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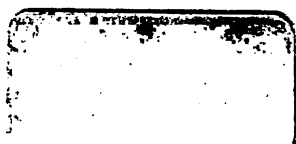
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Delaware College









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**LAWS**  
**OF THE**  
**STATE OF DELAWARE**

**PASSED AT THE**  
**NINETY-FOURTH SESSION**  
**OF THE GENERAL ASSEMBLY**

**COMMENCED AND HELD AT DOVER**

**On Tuesday, January 7th, A. D. 1913**

**AND**

**IN THE YEAR OF THE INDEPENDENCE OF THE UNITED  
STATES THE ONE HUNDRED AND THIRTY-SEVENTH**

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**VOLUME XXVII**

**THE DELAWARE LEADER**  
**LAUREL, DEL.**  
**1913**

188939

YHAEEL ORO DATS

# LAWS OF DELAWARE

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## TITLE FIRST

Of the Jurisdiction and Property of the State;  
Its Legislation and Laws.

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### CHAPTER 1.

#### AMENDMENT TO CONSTITUTION.

**AN ACT** proposing an amendment to Section 10 of Article II of the Constitution of the State of Delaware, in relation to the Journals of the Legislature.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members elected to each House agreeing thereto):—*

Section 1. That Section 10 of Article II of the Constitution of the State of Delaware be amended by striking out all of said Section 10 of Article II, and inserting in lieu thereof the following:—

“Section 10. Each House shall keep a journal of its proceedings, and publish the same immediately after every session, except such parts as may require secrecy. The names of the members voting for and against any bill or joint resolution, except in relation to adjournment.

Sec. 10 of Article 2 to be amended

Each house to keep a journal and publish the same

Names of members voting to be entered in journal

## AMENDMENT TO CONSTITUTION.

No bill, or joint resolution, to pass unless final vote be taken by yeas and nays, nor without concurrence of a majority of all members elected shall on the final vote be entered on the journal; and the yeas and nays of the members on any question shall, at the desire of any member, be entered on the journal. No bill or joint resolution, except in relation to adjournment, shall pass either House unless the final vote shall have been taken by yeas and nays, nor without the concurrence of a majority of all the members elected to each House."

Approved February 28, A. D. 1913.

AMENDMENT TO CONSTITUTION.

CHAPTER 2.

AMENDMENT TO CONSTITUTION.

AN ACT to amend Section 19, Article 2, of the Constitution of the State of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members of each House concurring therein) :—*

Section 1. That Section 19, Article 2, of the Constitution of the State of Delaware, be amended by adding to the end thereof the following words "provided, however, that the Geenral Assembly may by a vote of two-thirds of all the members elected to each House pass laws relating to the laying out, opening, alteration or maintenance of any road or highway which forms a continuous road or highway extending through at least a portion of the three counties of the State."

Sec. 19  
Article 2, of  
Constitution  
amended

Approved March 17, A. D. 1913.

## AMENDMENT TO CONSTITUTION.

## CHAPTER 3.

## AMENDMENT TO CONSTITUTION.

AN ACT proposing certain amendments to Article IV of the Constitution of this State, relating to the number of Judges constituting a quorum in the Superior Court, the Court of General Sessions and the Court of Oyer and Terminer, the sessions of said courts, and the distribution of the business therein, respectively.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members elected to each House agreeing thereto):—*

Sec. 5, Article  
4, of the  
Constitution  
amended

Judges to des-  
ignate who  
shall hold court

No more than  
three shall sit

Who shall  
preside

Quorum

Section 1. That Section 5 of Article IV of the Constitution of this State be, and the same is, hereby amended by striking out all of said Section after the first paragraph thereof and substituting therefor the following new paragraph, to wit:

“The said five judges shall designate those of their number who shall hold the said Courts in the several Counties. No more than three of them shall sit together in any of the said Courts. In each of the said Courts the Chief Justice when present shall preside, and in his absence the senior Associate Judge present shall preside.

One shall constitute a quorum in the said Courts, respectively, except in the Court of Oyer and Terminer, where three shall constitute a quorum, and except in the Superior Court sitting to hear appeals from the Orphans’ Court or a Register’s Court, when two shall constitute a quorum, and except in the Court of General Sessions sitting to try cases of prosecution under Section 8 of Article V of this Constitution or sitting to hear



AMENDMENT TO CONSTITUTION.

contested applications for license to sell intoxicating liquors, when two shall constitute a quorum. One judge may open and adjourn any of said Courts.” One may open and adjourn Court

Section 2. That Article IV of the Constitution of this State be, and the same is, hereby amended by striking out all of Section 6 thereof and substituting therefor the following new Section 6, to wit: Article 4 further amended

“Section 6. Subject to the provisions of Section 5 of this Article, two or more sessions of the Superior Court, or Court of General Sessions, or one or more sessions of each of the said Court, or one Session of the Court of Oyer and Terminer and one or two of either, or one of each of the other of the said courts may at the same time be held in the same County or in different counties, and the business in the several counties may be distributed and apportioned in such manner as shall be provided by the rules of the said courts respectively.” Two or more sessions may be held at same time

Approved March 12, A. D. 1913.

## OF THE SOVEREIGNTY, JURISDICTION AND LIMITS.

## CHAPTER 4.

## OF THE SOVEREIGNTY, JURISDICTION AND LIMITS.

AN ACT in relation to the title of lands taken or held by Sussex County.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Sussex County  
to hold title in  
name of "The  
State of Del.,  
for the use of  
Sussex Co."

Section 1. Whenever it shall be necessary for the County of Sussex to take or hold the title to any real estate the same shall be taken and held in the name of "The State of Delaware for the use of Sussex County".

Trustee or  
Trustees now  
holding lands  
to convey same

Section 2. Any Trustee or Trustees now holding lands for the use of Sussex County is hereby authorized and directed to convey the same in fee simple to "The State of Delaware for the use of Sussex County."

Approved March 12, A. D. 1913.

OF PUBLIC LANDS.

CHAPTER 5.

OF PUBLIC LANDS.

**AN ACT** providing for a permanent Public Lands Commission for the State of Delaware, and making an appropriation to carry out the provisions of this Act.

WHEREAS there is a great amount of public land within the State of Delaware the boundaries of which have not been ascertained, and

WHEREAS it is impossible for the State under present conditions to dispose of said lands when an opportunity shall offer, and

WHEREAS there is at present no supervision of said public lands, therefore,

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That Dr. Hiram R. Burton, Richard R. Kenney, Harry J. Anderson and Edward G. Walls be <sup>Commissioners named</sup> and they are hereby created and constituted a Commission to ascertain the location of the public lands of the State of Delaware and to have the same surveyed and <sup>To have public lands surveyed and plotted</sup> plotted and to have general supervision over said public lands. Said Commission shall, after having the said lands plotted, have said plots recorded in the office of <sup>Record plots with Recorder of Deeds</sup> the Recorder of Deeds in the County in which any such land may lie.

Section 2. Of said Commission Dr. Hiram R. Burton and Edward G. Walls shall serve for the term of <sup>Limitations of terms of Commissioners named in this act</sup>

## OF PUBLIC LANDS.

Governor to  
appoint suc-  
cessors

No more than  
two to be of  
same political  
party

Compensation  
of Commis-  
sioners

Authorized to  
employ help

two years and Richard R. Kenney and Harry J. Anderson shall serve for the term of four years. At the expiration of the term of any of the members of said Commission the Governor shall appoint successors of the same political party as those who previously held said position for a term of four years each, so that not more than two of said Commissioners shall at any one time belong to the same political party.

Section 3. The said Commission shall receive a compensation of Five Dollars per day for each Commissioner and shall be authorized to employ a Surveyor or Surveyors, Attorney or Attorneys, or any other assistants necessary to carry out the provisions of this Act.

To divide land  
into tracts

Empowered to  
execute and de-  
liver deed for  
a tract deemed  
advisable to be  
sold

Authorized to  
acquire expen-  
diture on land  
purchased, if  
advisable

Section 4. Said Commission shall have authority by and with the approval of the Governor to divide said lands into tracts of fifty acres or less, and such Commissioners together with the Governor are hereby authorized and empowered to execute and deliver good and sufficient Deed for any part of said public lands, being fifty acres or less, in extent whenever said Commission and Governor shall deem it advisable to sell such tract or any part of any such fifty acre tract. The said Commission is authorized, if they shall deem it expedient, to require the expenditure of a certain amount of money upon any such tract of land by any person or persons purchasing or of placing on such sale any other conditions which they may deem advisable for the public good.

Commission to  
supervise sale  
of products  
raised on pub-  
lic lands

Section 5. The said Commission is hereby authorized and directed to care for the public land of the State of Delaware and supervise the sale of any material product such as hay, which may be grown or may grow upon any such land, and make return of their proceeds, showing the amount of receipts and expenditures to the next General Assembly of the State of Delaware.

## OF PUBLIC LANDS.

Section 6. The said Commission is hereby authorized to survey and lay off such public highways through any such lands as they may deem advisable and for the public good.

To lay off highways through public land

Section 7. If any party or parties shall purchase any of said public lands of said Commission under any conditions or restrictions by said Commission, and said person or persons shall fail for a period of five years to comply with the conditions or restrictions mentioned in the Deed of grant from said Commission, they shall forfeit said lands to the State of Delaware, and the title to same shall immediately vest in the State.

Failure of purchaser to comply with conditions in Deed

Section 8. For the payment of the compensation of said Commissioners, their Counsel, Surveyor and Assistants and all other expenses of said Commission the sum of Fifteen Hundred Dollars is hereby appropriated and the State Treasurer is hereby authorized to pay from time to time out of said appropriation, orders on account of said expenditures signed by the President and Secretary of said Commission and approved by the Governor.

\$1500 appropriated for expenses of Commission

Section 9. The Governor of the State of Delaware shall at all times be a member ex-officio of said Commission with right to vote on any question before said Commission in case of a tie vote.

Governor to be ex-officio member

Vote in case of tie

Approved April 2, A. D. 1913.

## OF PUBLIC LANDS.

## CHAPTER 6.

## OF PUBLIC LANDS.

AN ACT to enable the United States Government to acquire certain land in the City of Wilmington.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Consent given  
to U. S. Gov't.  
to acquire land

Situation of  
said land

That the consent of the Legislature be, and the same is, hereby given to the acquisition by the Government of the United States of title to a tract of land on the southerly side of the Christiana River, Delaware, beginning at a point on the northerly side of A Street, the prolongation of the dividing line on a ditch between the land of the Bickta estate and the McCaulley estate, running thence on the dividing line between the said estates to the Christiana River; running thence along the Christiana River in an easterly direction three hundred feet, more or less; thence in a southerly direction, parallel with the aforesaid dividing line in the ditch between the said Bickta and McCaulley estates, to the northerly line of A Street; and thence along the northerly line of A Street to the place of beginning; the said courses being approximate, and all deeds, conveyances and other papers relating to the title thereof shall be recorded as in other cases in the office of the Recorder of Deeds in and for New Castle County.

