highway Department by Affecting the Awarding of Contracts Without Bids," be taken up for consideration in order to pass the House over the Governor's veto.

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

**YEAS** — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Hastings, B. W. Johnson, Lester, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—23.

NAYS — Messrs. Lawson, Lester, Maclary, Snowden, Wolf—5.

NOT VOTING—Mr. T. S. Johnson—1.

ABSENT — Messrs. Alexander, Garton, Hicks, Keel, Livingston, Wood—6.

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

Mr. Nechay moved that SB 360—"An Act to Amend Chapter 1, Title 17 of the Delaware Code Relating to the State Highway Department by Changing the Number of Members Required for Concurrence in the Appointment of a Chief Engineer," be taken up for consideration in order to pass the House over the Governor's veto.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Hastings, B. W. Johnson, Lester, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—23.

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

NOT VOTING—Mr. T. S. Johnson—1.

ABSENT — Messrs. Alexander, Garton, Hicks, Keel, Livingston, Maclary, Wood—7.

SB 360 having received the constitutional three-fifths majority, passed the House and was ordered returned to the Senate.

Mr. Nechay moved that SB 362—"An Act to Amend Chapter 1, Title 17 of the Delaware Code Relating to the State Highway Department by Changing the Number of Members Required for Concurrence in the Appointment of a Secretary," be taken up for consideration in order to pass the House over the Governor's veto.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Hastings, B. W. Johnson, Lester, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—23.

NAYS — Messrs. Lawson, Lester, Maclary, Snowden, Wolf—5.

NOT VOTING—Mr. T. S. Johnson—1.

ABSENT — Messrs. Alexander, Garton, Hicks, Keel, Livingston, Wood—6.

SB 362 having received the constitutional three-fifths majority, passed the House and was ordered returned to the Senate.

Mr. Nechay moved that SB 361—"An Act to Amend Chapter 1, Title 17 of the Delaware Code Relating to the State Highway Department by Changing the Number of Members Required for a Quorum," be taken up for consideration in order to pass the House over the Governor's veto.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Hastings, B. W. Johnson, Lester, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—23.

NAYS — Messrs. Lawson, Lester, Maclary, Snowden, Wolf—5.

NOT VOTING—Mr. T. S. Johnson—1.

ABSENT — Messrs. Alexander, Garton, Hicks, Keel, Livingston, Wood—6.

SB 361 having received the constitutional three-fifths majority, passed the House and was ordered returned to the Senate.

Mr. Queen moved that SB 155—"An Act to Amend Chapter 96 Title 9 of the Delaware Code Relating to the Accordation of Instruments in Kent and Sussex Counties," be taken up for consideration in order to pass the House over the Governor's veto.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Hastings, B. W. Johnson, Lester, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—23.

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

ABSENT — Messrs. Alexander, Garton, Hicks, Keel, Livingston, Wood—6.

SB 155 having received the constitutional three-fifths majority, passed the House and was ordered returned to the Senate.

Mr. Shockley moved that SB 280—"An Act to Amend Chapter 19 Title 10, Delaware Code by Providing for the Appointment by the Levy Court of New Castle County of Commissioners to Examine Certain Lien Indices in New Castle County and Satisfaction Thereof," be taken up for consideration in order to pass the House over the Governor's veto.



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

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

NAYS — Messrs. Lawson, Lester, Maclary, Snowden, Wolf—5.

NOT VOTING—Mr. T. S. Johnson—1.

ABSENT — Messrs. Alexander, Garton, Hicks, Keel, Livingston, Rowan, Wood—7.

SB 280 having received the constitutional three-fifths majority, passed the House and was ordered returned to the Senate.

Mr. Shockley moved that SB 283—"An Act to Amend Chapter 19 Title 10, Delaware Code by Providing for the Appointment by the Levy Court of New Castle County of Commissioners to Examine Mortgage Satisfaction in New Castle County," be taken up for consideration in order to pass the House over the Governor's veto.

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

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

NAYS — Messrs. Lawson, Lester, Maclary, Snowden, Wolf—5.

NOT VOTING—Mr. T. S. Johnson—1.

ABSENT — Messrs. Alexander, Garton, Hicks, Keel, Livingston, Rowan, Wood—7.

SB 283 having received the constitutional three-fifths majority, passed the House and was ordered returned to the Senate.

Mr. Lester moved that HB 602—"An Act Amending Chapter 19, Title 9, Delaware Code, Relating to the Appointment of County Police by the Levy Court of New Castle County," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Brogan, Clark, Eskridge, T. S. Johnson, Lawson, Macklin, Massey, Mattiford, Nechay, Queen, (Mrs.) Tunnell, Wilkinson, Wolf, Mr. Speaker Quigley—14.

NAYS — Messrs. Alexander, Bostick, B. W. Johnson, Layton, Lester, Maclary, Rowen, Shockley, Snowden, Walls—10.

Messrs. Lester, Maclary, and Snowden changed from yea to nay for purpose of reconsideration.

NOT VOTING — Messrs. Deputy, Donovan, Mayhew, Pepper—4.

ABSENT — Messrs. Garton, Hicks, Keel, Livingston, Wood—5.

PRESENT—Messrs. Hastings and Smith—2.

**HB 602** not having received the constitutional majority, was lost.

On motion of Mr. Lester, **HB 602** was restored to the calendar.

The Secretary of the Senate informed the House that the Senate had concurred in **HS 1** for **HB 587** with **HA 1**, and that the Senate had passed and requested the concurrence of the House in **SCR 30**.

The following were reported by the Committee on Miscellaneous: **HCR 51**, favorably; **HCR 52**, 3 on merits, 1 favorable.

On motion of Mr. Macklin, House rules were suspended for purpose of acting on **HCR 51** and **HCR 52**.

Mr. Macklin moved that **HCR 52**—"Requesting the Governor of the State of Delaware to Return House Bill No. 447 as Amended to the House for Reconsideration," 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, Brogan, Clark, Deputy, Eskridge, Hastings, B. W. Johnson, T. S. Johnson, Lawson, Layton, Lester, Macklin, Maclary, Pepper, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Wolf—19.

NAYS — Messrs. Bostick, Donovan, Massey, Mattiford, Mayhew, Nechay, Queen, Smith, Walls, Wilkinson, Mr. Speaker Quigley—11.

ABSENT — Messrs. Garton, Hicks, Keel, Livingston, Wood—5.

**HCR 52** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Pepper moved that **HCR 51**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Hastings, B. W. Johnson, T. S. Johnson, Lawson, Layton, Macklin, Maclary, Massey, Mattiford, Mayhew, Pepper, Queen, Shockley, Smith, (Mrs.) Tunnell, Walls, Wolf, Mr. Speaker Quigley—25.

NAYS—None.

ABSENT — Messrs. Garton, Hicks, Keel, Lester, Livingston, Nechay, Rowan, Snowden, Wilkinson, Wood—10.

**HCR 51** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Macklin, House rules were restored.

Mr. Maclary, on behalf of Mr. Hicks, moved that **HB 17**—"An Act Appropriating Money for the Burial of Indigent Soldiers, Sailors, Marines, Members of the Air Forces and Coast 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. Alexander, Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Hastings, B. W. Johnson, T. S. Johnson, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Mr. Speaker Quigley—30.

ABSENT — Messrs. Garton, Hicks, Keel, Livingston, Wood—5.

**HB 17** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Shockley moved that **SB 186**—"An Act to Amend Chapter 51 of the Delaware Code Entitled, "University of Delaware" for the Purpose of Granting Continuing Authority to Issue Revenue Bonds for Income Producing Capital Improvements of the University of Delaware," be taken up for consideration and read for the third time in order to pass the House.

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

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

NAYS—None.

ABSENT — Messrs. Garton, Hicks, Keel, Lester, Livingston, Mattiford, Wood—7.

**SB 186** having received the constitutional majority, passed the House and was ordered returned to the Senate.

The Chair announced he is about to sign: **HS 1** for **HB 387** with **HA 1**.

House Rule No. 1, Section 2 was restored on motion of Mr. Shockley.

The House adjourned at 1:45 A. M. until 8:00 P. M., Monday, August 8, 1955.

## 139TH LEGISLATIVE DAY

House met pursuant to adjournment at 9:00 P. M., on Monday, August 8, 1955.

Prayer by the Chaplain, Rev. Buckley.

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

Member absent—Mr. Mattiford—1.

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

The Chair presented **SR 110**—"Requesting Return of House Bill No. 642 from the House of Representatives of the 118th General Assembly of the State of Delaware," which upon motion of Mr. Queen, was adopted.

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

**HCR 53**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," by Tunnell; to Rules.

The following resolution was introduced by Mr. Queen and upon further motion by him was adopted: **HR 116**—"Extending the Sympathy of the House of Representatives of the 118th General Assembly to the Wife and Family of William Franklin Mayer."

WHEREAS, the members of the House of Representatives have learned with deep regret of the death of Trooper William Franklin Mayer of the Delaware State Police in the line of duty on Sunday, August 7, 1955; and

WHEREAS, the members of the House wish to express their sympathy to the family and friends of Trooper Mayer and their concern at the loss of a valued public servant; NOW, THEREFORE,

BE IT RESOLVED by the House of Representatives of the 118th General Assembly of the State of Delaware that the sympathy of all the members of the House is extended to the family and friends of Trooper William F. Mayer on the occasion of his untimely death in the service of his State; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to Trooper Mayer's family and that copies shall be spread upon the Journal and delivered to the press.

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

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

Dover, August 8, 1955

To the House of Representatives of the State of Delaware:

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

August 4, 1955, Senate Bill No. 115—An Act to Amend Chapter 53, Title 30 of the Delaware Code by Repealing the Cigar Tax.

August 4, 1955, H. S. #1 for House Bill #125 with H. A. #1—An Act to Amend Chapter 39, Title 14, Delaware Code, Relating to Teachers' Retirement and Disability Benefits.

August 4, 1955, House Bill No. 513—An Act Authorizing and Directing the State Highway Department to Pay Thirty-Five Hundred Dollars to Carey D. Sapp for Damage to Property in Milton, Sussex County, Delaware, Widening Union and Federal Streets in Said Town.

Respectfully submitted,

J. CALEB BOGGS, Governor

Mr. Donovan, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: *August 8, 1955*—**HS 1** for **HB 587** with **HA 1**, **HB 645**.

The following was reported by the Committee on Elections: **SB 299**, on merits.

On motion of Mr. Mayhew, **HS 1** for **HB 231** was recommended.

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

**HS 2** for **HB 231**—"An Act Amending Chapter 23, Title 31, Delaware Code, Entitled "Aid to the Blind", by Defining Assistance to be Given to Totally Blind Persons," by Mayhew and Bostick; to Appropriations.

On motion of Mr. Macklin, Section 2 of Rule 1, was suspended for balance of the 139th Legislative Day.

Mr. Macklin moved that **HB 447** with **HA 1**, **HA 2** and **HA 3**, having been recalled from the Governor, be taken up for reconsideration.

On motion of Mr. Macklin, **HA 4** was adopted.

On motion of Mr. Macklin, **HA 5** was adopted.

The House recessed at 10:45 P. M. until 8:00 P. M., Wednesday, August 10, 1955.

The Speaker called the House to order at 9:00 P. M., on Wednesday, August 10, 1955. Since this was continuation of the 139th Legislative Day and **HB 447** with **HA 1**, **HA 2**, **HA 3**, **HA 4** and **HA 5** was before the House at time of recess, Mr. Macklin moved for a roll call.

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

**YEAS** — Messrs. Alexander, Brogan, Clark, Deputy, Eskridge, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Lawson, Layton, Lester, Livingston, Maclary, Nechay, Pepper, Rowan, Snowden, (Mrs.) Tunnell, Wolf—20.

**NAYS**—Messrs. Donovan, Macklin, Shockley, Walls—4.

Messrs Macklin and Shockley changed from yea to nay for purpose of reconsideration.

**ABSENT**—Messrs. Keel, Mattiford, Mayhew, Wood—4.

**PRESENT** — Messrs. Bostick, Garton, Massey, Queen, Smith, Wilkinson, Mr. Speaker Quigley—7.

**HB 447** with **HA 1**, **HA 2**, **HA 3**, **HA 4** and **HA 5** not having received the constitutional majority, was lost.

On motion of Mr. Shockley, **HB 447** with **HA 1**, **HA 2**, **HA 3**, **HA 4** and **HA 5** was restored to the calendar.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 305**, and that the Senate had passed and requested the concurrence of the House in **SB 345** with **SA 1** and **SA 2**.

The following resolution was introduced by Mr. Deputy, and upon further motion by him was adopted: **HR 117**—"In Reference to the Removal of a Sergeant-at-Arms and the Election of a Successor for the House of Representatives."

**BE IT RESOLVED** by the House of Representatives of the 118th General Assembly that the resignation of Martin J. Walsh as a Sergeant-at-Arms for the said House, effective August 1, 1955, is accepted and the said Martin J. Walsh is hereby removed from the said office; and

**BE IT FURTHER RESOLVED** by the House of Representatives of the 118th General Assembly that Ira P. Messick is hereby elected to serve as Sergeant-at-Arms beginning August 1, 1955, at the pleasure of the House.

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

**HCR 54**—"Providing for Adjournment of the House and Senate Until Monday, September 26, 1955," by Macklin; to Manufacturers and Commerce.

Mr. Donovan moved that **SB 237**—"An Act Providing for Repairs, Replacements and Additions to the Boardwalk in the City of Rehoboth Beach, in Sussex County, and Appropriating Money Therefore," having had it third reading, be taken up for consideration in order to pass the House.

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

**YEAS** — Messrs. Alexander, Bostick, Clark, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Lawson, Layton, Lester, Livingston, Maclary, Massey, Pepper, Smith, Snowden, Walls, Wolf, Mr. Speaker Quigley—20.

**NAYS** — Messrs. Brogan, Deputy, Donovan, Eskridge, Nechay, Queen, Shockley, Wilkinson—8.

Messrs. Donovan and Queen changed from yea to nay for purpose of reconsideration.

**ABSENT** — Messrs. Keel, Mattiford, Mayhew, Rowan, Wood—5.

**PRESENT**—Mr. Macklin and Mrs. Tunnell—2.

**SB 237** not having received the constitutional majority, was lost.

On motion of Mr. Donovan, **SB 237** was restored to the calendar.

The Chair announced he is about to sign: **HB 305** and **SB 186**.

On motion of Mr. Lawson, House rules were suspended for purpose of restoring **HB 251**.

On motion of Mr. Lawson, **HB 251** was restored to the calendar.

On motion of Mr. Lawson, House rules were restored.

Mr. Deputy introduced the following resolution, which upon further motion by him was adopted: **HR 118**—"Appropriating Certain Sums to Officers and Employees for the House as an Allowance for Expenses."

