

JOURNAL
OF
THE SENATE
OF THE
Commonwealth of Virginia
BEGUN AND HELD AT THE CAPITOL IN THE
CITY OF RICHMOND
ON
WEDNESDAY, JANUARY 14, 1948

COMMONWEALTH OF VIRGINIA
Division of Purchase and Printing
Richmond
1948

He, from the same committee, reported without amendments:

S. B. No. 33. A bill to amend and re-enact sections 1 and 5 of Chapter 431 of the Acts of Assembly of 1922, approved March 24, 1922, relating to the manufacture and sale or offering for sale of paint, turpentine or linseed oil or any substitute therefor.

And he, from the same committee, reported without amendments:

S. B. No. 78. A bill to amend the Code of Virginia by adding a new section numbered 321-a relating to duty of Governor in relation to certain records.

MR. PERROW from the Committee on County, City and Town Organization reported without amendment:

H. B. No. 46. A bill to amend and re-enact sections 5 and 6 of Chapter 280, as amended, of the Acts of Assembly of 1932, approved March 24, 1932, being the charter of the city of Alexandria and to add thereto a section numbered 6-a, all dealing with the special election to determine whether members of the council shall be elected at large or by wards.

On motion of MR. BUTTON, a leave of absence for the day was granted MR. NOLAND.

On motion of MR. STEPHENS, a leave of absence for the day was granted MESSRS. GOODE and GRAY.

On motion of MR. HARRISON, a leave of absence for the day was granted MR. VADEN.

MR. BIRD, by leave, presented:

S. B. No. 96. A bill to limit annexation under certain circumstances, which was taken up, ordered to be printed and referred to Committee on County, City and Town Organization.

MR. BIRD, by leave, presented:

S. B. No. 97. A bill to prohibit annexation in certain cases, which was taken up, ordered to be printed and referred to Committee on County, City and Town Organization.

MESSRS. FENWICK, WAILES and GUEST, by leave, presented:

S. B. No. 98. A bill to authorize the governing bodies of the counties to make gifts of money and other property in aid of non-profit-making hospitals, which was taken up, ordered to be printed and referred to Committee on County, City and Town Organization.

MESSRS. BUTTON, STEPHENS and BATTLE, by leave, presented:

S. B. No. 99. A bill to amend and re-enact section 4784 of the Code of Virginia, relating to ascertainment of punishment in criminal

cases, which was taken up, ordered to be printed and referred to Committee for Courts of Justice.

MESSRS. NORRIS and BLANTON, by leave, presented:

S. B. No. 100. A bill to provide for the retirement, under certain conditions, of trial justices in the counties, and for the compensation of such justices on retirement and how the same shall be paid; to require certain deductions from salaries of trial justices; to provide for the creation and disbursement of the Trial Justices' Retirement Fund; and to make an appropriation, which was taken up, ordered to be printed and referred to Committee on Finance.

MESSRS. MOSES, STUART and BREEDEN, by leave, presented:

S. B. No. 101. A bill to provide for the compensation of teachers in the public free schools during certain absences, which was taken up, ordered to be printed and referred to Committee on Finance.

MR. CLARKE, by leave, presented:

S. B. No. 102. A bill to amend and re-enact section 1613-a of the Code of Virginia as heretofore enacted by Chapter 195 of the Acts of the General Assembly of 1944 relating to chiropractors and naturopaths, which was taken up, ordered to be printed and referred to Committee on General Laws.

MR. DALTON, by leave, presented:

S. B. No. 103. A bill to amend and re-enact section 1058 of the Code of Virginia relating to expenses of insane, epileptic and feeble-minded persons in certain State institutions to provide how certain funds shall be used, which was taken up, ordered to be printed and referred to Committee on Public Institutions and Education.

MR. BYRD moved that the rules be suspended and House Joint Resolution No. 6 be taken up out of its order, which was agreed to.