Consent in accordance with  
U. S. Constitution

State sovereignty to exist  
over said land in civil and  
criminal processes

The consent herein and hereby given being in accordance with eighteenth clause of the eighth section of the first article of the Constitution of the United States and with the Acts of Congress in such cases made and provided. But notwithstanding such consent and concession the sovereignty and jurisdiction of this State shall

**OF PUBLIC LANDS.**

extend over the land so acquired by the United States so far as that all civil and criminal process issued by virtue of any law of this State may be executed on any part of said land so acquired, or any buildings or structures which may be erected thereon.

**Approved April 14, A. D. 1913.**

## OF THE STATE HOUSE.

## CHAPTER 7.

## OF THE STATE HOUSE.

AN ACT in relation to obtaining certain Portraits for the State House.

WHEREAS, the State possesses some portraits of Governors but portraits of few prominent Delawareans who have held offices under the State, and,

WHEREAS, it is deemed advisable to obtain as many portraits as possible of Signers of the Declaration of Independence from Delaware, United States Senators, Congressmen, Judges of the Court and Cabinet Officers appointed from this State, *therefore,*

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Commission  
appointed

Section 1. That a Commission consisting of the Governor of the State, the President Pro Tempore of the Senate and the Speaker of the House of Representatives be and the same are hereby appointed a Commission to obtain by gift or purchase portraits as recited in the preamble to this Act.

Number of  
portraits limited  
to five in a  
year

Section 2. Portraits that may be purchased shall be limited to five in any one year.

Section 3. The State Treasurer is hereby authorized and directed to pay out of any moneys not otherwise appropriated on warrants drawn by the Governor from time to time amounts necessary to carry this Act into effect.

Approved March 26, A. D. 1913.



## OF THE STATE HOUSE.

## CHAPTER 8.

## OF THE STATE HOUSE.

**AN ACT Providing for the Decoration of the State Capitol by the Representation in Painting of Historical Episodes in the History of the Country prominently participated in by Delawareans.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That a Commission composed of Miss Emily P. Bissell, of Wilmington, Mrs. Charles Copeland, of Christiana Hundred, Mrs. Charles R. Miller, of Wilmington, Miss Mary Hutchins, of Middletown, Mrs. Henry M. Ridgely, of Dover, Mrs. John Sheldrake, of Harrington, Mrs. Robert Lindale, of Wyoming, Mrs. S. J. Reynolds, of Smyrna, Mrs. Lewis W. Mustard, of Lewes, Mrs. Thomas Rawlins, of Seaford, Miss Jennie Davis, of Milford, and Miss Julia Burton, of Georgetown, Delaware, shall be, and the same is hereby created, who shall serve without pay, to select the subject or subjects, contract for the painting of, and under the terms of this act, pay for the painting of some historical scene or scenes connected with the history of this State, with which to decorate the walls of the State Capitol. Such painting or paintings shall be of merit proper for such decoration and shall be suitably placed in the capitol as selected and arranged for by the said Commission. Payments for such decorations and paintings shall be made on the recommendation of said Commission, through its Chairman, from money in the State Treasury not otherwise appropriated, provided that during the two years succeeding the passage of this Act, and until further sums shall be appropriated for such purposes, no con-

Commission  
named

To serve without  
pay

Authorized to  
select, contract  
and pay for  
painting

Character of  
paintings se-  
lected

Limit as to ex-  
penditure o  
money for  
paintings

## OF THE STATE HOUSE.

tract shall be executed for such painting or paintings made thereunder or other obligation incurred in anywise which shall exceed the sum of fifty-five hundred dollars.

Approved March 19, A. D. 1913.

OF THE STATE HOUSE, LIBRARY AND PUBLIC OFFICES.

CHAPTER 9.

OF THE STATE HOUSE, LIBRARY AND PUBLIC OFFICES.

**AN ACT assigning the Rooms in the State House and the State Library and Administration Building to certain Public Officers.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

Section 1. That the Senate and Representative Chambers and all other rooms on the second and third floors in the old or main building of the State House at Dover and the rooms on the first floor of said building immediately under the Senate Chamber shall be at all times for the exclusive use of the General Assembly and under its control.

Rooms to be used exclusively by General Assembly

Section 2. That the communicating rooms at the southwest corner of the old or main building on the first floor of said State House are hereby designated as the Governor's offices and are assigned to said officer.

Rooms to be used by the Governor

Section 3. That the rooms and the fire-proof vault situated on the north side of said old or main building on the first floor of said State House are hereby designated as the offices of the Secretary of State and are assigned to said officer.

Rooms to be used by the Secretary of State

Section 4. That all the communicating rooms on the east side of the new State Library and Administration Building and the adjoining room on the south side of the old or main building on the first floor thereof, together with the cellar under said new building are hereby des-

Rooms to be used by State Librarian for Library and Reading Room

## OF THE STATE HOUSE, LIBRARY AND PUBLIC OFFICES.

ignated for the use of the State Library and Reading Room, and the small office in the center thereof is assigned to the State Librarian.

Rooms to be  
used by State  
Treasurer

Section 5. That the communicating rooms at the north-west corner on the first floor of the new State Library and Administration Building are hereby designated as the offices of the State Treasurer and are assigned to said officer.

Rooms to be  
used by State  
Auditor

Section 6. That the communicating rooms at the southwest corner on the first floor of the new State Library and Administration Building are hereby designated as the offices of the Auditor of Accounts and are assigned to said officer.

Room to be  
used by Insurance  
Commissioner

Section 7. That the room at the southwest corner on the second floor of the new State Library and Administration Building is hereby designated as the office of the Insurance Commissioner and is assigned to said officer.

Room to be  
used by State  
Board of  
Agriculture

Section 8. That the room at the northwest corner on the second floor of the new State Library and Administration Building is hereby designated as the office of the State Board of Agriculture and is assigned to said Board.

Room to be  
used by State  
Judiciary

Section 9. That the large middle room on the second floor of the new State Library and Administration Building is hereby assigned to the use of the Judiciary of the State of Delaware.

All other rooms  
to be assigned  
by State Li-  
brarian under  
direction of  
Governor

Section 10. That all other rooms in the State House or the new State Library and Administration Building shall be assigned by the State Librarian under the direction of the Governor for such uses and purposes as may be designated by the Governor.

OF THE STATE HOUSE, LIBRARY AND PUBLIC OFFICES.

Section 11. The State Librarian shall have the general charge of the State House and the New State Library and Administration Building, subject to the provision of the preceding sections; and shall see that the same is properly cared for.

Section 12. That Chapter 4, Volume 21, Laws of Delaware, and all other acts or parts of acts inconsistent herewith are hereby repealed.

Approved March 17, A. D. 1913.

## OF THE STATE HOUSE.

## CHAPTER 10.

## OF THE STATE HOUSE.

**AN ACT for the establishment of a Hall of Records and appropriating money therefor.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Rooms assigned to Hall of Records

Section 1. That a portion of the fire-proof basement of the library wing of the State House of Delaware is hereby devoted and set apart as a State Hall of Records.

Archives Commission to have charge of Hall of Records

Section 2. That the State Archives Commission of the State of Delaware created under an Act entitled, "An Act for the better preservation of certain Public Records," being Chapter 77, Volume 23, Laws of Delaware as amended by Chapter 82, of Volume 26, Laws of Delaware, shall have the care and custody of the aforesaid Hall of Records and shall place therein all records, books and papers of public and historic interest which have been heretofore or which may be hereafter assigned to their care and shall make such rules and regulations for the care and preservation of the same as shall seem to them proper and necessary.

To place therein certain records, books and papers

Fire proof partition to be constructed

Section 3. That a partition of fire proof material approved by a competent architect shall be constructed within said fire proof library basement. Said partition shall form the north and west walls of said Hall of Records and the south and east walls of said Hall of Records shall be the present south and east walls of the basement aforesaid. The partition aforesaid shall be built at such a point as to leave a corridor at least fifteen feet

Limiting size of partition

## OF THE STATE HOUSE.

wide running along the west wall of said basement and a similar corridor, fifteen feet wide along the north wall of said basement. Any door or doors in said partition shall be of fire proof construction.

Section 4. That the Archives Commission of the State of Delaware shall cause to be placed in the Hall of Records on the completion of the fire proof partition such steel cabinets or other furniture as they deem necessary; and shall cause to be placed in said Hall the safe purchased pursuant to the Act of the General Assembly approved at Dover, April 5th, A. D. 1909, being Chapter 255, Volume 25, Laws of Delaware.

Authorized to  
provide steel  
cabinet cages

Section 5. That the sum of One Thousand Dollars (\$1,000.00) be and the same is, hereby appropriated for the purpose of defraying the expenses of the erection of the fire proof partition and doors for the aforesaid Hall of Records and for the purchase of the steel furniture as aforesaid and for the removal of the said safe. It shall be the duty of the said Archives Commission of Delaware to see that the provisions of this Act are carried into effect, and the State Treasurer shall honor the warrants of the said Commission drawn for the payment of the same out of any moneys in his hands not otherwise appropriated, provided the aggregate of such warrants shall not exceed the sum of One Thousand Dollars (\$1,000.00).

Appropriation  
of \$1000.00

Duty of Ar-  
chives Com.  
to carry this  
Act into effect

Approved March 18, A. D. 1913.

## OF THE STATE LIBRARY.

## CHAPTER 11.

## OF THE STATE LIBRARY.

## AN ACT Regarding the Purchase and Sale of Certain Books by the State Librarian.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

State Librarian to dispose of books on approval of any two Judges

Section 1. That the State Librarian be and he is hereby authorized to dispose of, by way of sale or exchange, such books in the State Library as are not needed and of which there are a number of copies, upon the approval of any two judges of the Superior Court of this State.

Money derived to be turned over to State Treasurer

Section 2. Any money derived from the sale of such books shall be promptly turned over by the State Librarian to the State Treasurer and the State Treasurer is hereby authorized to keep a separate account of such receipts. These receipts shall be subject to be expended for other books needed in the State Library and the State Treasurer is hereby authorized and directed to pay such bills chargeable against this fund upon presentation of same by the State Librarian and bearing the approval of any two judges of this State and in accordance with the law governing the approval and payment of bills by the State Treasurer.

State Treasurer to keep separate account

Receipts to be expended for other books subject to approval of two Judges

Section 3. All Acts or parts of Acts inconsistent herewith, and especially Chapter 113, Volume 24, Laws of Delaware, are hereby repealed.

Approved March 19, A. D. 1913.



OF THE PASSING AND PUBLICATION OF LAWS AND JOURNALS

CHAPTER 12.