**BE IT RESOLVED** by the House of Representatives of the 118th General Assembly of the State of Delaware that there are hereby appropriated to the following named officers of the House as an allowance for their expenses in attending sessions of the House since August 1, 1955, the sums of money set opposite their names, the same being expenses of this session of the House:

Melville C. Taylor .....	\$40.00
Rev. Frank G. Buckley .....	50.00
James H. Hughes, III .....	50.00
John Walmsley .....	50.00
Mary W. Rawlins .....	30.00
Clara Campese .....	50.00
Leon Bacon .....	50.00
Howard Lane, Jr. ....	50.00
Michael Watson .....	50.00
Grover C. Dill .....	50.00
Dorothy B. Green .....	40.00
Constance M. Barto .....	50.00
Francis E. Holliday .....	50.00
John E. Babiarz .....	50.00

S. Ellwood Veasey .....	50.00
Ira P. Messick .....	50.00

Mr. Deputy introduced the following resolution, which upon further motion by him was adopted: **HR 119**—"Appropriating Money Out of the General Fund of the State Treasury to Pay Certain Expenses of the Present Session of the 118th General Assembly."

BE IT RESOLVED, by the House of Representatives of the 118th General Assembly of the State of Delaware, that the following amounts are appropriated out of any money in the General Fund of the State Treasury for the payment of certain expenses connected with the present session of the 118th General Assembly of the State of Delaware, which expenses are declared proper and reasonable expenses actually incurred by the respective members of the House of Representatives for traveling expenses, commonly called mileage expenses, in traveling from their respective homes to Dover and in returning from Dover to their respective homes in the performance of their duties as members of the House of Representatives, during the present Legislative Session thereof, and the Auditor of Accounts is directed to approve and properly execute warrants for, and the State Treasurer is directed to pay to the respective members of the House of Representatives hereinafter named, the respective amounts set opposite their respective names, viz.:

Mr. James L. Hastings .....	\$200.00
Mr. Ebe T. Layton .....	200.00
Mr. Thomas C. Rowan .....	90.00
Mr. Roland H. Wilkerson .....	20.00
Mr. John J. Brogan .....	200.00
Mr. James R. Quigley .....	180.00
Mr. James W. Smith .....	132.00
Mr. Walter B. Johnson .....	140.00
Mr. Irving H. Garton .....	8.00
Mr. Charles W. Bostick .....	50.00
Mr. Joseph B. Walls .....	192.00
Mr. Norman A. Eskridge .....	140.00
Mr. J. Earl Pepper .....	184.00
Mr. H. Clifford Clark .....	50.00
Mr. Leon E. Donovan .....	92.00
Mr. Harry E. Mayhew .....	80.00
Mr. Daniel J. Queen, Jr. ....	4.00
Mr. Nelson Massey .....	20.00
Mr. George T. Macklin .....	80.00
Mrs. Mildred S. Tunnell .....	144.00
Mr. Peter Nechay .....	63.00
Mr. Earl N. Keel .....	120.00
Mr. Ernest S. Mattiford .....	60.00
Mr. Edgar Alexander .....	100.00
Mr. Paul F. Livingston .....	200.00



Mr. Paul E. Shockley .....	200.00
Mr. Earl Deputy .....	120.00
Mr. Robert P. Maclary .....	200.00
Mr. Henry H. Wolf .....	180.00
Mr. Robert R. Wood .....	240.00
Mr. Benjamin E. Hicks .....	200.00
Mr. Harry G. Lawson .....	200.00
Mr. William E. Lester .....	136.00
Mr. James H. Snowden .....	200.00
Mr. Tilghman S. Johnson .....	226.00

The Secretary of the Senate informed the House that the Senate had concurred in: **HCR 46, HCR 47, HCR 48, HCR 49.**

Mr. Donovan, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: August 10, 1955—**HB 305.**

Pursuant to concurrent resolutions, the following bills were introduced, given first and second readings by title only, and referred to committees as follows:

**HB 647**—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" in Regard to the State Employees' Pension Plan," by Macklin; to Revised Statutes.

**HB 648**—"An Act Authorizing the Expenditures for Child Welfare Service of Certain Funds Appropriated to the State Board of Welfare for Old Age Assistance," by Shockley; to Appropriations.

**HB 649**—"An Act Appropriating Certain Funds to the State Board of Welfare for Aid to the Disabled," by Shockley; to Appropriations.

**HB 650**—"An Act to Amend Chapter 5, Title 31, Delaware Code, Relative to Appropriations by the Counties for General Assistance," by Shockley; to Appropriations.

**HB 651**—"An Act Appropriating Money to Delaware City Fire Company No. 1 for the Maintenance and Operation of a Rescue Truck," by Lester; to Private Corporations.

**HB 652**—"An Act to Require the State Highway Department to Install a Traffic Light Control for the Minquadale Fire Company, Inc., at Minquadale, New Castle, Delaware," by Quigley; to Appropriations.

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

**HCR 55**—"Providing for Adjournment of the House and Senate Until Monday, September 26, 1955," by Macklin; to Revised Statutes.

The following was reported by the Committee on Revised Statutes: **HB 647**, favorably; **HCR 55**, favorably.

House rules were suspended on motion of Mr. Macklin, for purpose of acting on **HCR 55** and **HB 647.**

Mr. Macklin moved that **HCR 55**—"Providing for Adjournment of the House and Senate Until Monday, September 26, 1955," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS** — Messrs. Alexander, Brogan, Clark, Deputy, Eskridge, Hastings, B. W. Johnson, Lawson, Layton, Livingston, Macklin, Maclary, Massey, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Walls, Wilkinson, Mr. Speaker Quigley—22.

**NAYS**—Messrs. Lester and Snowden—2.

**NOT VOTING**—Mr. Wolf—1.

**ABSENT**—Messrs. Bostick, Donovan, Hicks, T. S. Johnson, Keel, Mattiford, Mayhew, (Mrs.) Tunell, Wood—9.

**PRESENT**—Mr. Garton—1.

**HCR 55** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Macklin moved that **HB 647**—"An Act to Amend Title 29, Delaware Code, Entitled "State Government" in Regard to the State Employees' Pension Plan," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Macklin, **HA 1** was adopted.

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

**YEAS** — Messrs. Alexander, Brogan, Clark, Deputy, Eskridge, Garton, Hastings, B. W. Johnson, Lawson, Layton, Livingston, Macklin, Maclary, Massey, Nechay, Pepper, Queen, Rowan, Shockley, Walls, Wilkinson, Mr. Speaker Quigley—22.

**NAYS**—None.

**ABSENT**—Messrs. Bostick, Donovan, Hicks, T. S. Johnson, Keel, Lester, Mattiford, Mayhew, Smith, Snowden, (Mrs.) Tunnell, Wolf, Wood—13.

**HB 647** with **HA 1** 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 **HCR 55**.

The House adjourned at 12:50 A. M. on August 11, 1955 until 2:00 P. M., Monday, September 26, 1955.

### 140TH LEGISLATIVE DAY

House met pursuant to adjournment at 2:55 P. M., on Monday, September 26, 1955.

Prayer by the Chaplain, Rev. Buckley.

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

Livingston, Macklin, Maclary, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—34.

Member absent—Mr. Bostick—1.

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

Mr. Donovan took over the Chair at the request of Mr. Speaker Quigley.

The following messages from the Governor were delivered to the House:

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

Dover, September 26, 1955

To the House of Representatives of the State of Delaware:

This will advise you that on August 15, 1955, I approved the following legislation:

Senate Bill 186—An Act to Amend Chapter 51 of the Delaware Code entitled "University of Delaware" for the Purpose of Granting Continuing Authority to Issue Revenue Bonds for Income Producing Capital Improvements of the University of Delaware.

House Bill 305—An Act Authorizing the State Highway Department to Transfer Funds from Funds Appropriated for Highway Construction to Funds Appropriated for Highway Maintenance in an Emergency Due to Unexpected or Unusual Climatic Conditions; Limitations.

HS #1 for House Bill 587 as amended with HA #1—An Act Making Appropriations for Certain Contingencies, for the Respective Years of the Biennium July 1, 1955 to June 30, 1957, and Prescribing Limitations Upon Use Thereof and the Powers and Duties of the Budget Commission in Relation Thereto.

House Bill 645—An Act to Amend the Charter of the Town of Clayton by Extending the Limits of Said Town.

Respectfully submitted,

J. CALEB BOGGS, Governor

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

Members of the One Hundred and Eighteenth General Assembly of the State of Delaware:

Last January in my message to the 118th General Assembly I gave assurance of my fullest cooperation during this legislative session with respect to the formulation and enactment of legislation in the best interest of good government and the people of Delaware.

In furtherance of that spirit, as this legislative session continues after an extended recess, I now desire to bring to your attention several matters of importance which merit your consideration and action.

**PUBLIC EDUCATION**

The education of our youth is one of the greatest and most significant of our state responsibilities. To fulfill this responsibility we must maintain high standards and provide adequate facilities. Action to accomplish this should be based upon sound long-range planning, but in any event it is imperative that existing needs be met satisfactorily and immediately. I therefore urge that adequate school appropriations and construction funds be provided without further delay.

**HIGHWAY SAFETY**

I renew my earlier request for appropriate actions to improve highway safety.

The highway death and injury rate continues to increase alarmingly. Personally, I have requested the State Highway Department to review completely its policies for engineering, lighting and marking our highways—and its methods of controlling the flow of traffic.

I have asked the Governor's Highway Safety Committee to step up its efforts, especially in educating the driving public and in encouraging increased public cooperation.

But more more may be needed to reduce deaths, injuries and economic losses on our highways. For example, we may need to expand our student driving program; we may need more State Police on our highways; we may need more rigid enforcement of existing laws; we may need the imposition of severer penalties for highway violations; and we may need new laws giving wider authority to police and more extensive penalties for those who will not heed either our warnings or laws.

I urge the General Assembly to consider carefully these and other suggestions which may be forthcoming and to take affirmative action. The Highway Safety Committee, estab-

lished several months ago by legislative resolution, should be of extensive assistance in seeking the solutions which must be found.

## FLOOD, SURFACE WATER AND DRAINAGE CONTROL

In recent years Delaware has been increasingly subjected to hurricanes and flash floods. The extensive damage suffered by our people has in large measure resulted from improper and inadequate drainage control of abnormal surface water.

Preventable losses cannot be permitted to continue. Action must be taken to protect home owners from such devastating losses and resultant threats to public health.

Much—but not all—of the damage caused by surface water from flash floods is in communities developed to house our rapidly growing population.

Local and county governmental units must require full compliance with their laws and regulations. But even this is not enough. The problem is one calling for intelligent, constructive, coordinated action at all levels of government, utilizing technical and engineering knowledge and experience.

Consequently, I recommend legislation specifically authorizing and directing the State Highway Department to cause a study to be made promptly of the problem of drainage control of flood and surface waters. The Department's report should be submitted to the General Assembly with appropriate recommendations for preventive and remedial action.

## ZONING

The rapid growth of our state continues to emphasize the urgent need for adequate zoning.

Zoning is an integral part of proper planning for both residential and industrial growth. Zoning is action to prevent many undesirable problems from arising in the future and to protect property owners from unnecessary losses in value. It has many other public benefits.

New Castle County has zoning authority and now has been completely zoned. In the years ahead the people of that county in particular—and of the entire state—will reap the benefits of the zoning of New Castle County.

Yet Kent and Sussex Counties, with their rapid growth and anticipated future development, have no zoning authority.

Such authority can be granted only by Constitutional amendment. This takes time—and there is no time to lose.

Therefore I renew my earlier recommendation for the granting of zoning authority for Kent and Sussex Counties—and urge that appropriate action be taken without delay in the public interest.

## VOCATIONAL REHABILITATION

For years Delaware has maintained a position of leadership and outstanding achievement in the field of vocational rehabilitation.

Under this program hundreds of physically handicapped people in a dependency status have been enabled to become fully self-supporting.

Last week I received a report from the Governor's Committee on Employment of Physically Handicapped. The report reflects enactment by The Congress of Public Law 565 making additional grants available to states for expansion of Vocational Rehabilitation in order to rehabilitate more people, and states that Delaware is eligible for such additional funds.

This report urges "that the General Assembly give full and immediate consideration to appropriating additional funds in order to rehabilitate a maximum number of Delaware citizens "and further urges" that the General Assembly take full advantage of the grants made available by the Federal Government to the State of Delaware under the expanded Rehabilitation Law."

## CENTRAL PURCHASING SYSTEM

Delaware is reported to be one of only three states in the nation without a central purchasing system. This is indeed regrettable, because experience in other states—as in business—has shown that central purchasing represents an outstanding opportunity for vast savings in dollars, taxpayers dollars.

Last year the Governor and Budget Commission engaged a professional consulting firm with a national reputation to study the feasibility and desirability of establishing for the State of Delaware a central purchasing system. The report submitted strongly recommended central purchasing and reflected the extensive dollar savings to be effected.

But to be more certain that the recommendations were desirable, needed and applicable to our Delaware situation, I also appointed an outstanding well-qualified citizen's committee to study this subject.

Both the consulting service and the citizen's committee concluded that centralizing purchasing is now generally accepted as one of the earmarks of a modern, economical and efficient administration. They also concluded that the scope and volume of purchasing by the State of Delaware are such not only to make centralized purchasing practical but to offer a real opportunity for improved service with substantial dollar savings.

The report of the citizen's committee states that centralized purchasing in Delaware will provide lower unit cost of commodities, reduction in the overhead cost of buying, standardization of specifications and savings through greater discounts.

In view of the conclusion reached in these studies, I again recommend the establishment of a central purchasing system in Delaware. I am confident that the citizen's committee would welcome an invitation to appear at such hearing as you may desire to have to give more complete and detailed information concerning this recommendation.

### MUNICIPAL HOME RULE

It is becoming increasingly important that municipalities be able to meet more effectively and expeditiously the needs of their citizens in local matters. It is time consuming as well as expensive that so many local matters must be enacted by the General Assembly.

A renew my recommendation and urge favorable consideration for the Constitutional amendment providing for home rule which is now pending before the General Assembly.

### WEIGHTS AND MEASURES

You will recall that I also created a citizen's committee to review the problem of weights and measures and submit recommendations. This was necessary because our present weights and measures system is inadequate and not designed to meet the problems which exist today. Each member of the General Assembly probably is aware of instances where better weights and measures enforcements are necessary and would be helpful to the general public.

The citizen's committee recognized the inadequacy of our existing laws pertaining to weights and measures and recommended appropriate legislation for the establishment of a centralized, improved and modern weights and measures statute for the State of Delaware.

Again I recommend the enactment of such legislation.

### FISCAL

It continues to be necessary for me to direct your attention to the fact that Delaware is faced with grave financial problems and a pressing need for fiscal planning—followed by strict adherence to such planning.