HOUSE JOINT RESOLUTION No. 6

RATIFYING THE PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATING TO THE TERMS OF OFFICE OF THE PRESIDENT

WHEREAS, the Eightieth Congress of the United States of America, in both houses by a constitutional majority of two-thirds thereof, has made the following proposition to amend the Constitution of the United States, as follows:

RESOLVED by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That:

The following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE—

"Section 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

"Section 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress."

Now, therefore, be it

RESOLVED, by the General Assembly of the State of Virginia, That such proposed amendment to the Constitution of the United States of America be, and it hereby is, ratified and affirmed; and

RESOLVED, FURTHER, That certified copies hereof be forwarded by the Governor of this State to the President of the United States, the Secretary of State of the United States, the President of the Senate of the United States and the Speaker of the House of Representatives of the United States.

The resolution was taken up.

MR. CROWDER moved to pass by, which motion was rejected.

The resolution was agreed to by the following vote:

Yeas, 29; Nays, 6.

YEAS—Messrs. Baldwin, Battle, Bird, L. C., Blanton, Button, Byrd, H. F., Jr., Carpenter, Carter, Caudill, Clarke, Dalton, Fenwick, Fitzpatrick, Gardner, Guest, Gunter, Hagood, Harrison, Kendig, Landreth, Long, Minter, Norris, Pitts, Richeson, Stephens, Stuart, W. aile and W. arren—29.

NAYS—Messrs. Breeden, Crowder, Hillard, Moses, Perrow and Robinette.

MR. BYRD moved to reconsider the vote by which the resolution was agreed to, which was rejected.

MR. BYRD was ordered to inform the House of Delegates thereof.

A message was received from the House of Delegates by MR. CROCKETT, who informed the Senate that the House of Delegates had passed House Joint Resolution No. 17.

Proposing amendments to section 133 of the Constitution of Virginia, in which it requests the concurrence of the Senate.

The resolution was referred to the Committee for Courts of Justice, on motion of MR. NORRIS.

On motion of MR. CLARKE,

H. B. No. 46. A bill to amend and re-enact sections 5 and 6 of Chapter 280, as amended, of the Acts of Assembly of 1932, approved March 24, 1932, being the charter of the city of Alexandria and to add thereto a section numbered 6-a, all dealing with the special election to determine whether members of the council shall be elected at large or by wards, was taken up.

MR. CLARKE moved to dispense with the reading of the title of the bill, as required by section 50 of the Constitution, and the Senate being satisfied that an emergency exists, it was agreed to by the following vote:

Yeas, 34; Nays, 0.

YEAS—Messrs. Baldwin, Battle, Bird, L. C., Blanton, Breeden, Button, Carpenter, Carter, Caudill, Clarke, Crowder, Dalton, Fenwick, Fitzpatrick, Gardner, Guest, Gunter, Hagood, Harrison, Hillard, Kendig, Landreth, Long, Minter, Moses, Norris, Perrow, Pitts, Richeson, Robinette, Stephens, Stuart, W. aile and W. arren—34.

NAYS—0.

On his further motion the bill was then passed with its title by the following vote:

Yeas, 34; Nays, 0.

YEAS—Messrs. Baldwin, Battle, Bird, L. C., Blanton, Breeden, Button, Carpenter, Carter, Caudill, Clarke, Crowder, Dalton, Fenwick, Fitzpatrick, Gardner, Guest, Gunter, Hagood, Harrison, Hillard, Kendig, Landreth, Long, Minter, Moses, Norris, Perrow, Pitts, Richeson, Robinette, Stephens, Stuart, Wailes and Warren—34.

NAYS—0.

MR. CLARKE moved to reconsider the vote by which the bill was passed, which was rejected.

MR. CLARKE was ordered to inform the House of Delegates thereof.

HOUSE JOINT RESOLUTION No. 9

PHOTO-COPYING OF ENROLLED BILLS

RESOLVED by the House of Delegates, the Senate concurring, That the Keeper of the Rolls of the State be and he is hereby authorized and directed to have all of the enrolled bills in his custody photo-