OF THE PASSING AND PUBLICATION OF LAWS AND JOURNALS

**AN ACT Providing for a Method of Recording, Filing and Certifying all Acts and Resolutions passed by the General Assembly.**

WHEREAS, It has been the custom of the General Assembly since the time this State was a British Colony to have all Acts and Resolutions that pass both Houses engrossed or enrolled, and the said enrollment being a survival of a custom that was necessary before the use of the typewriter or general use of the printing press,

And WHEREAS, It is now a needless expense and increases the danger of mistakes in transcribing, *therefore,*

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. All bills and resolutions passed by the General Assembly that are published in the laws shall hereafter be preserved by the art of printing or by being typewritten not being copied or transcribed with the pen.

All bills and resolutions hereafter to be printed or typewritten

Section 2. A Bill Clerk for the House of Representatives and one for the Senate shall be appointed by joint resolution at each Session of the General Assembly.

Bill Clerk to be appointed for each House

Section 3. The duties of said Bill Clerks shall be to have a general supervision over all bills and resolutions introduced at any session of the General Assembly. When any bill or resolution has passed both Houses it shall be the duty of said Bill Clerks to attach a parch-

Duties of Bill Clerks

Method of backing bills

## OF THE PASSING AND PUBLICATION OF LAWS AND JOURNALS

Bill Clerks to have a seal      ment backing to same and to initial, seal or stamp each and every page of each and every bill so passed and present them to the presiding officers of the two Houses for their signatures, and to certify with the Secretary of Senate and Clerk of the House on the backing of each bill or resolution that such bill or resolution is the same as that which passed both Houses, and they will then deliver the same to the Chairmen of the Committee on passed bills of their respective Houses. Said Bill Clerks in addition to the duties herein prescribed shall be Clerks of the Committees on passed bills.

To be clerks to Committees on Passed Bills

When bill or resolution is amended or substituted for      In case a Bill or Resolution is amended or substituted before final passage the Passed Bill Committee shall have the same re-typewritten or re-printed and said corrected copy shall be considered the original for certification and filing.

Bills to be delivered to Governor      Section 4. It shall be the duty of the Chairmen of the Committee on passed bills to deliver the same to the Governor and take his receipt therefor.

Chairmen of Passed Bills Com. to report      Section 5. It shall be the duty of the Chairmen of the Committee on passed bills to report to their respective Houses the bills so delivered.

Bills becoming law without Executive approval      Section 6. It shall be the duty of the Chairmen on passed bills to report to their respective Houses any bills that may become laws without the Governor's signature, in accordance with Section 18, Article 3 of the Constitution of the State of Delaware, and the House in which said Act or resolution originated shall file under the hands of the presiding officer and clerk the said acts or resolutions with the Secretary of State, whose duty it shall be to publish the same as a law the same as if the Governor had signed it.

OF THE PASSING AND PUBLICATION OF LAWS AND JOURNALS

Section 7. It shall be the duty of the Chairmen of said Committees on passed bills to report at least weekly to their respective Houses the acts and joint resolutions that have been signed by the Governor. <sup>To report on approved bills.</sup>

Approved February 12, A. D. 1913.

## OF THE PASSING AND PUBLICATION OF LAWS AND JOURNALS

## CHAPTER 13.

## OF THE PASSING AND PUBLICATION OF LAWS AND JOURNALS

**AN ACT Providing for the employment by the General Assembly of a Document Clerk and prescribing his duties.**

A Document  
Clerk to be  
selected by  
General  
Assembly

Section 1. That there shall be selected by Concurrent Resolution of both Houses of the General Assembly at each regular session thereof, a person who shall be known as Document Clerk who shall serve the General Assembly during the period of its regular session.

To have custody of all printed bills

Section 2. The Document Clerk shall have custody of all printed bills before the General Assembly and charge of the distribution and mailing thereof, according to direction of members of the General Assembly on Concurrent Resolutions of the General Assembly passed from time to time and in addition thereto he shall attend the private entrance to the rooms of the General Assembly admitting only such persons as shall have the right of admission by entrance.

To attend private entrance to Assembly Chambers

Compensation

Section 3. The compensation of the Document Clerk shall be fixed by the Joint Claims Committee.

Approved March 19, A. D. 1913.

OF THE PASSING AND PUBLICATION OF LAWS AND JOURNALS

CHAPTER 14.

OF THE PASSING AND PUBLICATION OF LAWS AND JOURNALS

**AN ACT to Amend an Act providing for a method of Recording, Filing and Certifying all Acts and Resolutions passed by the General Assembly.**

WHEREAS, this General Assembly passed an Act providing for a method of Recording, Filing and Certifying all Acts and Resolutions passed by the General Assembly, said Act being approved by the Governor on the twelfth day of February, A. D. 1913, and

WHEREAS, in carrying into effect the details of said Act it is found inexpedient to re-typewrite or re-print a Substitute Bill, *therefore*

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That the last paragraph of Section 3 of said Act be amended by striking out the said last paragraph and inserting in lieu thereof the following: "In case a Bill or Resolution is amended before final passage the Passed Bill Committee shall have the same re-typewritten or re-printed, and said corrected copy shall be considered the original for certification and filing."

Bills amended before final passage to be re-printed or re-typewritten

Approved March 7, A. D. 1913.

## OF THE PASSING AND PUBLICATION OF LAWS AND JOURNALS

## CHAPTER 15.

## OF THE PASSING AND PUBLICATION OF LAWS AND JOURNALS

## AN ACT to Amend Chapter 9, Volume 21, Laws of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. Amend Chapter 9, Volume 21, Laws of Delaware, by adding an additional Section, which shall be known as Section 4 and shall read as follows:

Secretary of  
State to print  
hereafter all  
proclamations  
of Gov. as part  
of session laws

Section 4. That the Secretary of State shall hereafter print as a part of the volumes provided for under Chapter 9, Volume 21, Laws of Delaware, all the proclamations of the Governor of the State of Delaware that are issued from time to time; provided, that the session laws of 1913 shall include all proclamations of the Governor issued on or after January 1st, 1913, until the day the session laws of 1913 go to print.

Biennial sessions of General Assembly to be numerically designated

Provided further, that the Secretary of State is authorized and he is hereby directed to ascertain the number of regular sessions held by the General Assemblies of the State of Delaware, and that the General Assembly of the State of Delaware now in session shall be officially known by that number, and that all subsequent Biennial Assemblies shall be designated by number in sequence thereafter; and be it further provided, that this method of designation shall be used in all official references and in reference to General Assemblies of the State of Delaware in the future.

Method of designation to be used in official references

Approved March 26, A. D. 1913.

## OF THE PASSING AND PUBLICATION OF LAWS AND JOURNALS

## CHAPTER 16.

## OF THE PASSING AND PUBLICATION OF LAWS AND JOURNALS

AN ACT to revive and extend the time for recording private Acts.

WHEREAS, by Section 3 of Chapter 4 of the Revised Statutes of the State of Delaware, it is provided that private Statutes (namely such as are not of a public nature or published as such) shall be recorded in the Recorder's Office in one of the Counties of this State within twelve months after their passage or they shall be void; and

WHEREAS, a number of private and unpublished Acts heretofore passed have been allowed to become void through ignorance of the aforesaid enactment; therefore, for the purpose of relieving the parties interested of the embarrassments and disappointments arising from such neglect in the premises; *therefore*

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of each Branch concurring therein):*

Section 1. That all unpublished acts heretofore passed that have become void on account of not being duly recorded in compliance with the provisions aforesaid and that have not by special acts been repealed or become void by lapse of the time for which they were limited, be and the same are hereby severally renewed and re-enacted, and together with the provisions therein contained are respectively declared to be in full force for the period mentioned in the original acts, and to have the same force and effects as if the said acts had been sever-

Unpublished  
Acts heretofore  
passed that  
have become  
void

## OF THE PASSING AND PUBLICATION OF LAWS AND JOURNALS

To have same  
force and effect  
as if recorded  
properly

Not to take  
effect until cer-  
tified copy is  
recorded

Time limit of  
one year after  
passage of this  
act

ally recorded according to law, and all acts and transac-  
tions done and performed under the provisions of said  
acts and property and other rights accrued thereunder,  
shall have the same force and effect and be as valid to  
all intents and purposes as if the said acts had been sev-  
erally recorded according to law; provided, that this en-  
actment shall not take effect in the case of any act that  
has become void as aforesaid, until a certified copy there-  
of shall be duly recorded in the Recorder's Office of one  
of the Counties of this State; and, provided further, that  
no such copy of a voided act shall be received for record  
after the expiration of one year from the passage of this  
act.

Section 2. That this act shall be deemed and taken to  
be a public act and shall be published as such.

Approved March 12, A. D. 1913.



## OF JUDICIAL REPORTS.

## CHAPTER 17.

## OF JUDICIAL REPORTS.

**AN ACT to Provide for a Second Edition of Volume 1, 2, 3 and 4 of Houston's Reports.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Section 1. That the Associate Judge of the Superior Court, resident in Kent County, be and he is hereby authorized and directed to have printed and published at least four hundred copies of each of Volumes 1, 2, 3 and 4 of Houston's Reports, and to deposit in the State Library one hundred copies of each volume of said reports so printed; and on the certificate of the Secretary of State that one hundred copies of any volume of said reports have been so deposited in the State Library, the Governor is authorized to draw his warrant on the State Treasurer to pay for the printing of the same at the price of Nine Dollars per copy of each volume so deposited.

Associate  
Judge in Kent  
County to  
have printed  
Houston's  
Reports

Governor to  
draw warrant  
upon certifica-  
tion of Secre-  
tary of State

Approved March 14, A. D. 1913.

## OF JUDICIAL REPORTS.

## CHAPTER 18.

## OF JUDICIAL REPORTS.

AN ACT to amend Chapter 10, Volume 26, Laws of Delaware, entitled "An Act in relation to the publication of certain Equity Cases and Judicial Reports when not published by the Chancellor or Associate Judge resident in Kent County, respectively, extending the time for publishing Judicial Reports", by further extending the time for publishing the Judicial Reports.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Amend Chap.  
10, Vol. 26

Section 1. That Chapter 10, Volume 26, Laws of Delaware, entitled "An Act to amend Chapter 5, Volume 25, Laws of Delaware, entitled 'An Act in relation to the publication of certain Equity Cases and Judicial Reports when not published by the Chancellor or Associate Judge resident in Kent County, respectively,' extending the time for publishing Judicial Reports", be and the same is hereby amended by striking out the word "four" in the last line of said act and inserting in lieu thereof the word "six".

Approved March 17, A. D. 1913.

## TITLE SECOND

### Of the Public Revenue; and the Assessment, Collection and Appropriation of Taxes.

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#### CHAPTER 19.