Recognizing this existing need for sound fiscal planning, the Governor and Budget Commission engaged one year ago the professional services of McKinsey & Company. This reputable and widely experienced firm made a thorough study of Delaware's financial problems—and submitted a report and a series of recommendations which received extensive praise and considerable public support.

At about the time the 118th General Assembly first convened, each member was given a copy of the McKinsey report. In my January 1955 message I urged fullest consideration of that report and its sound recommendations.

Now—approximately nine months later—there is little evidence that such consideration has been given. Therefore, I again recommend to each member of the 118th General Assembly that careful study and fullest consideration be given to the McKinsey report and the sound, urgent recommendations it contains.

Respectfully,

September 26, 1955  
Legislative Hall  
Dover, Delaware

J. CALEB BOGGS  
Governor

The following bills were reported by the Committee on Private Corporations: **HB 651**, favorably; by Committee on Elections: **SB 345** with **SA 1** and **SA 2**, 2 favorable, 1 on merits, 1 unfavorable; by the Committee on Rules: **HCR 53**, favorably.

On motion of Mr. Lester, House rules were suspended to act on **HB 651**.

Mr. Lester moved that **HB 651**—"An Act Appropriating Money to Delaware City Fire Company No. 1 for the Maintenance and Operation of a Rescue Truck," be taken up for consideration and read for the third time in order to pass the House.

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

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

**NAYS**—None.

**ABSENT**—Messrs. Bostick and Nechay—2.

**HB 651** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Lester, House rules were restored.

The following resolution was introduced by Messrs. Quigley, Macklin and Maclary, and upon further motion of Mr. Macklin, was adopted: **HR 120**—"Expressing the Sympathy of the House to the Honorable Dwight D. Eisenhower, President of the United States, Upon His Illness."

**WHEREAS**, the members of the House of Representatives of the State of Delaware have shared the concern of the entire nation upon the reports of the illness of President Eisenhower; and

**WHEREAS**, the House wishes to make public expression of its sympathy for President Eisenhower and its wishes for his recovery; **NOW, THEREFORE**,



BE IT RESOLVED by the House of Representatives of this, the 118th Session of the General Assembly of the State of Delaware, that the sincere sympathy of the House is hereby extended to the Honorable Dwight D. Eisenhower, President of the United States, and to the members of his family upon the occasion of his illness, and that the members of the House join their heartfelt prayers with those of all Americans for his swift and complete restoration to health; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be spread upon the Journal and a copy forwarded to President Eisenhower by the Clerk of the House.

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

**HCR 56**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," by Tunnell; to Rules.

**HCR 57**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," by Macklin; to Rules.

The House recessed at 3:35 P. M.

The Speaker called the House to order at 5:50 P. M.

The following resolution was introduced by Messrs. Maclary, Macklin and Quigley, and upon further motion by Mr. Maclary was adopted: **HR 121**—"Extending the Sympathy of the House of Representatives to Representative Tilghman S. Johnson Upon the Death of His Wife."

WHEREAS, the Members of the House of Representatives have learned with deep regret of the death of Roxie B. Johnson, wife of Representative Tilghman S. Johnson; and

WHEREAS, the Members of the House wish to express their sincere and heartfelt sympathy to Representative Johnson; NOW, THEREFORE,

BE IT RESOLVED by the House of Representatives of this, the 118th General Assembly of the State of Delaware, that the sincere and heartfelt sympathy of all the members of the House be and it is hereby extended to Representative Tilghman S. Johnson and the members of his family upon the loss of his wife, Roxie B. Johnson; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be spread upon the Journal of the House and a copy thereof sent to Representative Tilghman S. Johnson.

The following resolution was introduced by Mr. Shockley, and upon further motion by him was adopted: **HR 122**—"Relative to the Death of Former Representative John P. Welsh."

WHEREAS, the House of Representatives has learned with regret of the passing of John P. Welsh, a resident of Wilmington and a former member of the House; 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 118th General Assembly of the State of Delaware that the members hereby express the regret which they experienced at the passing of John P. Welsh, 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, 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.

On motion of Mr. Keel, House rules were suspended to receive report on **HCR 56**.

The following concurrent resolution was reported by the Committee on Rules: **HCR 56**, favorably.

On motion of Mr. Keel, House rules were restored.

The House adjourned at 6:00 P. M. until 7:00 P. M., Tuesday, September 27, 1955.

#### 141ST LEGISLATIVE DAY

House met pursuant to adjournment at 8:35 P. M., on Tuesday, September 27, 1955.

Prayer by Mr. Macklin.

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

Members absent — Messrs. Alexander, T. S. Johnson, Mattiford, Pepper, Rowan, Wilkinson, Wood—7.

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

The Chair announced he is about to sign: **HCR 46, HCR 47, HCR 48, HCR 49 and HCR 55**.

The following resolution was introduced by Mr. Macklin and upon further motion by him was adopted: **HR 123**—“Extending the Congratulations of the House to Mr. and Mrs. Leon Bacon Upon Their Twenty-Fifth Wedding Anniversary.”

WHEREAS, Leon Bacon, Speaker's Clerk at this Session of the House, and Mrs. Bacon are celebrating their 25th wedding anniversary today; and

WHEREAS, the members of the House feel that suitable recognition should be accorded Mr. and Mrs. Bacon for their record of devotion and loyalty; NOW, THEREFORE,

BE IT RESOLVED by the House of Representatives of the 118th General Assembly of the State of Delaware that the congratulations of the members of the House are hereby extended to Mr. Leon Bacon, Speaker's Clerk, and to Mrs. Bacon upon this anniversary of their marriage; and

BE IT FURTHER RESOLVED that the Clerk of the House shall deliver a copy of this Resolution to Mrs. Bacon, who is understood to be attending this meeting of the House.

The Secretary of the Senate informed the House that the Senate had passed and requested the concurrence of the House in the following concurrent resolutions, which were presented by the Chair, given first and second readings by title only and referred to committee as follows:

**SCR 31**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," to Rules.

**SCR 32**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," to Rules.

**SCR 33**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," to Rules.

**SCR 34**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," to Rules.

The following were reported by the Committee on Appropriations: **HB 648**, favorably; **HB 649**, favorably; **HB 650**, favorably; **HB 652**, favorably; by the Committee on Rules: **HCR 57**, favorably.

Mrs. Tunnell moved that **HCR 53**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS** — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Hastings, Hicks, B. W. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mayhew, Nechay, Queen, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wolf, Mr. Speaker Quigley—26.

**NAYS**—Mr. Smith—1.

**ABSENT** — Messrs. Alexander, Garton, T. S. Johnson, Mattiford, Pepper, Rowan, Wilkinson, Wood—8.

**HCR 53** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mrs. Tunnell moved that **HCR 56**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a new Bill," be taken up for consideration and read for the third time in order to pass the House.

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

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

NAYS—None.

ABSENT — Messrs. Alexander, Garton, T. S. Johnson, Mattiford, Pepper, Rowan, Wilkinson, Wood—8.

HCR 56 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Macklin, House rules were suspended for the purpose of action on HCR 57.

Mr. Macklin moved that HCR 57—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Hicks, B. W. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mayhew, Nechay, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wolf, Mr. Speaker Quigley—25.

NAYS—None.

ABSENT—Messrs. Alexander, Garton, Hastings, T. S. Johnson, Mattiford, Pepper, Queen, Rowan, Wilkinson, Wood—10.

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

On motion of Mr. Macklin, House rules were restored.

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

HCR 58—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," by Quigley; to Rules.

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

SCR 35—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," to Appropriations.

SCR 36—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of Certain Bills," to Appropriations.

On motion of Mr. Donovan, House rules were suspended for purpose of committee reports on **SCR 36** and **HCR 58** and action on **SCR 36**.

The following concurrent resolutions were reported by the Committee on Appropriations: **SCR 36**, favorably; by the Committee on Rules: **HCR 58**, favorably.

Mr. Donovan moved that **SCR 36**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of Certain Bills," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS** — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, Keel, Layton, Livingston, Macklin, Massey, Mayhew, Nechay, Shockley, Smith, Mrs. Tunnell, Mr. Speaker Quigley—20.

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

**ABSENT** — Messrs. Alexander, Hicks, T. S. Johnson, Maclary, Mattiford, Pepper, Queen, Rowan, Walls, Wilkinson, Wood—11.

**SCR 36** having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Donovan, House rules were restored.

The following bill was reported by the Committee on Municipal Corporations: **SB 163**, on merits.

The House adjourned at 11:00 P. M. until 7:00 P. M., Monday, October 3, 1955.

## 142ND LEGISLATIVE DAY

House met pursuant to adjournment at 9:55 P. M., on Monday, October 3, 1955.

Prayer by the Chaplain, Rev. Buckley.

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

Member absent—Mr. Wolf—1.

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

The Secretary of the Senate informed the House that the Senate had concurred in: **HCR 53**, **HCR 56**, **HCR 57**, and that the Senate had passed and requested the concurrence of the

House in the following, which were presented by the Chair, given first and second readings by title only and referred to committees:

**SCR 37**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill," to Appropriations.

**SCR 38**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill," to Rules.

The following resolution was introduced by Mr. Layton, and upon further motion by him was adopted: **HR 124**—"Relative to the Payment of a Printing Bill for Printing Bill Backers for the House of Representatives of the 118th General Assembly of the State of Delaware."

**BE IT RESOLVED** by the House of Representatives of the 118th General Assembly of the State of Delaware that the sum of One Hundred Forty-Four Dollars (\$144.00) is hereby appropriated out of the General Fund of the State of Delaware for payment to The State Register, Laurel, Delaware, for printing bill backers, said printing being necessary for the business of the House and the expense thereof being a necessary expense connected with this session.

Pursuant to House Concurrent Resolutions, the following were introduced, given first and second readings by title only and referred to committees:

**HB 653**—"An Act to Amend Chapter 166, Volume 43, Laws of Delaware, as Amended, by Empowering the Town of Georgetown to Establish and Administer Pension or Retirement Funds for Town Police and Other Municipal Employees," by Tunnell; to Municipal Corporations.

**HB 654**—"An Act to Amend Chapter 55, Title 29, Delaware Code, so as to Permit Members of the General Assembly to Continue to Draw a State Pension While Serving in the General Assembly," by Tunnell; to Miscellaneous.

**HB 655**—"An Act to Amend Chapter 55, Title 16, Delaware Code, in Respect to Admission, Detention and Commitment of Persons to the Delaware Colony for the Feeble Minded at Stockley," by Macklin; to Public Health.

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

**HCR 59**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," by Livingston; to Rules.

**HCR 60**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," by Deputy; to Rules.

**HCR 61**—"In Reference to the New Castle County Airport," by Quigley; to Banking and Insurance.

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

Mr. Bostick moved that **SB 512**—"An Act to Regulate and Control Milk Prices and Distribution in the State of Delaware," be taken up for consideration and read for the third time in order to pass the House.

Action deferred on motion of Mr. Shockley.

On motion of Mr. Garton, House rules were suspended for purpose of reporting and acting on **HB 653**.

The following bill was reported by the Committee on Municipal Corporations: **HB 653**, favorably.

Mrs. Tunnell moved that **HB 653**—"An Act to Amend Chapter 166, Volume 43, Laws of Delaware, as Amended, by Empowering the Town of Georgetown to Establish and Administer Pension or Retirement Funds for Town Police and Other Municipal Employees," be taken up for consideration and read for the third time in order to pass the House.

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

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

**NAYS**—None.

**ABSENT**—Messrs. Pepper, Walls, Wolf—3.

**HB 653** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mrs. Tunnell, House rules were restored.

On motion of Mr. Mayhew, House rules were suspended for purpose of reporting **HCR 59**.

The following was reported by the Committee on Insurance and Banking: **HCR 59**, favorably. z

On motion of Mr. Mayhew, House rules were restored.

The House adjourned at 11:30 P. M. until 7:30 P. M., Tuesday, October 4, 1955.

### 143RD LEGISLATIVE DAY

House met pursuant to adjournment at 9:00 P. M., on Tuesday, October 4, 1955.

Prayer by Mr. Donovan.

Members present — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Lawson, Layton, Lester, Livingston, Macklin, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wood, Mr. Speaker Quigley—26.

Members absent — Messrs. Alexander, Hicks, Keel, Maclary, Massey, Mattiford, Smith, Wilkinson, Wolf—9.

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

The Secretary of the Senate informed the House that the Senate had concurred in: **HB 651**, and that the Senate had passed and requested the concurrence of the House in the following which were presented by the Chair, given first and second readings by title only and referred to committees as follows:

**SCR 39**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill," to Rules.

**SCR 40**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," to Rules.

**SCR 41**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill," to Rules.

**SCR 42**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of Certain Bills," to Rules.

Mr. Donovan, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HCR 46**, **HCR 47**, **HCR 48**, **HCR 49**, **HCR 55**.

The following were reported by the Committee on Miscellaneous: **HB 654**, 2 favorable, 2 on merits; by the Committee on Public Health: **HB 655**, favorably.

Mr. Shockley moved that **HB 648**—"An Act Authorizing the Expenditure for Child Welfare Service of Certain Funds Appropriated to the State Board of Welfare for Old Age Assistance," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS** — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Hastings, B. W. Johnson, T. S. Johnson, Lawson, Layton, Lester, Livingston, Macklin, Mayhew, Nechay, Pepper, Shockley, (Mrs.) Tunnell, Walls, Wood, Mr. Speaker Quigley—22.

**NAYS**—None.

**ABSENT** — Messrs. Alexander, Garton, Hicks, Keel, Maclary, Massey, Mattiford, Queen, Rowan, Smith, Snowden, Wilkinson, Wolf—13.

**HB 648** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Shockley moved that **HB 649**—"An Act Appropriating Certain Funds to the State Board of Welfare for Aid to the Disabled," be taken up for consideration and read for the third time in order to pass the House.



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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Lawson, Layton, Lester, Livingston, Macklin, Mayhew, Nechay, Pepper, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wood, Mr. Speaker Quigley—24.

NAYS—None.

ABSENT — Messrs. Alexander, Hicks, Keel, Maclary, Massey, Mattiford, Queen, Rowan, Smith, Wilkinson, Wolf—11.

**HB 649** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Donovan, on behalf of Mr. Quigley, moved that **HCR 58**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Layton, Lester, Livingston, Macklin, Mayhew, Nechay, Pepper, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wood, Mr. Speaker Quigley—24.

NAYS—None.

ABSENT — Messrs. Alexander, Hicks, Keel, Lawson, Maclary, Massey, Mattiford, Queen, Smith, Wilkinson, Wolf—11.

**HCR 58** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Macklin, the House rules were suspended to act on **HB 655**.

Mr. Macklin moved that **HB 655**—"An Act to Amend Chapter 55, Title 16, Delaware Code, in Respect to Admission, Detention and Commitment of Persons to the Delaware Colony for the Feeble Minded at Stockley," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Lawson, Layton, Lester, Livingston, Macklin, Mayhew, Nechay, Pepper, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wood, Mr. Speaker Quigley—24.

NAYS—None.

ABSENT — Messrs. Alexander, Hicks, Keel, Maclary, Massey, Mattiford, Queen, Rowan, Smith, Wilkinson, Wolf—11.

On motion of Mr. Macklin, House rules were restored.  
The House adjourned at 9:30 P. M. until 8:00 P. M.,  
Monday, October 10, 1955.

### 144TH LEGISLATIVE DAY

House met pursuant to adjournment at 8:45 P. M., on  
Monday, October 10, 1955.

Prayer by Mr. Spry.

Members present — Messrs. Alexander, Bostick, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mattiford, Mayhew, Pepper, Queen, Rowan, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wood, Mr. Speaker Quigley —28.

Members absent — Messrs. Brogan, Clark, Livingston, Nechay, Shockley, Smith, Wolf—7.

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

The Secretary of the Senate informed the House 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 520**—"An Act to Repeal the Act of May 18, 1955, Entitled "An Act Amending Chapter 1, Title 15, of the Delaware Code by Abolishing the Present Department of Elections for New Castle County and Creating a New Department of Elections for New Castle County," Which Act was Denominated Senate Bill No. 255, as Amended; to Ratify the Acts of the Board of Elections for New Castle County Appointed Pursuant to the Act of May 18, 1955, Aforesaid and to Amend Chapter 1, Title 15 of the Delaware Code by Increasing the Membership of the Department of Elections for New Castle County and Appointing Seven Persons to Fill the Vacancies Thereby Created and Presently Existing and to Further Amend Said Chapter 1, Title 15 of the Delaware Code by Changing the Organization Date of the Department," to Elections.

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

**HCR 62**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," by Maclary; to Rules.

The following were reported by the Committee on Rules: **HCR 60**, favorably; **HCR 61**, favorably.

On motion of Mr. Deputy, House rules were suspended to act on **HCR 60**.

Mr. Deputy moved that **HCR 60**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," be taken up for consideration and read for the third time in order to pass the House.

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

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

**NAYS**—None.

**ABSENT** — Messrs. Brogan, Clark, Hicks, Livingston, Nechay, Shockley, Smith, Wolf—8.

**HCR 60** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Deputy, House rules were restored.

Mr. Mattiford moved that **SB 216**—"An Act to Amend Chapter 87, Title 9, of the Delaware Code in Relation to the Collection of Delinquent Taxes," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS** — Messrs. Alexander, Bostick, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Macklin, Maclary, Massey, Mattiford, Mayhew, Pepper, Queen, Rowan, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wood—26.

**NAYS**—None.

**ABSENT** — Messrs. Brogan, Clark, Hicks, Livingston, Nechay, Shockley, Smith, Wolf, Mr. Speaker Quigley—9.

**SB 216** having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. B. W. Johnson, Section 2 of Rule 1 was suspended.

Mr. Bostick moved that **SB 512**—"An Act to Regulate and Control Milk Prices and Distribution in the State of Delaware, having had its third reading, be taken up for consideration in order to pass the House.

**HA 1** was adopted on motion of Mr. B. W. Johnson.

**HA 2** was lost on motion of Mr. Walls.

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

**YEAS** — Messrs. Alexander, Deputy, Hastings, Layton, Macklin, Massey, Mattiford, Mayhew, Pepper, Rowan, Walls—11.

**NAYS**—Messrs. Donovan, Eskridge, B. W. Johnson, Keel, Lawson, Queen, Snowden, (Mrs.) Tunnell, Wilkinson, Mr. Speaker Quigley—10.

Messrs. Eskridge and B. W. Johnson changed from yea to nay for purpose of reconsideration.

NOT VOTING—Messrs. Lester and Maclary—2.

ABSENT — Messrs. Brogan, Clark, Hicks, Livingston, Nechay, Shockley, Smith, Wolf—8.

PRESENT — Messrs. Bostick, Garton, T. S. Johnson, Wood—4.

SB 512 with HA 1 not having received the constitutional majority, was lost.

On motion of Mr. B. W. Johnson, SB 512 with HA 1 was restored to the calendar.

The Secretary of the Senate informed the House that the Senate had concurred in HB 647 with HA 1, and that the Senate had passed and requested the concurrence of the House in the following: SCR 43 and SCR 44.

On motion of Mr. B. W. Johnson, Section 2 of Rule 1 was restored.

The House adjourned at 11:55 P. M. until 8:00 P. M., Tuesday, October 11, 1955.

#### 145TH LEGISLATIVE DAY

House met pursuant to adjournment at 9:05 P. M., on Tuesday, October 11, 1955.

Prayer by the Chaplain, Rev. Buckley.

Members present — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wood, Mr. Speaker Quigley—29.

Members absent—Messrs. Alexander, Massey, Mattiford, Smith, Wilkinson, Wolf—6.

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

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

SCR 43—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of Certain Bills," to Rules.

SCR 44—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill," to Rules.

The Chair announced he is about to sign: SCR 36, SB 216, HCR 53, HCR 56, HCR 57, HB 647 with HA 1 and HB 651.

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

**HCR 63**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," by Maclary; to Rules.

**HCR 64**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," by Garton; to Rules.

The following were reported by the Committee on Rules: **HCR 62**, favorably; **SCR 33**, favorably; **SCR 41**, on merits.

On motion of Mr. Maclary, the House rules were suspended for purpose of acting on **HCR 62**.

Mr. Maclary moved that **HCR 62**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS** — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Garton, Hastings, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Livingston, Macklin, Maclary, Mayhew, Nechay, Pepper, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wood, Mr. Speaker Quigley—26.

**NAYS**—None.

**ABSENT**—Messrs. Alexander, Eskridge, Lester, Massey, Mattiford, Queen, Smith, Wilkinson, Wolf—9.

**HCR 62** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Maclary, House rules were restored.

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

**HB 162** with **HA 1**—"An Act to Amend Chapter 13, Title 14, Delaware Code, Entitled "State Supported Salary Schedules for School Employees", and to Provide Appropriations Therefor," by Macklin; to Education.

**HCR 65**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," by Macklin; to Rules.

The following were reported by the Committee on Rules: **HCR 63**, favorably; **HCR 64**, favorably; **SCR 27**, favorably; **SCR 39**, favorably.

On motion of Mr. Maclary, House rules were suspended to act on **HCR 63**.

Mr. Maclary moved that **HCR 63**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Livingston, Macklin, Maclary, Mayhew, Nechay, Pepper, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wood, Mr. Speaker Quigley—24.

NAYS—None.

ABSENT — Messrs. Alexander, Garton, Hastings, Hicks, Lester, Massey, Mattiford, Queen, Smith, Wilkinson, Wolf—11.

**HCR 63** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Maclary, House rules were restored.

Mr. Donovan, on behalf of Mr. Quigley, moved that **HB 652**—"An Act to Require the State Highway Department to Install a Traffic Light Control for the Minquadale Fire Company, Inc., at Minquadale, New Castle, Delaware," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Hicks, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Livingston, Macklin, Maclary, Mayhew, Nechay, Pepper, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wood, Mr. Speaker Quigley—25.

NAYS—None.

ABSENT—Messrs. Alexander, Garton, Hastings, Lester, Massey, Mattiford, Queen, Smith, Wilkinson, Wolf—10.

**HB 652** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Livingston moved that **HCR 59**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," be taken up for consideration and read for the third time in order to pass the House.

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

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

NAYS—None.

ABSENT—Messrs. Alexander, Hicks, Massey, Mattiford, Nechay, Queen, Smith, Wilkinson, Wolf—9.

**HCR 59** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mrs. Tunnell, House rules were suspended to act on **SCR 41**.

Mrs. Tunnell moved that **SCR 41**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS** — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Hastings, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Mayhew, Pepper, Rowan, Shockley, (Mrs.) Tunnell, Walls, Wood, Mr. Speaker Quigley—24.

**NAYS**—None.

**ABSENT** — Messrs. Alexander, Garton, Hicks, Massey, Mattiford, Nechay, Queen, Smith, Snowden, Wilkinson, Wolf—11.

**SCR 41** having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mrs. Tunnell, House rules were restored.

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

On motion of Mr. Shockley, **HB 650** was recommitted.

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

**HS 1** for **HB 650**—"An Act to Amend Chapter 5, Title 31, Delaware Code, Relative to Appropriations by the Counties for General Assistance," by Shockley; to Appropriations.

**HCR 66**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill," by Shockley; to Rules.

**HB 656**—"An Act to Amend Chapter 27 Title 18 of the Delaware Code Relating to Taxes and Fees for Insurance Companies, Agents and Brokers," by Deputy; to Revenue and Taxation.

The Secretary of the Senate informed the House that the Senate had concurred in: **HCR 58**, **HCR 60**, and that the Senate had passed and requested the concurrence of the House in **SCR 46**, **SB 519**, **SB 521** with **SA 1**, **SB 523**, **SB 524**, **SB 525**.

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

**SCR 46**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill," to Rules.

**SB 519**—"An Act to Amend Chapter 3, Title 7, Delaware Code Entitled "The Delaware Memorial Bridge" as Amended by Chapter 492 Volume 50 Laws of Delaware (Senate Substitute No. 1 for Senate Bill No. 472 as Amended) by Reorganizing and Reconstituting the Delaware Memorial Bridge Division of the State Highway Department as the Delaware InterState Highway Division and the Appointment of the Members Thereto," to Appropriations.

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

The House adjourned at 11:15 P. M. until 8:00 P. M., Thursday, October 13, 1955.

### 146TH LEGISLATIVE DAY

House met pursuant to adjournment at 8:30 P. M., on Thursday, October 13, 1955.

Prayer by Mr. Livingston.

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

Members absent—Messrs. Alexander, Clark, Hicks, Smith, Wolf—5.

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

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

#### GOVERNOR'S MESSAGE

#### STATE OF DELAWARE

#### EXECUTIVE DEPARTMENT

Dover, October 13, 1955

To the House of Representatives of the State of Delaware:

This will advise you that on October 12, 1955, I approved the following legislation:

House Bill No. 647, as amended with House Amendment #1—An Act to Amend Title 29, Delaware Code, Entitled "State Government" in Regard to the State Employees' Pension Plan.

House Bill No. 651—An Act Appropriating Money to Delaware City Fire Company No. 1 for the Maintenance and Operation of a Rescue Truck.

Respectfully submitted,

J. CALEB BOGGS, Governor

Mr. Donovan, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: **HB 647** with **HA 1**, **HB 651**, **HCR 56**, **HCR 53**, **HCR 57**.



Mr. Shockley moved that **SCR 27**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS** — Messrs. Bostick, Brogan, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Mayhew, Pepper, Queen, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wood, Mr. Speaker Quigley—25.

**NAYS**—None.

**ABSENT** — Messrs. Alexander, Clark, Hicks, Keel, Massey, Mattiford, Nechay, Smith, Wilkinson, Wolf—10.

**SCR 27** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Garton moved that **HCR 64**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," be taken up for consideration and read for the third time in order to pass the House.

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

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

**NAYS**—None.

**ABSENT** — Messrs. Alexander, Clark, Hicks, Smith, Wolf—5.

**HCR 64** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Keel moved that **SCR 39**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill," be taken up for consideration and read for the third time in order to pass the House.

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

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

**NAYS** — Messrs. Lawson, Lester, Maclary, Snowden, Wood—5.

**ABSENT**—Messrs. Alexander, Clark, Hicks, Smith, Wolf—5.

**PRESENT**—Mr. T. S. Johnson—1.

**SCR 39** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Rowan moved that **HB 297** with **HA 1**—"An Act Authorizing the State Highway Department to Erect, Build and Construct a Dyke and Sluice at Blackbird Creek, Near Taylor's Bridge, in Blackbird Hundred and Appoquinimink Hundred, New Castle County; Appropriation Therefor," having had its third reading, be taken up consideration in order to pass the House.

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

**YEAS** — Messrs. Brogan, Deputy, Eskridge, Garton, Hastings, B. W. Johnson, Layton, Livingston, Macklin, Massey, Mattiford, Mayhew, Nechay, Pepper, Queen, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—19.

**NAYS** — Messrs. Bostick, Oonovan, Lawson, Maclary, Shockley, Snowden, Wood—7.

**NOT VOTING**—Messrs. Lester and Rowan—2.

**ABSENT**—Messrs. Alexander, Clark, Hicks, Smith, Wolf—5.

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

**HB 297** with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following were reported by the Committee on Rules: **HCR 65**, favorably; **HCR 66**, favorably; by Revenue and Taxation: **HB 656**, favorably.

The following resolution was introduced by Mr. Pepper and upon his further motion was adopted: **HR 125**—"Electing Certain Employees of the House."

**BE IT RESOLVED** by the House of Representatives of the 118th General Assembly of the State of Delaware that Alma L. Stant and Rebecca Layfield are hereby selected to serve the House as clerks during the pleasure of the House.

The following resolution was introduced by Mr. Macklin and upon further motion by him was adopted: **HR 126**—"Extending the Sympathy of the House to James W. Smith, Member of the House, Upon His Illness."

**WHEREAS**, the House of Representatives has learned with concern of the illness of James W. Smith, Representative from the Tenth District of Sussex County; and

**WHEREAS**, the House wishes to express its hopes for Mr. Smith's recovery; **NOW, THEREFORE**,

**BE IT RESOLVED** that the House of Representatives of the 118th General Assembly does hereby extend to Representative James W. Smith, its sincere sympathy and heartfelt wishes for a rapid and complete recovery of his health; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be spread upon the Journal and that a copy shall be sent to Mr. Smith.

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

**HCR 67**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Bill in the House," by Walls; to Fish, Oysters and Game.

On motion of Mr. Deputy, House rules were suspended to act on **HB 656**.

Mr. Deputy moved that **HB 656**—"An Act to Amend Chapter 27 Title 18 of the Delaware Code Relating to Taxes and Fees for Insurance Companies, Agents and Brokers," be taken up for consideration and read for the third time in order to pass the House.

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

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

**NAYS**—None.

**ABSENT**—Messrs. Alexander, Clarks, Hicks, Mattiford, Smith, Wolf—6.

**HB 656** 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 655**, **HCR 51**, **HCR 59**, **HCR 62**, **HCR 63**, and that the Senate had passed and requested the concurrence of the House in the following: **SB 526**, **SB 527**, **SB 528**.

The following was reported by the Committee on Elections: **SB 520**, 3 favorable, 1 on merits.