##### OF THE REVENUES OF THE STATE.

AN ACT to Amend an Act entitled "An Act to Raise Revenue for the State by Taxing Certain Corporations" being Chapter 166, Volume 21, Laws of Delaware, amended and published as Chapter 15, Volume 22, Laws of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That Chapter 166, Volume 21, Laws of Delaware, amended and published as Chapter 15, Volume 22, Laws of Delaware, entitled "An Act to Raise Revenue for the State by Taxing Certain Corporations", as amended by the Acts amendatory thereto, be and the same is hereby amended in the manner following: Sec. 2, Chap. 15  
Vol. 22  
amended

1st. By striking out the period after the word "time" in the thirty-first line of Section 2 as published in said Chapter 15, Volume 22, which line is the end of the first paragraph of said section, and inserting in lieu thereof a semi-colon (;), and then adding thereto the following words: "Each life insurance company shall state the Life Insurance  
Companies to  
state total  
amount of  
premiums

## OF THE REVENUES OF THE STATE.

the total amount of premiums received by it for insurance upon the lives of persons resident within this State, during the same time."

Two percent-  
um on gross  
amount of  
premiums

2nd. By striking out everything after the word "tax" in the twenty-third line of Section 4 as published in said Chapter 15, Volume 22, down to and including the word "preceding" in the twenty-ninth line thereof, being the end of that sentence, and inserting in lieu thereof the following words: "of two percentum upon the gross amount of the premium so returned or ascertained."

Not to exempt  
any life insur-  
ance company  
incorporated in  
Delaware from  
payment of  
tax

3d. By striking out the period at the end of Section 4 as published in said Chapter 15, Volume 22, and as amended by Chapter 259, Volume 22, Laws of Delaware, and inserting in lieu thereof a semi-colon (;), and then adding thereto the following words: "provided further, that nothing herein contained shall be so construed as to exempt any life insurance company incorporated under the laws of Delaware, from the payment of any part of the tax hereinbefore specifically provided for such companies."

Approved March 31, A. D. 1913.

OF THE REVENUES OF THE STATE.

CHAPTER 20.

OF THE REVENUES OF THE STATE.

AN ACT to Amend Chapter 259, Volume 22, Laws of Delaware, entitled "An Act to Amend an Act Entitled an Act to Raise Revenue for the State by Taxing Certain Corporations" being Chapter 15, Volume 22, Laws of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That Section 1, Chapter 259, Volume 22, Laws of Delaware, be and the same is hereby amended, as follows: In line nine strike out all after the word "As- Amend Chap. 259, Vol. 22 sociations" to and including the word "State" in line twelve, and insert in lieu thereof the following after the word "Associations" in line nine; "or to any manufacturing or mining or mercantile corporations whose capital stock actually paid in is invested in a business carried on within this State".

Approved March 20, A. D. 1913.

## OF THE REVENUES OF THE STATE.

## CHAPTER 21.

## OF THE REVENUES OF THE STATE.

AN ACT entitled, "An Act to amend Sections 5 and 10 of Chapter 15, Volume 22, Laws of Delaware, entitled, 'An Act to raise revenue for the State by taxing certain Corporations' ".

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of each branch thereof concurring therein):*

Section 1. That Section 5 of Chapter 15, Volume 22, Laws of Delaware, be and the same is hereby amended to read as follows:

"Section 5. That the Secretary of State shall certify and report to the State Treasurer, on or before the third Tuesday of March in each year, a statement of the basis of the annual license fee or franchise tax determined from the annual report filed by each corporation as hereinbefore required, and the amount of tax due thereon respectively, at the rate fixed by this Act; such tax shall thereafter become due and payable and it shall be the duty of the State Treasurer to immediately notify all corporations of the amount of such license fee, or franchise tax due and payable by them and to receive the same; if the tax of any corporation or company remains unpaid on the first day of July after the same becomes due the same shall thenceforth bear interest at the rate of one per centum for each month until paid; the Secretary of State shall have power to inquire into the truth or falsity of every report required to be filed by this Act as may be necessary to carry out the provisions hereof;

Secretary of State to certify to State Treasurer annual license fee

Duty of State Treasurer to receive tax

Interest on tax unpaid

Power of Secretary of State to inquire into truth of reports

OF THE REVENUES OF THE STATE.

and may require the production of the books of any such corporation, and may swear or affirm and examine witnesses in relation thereto”.

Section 2. That Section 10 of Chapter 15, Volume 22, Laws of Delaware, be and the same is hereby amended to read as follows:

“Section 10. If any corporation hereafter created shall for two consecutive years neglect or refuse to pay the State any tax or taxes which has or have been or shall be assessed against it, or which it is required to pay, under any law of this State and made payable into the State Treasury, the charter of such corporation shall be void, and all powers conferred by law upon such corporation are hereby declared inoperative and void, unless the Governor shall for good cause shown to him, give further time for the payment of such tax or taxes, in which case a certificate thereof shall be filed by the Governor in the office of the State Treasurer, stating the reasons therefor.”

Charter void  
after failure to  
pay Taxes for  
two years

Section 3. All Acts or parts of Acts inconsistent with the provisions of this Act be and the same are hereby repealed.

Approved March 19, A. D. 1913.

## OF THE REVENUES OF THE STATE.

## CHAPTER 22.

## OF THE REVENUES OF THE STATE.

**AN ACT** to amend an Act entitled "An Act to Raise Revenue for the State by Taxing Certain Corporations", being Chapter 166, Volume 21, Laws of Delaware as amended and published as Chapter 15, Volume 22, Laws of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (with the concurrence of two-thirds of all the members elected to each House of the General Assembly):*

Section 1. That Section 16 of an act entitled "An Act to raise revenue for the State by taxing certain corporations" being Chapter 166, Volume 21, Laws of Delaware, as amended and published as Chapter 15, Volume 22, Laws of Delaware, be and the same is hereby amended by adding at the end of the thirteenth line of said section the following:

Corporation  
created since  
March 10 1899,  
voided by pro-  
clamation

In all cases in which the Charter of any corporation created since the tenth day of March, A. D. 1899 or hereafter created, has or shall become inoperative or void by proclamation of the Governor or by operation of Law for non-payment of taxes and such corporation has been or shall be reinstated and entitled to all its franchises and privileges such reinstatement heretofore or hereafter made shall validate all contracts, acts, matters and things made, done and performed within the scope of its charter by such corporation, its officers and agents during the time when such charter was or shall be inoperative or void with the same force and effect and to all intents and purposes as if said charter had at all times

Validation of  
contracts and  
acts of corpo-  
ration or  
officers when  
reinstated



## OF THE REVENUES OF THE STATE.

remained in full force and effect, and all real and personal property, rights and credits which were or shall be of said corporation at the time its charter became or shall become inoperative or void and which were not or shall not be disposed of prior to the time of such reinstatement are and shall be vested in such corporation after such reinstatement as fully and amply as they were or shall be held by said corporation at and before the time its charter became or shall become inoperative or void, and said corporation after such reinstatement shall be as exclusively liable for all contracts, acts, matters and things made, done or performed in its name and on its behalf by its officers and agents prior to such reinstatement as if its charter had at all times remained in full force and effect.

Corporation  
liable when  
reinstated for  
all past acts  
and contracts

Approved March 26, A. D. 1913.

## OF THE REVENUES OF THE STATE.

## CHAPTER 23.

## OF THE REVENUES OF THE STATE.

**AN ACT providing for the Licensing of Individuals, Associations of Persons, Firms or Corporations having their principal place of business without this State but maintaining within this State branch stores, warehouses, or distributing depots for the sale of products, goods, wares and merchandise; and fixing a rate of taxation therefor.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Branch stores  
in this State,  
principal place  
of business  
without

To take out a  
license

Tax of \$10.00

Agent to file  
with Clerk of  
the Peace on  
or before June  
first statement  
of aggregate  
cost value of  
all goods

Section 1. From and after the passage and approval of this Act every individual, association of persons, firm or corporation having its principal place of business without this State, but maintaining within this State branch stores, warehouses, or distributing depots, for the sale of products, goods, wares, and merchandise, or any property of any description, either by the whole-sale or retail, shall, annually, on or before the first of June, take out a license to engage in, prosecute, follow and carry on the said business and occupation of maintaining such branch stores, warehouses, or distributing depots, as aforesaid, for which he, she, it, or they, shall pay, for the use of the State, the sum of Ten Dollars (\$10.00) to the Clerk of the Peace of each County in which such individual, association of persons, firm or corporation maintains any such branch store or stores, warehouse or warehouses, or distributing depot or depots, and the personal representative or agent within this State of any such individual, association of persons, firm or corporation shall, on or before the said first of June annually before taking out said license, file with

## OF THE REVENUES OF THE STATE.

the said Clerk of the Peace a true statement of the aggregate cost value of all the goods, wares, merchandise, produce, or other property which such personal representative or agent, as aforesaid, shall have received for sale in said business and occupation during the year immediately preceding the date of taking out said license. The said statement shall be verified by the oath or affirmation of such personal representative or agent, or if such personal representative or agent be a corporation, by the President thereof, the said oath or affirmation to be taken before any person who, by the laws of this State, is duly authorized to administer the same, that such aggregate cost value does not exceed the sum named, and every such individual, association of persons, firm or corporation, the aggregate of the cost value of whose goods, wares, merchandise, produce or other property received for sale as aforesaid, shall exceed the sum of Five Thousand Dollars, shall pay to the said Clerk of the Peace for the use of the State in addition to the above named sum of Ten Dollars (\$10.00) the sum of ten cents (10¢) for each One Hundred Dollars (\$100) of said aggregate cost value in excess of the aforesaid sum of Five Thousand Dollars (\$5,000).

Statement to  
be sworn to or  
affirmed

Amount of tax

Section 2. The license shall authorize the person therein named to engage in the business and occupation aforesaid only at one place and only for one year from the first of June. In case any individual, association of persons, firm or corporation desires to engage in, follow and carry on the said business and occupation, he, she, it, or they not having been engaged in said business and occupation during the year immediately preceding, he, she, it, or they shall, before commencing said business and occupation, take out a license which shall be valid until the first day of June thence next ensuing, first paying to the said Clerk of the Peace for the use of the State the sum of Ten Dollars (\$10.00) and at the expiration

Extent of  
license granted,  
time and place

When not in  
business the  
year immediately  
preceding

## OF THE REVENUES OF THE STATE.

To obtain a  
new license on  
expiration of  
same

of said license, the holder thereof shall obtain another license upon fulfilling the conditions following, that is to say; such individual, association of persons, firm or corporation, shall on or before the day of the expiration of the first mentioned license file with the said Clerk of the Peace a true statement, verified as aforesaid, of the aggregate cost value of all the produce, merchandise, goods, wares and property which shall have been received for sale in said business and occupation during the period covered by said first mentioned license, and shall pay the said Clerk of the Peace for the use of the State the sum of Ten Dollars (\$10.00) and shall also pay the said Clerk of the Peace for the use of the State in addition to the said sum of Ten Dollars (\$10.00) a sum at the rate of ten cents (10¢) for each One Hundred Dollars (\$100.00) of the aggregate cost value last aforesaid, in excess of the sum of Five Thousand Dollars (\$5,000). The license shall authorize the person therein named to engage in the business and occupation aforesaid only at one place and only for one year from the first day of June. If any individual, association of persons, firm or corporation shall be engaged in, prosecute, follow or carry on, within the limits of this State, the said business and occupation without obtaining at the times above mentioned, a proper license therefor, and without paying the tax aforesaid, he, she, it, or they, and the individuals composing such firm or association of persons, and each of them, and the President and Directors, and each of them, of such corporation and the personal representative or agent of any such individual, association of persons, firm or corporation, or any person who shall be for the time being in charge of any such branch store, warehouse or distributing depot, or if such personal representative, agent, or person in charge of such branch store, warehouse or distributing depot shall be a corporation, any officer or director of such corporation, for every such offense shall be deemed guilty of a misde-

Failure to take  
out a license

**OF THE REVENUES OF THE STATE.**

meanor, and upon conviction thereof, besides being liable for the payment of the tax, shall be fined not exceeding Five Hundred Dollars (\$500). Penalty

Section 3. That all acts or parts of acts inconsistent with this Act be and the same are hereby repealed.