The Chair announced he is about to sign: **HCR 58**, and **HCR 60**.

Mr. Eskridge moved that **SB 237**—"An Act Providing for Repairs, Replacements and Additions to the Boardwalk in the City of Rehoboth Beach, in Sussex County, and Appropriating Money Therefore," having had its third reading, be taken up for consideration in order to pass the House.

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

**YEAS** — Messrs. Bostick, Brogan, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Rowan, Snowden, (Mrs.) Tunnell, Walls, Wood, Mr. Speaker Quigley—23.

**NAYS** — Messrs. Mayhew, Nechay, Pepper, Queen, Shockley, Wilkinson—6.

Messrs. Mayhew and Pepper changed from yea to nay for purpose of reconsideration.

ABSENT—Messrs. Alexander, Clarks, Hicks, Mattiford, Smith, Wolf—6.

SB 237 not having received the constitutional majority, was lost.

SB 237 was restored to the calendar on motion of Mr. Mayhew.

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

Pursuant to concurrent resolutions, the following were introduced, given first and second readings by titles only and referred to committees as follows:

HB 657—"An Act to Amend Chapter 203, Volume 25, Laws of Delaware, as Amended by Chapter 177, Volume 36, Laws of Delaware, by Empowering the Town of Millsboro to Establish and Administer Pension or Retirement Funds for Town Police and Other Municipal Employees," by Pepper; to Municipal Corporations.

HB 658—"An Act Directing the State Highway Department to Cause a Study to be Made of the Flood and Surface Water Drainage Conditions and Appropriating Funds," by Maclory; to Miscellaneous.

HB 659—"An Act to Make a Supplementary Appropriation to the State Board for Vocational Education, Rehabilitation Division, to Facilitate the Work of That Division Under Expanded Federal Assistance," by Maclary; to Federal Relations.

HB 660—"An Act to Amend Chapter 21, Title 25, Delaware Code, Entitled "Mortgages or Real Estate" Relating to Assignment of Mortgages," by Livingston; to Revenue and Taxation.

The Chair presented the following, which were given first and second readings by number only, pursuant to a House rules suspension on motion of Mr. Macklin, and referred to committees as follows:

SB 406—"An Act to Amend Chapter 51, Title 30 of the Delaware Code Relating to Motor Fuel Taxes by Providing for the Payment of a Certain Portion of the Motor Fuel Tax to the Mayor and Council of Wilmington for Use in Street Paving," to Private Corporations.

SB 521 with SA 1—"An Act to Repeal the Act of the 118th General Assembly Designated as House Bill No. 405, as Amended; to Ratify the Acts of the Department of Elections for Kent County Appointed Pursuant to Said House Bill No. 405, as Amended, and to Amend Chapter 1, Title 15, of the Delaware Code by Increasing the Membership of the Department of Elections for Kent County and Appointing Five Persons to Fill the Vacancies Thereby Created," to Revised Statutes.

**SB 523**—"An Act to Appropriate Funds to the Delaware Commission of Shell Fisheries for Incidental Expenses in Connection With Channel Improvements in the Rehoboth Bay and Indian River Area," to Fish, Oysters and Game.

**SB 524**—"An Act Pertaining to the State Highway Department and Providing for Its Reorganization, Composition and Membership, for the Ratification of the Acts of the State Highway Department Created by Chapter 268 of Volume 50 Laws of Delaware, Repealing Said Chapter 268 of Volume 50 Laws of Delaware and Abolishing the Offices Therein Created, and Amending Chapter 1 of Title 17 of the Delaware Code," to Appropriations.

**SB 525**—"An Act to Appropriate Funds to the Delaware Alcoholic Beverage Control Commission to Defray Certain Expenses," to Temperance.

**SB 526**—"An Act to Amend Chapter 29, Title 29, Delaware Code, Relating to the "State Treasurer", by Providing That the Salaries of State Officials and Employees be Paid Semi-Monthly on Specified Days," to Miscellaneous.

**SB 527**—"An Act to Repeal the Act of the 118th General Assembly Designated as House Bill No. 369, as Amended; to Ratify the Acts of the Department of Elections for Sussex County Appointed Pursuant to Said House Bill No. 369, as Amended, and to Amend Chapter 1, Title 15 of the Delaware Code by Increasing the Membership of the Department of Elections for Sussex County and Appointing Two Persons to Fill the Vacancies Thereby Created," to Elections.

**SB 528**—"An Act to Appropriate Funds to the Delaware Veterans' Military Pay Commission to Pay Certain Valid Claims of Veterans of World War II Which are Barred by the Lapse of Time," to Miscellaneous.

**SCR 21**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill," to Private Corporations.

**SCR 26**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill," to Private Corporations.

**SCR 29**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill," to Private Corporations.

**SCR 30**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of Certain Bills," to Private Corporations.

**HS 1 for HB 447**—"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 Enlargements and Improvement by the Issuance of Bonds and Bond Anticipation Notes of the State and by Contributions from Certain School Districts, and the City of Wilmington, Defining School Districts; Authorizing the Issuance of Bonds of Certain School Districts

and the City of Wilmington for the Purpose of Raising Money to Make Such Contributions; and Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions," by Macklin; to Appropriations.

On motion of Mr. Donovan, all House rules were restored.

The House adjourned at 11:05 P. M. until 8:00 P. M., Monday, October 17, 1955.

### 147TH LEGISLATIVE DAY

House met pursuant to adjournment at 8:25 P. M., on Monday, October 17, 1955.

Prayer by the Chaplain, Rev. Buckley.

Members present — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hicks, T. S. Johnson, Keel, Lawson, Lester, Livingston, Macklin, Maclary, Massey, Mayhew, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—29.

Members present—Messrs. Alexander, Hastings, B. W. Johnson, Layton, Mattiford, Nechay—6.

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

The following were reported by the Committee on Revised Statutes: **SB 521** with **SA 1**, favorably; by the Committee on Fish, Oysters and Game; **SB 523**, favorably; **HCR 67**, favorably; by Municipal Corporations: **HB 657**, favorably; by Committee on Elections: **SB 527**, favorably.

The Chair announced he is about to sign: **HB 655**, **HCR 51**, **HCR 59**, **HCR 62**, **HCR 63**.

On motion of Mr. Shockley, House rules were suspended for purpose of acting on **SB 527**, **SB 520** and **SB 521** with **SA 1**.

Mr. Shockley moved that **SB 527**—"An Act to Repeal the Act of the 118th General Assembly Designated as House Bill No. 369 as Amended, to Ratify the Act of the Department of Elections for Sussex County Appointed Pursuant to Said House Bill No. 369 as Amended and to Amend Chapter 1, Title 15 of the Delaware Code by Increasing the Membership of the Department of Elections for Sussex County and Appointing Two Persons to Fill the Vacancies Thereby Created," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS** — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Keel, Livingston, Macklin, Massey, Mayhew, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—21.

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

ABSENT—Messrs. Alexander, Hastings, Hicks, B. W. Johnson, Layton, Mattiford, Nechay—7.

PRESENT—Mr. T. S. Johnson—1.

SB 527 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Shockley moved that SB 520—"An Act to Repeal the Act of May 18, 1955, Entitled "An Act Amending Chapter 1, Title 15, of the Delaware Code by Abolishing the Present Department of Elections for New Castle County and Creating a New Department of Elections for New Castle County," Which Act Was Denominated Senate Bill No. 255, as Amended; to Ratify the Acts of the Board of Elections for New Castle County Appointed Pursuant to the Act of May 18, 1955, Aforesaid and to Amend Chapter 1, Title 15 of the Delaware Code by Increasing the Membership of the Department of Elections for New Castle County and Appointing Seven Persons to Fill the Vacancies Thereby Created and Presently Existing and to Further Amend Said Chapter 1, Title 15 of the Delaware Code by Changing the Organization Date of the 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. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Keel, Livingston, Macklin, Massey, Mayhew, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—21.

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

ABSENT—Messrs. Alexander, Hastings, Hicks, B. W. Johnson, Layton, Mattiford, Nechay—7.

PRESENT—Mr. T. S. Johnson—1.

SB 520 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Pepper moved that SB 521 with SA 1—"An Act to Repeal the Act of the 118th General Assembly Designated as House Bill No. 405, as Amended; to Ratify the Acts of the Department of Elections for Kent County Appointed Pursuant to Said House Bill No. 405, as Amended, and to Amend Chapter 1, Title 15, of the Delaware Code by Increasing the Membership of the Department of Elections for Kent County and Appointing Five Persons to Fill the Vacancies Thereby Created," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS** — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Keel, Livingston, Macklin, Massey, Mayhew, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—21.

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

**ABSENT**—Messrs. Alexander, Hastings, Hicks, B. W. Johnson, Layton, Mattiford, Nechay—7.

**PRESENT**—Mr. T. S. Johnson—1.

**SB 521** with **SA 1** having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Macklin moved that **HCR 65**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," be taken up for consideration and read for the third time in order to pass the House.

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

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

**NAYS**—None.

**ABSENT**—Messrs. Alexander, Donovan, Hastings, Hicks, B. W. Johnson, Layton, Lester, Mattiford, Nechay—9.

**HCR 65** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

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

**HB 661**—"An Act to Amend Chapter 56, Title 29, Delaware Code, (Approved May 18, 1955) by Changing, for the Purpose of Providing Pensions for Its Members, the Meaning and Composition of "The State Judiciary"; by Changing the Method of Determining the Amount of Pension of a Retiring Member Thereof by Including in His Years of Service All Years Served as a Judge Prior and Subsequent to His Becoming, as a Result of This Act, a Member of the State Judiciary," by Quigley; to Judiciary.

**HCR 68**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," by Rowan; to Rules.

The following resolution was introduced by Messrs. Lester and Quigley, and upon further motion of Mr. Lester, was adopted: **HR 127**—"Relative to the Death of Edward W. Flounders."



WHEREAS, the members of the House of Representatives have learned with regret of the passing of Edward W. Flounders, a longtime resident of Wilmington and a prominent Mason; and

WHEREAS, Mr. Flounders, among the many positions of trust and responsibility which he filled as an employee of The Pennsylvania Railroad Company, served that company since 1951 as its representative in legislative matters before the Delaware General Assembly; 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 State; NOW, THEREFORE,

BE IT RESOLVED, by the House of Representatives of the 118th General Assembly of the State of Delaware that the members wish to give expression to the regret they experienced at the passing of Edward W. Flounders, respected resident of Wilmington, trusted employee of The Pennsylvania Railroad Company, and prominent Mason; and

BE IT FURTHER RESOLVED, that the family of the deceased has the full sympathy of the members of the House, 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.

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

Mr. Shockley moved that **HCR 66**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mrs. Shockley, **HA 1** was adopted.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, T. S. Johnson, Keel, Lawson, Livingston, Macklin, Maclary, Massey, Mayhew, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Wilkinson, Wood, Mr. Speaker Quigley—25.

NAYS—Mr. Wolf—1.

ABSENT—Messrs. Alexander, Hastings, Hicks, B. W. Johnson, Layton, Lester, Mattiford, Nechay, Walls—9.

**HCR 66** with **HA 1** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following were reported by the Committee on Miscellaneous: **SB 526**, favorably; **SB 528**, favorably.

The following resolution was introduced by Mr. Keel, and upon further motion by him was adopted: **HR 128**—"Electing a Certain Employee of the House."

BE IT RESOLVED by the House of Representatives of the 118th General Assembly of the State of Delaware that Ann Christopher is hereby selected to serve the House as Reading Clerk during the pleasure of the House.

The Oath of Office was administered to Ann Christopher by Mr. Speaker Quigley.

The Secretary of the Senate informed the House that the Senate had concurred in **HCR 64**, and that the Senate had passed and requested the concurrence of the House in the following which were presented by the Chair, given first and second readings by title only and referred to committees as follows:

**SB 522**—"An Act Pertaining to Alcoholic Liquors and Providing for the Reorganization, Composition, Membership and Powers of the Commission Called the "Delaware Alcoholic Beverage Control Commission", for the Ratification of the Acts of the Commission Created by Chapter 393 of Volume 50 Laws of Delaware, Repealing Said Chapter 393 of Volume 50 Laws of Delaware and Abolishing the Offices Therein Created, and Amending Chapter 3 of Title 4 of the Delaware Code," to Rules.

**SCR 47**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill," to Rules.

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

**HB 662**—"An Act Proposing an Amendment to Section 25 of Article II of the Constitution of the State of Delaware, Relating to Zoning," by Garton; to Municipal Corporations.

The following were reported by the Committee on Appropriations: **SB 349** with **SA 1**, 4 favorable, 1 on merits; **HS 1** for **HB 650**, favorably; by the Committee on Rules: **HCR 68**, favorably; by the Committee on Federal Relations: **HB 659**, favorably.

On motion of Mr. Keel, House rules were suspended to act on **HCR 68**.

Mr. Rowan moved that **HCR 68**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS** — Messrs. Bostick, Brogan, Clark, Deputy, Eskridge, Garton, T. S. Johnson, Keel, Lawson, Livingston, Macklin, Maclary, Massey, Mayhew, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—25.

**NAYS**—None.

**ABSENT**—Messrs. Alexander, Donovan, Hastings, Hicks, B. W. Johnson, Layton, Lester, Mattiford, Nechay, Pepper—10.

**HCR 68** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Macklin, all House rules were restored.

The House adjourned at 11:55 P. M. until 8:00 P. M., Thursday, October 20, 1955.

## 148TH LEGISLATIVE DAY

House met pursuant to adjournment at 9:15 P. M., on Thursday, October 20, 1955.

Prayer by the Chaplain, Rev. Buckley.

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

Members absent—Messrs. Alexander, Hicks, Nechay—3.

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

The Chair announced he is about to sign: **SCR 27, SCR 39, SCR 41, SB 520, SB 527, HCR 64.**

The following were reported by the Committee on Revenue and Taxation: **HB 660**, favorably; by the Committee on Judiciary: **HB 661**, favorably; by the Committee on Municipal Corporations: **HB 662**, favorably.

On motion of Mr. Garton, House rules were suspended to act on **HB 662**.

On motion of Mr. Garton, action on **HB 662** was deferred.

Mr. Mayhew, on behalf of Mr. Quigley, moved that **HCR 61**—"In Reference to the New Castle County Airport," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, B. W. Johnson, T. S. Johnson, Keel, Macklin, Maclary, Massey, Mattiford, Mayhew, Pepper, Queen, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—25.

**NAYS**—None.

**ABSENT**—Messrs. Alexander, Hastings, Hicks, Lawson, Layton, Lester, Livingston, Nechay, Rowan, Snowden—10.

**HCR 61** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Walls moved that **HCR 67**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Bill in the House," be taken up for consideration and read for the third time in order to pass the House.

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

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

**NAYS**—Mr. Wolf—1.

**ABSENT**—Messrs. Alexander, Hastings, Hicks, Livingston, Maclary, Nechay, Rowan—7.

**HCR 67** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

The following were reported by the Committee on Appropriations: **HS 1** for **HB 447**, 3 favorable, 1 on merits; **HS 2** for **HB 231**, favorably; **HB 612**, on merits; **SS 1** for **SB 196**, 3 on merits, 1 favorably; **SB 519**, on merits; **SB 524**, 2 unfavorable, 1 favorable; by the Committee on Rules: **SCR 37**, favorably; **SCR 40**, favorably; **SCR 47**, 2 on merits, 1 favorable; **SB 522**, favorably.

The following resolution was introduced by Mr. Layton, and upon further motion by him, was adopted: **HR 129**—"Relative to the Payment on Account for Collecting Data, Compiling, Editing and Publishing the Daily Calendar for the House of Representatives of the 118th General Assembly of the State of Delaware."

**BE IT RESOLVED** by the House of Representatives of the 118th General Assembly of the State of Delaware that the sum of Two Thousand Five Hundred Fifty-Six Dollars and Eighty Cents (\$2,556.80) is hereby appropriated out of the moneys of the State Treasury, not otherwise appropriated, for part payment to The Sussex Countian, Inc., of Georgetown, Delaware, the lowest and responsible bidder, for collecting data, compiling, editing and publishing the daily calendar for the House of Representatives of the State of Delaware, from September 26th to and including October 17th, 1955, said calendar being necessary to the business of the House and the expense thereof being a necessary expense connected with this Session.

Mr. Maclary moved that **HB 659**—"An Act to Make a Supplementary Appropriation to the State Board for Vocational Education, Rehabilitation Division, to Facilitate the Work of That Division Under Expanded Federal Assistance," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey,

Mattiford, Mayhew, Pepper, Queen, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—30.

NAYS—None.

ABSENT—Messrs. Alexander, Hastings, Hicks, Nechay, Rowan—5.

**HB 659** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Macklin, House rules were suspended to act on **HS 1** for **HB 447**.

On motion of Mr. Macklin, **HS 1** for **HB 447** was adopted.

Mr. Macklin moved that **HS 1** for **HB 447**—"An Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for Said Purposes; Authorizing the Financing of Such Enlargement and Improvement by the Issuance of Bonds and Bond Anticipation Notes of the State and by Contributions from Certain School Districts, and the City of Wilmington, Defining School Districts; Authorizing the Issuance of Bonds of Certain School Districts and the City of Wilmington for the Purpose of Raising Money to Make Such Contributions; and Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions," be taken up for consideration and read for the third time in order to pass the House.

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

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

NAYS—None.

**HS 1** for **HB 447** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Under suspension of rules, Mr. Wolf requested third and final reading of **SB 518**.

On motion of Mr. Mayhew, action on **SB 518** was tabled.

Mr. Donovan, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: October 13, 1955—**HCR 60**, **HCR 58**. October 17, 1955—**HB 655**, **HCR 63**, **HCR 59**, **HCR 51**, **HCR 62**. October 20, 1955—**HCR 64**.

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

Mr. Pepper moved that **HB 657**—"An Act to Amend Chapter 203, Volume 25, Laws of Delaware, as Amended by Chapter 177, Volume 36, Laws of Delaware, by Empowering

the Town of Millsboro to Establish and Administer Pension or Retirement Funds for Town Police and Other Municipal 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. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Keel, Layton, Macklin, Massey, Mattiford, Mayhew, Pepper, Queen, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—24.

NAYS—None.

ABSENT — Messrs. Alexander, Hicks, Lawson, Lester, Livingston, Maclary, Nechay, Rowan, Snowden, Wolf, Wood—11.

**HB 657** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Keel, House rules were suspended to act on **SCR 47**.

Mr. Keel moved that **SCR 47**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill," be taken up for consideration and read for the third time in order to pass the House.

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

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

NAYS—None.

ABSENT — Messrs. Alexander, Hicks, Lawson, Lester, Livingston, Maclary, Nechay, Rowan, Snowden, Wolf, Wood—11.

**SCR 47** having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Massey, House rules were suspended to act on **HB 661**.

Mr. Massey moved that **HB 661**—"An Act to Amend Chapter 56, Title 29, Delaware Code, (Approved May 18, 1955) by Changing, for the Purpose of Providing Pensions for Its Members, the Meaning and Composition of "The State Judiciary"; by Changing the Method of Determining the Amount of Pension of a Retiring Member Thereof by Including in His Years of Service All Years Served as a Judge Prior and Subsequent to His Becoming, as a Result of This Act, a Member of the State Judiciary," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Brogan, Clark, Deputy, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Keel, Layton, Macklin, Massey, Mattiford, Mayhew, Pepper, Queen, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—23.

NAYS—Mr. Donovan—1.

ABSENT — Messrs. Alexander, Hicks, Lawson, Lester, Livingston, Maclary, Nechay, Rowan, Snowden, Wolf, Wood—11.

**HB 661** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Keel, House rules were suspended to act on **SCR 40**.

Mr. Keel moved that **SCR 40**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a new Bill," be taken up for consideration and read for the third time in order to pass the House.

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

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

NAYS—None.

ABSENT — Messrs. Alexander, Hicks, Lawson, Lester, Livingston, Maclary, Nechay, Rowan, Snowden, Wolf, Wood—11.

**SCR 40** having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Shockley, House rules were suspended to act on **SB 524**.

Mr. Shockley moved that **SB 524**—"An Act Pertaining to the State Highway Department and Providing for Its Reorganization, Composition and Membership, for the Ratification of the Acts of the State Highway Department Created by Chapter 268 of Volume 50 Laws of Delaware, Repealing Said Chapter 268 of Volume 50 Laws of Delaware and Abolishing the Offices Therein Created, and Amending Chapter 1 of Title 17 of the Delaware Code," be taken up for consideration and read for the third time in order to pass the House.

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

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

NAYS—None.

ABSENT — Messrs. Alexander, Hicks, Lawson, Lester, Maclary, Nechay, Rowan, Snowden, Wolf, Wood—10.

PRESENT—Mr. T. S. Johnson—1.

SB 524 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Shockley, House rules were suspended to act on SB 522.

Mr. Shockley moved that SB 522—"An Act Pertaining to Alcoholic Liquors and Providing for the Reorganization, Composition, Membership and Powers of the Commission Called the "Delaware Alcoholic Beverage Control Commission", for the Ratification of the Acts of the Commission Created by Chapter 393 of Volume 50 Laws of Delaware, Repealing Said Chapter 393 of Volume 50 Laws of Delaware and Abolishing the Offices Therein Created, and Amending Chapter 3 of Title 4 of the Delaware Code," be taken up for consideration and read for the third time in order to pass the House.

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

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

NAYS—None.

ABSENT — Messrs. Alexander, Hicks, Lawson, Lester, Maclary, Nechay, Rowan, Snowden, Wolf, Wood—10.

PRESENT—Mr. T. S. Johnson—1.

SB 522 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Garton moved that HB 487 with HA 1—"An Act to Amend Chapter 33, Title 24, Delaware Code, Entitled "Veterinarians", Relating to Definitions, Powers of the State Board of Veterinary Examiners, Examinations, Applications, Suspension or Revocation of Licenses, Appeals, Violations and Penalties," having had its third reading, be taken up for consideration in order to pass the House.

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

YEAS—Messrs. Clark, Hastings, B. W. Johnson, Massey, Mayhew, Snowden, Walls, Wolf, Wood—9.

NAYS — Messrs. Deputy, Donovan, Garton, Lawson, Layton, Livingston, Macklin, Pepper, Queen, Smith, Mrs. Tunnell—11.

Messrs. Deputy, Garton and Pepper changed their votes from yea to nay for purpose of reconsideration.

NOT VOTING — Messrs. Brogan, T. S. Johnson, Keel, Maclary, Shockley, Wilkinson—6.

ABSENT—Messrs. Alexander, Eskridge, Hicks, Lester, Mattiford, Nechay, Rowan—7.



**PRESENT**—Mr. Bostick and Mr. Speaker Quigley—2.

**HB 487** with **HA 1** not having received the constitutional majority, was lost.

On motion of Mr. Garton, **HB 487** with **HA 1** was restored to the calendar.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 656**, **HCR 65**, **HCR 66** with **HA 1**, **HCR 68**, and that the Senate had passed and requested the concurrence of the House in the following, which were presented by the Chair, given first and second readings by title only and referred to committees as follows:

**SB 530**—"An Act to Amend Chapter 29, Title 29, Delaware Code, Relating to the "State Treasurer", by Providing That the Salaries of State Officials and Employees be Paid Semi-Monthly on Specified Days," to Revised Statutes.

**SCR 48**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a Certain Bill," to Rules.

**SCR 49**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing Certain Bills," to Rules.

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

**HB 663**—"An Act to Amend Chapter 55, Title 16, Delaware Code, by Changing the Name of the Delaware Colony for the Feeble Minded at Stockley to "Hospital for the Mentally Retarded at Stockley, Delaware," by Macklin; to Education.

Mr. Bostick moved that **SB 528**—"An Act to Appropriate Funds to the Delaware Veterans Military Pay Commission to Pay Certain Valid Claims of Veterans of World War II, Which are Barred by the Lapse of Time," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mayhew, Pepper, Queen, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—28.

**NAYS**—None.

**ABSENT**—Messrs. Alexander, Hicks, B. W. Johnson, Mattiford, Nechay, Rowan, Smith—7.

**SB 528** having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Keel, House rules were suspended to act on **SCR 37**.

Mr. Keel moved that **SCR 37**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS—Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Garton, Hastings, T. S. Johnson, Keel, Layton, Macklin, Massey, Mayhew, Pepper, Queen, Shockley, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—21.

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

ABSENT — Messrs. Alexander, Hicks, B. W. Johnson, Livingston, Mattiford, Nechay, Rowan, Smith—8.

SCR 37 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mrs. Tunnell, House rules were suspended to act on **HB 663**.

The following was reported by the Committee on Education: **HB 663**, favorably.

Mr. Macklin moved that **HB 663**—"An Act to Amend Chapter 55, Title 16, Delaware Code, by Changing the Name of the Delaware Colony for the Feeble Minded at Stockley to "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.

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

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

NAYS—None.

ABSENT — Messrs. Alexander, Hicks, B. W. Johnson, Mattiford, Nechay, Rowan, Smith, Wilkinson—8.

**HB 663** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley, **HS 1** for **HB 650** was adopted.

Mr. Shockley moved that **HS 1** for **HB 650**—"An Act to Amend Chapter 5, Title 31, Delaware Code, Relative to Appropriations by the Counties for General Assistance," be taken up for consideration and read for the third time in order to pass the House.

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

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

NAYS—None.

ABSENT — Messrs. Alexander, Hicks, B. W. Johnson, Mattiford, Nechay, Rowan, Smith—7.

**HS 1** for **HB 650** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Mayhew, House rules were suspended to act on **HS 2** for **HB 231**.

On motion of Mr. Mayhew, **HS 2** for **HB 231** was adopted.

Mr. Mayhew moved that **HS 1** for **HB 231**—"An Act Amending Chapter 23, Title 31, Delaware Code, Entitled "Aid to the Blind", by Defining Assistance to be Given to Totally Blind Persons," be taken up for consideration and read for the third time in order to pass the House.

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

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

**NAYS**—None.

**ABSENT**—Messrs. Alexander, Hicks, B. W. Johnson, Lawson, Mattiford, Nechay, Rowan, Smith—8.

**HS 2** for **HB 231** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Shockley, House rules were suspended to act on **SB 519**.

Mr. Shockley moved that **SB 519**—"An Act to Amend Chapter 3, Title 7, Delaware Code Entitled "The Delaware Memorial Bridge" as Amended by Chapter 492 Volume 50 Laws of Delaware (Senate Substitute No. 1 for Senate Bill No. 472 as Amended) by Reorganizing and Reconstituting the Delaware Memorial Bridge Division of the State Highway Department as the Delaware Interstate Highway Division and the Appointment of the Members Thereto," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS**—Messrs. Bostick, Brogan, Clark, Deputy, Donovan, Eskridge, Hastings, Keel, Layton, Livingston, Macklin, Mayhew, Pepper, Queen, Shockley, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—19.

**NAYS**—Messrs. Lawson, Maclary, Snowden, Wolf, Wood—5.

**NOT VOTING**—Mr. Lester—1.

**ABSENT**—Messrs. Alexander, Garton, Hicks, B. W. Johnson, T. S. Johnson, Massey, Mattiford, Nechay, Rowan, Smith—10.

**SB 519** having received the constitutional majority, passed the House and was ordered returned to the Senate.

The following was reported by the Committee on Revised Statutes: **SB 530**, favorably.

On motion of Mr. Macklin, Section 2, Rule 1, was restored  
The House adjourned at 12:10 A. M. until 8:00 A. M.,  
Monday, October 24, 1955.

### 149TH LEGISLATIVE DAY

House met pursuant to adjournment at 9:00 A. M., on  
Monday, October 24, 1955.

Prayer by Mr. Queen.

All members were absent with the exception of Messrs. Donovan, Nechay and Queen. There being no quorum present the House adjourned until Thursday, October 27, 1955, at 9:00 A. M.

### 150TH LEGISLATIVE DAY

House met pursuant to adjournment at 9:00 A. M., on  
Thursday, October 27, 1955.

Prayer by Mr. Queen.

All members were absent except Messrs. Donovan and Queen. There being no quorum present, the House adjourned until 8:00 P. M., Monday, October 31, 1955.

### 151ST LEGISLATIVE DAY

House met pursuant to adjournment at 9:10 P. M., on  
Monday, October 31, 1955.

Prayer by the Chaplain, Rev. Buckley.

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

Members absent — Messrs. Alexander, Bostick, Clark, Mattiford, Mrs. Tunnell—5.

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

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

**HCR 69**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," by Macklin; to Rules.

**HCR 70**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," by Queen; to Rules.

**HCR 71**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," by Queen; to Municipal Corporations.

**HB 664**—"An Act to Authorize the Board of Education of the Mount Pleasant Special School District to Borrow a Sum of Money Upon the Faith and Credit of the School District for the Purpose of Purchasing Land Upon Which a High School is to be Constructed," by Wood; to Revised Statutes.

**HB 665**—"An Act to Appropriate Funds to the Board of Post Mortem Examiners to Provide for all Expenses of the Office Exclusive of the Salary of the State Medical Examiner," by Shockley; to Appropriations.

On motion of Mr. Macklin, Section 2, Rule 1, was suspended for the evening.