Approved March 11, A. D. 1913.

## OF THE REVENUES OF THE STATE.

## CHAPTER 24.

## OF THE REVENUES OF THE STATE.

**AN ACT to Raise Revenue and to Provide for the Licensing of Dyers and Scourers.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Dyers and  
Scourers  
licensed

Section 1. That no person or persons, firm, company or corporation shall within the limits of this State be engaged in, prosecute, follow or carry on the trade, business, pursuit or occupation of a dyer or scourer without having first obtained a proper license therefor; that every person or persons, firm, company or corporation desiring to have, keep, conduct or operate an establishment for dyeing or scouring, or shall receive any goods to be dyed or scoured, shall apply to the Clerk of the Peace of the County and shall obtain a license therefor for which he, they or it shall pay the sum of Ten Dollars (\$10.00) for the use of the State.

Amount of  
license tax

Provisions of  
Chap. 117, Vol.  
13, extended to  
licenses issued  
under this act

Section 2. All of the provisions of Chapter 117, Volume 13, Laws of Delaware, relative to the issuance of licenses and the duties and powers of the several officials therein mentioned and all penalties therein imposed shall extend to and be applied to licenses issued under authority of this act.

Approved March 28, A. D. 1913.

## OF THE REVENUES OF THE STATE.

## CHAPTER 25.

## OF THE REVENUES OF THE STATE.

## AN ACT to Raise Revenue and to Provide for the Licensing of Laundries.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That no person or persons, firm, company or corporation shall within the limits of this State be engaged in, prosecute, follow or carry on the business, pursuit or occupation of conducting a steam or electric laundry or a steam and electric laundry without having first obtained a proper license therefor; that every person, firm, company or corporation receiving such a license for conducting the pursuit or occupation of such a laundry shall pay therefor the sum of Twenty-five Dollars (\$25.00) to the Clerk of the Peace issuing the same for the use of the State.

Laundries  
licensed

Amount of  
license tax

Section 2. All of the provisions of Chapter 117, Volume 13, Laws of Delaware, relative to the issuance of licenses and the duties and powers of the several officials therein mentioned and all penalties therein imposed shall extend to and be applied to licenses issued under authority of this act.

Provisions of  
Chap. 117, Vol.  
13 extended to  
licenses issued  
under this act

Approved March 11, A. D. 1913.

## OF THE REVENUES OF THE STATE.

## CHAPTER 26.

## OF THE REVENUES OF THE STATE.

AN ACT to Raise Revenue and to Provide for the Licensing of Mercantile Agencies.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Mercantile  
Agencies  
licensed

Section 1. That no person or persons, firm, company or corporation shall within the limits of this State be engaged in, prosecute, follow or carry on the business, pursuit or occupation of conducting a mercantile agency without having first obtained a proper license therefor; that every person, firm, company or corporation receiving such a license for conducting a mercantile agency shall pay therefor the sum of Ten Dollars (\$10.00) to the Clerk of the Peace issuing the same for the use of the State.

Amount of  
license tax

Provisions of  
Chap. 117, Vol.  
13 extended to  
licenses issued  
under this act.

Section 2. All of the provisions of Chapter 117, Volume 13, Laws of Delaware, relative to the issuance of licenses and the duties and powers of the several officials therein mentioned and all penalties therein imposed shall extend to and be applied to licenses issued under authority of this act.

Approved March 11, A. D. 1913.



OF THE REVENUES OF THE STATE.

CHAPTER 27.

OF THE REVENUES OF THE STATE.

**AN ACT** Defining the License to be Paid by Merchant Tailors.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That from and after the passage of this Act, merchant tailors shall be deemed to be merchants and not manufacturers, and shall be licensed accordingly.

Merchant tailors deemed to be merchants.

Approved March 11, A. D. 1913.

## OF THE REVENUES OF THE STATE.

## CHAPTER 28.

## OF THE REVENUES OF THE STATE.

AN ACT to Amend Section 1, Chapter 11, Volume 15, Laws of Delaware, entitled, "An Act Taxing Manufacturers and for Other Purposes".

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Amend Chap.  
11, Vol. 15

Section 1. That Section 1 of Chapter 11, Volume 15, Laws of Delaware, entitled, "An Act Taxing Manufacturers and for Other Purposes," be and the same is hereby amended, by inserting after the word "railroads" and before "&c" in the one hundred and eighth line of said section, the following: "roads, highways and streets,"

Amend Chap.  
11, Vol. 15

Section 2. That said Section 1 of Chapter 11, Volume 15, Laws of Delaware be and the same is hereby further amended by adding a new line thereto after the one hundred and fiftieth line thereof, the following: "manufacturers of clay and clay products".

Approved April 1, A. D. 1913.

## OF THE REVENUES OF THE STATE.

## CHAPTER 29.

## OF THE REVENUES OF THE STATE.

AN ACT to Amend Chapter 13, Volume 26, Laws of Delaware, Entitled, "An Act to Amend the Laws of this State in Relation to the Taxation of Manufacturers, being Chapter 24, of Volume 14, of the Laws of Delaware, as supplemented by Chapter 364, of Volume 14, and as amended by Chapter 10 and 11, of Volume 15, and as further amended by Chapter 17 of Volume 22 of the said Laws of Delaware".

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That Chapter 13 of Volume 26, Laws of Delaware, entitled, "An Act to Amend the Laws of this State in Relation to the Taxation of Manufacturers, being Chapter 24 of Volume 14, of the Laws of Delaware, as supplemented by Chapter 364, of Volume 14, and as amended by Chapter 10 and 11 of Volume 15, and as further amended by Chapter 17 of Volume 22 of the said Laws of Delaware", be and the same is hereby amended by striking out all of Section 1 thereof after the word "follows;" in the twenty-second line thereof, and by inserting in lieu thereof, the following:

Amend Chap.  
13, Vol. 26

"Section 1. That every individual, association of persons, firm or corporation engaged as owner or owners or as agent or agents in the production, manufacture or finishing by hand or machinery of goods, wares or merchandise of any article or material, or any combination or composition of any article or material of every nature and substance whatsoever (except as hereinafter stated), and desiring to continue in said production, manufacture

Production,  
manufacture  
or finishing by  
hand or ma-  
chinery of  
goods, &c.

To take out a  
license annual-  
ly on June first

## OF THE REVENUES OF THE STATE.

Amount of  
license tax

or finishing, shall annually hereafter on the First day of June take out a license to engage in said production, manufacture or finishing, for which such individual, association of persons, firm or corporation shall pay for the use of the State the sum of Five dollars (\$5.00) to the Clerk of the Peace of the County in which such individual, association of persons, firm or corporation is engaged, and desiring to continue engaged in such production, manufacture or finishing; and every such individual, association of persons, firm or corporation, shall, on or before the First day of July annually hereafter, before taking out said license, file with the said Clerk of the Peace a statement in writing, setting for the following:

All firms, &c. to  
file annually on  
July 1 a state-  
ment with  
Clerk of the  
Peace

Amount of ag-  
gregate gross  
receipts

That the aggregate gross receipts received in connection with or from the business of the said production, manufacture or finishing in this State by said individual, association of persons, firm or corporation, during the year then last past, did not exceed a certain sum therein stated.

To be sworn to  
or affirmed

The said statement shall be verified by the oath or affirmation of the said individual, or one member of such firm or association of persons, or of the President or other presiding officer of such corporation, and the said oath or affirmation may be taken before any person, who, by the laws of this State is duly authorized to administer the same. Every such individual, association of persons, firm or corporation, so as aforesaid engaged, and desiring to continue engaged in said production, manufacture or finishing, shall, on or before the First day of June annually, before taking out the said license, pay to the Clerk of the Peace, for the use of the State, in addition to the above named sum of Five Dollars (\$5.00) a further sum of one-fiftieth of one per cent. on the sum total of the gross receipts as set forth in the statement

Additional tax  
of one-fiftieth  
of gross re-  
ceipts

## OF THE REVENUES OF THE STATE.

hereinbefore required to be filed with the Clerk of the Peace.

The license aforesaid shall authorize the production, manufacture or finishing of goods, wares, merchandise or of any article or material or any combination of any article or material only at one place and for only one year from the First day of June.

Extent of  
license, time,  
place, &c.

In case any individual, association of persons, firm or corporation, desiring to be engaged as owner or owners, in such production, manufacture or finishing, he, she or they not having been engaged in such production, manufacture or finishing during the year immediately next preceding, shall, before commencing such production, manufacture or finishing, shall take out a license for six months then next ensuing, first paying to the said Clerk of the Peace the sum of Five Dollars (\$5.00) and at the expiration of the said six months, he, she or they shall obtain another license which shall be valid until the First day of June following, upon his, her or their filing with the Clerk of the Peace a statement in writing verified by oath or affirmation as aforesaid of such individual or one member of such association or firm or of the President or other presiding officer of such corporation, containing the statement above set forth, but limited to the period of six months then next past; such individual, association of persons, firm or corporation paying to the Clerk of the Peace for the use of the State, the same taxes as aforesaid rated in proportion to the time during which said last mentioned license shall be valid. The license aforesaid shall authorize the production, manufacture or finishing of goods, wares, merchandise or of any article or material or of any combination of any article or material, only at one place, and for only one year, from the First day of June.

When engaged  
in business for  
only fractional  
part of the  
year preceding

Amount of  
license tax

Extent of frac-  
tional license as  
to time, place,  
&c.