The Secretary of the Senate informed the House that the Senate had concurred in **HB 653**, and that the Senate had passed and requested the concurrence of the House in **SA 1** to **HS 1** for **HB 447**, **SA 1** to **HB 659**, and **SCR 50**, **SCR 51**, **SCR 52**, **SCR 53**.

The Chair announced he is about to sign: **HB 656**, **HCR 65**, **HCR 66** with **HA 1**, **HCR 68** and **SB 521** with **HA 1**.

The following were reported by the Committee on Municipal Corporations: **SB 132** with **SA 1**, favorably; by the Committee on Rules: **SCR 42**, favorably; **SCR 44**, favorably; **SCR 46**, favorably.

On motion of Mr. Keel, the House rules were suspended to received committee reports on **HCR 69** and **HCR 70**.

The following were reported by the Committee on Rules: **HCR 69**, favorably; **HCR 70**, favorably.

The following resolution was introduced by Mr. Queen and upon further motion by him, was adopted: **HR 130**—"Expressing the Best Wishes of the House of Representatives of the 118th General Assembly to Representative John J. Brogan, on His Birthday."

WHEREAS, the Members of the House of Representatives of the 118th General Assembly have learned that today is the birthday of Representative John J. Brogan, and

WHEREAS, the Members of the House of Representatives wish to express their best wishes to Representative Brogan, NOW, THEREFORE,

BE IT RESOLVED by the House of Representatives of the 118th General Assembly of the State of Delaware, that the best wishes of its members are hereby extended to Representative Brogan on his birthday, and

BE IT FURTHER RESOLVED, that a copy of this Resolution be entered on the Journal of the House and a copy be given to Representative Brogan.

Mr. Maclary moved that **HB 659** with **SA 1**—"An Act to Make a Supplementary Appropriation to the State Board for Vocational Education, Rehabilitation Division, to Facilitate

the Work of That Division Under Expanded Federal Assistance," having had its third reading, be taken up for consideration in order to pass the House.

On motion of Mr. Maclary, SA 1 was adopted.

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

YEAS — Messrs. Brogan, Deputy, Eskridge, Garton, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Snowden, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—26.

NAYS—None.

ABSENT — Messrs. Alexander, Bostick, Clark, Donovan, Hastings, Hicks, Mattiford, Smith, Mrs. Tunnell—9.

HB 659 with SA 1 having received the constitutional majority, passed the House.

On motion of Mr. Garton, House rules were suspended to receive committee report on HCR 71.

The following was reported by the Committee on Municipal Corporations: HCR 71, favorably.

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

HCR 72—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," by Rowan; to Rules.

On motion of Mr. Pepper, House rules were suspended to receive committee report on HB 664.

The following was reported by the Committee on Revised Statutes: HB 664, favorably.

The Chair announced he is about to sign: SB 519, SB 522, SB 524, SB 528.

On motion of Mr. Queen, House rules were suspended to act on HCR 71.

Mr. Queen moved that HCR 71—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Brogan, Deputy, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Hayhew, Nechay, Pepper, Queen, Shockley, Snowden, Walls, Wilkinson, Wood, Mr. Speaker Quigley—25.

NAYS—Mr. Wolf—1.

ABSENT—Messrs. Alexander, Bostick, Clark, Donovan, Hicks, Mattiford, Rowan, Smith, Mrs. Tunnell—9.

HCR 71 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Livingston moved that **HB 660**—"An Act to Amend Chapter 21, Title 25, Delaware Code, Entitled "Mortgages or Real Estate" Relating to Assignment of Mortgages," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Livingston, action was deferred.

The following was reported by the Committee on Rules: **SCR 48**, favorably.

On motion of Mr. Wood, House rules were suspended to act on **HB 664**.

Mr. Wood moved that **HB 664**—"An Act to Authorize the Board of Education of the Mount Pleasant Special School District to Borrow a Sum of Money Upon the Faith and Credit of the School District for the Purpose of Purchasing Land Upon Which a High School is to be Constructed," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS** — Messrs. Brogan, Deputy, Donovan, Hastings, B. W. Johnston, T. S. Johnson, Keel, Lawson, Layton, Lester, Livingston, Macklin, Maclary, Massey, Mayhew, Pepper, Queen, Rowan, Shockley, Snowden, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—24.

**NAYS**—None.

**ABSENT**—Messrs. Alexander, Bostick, Clark, Eskridge, Garton, Hicks, Mattiford, Nechay, Smith, (Mrs.) Tunnell, Walls—11.

**HB 664** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Queen, House rules were suspended to act on **HCR 70**.

Mr. Queen moved that **HCR 70**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS** — Messrs. Brogan, Donovan, Hastings, B. W. Johnson, T. S. Johnson, Keel, Lawson, Layton, Livingston, Macklin, Maclary, Massey, Mayhew, Pepper, Queen, Rowan, Shockley, Snowden, Wilkinson, Wood, Mr. Speaker Quigley—21.

**NAYS**—Mr. Wolf—1.

**ABSENT** — Messrs. Alexander, Bostick, Clark, Deputy, Eskridge, Garton, Hicks, Lester, Mattiford, Nechay, Smith, (Mrs.) Tunnell, Walls—13.

**HCR 70** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Macklin moved that **HS 1** for **HB 447** with **SA 1**—  
 “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 Commission,”  
 having had its third reading, be taken up for consideration in  
 order to pass the House.

On motion of Mr. Macklin, **SA 1** was adopted.

On motion of Mr. Macklin, action was deferred.

The following message from the Governor was received  
 and ordered spread upon the Journal:

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

Dover, October 27, 1955

To the House of Representatives of the State of Delaware:

On October 17, 1955, I received House Bill No. 655, en-  
 titled:

**AN ACT TO AMEND CHAPTER 55, TITLE 16,  
 DELAWARE CODE, IN RESPECT TO ADMIS-  
 SION, DETENTION AND COMMITMENT OF  
 PERSONS TO THE DELAWARE COLONY FOR  
 THE FEEBLE MINDED AT STOCKLEY.**

I respectfully return herewith this Bill without my ap-  
 proval.

This Bill is designed to change the admission require-  
 ments at the Delaware Colony at Stockley so as to eliminate the  
 necessity of a court hearing in connection with each commit-  
 ment. I understand that this is a desirable improvement in  
 the law and I am eager to cooperate in the enactment of such  
 a statute.

This Bill, however, would substitute a new procedure for  
 the commitment of patients without preserving the right to  
 appeal to a court for final determination in those cases where  
 the patient or a proper representative of the patient thinks  
 that the initial decision is incorrect. I am sure that it was not  
 the intention of the General Assembly or the sponsors of this  
 Bill to prevent such a review.

I therefore respectfully return this Bill for appropriate  
 action.

Respectfully submitted,

J. CALEB BOGGS, Governor



The Chair announced that he is about to sign: **HB 653**.

On motion of Mr. Macklin, Section 2, Rule 1, was restored.

The House adjourned at 11:20 P. M. until 8:00 P. M., Wednesday, November 2, 1955.

## 152ND LEGISLATIVE DAY

House met pursuant to adjournment at 8:35 P. M., on Wednesday, November 2, 1955.

Prayer by Mr. Macklin.

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

Members absent—Messrs. Hicks and Wood—2.

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

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

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

Dover, November 1, 1955

To the House of Representatives of the State of Delaware:

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

October 24, 1955, Senate Bill No. 216—An Act to Amend Chapter 87, Title 9, of the Delaware Code in Relation to the Collection of Delinquent Taxes.

Respectfully submitted,

J. CALEB BOGGS, Governor

The Secretary of the Senate informed the House that the Senate had concurred in **HB 321**, **HB 663**, **HB 649**, **HB 648**, and that the Senate had passed and requested the concurrence of the House in **SA 1** to **HB 642** and **SB 531**.

The following was reported by the Committee on Rules: **HCR 46**, on merits.

Mr. Donovan, on behalf of the Committee on Passed Bills, reported having delivered to the Governor for his approval, the following: October 31, 1955—**HB 656**, **HCR 65**, **HCR 66** with **HA 1**, **HCR 68**.

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

Mr. Wolf moved that **SB 518** be given first and second readings by title only and be assigned to committee.

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

**YEAS** — Messrs. Clark, T. S. Johnson, Lawson, Lester, Livingston, Macklin, Maclary, Nechay, Pepper, Rowan, Snowden, (Mrs.) Tunnell, Wolf—13.

**NAYS** — Messrs. Alexander, Bostick, Brogan, Deputy, Donovan, Eskridge, B. W. Johnson, Layton, Massey, Mayhew, Queen, Shockley, Smith, Walls, Mr. Speaker Quigley—15.

**NOT VOTING**—Mr. Wilkinson—1.

**ABSENT**—Messrs. Hicks, Mattiford, Wood—3.

**PRESENT**—Messrs. Garton, Hastings, Keel—3.

The motion was lost.

Mr. Deputy introduced the following resolution, which upon further motion by him was adopted: **HR 131**—"Appropriating Certain Sums to Officers and Employees of the House as an Allowance for Expenses."

**BE IT RESOLVED** by the House of Representatives of the 118th General Assembly of the State of Delaware that there are hereby appropriated to the following named officers of the House as an allowance for their expenses in attending sessions of the House since September 26, 1955, the sums of money set opposite their names, the same being expenses of this session of the House:

Melville C. Taylor .....	\$100.00
Rev. Frank G. Buckley .....	60.00
James H. Hughes, III .....	90.00
Mary W. Rawlins .....	80.00
Clara Campese .....	100.00
Leon Bacon .....	100.00
Howard Lane, Jr. ....	100.00
Michael Watson .....	90.00
Grover C. Dill .....	100.00
Dorothy B. Green .....	90.00
Constance M. Barto .....	100.00
Francis E. Holliday .....	100.00
John E. Babiarz .....	90.00
S. Ellwood Veasey .....	100.00
Ira P. Messick .....	100.00
Alma Stant .....	40.00
Rebecca Layfield .....	40.00
Ann Christopher .....	30.00

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

**HCR 73**—"Appropriation for Stationery and Other Supplies for the 118th General Assembly," by Donovan; to Rules.

**HCR 74**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing Thre Bills in the House," by Mayhew; to Manufacturers and Commerce.

Mr. Macklin moved that **HCR 69**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," be taken up for consideration and read for the third time in order to pass the House.

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

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

**NAYS**—None.

**ABSENT**—Messrs. Hicks, Mattiford, Wolf, Wood—4.

**HCR 69** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Macklin moved that **HB 662**—"An Act Proposing an Amendment to Section 25 of Article II of the Constitution of the State of Delaware, Relating to Zoning," having had its third reading, be taken up for consideration in order to pass the House.

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

**YEAS** — Messrs. Alexander, Brogan, Clark, Deputy, Eskridge, Garton, B. W. Johnson, Keel, Lawson, Lester, Livingston, Macklin, Maclary, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Mr. Speaker Quigley—25.

**NAYS**—Messrs. Donovan, Hastings, Layton, Mayhew—4.

**ABSENT**—Messrs. Hicks, Mattiford, Wood—3.

**PRESENT**—Messrs. Bostick, T. S. Johnson, Massey—3.

**HB 662** 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: **HCR 71**, **HB 664**, **HB 661**, **HB 652**.

The following was reported by the Committee on Miscellaneous: **HB 658**, favorably.

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

**HB 666**—"An Act to Make a Supplementary Appropriation to the Custodian of the State House for Repairs and Replacements Made Necessary in Part by the Recent Fire," by Queen; to Manufacturers and Commerce.

Mr. Macklin moved that **HS 1** for **HB 447** with **SA 1**—"An Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for Said Purposes; Authorizing the Financing of Such Enlargement and Improvement by the Issuance of Bonds

and Bond Anticipation Notes of the State and by Contributions from Certain School Districts, and the City of Wilmington, Defining School Districts; Authorizing the Issuance of Bonds of Certain School Districts and the City of Wilmington for the Purpose of Raising Money to Make Such Contributions; and Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions," having had its third reading, be taken up for consideration in order to pass the House.

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

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

**NAYS**—None.

**ABSENT**—Messrs. Hicks, Lester, Mattiford, Wood—4.

**HS 1** for **HB 447** with **SA 1** having received the constitutional majority, passed the House.

Mr. Livingston moved that **HB 185** with **HA 1**—"An Act Amending Title 19, Delaware Code, Creating a State Commission Against Discrimination in Employment of Persons Because of Race, Creed, Color or National Origin," having had its third reading, be taken up for consideration in order to pass the House.

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

**YEAS** — Messrs. Alexander, Clark, Deputy, Garton, B. W. Johnson, Lawson, Maclary, Rowan, Snowden, (Mrs.) Tunnell, Wilkinson, Wolf, Mr. Speaker Quigley—13.

**NAYS** — Messrs. Brogan, Layton, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Shockley, Walls—10.

Messrs. Livingston and Shockley changed from yea to nay for purpose of reconsideration.

**NOT VOTING**—Mr. Bostick—1.

**ABSENT** — Messrs. Eskridge, Hicks, Lester, Mattiford, Wood—5.

**PRESENT**—Messrs. Donovan, Hastings, T. S. Johnson, Keel, Queen, Smith—6.

**HB 185** with **HA 1** not having received the constitutional majority, was lost.

Mr. Shockley moved that **SCR 48**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a Certain Bill," be taken up for consideration and read for the third time in order to pass the House.

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

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

**NAYS**—None.

**ABSENT**—Messrs. Eskridge, Hicks, Lester, Mattiford, Wood—5.

**SCR 48** having received the constitutional majority, passed the House and was ordered returned to the Senate.

The Chair announced that he is about to sign: **HB 659** with **SA 1**, **SCR 37**, **SCR 40**, **SCR 47**.

On motion of Mr. Meclary, House rules were suspended to act on **HB 658**.

Mr. Maclary moved that **HB 658**—"An Act Directing the State Highway Department to Cause a Study to be Made of the Flood and Surface Water Drainage Conditions 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, Bostick, Brogan, Clark, Deputy, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Weel, Lawson, Layton, Lester, Livingstone, Macklin, Maclark, Massey, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Mr. Speaker Quigley—31.

**NAYS**—None.

**ABSENT**—Messrs. Donovan, Hicks, Mattiford, Wood—4.

**HB 658** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

House rules were restored on motion of Mr. Maclary.

Mr. B. W. Johnson moved that **SB 345** with **SA 1** and **SA 2**—"An Act to Amend Chapter 31, Title 15 of the Delaware Code, Relating to Primary Elections," be taken up for consideration and read for the thirr time in order to pass the House.

**SA 1** was tabled on motion of Mr. Queen.

**SA 2** was tabled on motion of Mr. Mayhew.

On motion of Mr. Queen to table, the roll call revealed:

**YEAS**—Messrs. Bostick, Brogan, Clark, Eskridge, Garton, Hastings, Keel, Layton, Massey, Mayhew, Nechay, Pepper, Queen, Smith, Walls, Wilkinson—16.

NAYS — Messrs. Alexander, Deputy, B. W. Johnson, Lawson, Lester, Livingston, Macklin, Rowan, Shockley, Snowden, (Mrs.) Tunnell, Wolf—12.

ABSENT—Messrs. Donovan, Hicks, Maclary, Mattiford, Wood—5.

PRESENT—Mr. T. S. Johnson and Mr. Speaker Quigley—2.

The motion to table SB 345 with SA 1 and SA 2 having received the constitutional majority, passed the House and SB 345 with SA 1 and SA 2 was tabled.

Mr. Pepper moved that SB 530—"An Act to Amend Chapter 29, Title 29, Delaware Code, Relating to the "State Treasurer", by Providing That the Salaries of State Officials and Employees be Paid Semi-Monthly on Specified Days," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Pepper, action was deferred.

Mr. Garton moved that SB 132 with SA 1—"An Act to Amend Chapter 84, Title 9 of the Delaware Code Relating to the Salary of the Receiver of Taxes and County Treasurer of Kent County," 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. Garton.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Clark, Depnty, Donovan, Eskridge, Garton, Hastings, T. S. Johnson; Keel, Layton, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Queen, Shockley, Smith, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—25.

NAYS—Messrs. Snowden and Wolf—2.

ABSENT — Messrs. Hicks, Lawson, Lester, Maclary, Mattiford, Rowan, Wood—7.

PRESENT—Mr. B. W. Johnson—1.

SB 132 with SA 1 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. Shockley moved that SB 349 with HA 1—"An Act to Appropriate Funds to the University of Delaware for the Purpose of Establishing Scholarships at the University of Delaware to be Awarded to Students Desirous of Entering the Teaching Profession," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Shockley, SA 1 was adopted.

On motion of Mr. Shockley, HA 1 was adopted.

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

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

**NAYS**—None.

**ABSENT** — Messrs. Hicks, Lester, Maclary, Mattiford, Wood—5.

**PRESENT**—Mr. Donovan—1.

**SB 349** with **SA 1** and **HA 1** having received the constitutional majority, passed the House and was ordered returned to the Senate for concurrence.

On motion of Mr. Wilkinson, House rules were suspended to receive committee report on **HCR 74** and **HB 666**.

The following were reported by the Committee on Municipal Corporations: **HCR 74**, favorably; **HB 666**, favorably; by the Committee on Appropriations: **HB 660**, 2 favorable, 2 on merits.

On motion of Mr. Mayhew, House rules were suspended to act on **HCR 74**.

Mr. Mayhew moved that **HCR 74**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing Three Bills in the House," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS** — Messrs. Bostick, Brogan, Clark, Deputy, Eskridge, Garton, Hastings, T. S. Johnson, Keel, Lawson, Layton, Macklin, Maclary, Massey, Mayhew, Pepper, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Mr. Speaker Quigley—22.

**NAYS**—None.

**ABSENT** — Messrs. Alexander, Donovan, Hicks, B. W. Johnson, Lester, Livingston, Mattiford, Nechay, Queen, Rowan, Wilkinson, Wolf, Wood—13.

**HCR 74** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

On motion of Mr. Mayhew, House rules were restored.

On motion of Mr. Livingston, **HB 660** was recommitted.

On motion of Mr. Livingston, **HB 660** was stricken from the calendar.

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

**SB 531**—"An Act to Authorize the Increase of Salaries of Certain Employees of the Delaware State Hospital and Making an Appropriation Therefore," to Appropriations.

On motion of Mr. Macklin, Section 2, Rule 1, was restored.  
The House adjourned at 11:45 P. M. until 8:00 P. M.,  
Monday, November 7, 1955.

### 153RD LEGISLATIVE DAY

House met pursuant to adjournment at 9:50 P. M., on  
Monday, November 7, 1955.

Prayer by the Chaplain, Rev. Buckley.

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

Members absent—Messrs. Clark, Lester, Maclary, Mattiford—4.

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

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

The Chair announced he is about to sign: **HB 321, HS 1** for **HB 447** with **HA 1, HB 648, HB 649, HB 652, HB 661, HB 663, HB 664, HCR 71.**

The Secretary of the Senate informed the House that the Senate had passed and requested the concurrence of the House in the following: **SCR 54, SCR 55, SCR 56.**

Mr. Shockley moved that **HB 665**—"An Act to Appropriate Funds to the Board of Post Mortem Examiners to Provide for All Expenses of the Office Exclusive of the Salary of the State Medical Examiner," be taken up for consideration and read for the third time in order to pass the House.

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

**YEAS** — Messrs. Alexander, Bostick, Brogan, Deputy, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Lawson, Layton, Livingston, Macklin, Massey, Mayhew, Pepper, Queen, Rowan, Shockley, Smith, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wolf, Wood, Mr. Speaker Quigley—27.

**NAYS**—None.

**ABSENT**—Messrs. Clark, Donovan, Hicks, Keel, Lester, Maclary, Mattiford, Nechay—8.

**HB 665** having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Wolf moved that **HCR 36**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Introducing a New Bill," be taken up for consideration and read for the third time in order to pass the House.



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

YEAS — Messrs. Alexander, Bostick, Brogan, Deputy, Eskridge, Garton, Hastings, B. W. Johnson, T. S. Johnson, Lawson, Layton, Livingston, Macklin, Massey, Mayhew, Pepper, Queen, Rowan, Shockley, Smith, (Mrs.) Tunnell, Wolf, Wood, Mr. Speaker Quigley—24.

NAYS—Messrs. Snowden, Walls, Wilkinson—3.

ABSENT—Messrs. Clark, Donovan, Hicks, Keel, Lester, Maclary, Mattiford, Nechay—8.

HCR 36 having received the constitutional majority, passed the House and was ordered to the Senate for concurrence.

Mr. Queen moved that HB 642 with SA 1—"An Act to Amend Chapter 96, Title 9, Delaware Code, With Respect to Recording Fees in Kent and Sussex Counties," be taken up for consideration and read for the third time in order to pass the House.

On motion of Mr. Queen, SA 1 was adopted.

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

YEAS — Messrs. Alexander, Bostick, Brogan, Deputy, Eskridge, Garton, Hastings, T. S. Johnson, Lawson, Layton, Macklin, Massey, Mayhew, Pepper, Queen, Shockley, Snowden, (Mrs.) Tunnell, Walls, Wilkinson, Wood, Mr. Speaker Quigley—22.

NAYS—Messrs. Livingston and Smith—2.

NOT VOTING—Messrs. B. W. Johnson and Wolf—2.

ABSENT—Messrs. Clark, Donovan, Hicks, Keel, Lester, Maclary, Mattiford, Nechay—8.

PRESENT—Mr. Rowan—1.

HB 642 with SA 1 having received the constitutional majority, passed the House.

Mr. Garton introduced the following resolution, which upon further motion by him was adopted: HR 132—"Congratulating Representative Queen Upon the Birth of a Son."

WHEREAS, the House of Representatives has learned with pleasure of the birth of a son to Representative Daniel J. Queen, Jr., and Mrs. Queen; and

WHEREAS, it is the concensus of the members of the House that fitting public recognition ought to be made of so propitious an event; NOW, THEREFORE,

BE IT RESOLVED by the House of Representatives of the 118th General Assembly of the State of Delaware that the hearty congratulations of the members of the House are hereby extended to Mr. and Mrs. Daniel J. Queen, Jr., upon the birth of a son on Friday, November 4, 1955; and

BE IT FURTHER RESOLVED that the members of the House join with a host of friends in wishing to young Michael Queen a long, successful, and happy life; and

BE IT FURTHER RESOLVED that this Resolution shall be spread upon the Journal and that a copy hereof shall be sent to Mr. and Mrs. Queen.

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

**HCR 75**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill," by Shockley; to Public Buildings and Highways.

On motion of Mr. Livingston, **HB 185** with **HA 1** was restored to the calendar.

Mr. Garton moved that **HB 487** with **HA 1**—"An Act to Amend Chapter 33, Title 24, Delaware Code, Entitled "Veterinarians", Relating to Definitions, Powers of the State Board of Veterinary Examiners, Examinations, Applications, Suspension or Revocation of Licenses, Appeals, Violations and Penalties," having had its third reading, be taken up for consideration in order to pass the House.

On motion of Mr. Garton, **HA 2** was adopted.

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

**YEAS** — Messrs. Deputy, Garton, Livingston, Massey, Shockley, (Mrs.) Tunnell, Wilkinson—7.

**NAYS** — Messrs. Bostick, Donovan, Layton, Macklin, Nechay, Queen, Rowan, Walls—8.

**NOT VOTING** — Messrs. Brogan, Eskridge, Hastings, T. S. Johnson, Keel, Mayhew, Pepper—7.

**ABSENT**—Messrs. Alexander, Clark, Hicks, B. W. Johnson, Lawson, Lester, Maclary, Mattiford, Smith, Snowden, Wolf, Wood—12.

**PRESENT**—Mr. Speaker—1.

**HB 487** with **HA 1** and **HA 2** not having received the constitutional majority, was lost.

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

**SCR 50**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill," to Revised Statutes.

**SCR 54**—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill," to Rules.

On motion of Mr. Keel, House rules were suspended to receive report on **SCR 54**.

The following were reported by the Committee on Rules: **SCR 54**, favorably; **HCR 73**, favorably.

Mr. Shockley moved that **SB 423**—"An Act Appropriating Money to the Delaware Commission for the Blind for Direct Payments to the Needy Blind of the State of Delaware," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Brogan, Deputy, Donovan, Eskridge, Hastings, B. W. Johnson, T. S. Johnson, Keel, Layton, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Queen, Shockley, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—22.

NAYS—None.

ABSENT — Messrs. Alexander, Clark, Garton, Hicks, Lawson, Lester, Maclary, Mattiford, Rowan, Smith, Snowden, Wolf, Wood—13.

SB 423 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. B. W. Johnson moved that SCR 42—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of Certain Bills," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Brogan, Deputy, Donovan, Eskridge, Hasting, B. W. Johnson, T. S. Johnson, Keel, Layton, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, (Mrs.) Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Shockley, (Mrs.) Tunnell, Walls, Mr. Speaker Quigley—20.

NAYS—Messrs. Queen and Wilkinson—2.

ABSENT — Messrs. Alexander, Clark, Garton, Hicks, Lawson, Lester, Maclary, Mattiford, Rowan, Smith, Snowden, Wolf, Wood—13.

SCR 42 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. B. W. Johnson moved that SCR 44—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Brogan, Deputy, Donovan, Eskridge, Hasting, B. W. Johnson, T. S. Johnson, Keel, Layton, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Shockley, (Mrs.) Tunnell, Walls, Mr. Speaker Quigley—20.

NAYS—Messrs. Queen and Wilkinson—2.

ABSENT — Messrs. Alexander, Clark, Garton, Hicks, Lawson, Lester, Maclary, Mattiford, Rowan, Smith, Snowden, Wolf, Wood—13.

SCR 44 having received the constitutional majority, passed the House and was ordered returned to the Senate.

Mr. B. W. Johnson moved that SCR 46—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Brogan, Deputy, Donovan, Eskridge, Hastings, B. W. Johnson, T. S. Johnson, Keel, Layton, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Shockley, (Mrs.) Tunnell, Walls, Mr. Speaker Quigley—20.

NAYS—Messrs. Queen and Wilkinson—2.

ABSENT — Messrs. Alexander, Clark, Garton, Hicks, Lawson, Lester, Maclary, Mattiford, Rowan, Smith, Snowden, Wolf, Wood—13.

SCR 46 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Pepper, House rules were suspended to receive report on SCR 50.

The following was reported by the Committee on Revised Statutes: SCR 50, favorably.

Mr. Pepper moved that SCR 50—"Suspending House Concurrent Resolution No. 12 for the Purpose of Permitting the Introduction of a Certain Bill," be taken up for consideration and read for the third time in order to pass the House.

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

YEAS — Messrs. Bostick, Brogan, Deputy, Donovan, Eskridge, Hastings, B. W. Johnson, T. S. Johnson, Keel, Layton, Livingston, Macklin, Massey, Mayhew, Nechay, Pepper, Queen, Shockley, (Mrs.) Tunnell, Walls, Wilkinson, Mr. Speaker Quigley—22.

NAYS—None.

ABSENT — Messrs. Alexander, Clark, Garton, Hicks, Lawson, Lester, Maclary, Mattiford, Rowan, Smith, Snowden, Wolf, Wood—13.

SCR 50 having received the constitutional majority, passed the House and was ordered returned to the Senate.

On motion of Mr. Macklin, Section 2, Rule 1, was restored.

The House adjourned at 11:25 P. M. until 8:00 P. M., Wednesday, November 9, 1955.

### 154TH LEGISLATIVE DAY

House met pursuant to adjournment at 9:35 P. M., on Wednesday, November 9, 1955.

Prayer by the Chaplain, Rev. Buckley.

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

Livingston, Macklin, Maclary, Mattiford, Mayhew, Nechay, Pepper, Queen, Rowan, Shockley, Smith, Snowden, Walls, Wilkinson, Wolf, Mr. Speaker Quigley—31.

Members absent — Messrs. Alexander, Massey, (Mrs.) Tunnell, Wood—4.

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

On motion of Mr. Macklin, Section 2, Rule 1, of House rules was suspended.

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

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

Dover, November 9, 1955

To the House of Representatives of the State of Delaware:

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

November 8, 1955, Senate Bill No. 528—An Act to appropriate Funds to the Delaware Veterans' Military Pay Commission to Pay Certain Valid Claims of Veterans of World War II Which are Barred by the Lapse of Time.

November 8, 1955, House Bill No. 321—An Act to appropriate Money to the State Highway Department so as to Enable it to Expand the State Police Force.

November 8, 1955, House Substitute No. 1 for House Bill No. 447 with Senate Amendment No. 1—An Act to Provide for the Enlargement and Improvement of the System of Free Public Schools of Delaware; Appropriating Money for Said Purposes; Authorizing the Financing of Such Enlargement and Improvement by the Issuance of Bonds and Bond Anticipation Notes of the State and by Contributions from Certain School Districts, and the City of Wilmington, Defining School Districts; Authorizing the Issuance of Bonds of Certain School Districts and the City of Wilmington for the Purpose of Raising Money to Make Such Contributions; and Authorizing the Acceptance of Federal Funds for Building Purposes and Creating Local School Building Commissions.

November 8, 1955, House Bill No. 648—An Act Authorizing the Expenditure for Child Welfare Service of Certain Funds Appropriated to the State Board of Welfare for Old Age Assistance.

November 8, 1955, House Bill No. 649—An Act Appropriating Certain Funds to the State Board of Welfare for Aid to the Disabled.