## OF THE REVENUES OF THE STATE.

Not liable to  
further taxa-  
tion under this  
act during the  
year

No individual, association of persons, firm or corporation having paid the said tax imposed upon them, under this act, shall be liable to the payment of the tax or taxes imposed upon individuals, association of persons, firms or corporations engaged in, or desiring to engage in the business and occupation of purchasing and selling goods, wares, merchandise, produce and property.

Definition of a  
"manufacturer,"  
under this  
act

Any individual, association of persons, firm or corporation engaged in the business of mixing, blending, refining, compounding, dyeing, bleaching, glazing, electroplating or finishing any goods, wares or merchandise either as owner or as agent, shall be considered a manufacturer under the provisions of this Act.

Exemptions  
under this act

This section shall not apply to the production of the usual farm products for home consumption or market purposes, nor to the distilling, brewing, manufacture or production of alcoholic liquors of any kind whatsoever, nor to the production or manufacture of steam, gas or electricity for heat, light or power.

This section shall be held to include persons, association of persons, firms or corporations engaged as owners or agents, in the following occupations and kinds of business:"

Approved April 1, A. D. 1913.

OF THE REVENUES OF THE STATE.

CHAPTER 30.

OF THE REVENUES OF THE STATE.

AN ACT in relation to State Licenses.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That all State Licenses with the exception of liquor and automobile licenses hereafter issued in this State shall expire on the first day of June of the year in which they are issued.

All licenses, except automobile and liquor licenses to expire June 1st

Section 2. That all licenses\*, obtaining a license for the fractional part or portion of a year shall pay therefor the pro rata proportion of the whole year's license or tax, the minimum license or tax to be paid for the fractional part of the year for any license shall be Five Dollars.

Fractional licenses

Minimum tax \$5

Section 3. That all merchants, manufacturers, six months licenses shall hereafter be known as merchants fractional and manufacturers fractional licenses and shall expire on the first day of June each year the same as other license\*\* with the exception of liquor license\*\*, as mentioned in the first section of this Act and that all merchants fractional branch licenses and merchants yearly branch licenses hereafter issued in this State shall expire on the first day of June of the next succeeding year.

Six months licenses to be known as fractional licenses

All fractional licenses to expire June 1

Section 4. That all Acts or parts of Acts inconsistent herewith be and the same are hereby repealed.

Approved April 1, A. D. 1913.

\* licensees

\*\* licenses

## OF THE REVENUES OF THE STATE.

## CHAPTER 31.

## OF THE REVENUES OF THE STATE.

**AN ACT Making Appropriations for the Expenses of the State Government other than Legislative Expenses, for the fiscal year ending on Monday immediately preceding the second Tuesday of January in the year of our Lord One Thousand Nine Hundred and Fourteen.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Appropriation  
for expense for  
year 1914

Section 1. That the several amounts named in this act or so much thereof as may be necessary, are hereby appropriated and authorized to be paid out of the treasury of this State to the respective public officers, and for the several purposes specified, for the current fiscal year ending on Monday immediately preceding the second Tuesday of January in the year of our Lord one thousand nine hundred and fourteen; provided, however, that all parts or portions of the several sums appropriated by this Act, which, on said Monday immediately preceding said second Tuesday of January, A. D. 1914, shall not have been paid out of the treasury, shall be returned to the general fund of the treasury. The said several sums hereby appropriated are, as follows, viz:

Unexpended  
money returned  
to general  
fund

Governor

For the Governor for salary, Four Thousand Dollars.

For the contingent expenses of the Governor's office, One Thousand Two Hundred Dollars.

Lieutenant  
Governor

For the Lieutenant Governor, salary as member of Board of Pardons, One Hundred Dollars.



OF THE REVENUES OF THE STATE.

For the Chancellor for salary, Five Thousand Dollars. Chancellor

For the Chancellor for reporting, Two Hundred Dollars.

For the Chancellor to pay contingent expenses of the Court of Chancery, Two Hundred Dollars.

For John R. Nicholson, in payment of one hundred copies of his reports, as Chancellor, Eight Hundred Dollars. John R. Nicholson as Chancellor

For Charles M. Curtis, in payment of one hundred copies of his reports, as Chancellor, Eight Hundred Dollars. Charles M. Curtis as Chancellor

For the stenographer of the Court of Chancery for salary, Twelve Hundred Dollars. Stenographer for Court of Chancery

For Chief Justice for salary, Five Thousand Dollars. Chief Justice

For the Associate Judges for salaries, Nineteen Thousand Two Hundred Dollars. Associate Judges

For the Associate Judge resident in Kent County, for reporting, Two Hundred Dollars. Associate Judge

For William H. Boyce, for one hundred copies of Boyce's Delaware Reports, Volume 2, One Thousand Dollars. William H. Boyce

For the Court Stenographer for salary, Two Thousand Dollars. Court Stenographer

For transcript for the Supreme Court and Assistant Stenographer, Nineteen Hundred Dollars.

## OF THE REVENUES OF THE STATE.

- Salary of Secretary of State** For the Secretary of State for salary, Four Thousand Dollars.
- Contingent Fund** For the Secretary of State to pay the contingent expenses of his office, Three Thousand Dollars.
- Official Bond** For the Secretary of State to pay cost of official bond, Fifty Dollars.
- Stenographer and typewriter for Governor and Secretary of State** For the stenographer and typewriter for the Governor and Secretary of State, for salary, Twelve Hundred Dollars.
- Clerks for the Secretary of State** For clerks for the Secretary of State, for salary, Eleven Hundred Dollars.
- Attorney General** For the Attorney-General for salary, Twenty-five Hundred Dollars.
- Deputies** For the Deputy Attorneys-General for salary, Two Thousand Dollars.
- Contingent expenses** For contingent expenses for the Attorney-General for paying expenses in criminal prosecutions, etc., Two Thousand Five Hundred Dollars.
- State Detectives** For the two State Detectives for salaries, Twenty-four Hundred Dollars.
- For actual expenses in serving requisition papers, Five Hundred Dollars.
- State Treasurer** For the State Treasurer and Trustee of the School Fund for salary, Three Thousand Dollars.
- For the State Treasurer for contingent expenses, six Hundred Dollars.

## OF THE REVENUES OF THE STATE.

For the Clerk for the State Treasurer for salary, Clerk for  
State  
Treasurer  
Twelve Hundred Dollars.

For the Auditor of Accounts for salary, Two Thousand and Dollars. Auditor of  
Accounts

For the Auditor of Accounts for contingent expenses, exclusive of clerical assistance, Five Hundred Dollars.

For the Deputy for the Auditor of Accounts for salary, Deputy  
Auditor  
Twelve Hundred Dollars.

For the Insurance Commissioner for salary, Fifteen Hundred Dollars. Insurance  
Commissioner

For the Insurance Commissioner for services as State Supervisor of Banks, Trust Companies, &c., under Chapter 330, Volume 22, Laws of Delaware, Five Hundred Dollars.

For the Insurance Commissioner to pay the necessary expenses of his office, such as postage, stationery, &c., Seven Hundred Dollars.

For the Insurance Commissioner for contingent expenses as Supervisor of Banks, Trust Companies, &c., Five Hundred Dollars.

For the Insurance Commissioner to pay salary of his clerk, Six Hundred Dollars. Clerk for  
Insurance  
Commissioner

For the Insurance Commissioner to pay Clerk under Chapter 330, Volume 22, Laws of Delaware, Five Hundred Dollars.

For the State Librarian for salary, Twelve Hundred Dollars. State  
Librarian

## OF THE REVENUES OF THE STATE.

For the State Librarian for contingent expenses, Hundred and Fifty Dollars.

For the State Librarian to purchase law books for the State Library, Five Hundred Dollars.

**Janitor** For the Janitor of the State House for salary, Five Hundred Dollars.

**Assistant Janitor** For the assistant Janitor of the State House for salary, Four Hundred Dollars.

**Fish Commissioner** For the Fish Commissioner for salary, and all necessary expenses in discharging the duties of his office, One Hundred and Twenty-five Dollars.

For contingent expenses of Fish Commissioner to pay for postage and stationery, travelling expenses, &c., Seventy-five Dollars.

**Chief Game Warden** For State Game Warden for salary, Six Hundred Dollars.

Fish and Game Commission for hatching, propagating, &c., food fish, Six Hundred Dollars, out of Sinking Fund.

**Oyster Revenue Collector** For the Oyster Revenue Collector for salary, Seven Hundred Dollars.

For the payment of officers and crew of watch boat for the protection of oysters, Two thousand Three Hundred and Forty Dollars.

**Free Public Schools** For the benefit of the Free Public Schools in addition to the income arising from investments of the Public School funds to be used exclusively for the payment of

OF THE REVENUES OF THE STATE.

teachers' salaries and for furnishing free text books,  
One Hundred and Thirty-two Thousand Dollars.

For the three County Superintendents of Schools, County Superintendents of Schools  
Thirty-six Hundred Dollars.

For contingent expenses for the three County Superintendents of Schools, Nine Hundred Dollars.

For the expenses of holding the White Teachers' Institutes in the several counties of this State, White Teachers' Institute  
Four Hundred and Fifty Dollars.

For the expenses of holding Colored Teachers' Institutes, Colored Teachers' Institute  
One Hundred and Fifty Dollars.

For the purposes of paying the expenses of the State Board of Education and the expenses of the County School Commissioners, under the Act entitled "An Act State Board of Education and County School Commissioners  
providing for the establishment of a general system of Free Public Schools", Twenty-five Hundred Dollars.

For the State Treasurer to carry out the provisions of State Treasurer for graded schools  
"An Act providing graded school facilities for the children of this State", Twenty-two Thousand Dollars.

For the maintenance of Chair of History, at Delaware College, Chair of History  
Twenty-five Hundred Dollars.

For the improvement of buildings and grounds at Delaware College, Delaware College  
Seven Thousand Five Hundred Dollars.

For the Trustees of Delaware College for the use of said College, being its share of the appropriation made by the General Government for the year 1913, Delaware College  
Forty Thousand Dollars.

## OF THE REVENUES OF THE STATE.

State Col-  
lege for  
Colored  
Students

For the Trustees of the State College for Colored Students for the use of said College, being its share of the appropriation made by the General Government for the year 1913, Ten Thousand Dollars.

For the Trustees of the State College for Colored Students for maintenance, Three Thousand Dollars.

Delaware  
Industrial  
School for  
Girls

For the Delaware Industrial School for Girls, Three Thousand Dollars.

St. Michael's  
Nursery  
and Hospital.

For St. Michael's Day Nursery and Hospital for Babies, Five Hundred Dollars.

Maintenance  
of indigent  
deaf, dumb,  
blind, and  
idiotic chil-  
dren

For the maintenance and instruction of the indigent deaf and dumb, indigent blind and indigent idiotic children in the institutions outside of the State, Twelve Thousand Dollars.

Society for  
the Preven-  
tion of  
Cruelty to  
Children

For the Delaware Society for the Prevention of Cruelty to Children, for the purpose of enforcing laws, etc., Nine Hundred Dollars.

State  
Library  
Commission

For the State Library Commission under the provisions of Chapter 362, Volume 22, Laws of Delaware, as amended, Two Thousand Dollars.

For the State Library Commission for contingent expenses, Two Hundred Dollars.

Libraries

For Libraries in School Districts, One Thousand Dollars.

Traveling  
Libraries

For the Chairman of the Committee on Travelling Libraries of the State Federation of Women's Clubs for Delaware, One Hundred Dollars for the purpose of establishing Travelling Libraries.

OF THE REVENUES OF THE STATE.

For the Historical Society of Delaware, Three Hundred Dollars. Historical Society

To help defray the expenses of students at Normal Schools, Four Thousand Five Hundred Dollars. Normal School Students

For the purpose of carrying into effect the provisions of the Act entitled "An Act to provide for the maintenance, discipline and regulation of the National Guard of Delaware", as amended, Five Thousand Dollars. National Guard

For the National Guard of Delaware for field practice, Eight Thousand Dollars.

For the National Guard of Delaware under provisions of Act passed 1907, Twenty-five Hundred Dollars.

For the burial of indigent soldiers, sailors and marines, Seven Hundred and Fifty Dollars. Burial of indigent soldiers

For G. A. R. Memorial Day expenses, One Thousand Dollars. G. A. R. Memorial Day

For the Peninsula Horticultural Society, Five Hundred Dollars. Horticultural Society

For the Farmers' Institute for the purpose of defraying incidental expenses of holding same, Six Hundred Dollars. Farmers' Institute

For the State Board of Agriculture, Five Thousand Dollars. Board of Agriculture

For the State Board of Agriculture, for breeding poultry, Three Hundred Dollars.

For the Immigration Board for the purpose of en- Immigration Board

## OF THE REVENUES OF THE STATE.

couraging Immigration, Twenty-five Hundred Dollars.

Live Stock  
Sanitary  
Board

For carrying out the provisions of the Act establishing the State Live Stock Sanitary Board, Five Thousand Dollars.

Agricultural  
Extension

For the Division of Agricultural Extension at Delaware College, Five Thousand Dollars.

Water rent,  
Town of  
Dover

For the Town of Dover to pay for water for the use of the State House and Armory, One Hundred and Twenty-five Dollars.

Repairs, etc.  
to State House

For repairing, heating, &c., of State House, Two Thousand Dollars.

Insurance

For insurance against fire on property belonging to the State, Thirty-five Hundred Dollars.

Interest on  
State Debt

For interest on the State debt, Thirty-six Thousand Dollars.

For printing

For printing Acts and Resolutions of the General Assembly and for all other printing done for the use and benefit of the State, Eighteen Thousand Dollars.

Delaware  
State  
Hospital

For the Delaware State Hospital at Farnhurst, Seventy-two Thousand Five Hundred Dollars.

Two Factory  
Inspectors

For the Factory Inspectors for salary, Two Thousand Dollars.

Board of  
State Sup-  
plies

For Board of State Supplies, contingent fund, Fifty Dollars.

Public Arch-  
ives Com-  
mission

For Public Archives Commission, One Thousand Dollars.



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For expenses of compiling and publishing the Records recommended by the Public Archives Commission, Two Thousand Dollars. Compiling and publishing of records

For the State Board of Pharmacy, Two Hundred and Fifty Dollars. Board of Pharmacy

For the Delaware Commission for the Blind, Three Thousand Dollars. Delaware Commission for blind

For the Delaware Commission for the Blind, for apprentices as per provisions of Act of 1913, Fifteen Hundred and Sixty Dollars. Delaware Commission for Blind, for apprentices

For the Adjutant General for salary, Twelve Hundred Dollars. Adjutant General's salary

For Ferris Industrial School to carry into effect the provisions of the Compulsory School Law, Five Hundred Dollars. Ferris Industrial School

For the State Revenue Collector for salary, Twelve Hundred Dollars. State Revenue Collector's salary

For the State Revenue Collector for contingent fund, Three Hundred Dollars.

For the State Board of Health, Twenty-five Hundred Dollars. State Board of Health

For the State Board of Health, for registration of marriages and births, Two Thousand Dollars. For registration of births and marriages

For the salary of the Bacteriologist and all expenses of the pathological and bacteriological laboratory at Delaware College, Thirty-five Hundred Dollars. State Laboratory

## OF THE REVENUES OF THE STATE.

Medical Councils	For medical Councils of Delaware, Three Hundred Dollars.
Diphtheria antitoxin	For the State Board of Health, for diphtheria antitoxin, Five Hundred Dollars.
Adjutant General's clerk	For the Adjutant General to pay salary of his Clerk, Six Hundred Dollars.
Highways in New Castle County	For Public Highways in New Castle County, Ten Thousand Dollars.
Highways in Kent County	For Public Highways in Kent County, Ten Thousand Dollars.
Highways in Sussex County	For Public Highways in Sussex County, Ten Thousand Dollars.
New Castle County Highway Commissioner	For New Castle County State Highway Commissioner for salary, One Thousand Dollars.
Kent County Highway Commissioner	For Kent County State Highway Commissioner for salary, Four Hundred and Fifty-eight Dollars and thirty-two cents.
Tuberculosis Commissioner	For the Delaware State Tuberculosis Commission, Fifteen Thousand Dollars.
School Houses for colored children	For the improvement of School Houses for Colored Children, Two Thousand Dollars.
Rest Room at Delaware City	For Woman's Christian Temperance Union for Soldiers' Rest Room at Delaware City, Two Hundred Dollars.
Secretary of State for printing laws	For the Secretary of State for printing and publishing the Constitution of the State of Delaware, the Corpora-

OF THE REVENUES OF THE STATE.

tion Laws, the School Laws, and the Election Laws,  
Three Hundred and Fifty Dollars.

For Commissioner of Education for salary, Two Thousand Dollars. Commissioner of Education, salary

For Commissioner of Education for contingent expenses, Three Hundred Dollars.

For Child Labor Commission, Two Hundred and Fifty Dollars. Child Labor Commission

For the Delaware State Fair Association, for prizes, Five Thousand Dollars. Delaware State Fair

For Delaware College for summer school, Twelve Hundred Dollars. Summer School

For Child Labor Inspector for salary, Eighteen Hundred Dollars. Child Labor Inspector's salary

For Child Labor Inspector for expenses, Three Hundred Dollars.

For Redemption of Bonds of Affiliated College at Newark, Delaware, as per provisions of Act 1913, Thirty Thousand Dollars. Affiliated College, redemption of bonds

For Portraits of Prominent Delawareans, Twelve Hundred Dollars. Portraits of Delawareans

For Official Bonds of State Treasurer and Deputy, Fifteen Hundred Dollars. State Treasurer, official bond

For the Old Folks Home at Dover, Three Thousand Dollars. Old Folks Home

## OF THE REVENUES OF THE STATE.

Secretary of  
the Senate  
for Journal

For the Secretary of the Senate for preparing copy, indexing and superintending the printing of his journal, Five Hundred and Fifty Dollars.

Clerk of the  
House for  
Journal

For the Clerk of the House of Representatives for preparing copy, indexing and superintending the printing of his journal, Five Hundred and Fifty Dollars.

Colored  
Consumptives

For the State Tuberculosis Commission to provide for the care of colored consumptives, Five Thousand Dollars.

Farnhurst  
Amusement  
Fund

For the Trustees of the State Hospital at Farnhurst, for amusement fund, Two Hundred Dollars.

Portraits of  
Delawareans

For the purpose of purchasing the portraits of prominent Delawareans, Nine Hundred Dollars.

Approved April 22, A. D. 1913.

OF THE REVENUES OF THE STATE.

CHAPTER 32.

OF THE REVENUES OF THE STATE.

AN ACT Making Appropriations for the Expenses of the State Government other than Legislative Expenses, for the fiscal year ending on Monday immediately preceding the second Tuesday of January in the year of our Lord One Thousand Nine Hundred and Fifteen.

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in general Assembly met:*

Section 1. That the several amounts named in this act or so much thereof as may be necessary, are hereby appropriated and authorized to be paid out of the treasury of this State to the respective public officers, and for the several purposes specified, for the current fiscal year ending on Monday immediately preceding the second Tuesday of January in the year of our Lord one thousand nine hundred and fifteen; provided, however, that all parts or portions of the several sums appropriated by this act, which, on said Monday immediately preceding said second Tuesday of January, A. D. 1915, shall not have been paid out of the treasury, shall be returned to the general fund of the treasury. The said several sums hereby appropriated are as follows, viz:

For the Governor for salary, Four Thousand Dollars.

Governor

For the contingent expenses of the Governor's office, One Thousand Two Hundred Dollars.

For the Lieutenant Governor, salary as member of Board of Pardons, One Hundred Dollars.

Lieutenant Governor

Appropriation  
for expenses  
for year 1915

Unexpended  
money return-  
ed to general  
fund

## OF THE REVENUES OF THE STATE.

Chancellor      For the Chancellor for salary, Five Thousand Dollars.

For the Chancellor for reporting, Two Hundred Dollars.

For the Chancellor to pay contingent expenses of the Court of Chancery, Two Hundred Dollars.

Charles M. Curtis as  
Chancellor      For Charles M. Curtis, in payment of one hundred copies of his reports, as Chancellor, Eight Hundred Dollars.

Stenographer for  
Court of Chancery      For the stenographer of the Court of Chancery for salary, Twelve Hundred Dollars.

Chief Justice      For Chief Justice for salary, Five Thousand Dollars.

Associate Judges      For the Associate Judges for salaries, Nineteen Thousand Two Hundred Dollars.

Associate Judge in Kent  
County      For the Associate Judge resident in Kent County, for reporting, Two Hundred Dollars.

William H. Boyce      For William H. Boyce, for one hundred copies of Boyce's Delaware Reports, Volume 3, One Thousand Dollars.

Court Stenographer      For the Court Stenographer for salary, Two Thousand Dollars.

For transcript for the Supreme Court and Assistant Stenographer, Nineteen Hundred Dollars.

Salary of the Secretary of State      For the Secretary of State for salary, Four Thousand Dollars.

Contingent fund      For the Secretary of State to pay the contingent expenses of his office, Three Thousand Dollars.

## OF THE REVENUES OF THE STATE.

For the Secretary of State to pay cost of official bond, Official bond  
Fifty Dollars.

For the stenographer and typewriter for the Governor Stenographer and typewriter for Governor and Secretary of State  
and Secretary of State, for salary, Twelve Hundred Dollars.

For clerks for the Secretary of State, for salary, Eleven Clerks for the Secretary of State  
Hundred Dollars.

For the Attorney-General for salary, Twenty-five Attorney General  
Hundred Dollars.

For the Deputy Attorneys-General for salary, Two Deputies  
Thousand Dollars.

For contingent expenses for the Attorney-General for Contingent expenses  
paying expenses in criminal prosecutions, etc., Two  
Thousand Five Hundred Dollars.

For the two State Detectives for salaries, Twenty- State Detectives  
four Hundred Dollars.

For actual expenses in serving requisition papers, Five  
Hundred Dollars.

For the State Treasurer and Trustee of the School State Treasurer  
Fund for salary, Three Thousand Dollars.

For the State Treasurer for contingent expenses, six  
Hundred Dollars.

For the Clerk for the State Treasurer for salary, Clerk for State Treasurer  
Twelve Hundred Dollars.

For the Auditor of Accounts for salary, Two Thousand  
and Dollars.

## OF THE REVENUES OF THE STATE.

**Auditor of Accounts** For the Auditor of Accounts for contingent expenses, exclusive of clerical assistance, Five Hundred Dollars.

**Deputy Auditor** For the Deputy for the Auditor of Accounts for salary, Twelve Hundred Dollars.

**Insurance Commissioner** For the Insurance Commissioner for salary, Fifteen Hundred Dollars.

For the Insurance Commissioner for services as State Supervisor of Banks, Trust Companies, &c., under Chapter 330, Volume 22, Laws of Delaware, Five Hundred Dollars.

For the Insurance Commissioner to pay the necessary expenses of his office, such as postage, stationery, &c., Seven Hundred Dollars.

For the Insurance Commissioner for contingent expenses as Supervisor of Banks, Trust Companies, &c., Five Hundred Dollars.

**Clerk for Insurance Commissioner** For the Insurance Commissioner to pay salary of his clerk, Six Hundred Dollars.

For the Insurance Commissioner to pay Clerk under Chapter 330, Volume 22, Laws of Delaware, Five Hundred Dollars.

**State Librarian** For the State Librarian for salary, Twelve Hundred Dollars.

For the State Librarian for contingent expenses, Two Hundred and Fifty Dollars.

For the State Librarian to purchase law books for the State Library, Five Hundred Dollars.



OF THE REVENUES OF THE STATE.

For the Janitor of the State House for salary, Five <sup>Janitor</sup> Hundred Dollars.

For the assistant Janitor of the State House for salary, Four Hundred Dollars.

For State Game Warden for salary, Six Hundred Dol- <sup>Chief Game</sup> lars. <sup>Warden</sup>

Fish and Game Commission for hatching, propagating, &c., food fish, Six Hundred Dollars, out of Sinking Fund.

For the Oyster Revenue Collector for salary, Seven <sup>Oyster Rev-</sup> <sup>enue Collector</sup> Hundred Dollars.

For the payment of officers and crew of watch boat for the protection of oysters, Two thousand Three Hundred and Forty Dollars.

For the benefit of the Free Public Schools in addition <sup>Free Public</sup> <sup>Schools</sup> to the income arising from investments of the Public School funds to be used exclusively for the payment of teachers' salaries and for furnishing free text books, One Hundred and Thirty-two Thousand Dollars.

For the three County Superintendents of Schools, <sup>County Super-</sup> <sup>intendents</sup> <sup>of Schools</sup> Thirty-six Hundred Dollars.

For contingent expenses for the three County Superintendents of Schools, Nine Hundred Dollars.

For the expenses of holding the White Teachers' Institutes in the several counties of this State, Four Hun- <sup>White</sup> <sup>Teachers'</sup> <sup>Institute</sup> dred and Fifty Dollars.

For the expenses of holding Colored Teachers' Institute, One Hundred and Fifty Dollars. <sup>Colored</sup> <sup>Teachers'</sup> <sup>Institute</sup>

## OF THE REVENUES OF THE STATE.

State Board  
of Educa-  
tion and  
County  
School Com-  
missioners

For the purposes of paying the expenses of the State Board of Education and the expenses of the County School Commissioners, under the Act entitled "An Act providing for the establishment of a general system of Free Public Schools", Twenty-five Hundred Dollars.

State Treas-  
urer for  
graded  
schools

For the State Treasurer to carry out the provisions of "An Act providing graded school facilities for the children of this State", Twenty-two Thousand Dollars.

Chair of  
History

For the maintenance of Chair of History, at Delaware College, Twenty-five Hundred Dollars.

Delaware  
College

For the improvement of buildings and grounds at Delaware College, Seven Thousand Five Hundred Dollars.

Delaware  
College

For the Trustees of Delaware College for the use of said College, being its share of the appropriation made by the General Government for the year 1913, Forty Thousand Dollars.

State Col-  
lege for  
Colored  
Students

For the Trustees of the State College for Colored Students for the use of said College, being its share of the appropriation made by the General Government for the year 1913, Ten Thousand Dollars.

For the Trustees of the State College for Colored Students for maintenance, Three Thousand Dollars.

Delaware  
Industrial  
School  
for Girls

For the Delaware Industrial School for Girls, Three Thousand Dollars.

St. Michael's  
Nursery  
and Hospital

For St. Michael's Day Nursery and Hospital for Babies, Five Hundred Dollars.

Maintenance  
of indigent  
deaf, dumb,  
blind, and  
idiotic children

For the maintenance and instruction of the indigent deaf and dumb, indigent blind and indigent idiotic chil-

OF THE REVENUES OF THE STATE.

dren in the institutions outside of the State, Twelve Thousand Dollars.

For the Delaware Society for the Prevention of Cru- Society for  
the Prevention  
of Cruelty to  
Children  
elty to Children, for the purpose of enforcing laws, etc.,  
Nine Hundred Dollars.

For the State Library Commission under the pro- State  
Library  
Commission  
visions of Chapter 362, Volume 22, Laws of Delaware, as  
amended, Two Thousand Dollars.

For the State Library Commission for contingent ex-  
penses, Two Hundred Dollars.

For Libraries in School Districts, One Thousand Dol- Libraries  
lars.

For the Chairman of the Committee on Travelling Traveling  
Libraries  
Libraries of the State Federation of Women's Clubs for  
Delaware, One Hundred Dollars for the purpose of es-  
tablishing Travelling Libraries.

For the Historical Society of Delaware, Three Hun- Historical  
Society  
dred Dollars.

To help defray the expenses of students at Normal Normal  
School  
Students  
Schools, Four Thousand Five Hundred Dollars.

For the purpose of carrying into effect the provisions National  
Guard  
of the Act entitled "An Act to provide for the mainte-  
nance, discipline and regulation of the National Guard  
of Delaware", as amended, Five Thousand Dollars.

For the National Guard of Delaware for field practice,  
Eight Thousand Dollars.

For the National Guard of Delaware under provisions  
of Act passed 1907, Twenty-five Hundred Dollars.

## OF THE REVENUES OF THE STATE.

Burial of  
indigent  
soldiers &c.

For the burial of indigent soldiers, sailors and marines, Seven Hundred and Fifty Dollars.

G. A. R.  
Memorial  
Day

For G. A. R. Memorial Day expenses, One Thousand Dollars.

Horticultural  
Society

For the Peninsula Horticultural Society, Five Hundred Dollars.

Farmers'  
Institute

For the Farmers' Institute for the purpose of defraying incidental expenses of holding same, Six Hundred Dollars.

Board of  
Agriculture

For the State Board of Agriculture, Five Thousand Dollars.

For the State Board of Agriculture, for breeding poultry, Three Hundred Dollars.

Immigration  
Board

For the Immigration Board for the purpose of encouraging Immigration, Twenty-five Hundred Dollars.

Live Stock  
Sanitary  
Board

For carrying out the provisions of the Act establishing the State Live Stock Sanitary Board, Five Thousand Dollars.

Agricultural  
Extension

For the Division of Agricultural Extension at Delaware College, Five Thousand Dollars.

Water Rent,  
Town of  
Dover

For the Town of Dover to pay for water for the use of the State House and Armory, One Hundred and Twenty-five Dollars.

Repairs &c.  
to State  
House

For repairing, heating, &c., of State House, Two Thousand Dollars.

Insurance

For insurance against fire on property belonging to the State, Thirty-five Hundred Dollars.

## OF THE REVENUES OF THE STATE.

For interest on the State debt, Thirty-six Thousand Dollars. Interest on State Debt

For printing Acts and Resolutions of the General Assembly and for all other printing done for the use and benefit of the State, Fifteen Thousand Dollars. For Printing

For Registration officers for compensation, Fifteen Thousand Dollars. Compensation Registration Officers

For Department of Elections in the City of Wilmington, Forty-three Hundred Dollars. Department of Elections

For the Delaware State Hospital at Farnhurst, Seventy-two Thousand Five Hundred Dollars. Delaware State Hospital

For the Factory Inspectors for salary, Two Thousand Dollars. Two Factory Inspectors' salary

For Board of State Supplies, contingent fund, Fifty Dollars. Board of State supplies

For Public Archives Commission, One Thousand Dollars. Public Archives Commission

For expenses of compiling and publishing the Records recommended by the Public Archives Commission, Two Thousand Dollars. Compiling and Publishing Records

For the State Board of Pharmacy, Two Hundred and Fifty Dollars. Board of Pharmacy

For the Delaware Commission for the Blind, Three Thousand Dollars. Commission for Blind

For the Delaware Commission for the Blind, for apprentices as per provisions of Act of 1913, Fifteen Hundred and Sixty Dollars. Blind Apprentices

## OF THE REVENUES OF THE STATE.

**Adjutant General's salary** For the Adjutant General for salary, Twelve Hundred Dollars.

**Ferris Industrial School** For Ferris Industrial School to carry into effect the provisions of the Compulsory School Law, Five Hundred Dollars.

**State Revenue Collector** For the State Revenue Collector for salary, Twelve Hundred Dollars.

For the State Revenue Collector for contingent fund, Three Hundred Dollars.

**State Board of Health** For the State Board of Health, Twenty-five Hundred Dollars.

**For registration of births and marriages** For the State Board of Health, for registration of marriages and births, Two Thousand Dollars.

**State Laboratory** For the salary of the Bacteriologist and all expenses of the pathological and bacteriological laboratory at Delaware College, Thirty-five Hundred Dollars.

**Medical Councils** For medical Councils of Delaware, Three Hundred Dollars.

**Diphtheria anti-toxin** For the State Board of Health, for diphtheria antitoxin, Five Hundred Dollars.

**Adjutant General's clerk** For the Adjutant General to pay salary of his Clerk, Six Hundred Dollars.

**Highways in New Castle County** For Public Highways in New Castle County, Ten Thousand Dollars.

**Highways in Kent County** For Public Highways in Kent County, Ten Thousand Dollars.

## OF THE REVENUES OF THE STATE.

For Public Highways in Sussex County, Ten Thousand and Dollars. Highways in Sussex County

For New Castle County State Highway Commissioner for salary, One Thousand Dollars. Salary New Castle County Highway Commissioner

For the Delaware State Tuberculosis Commission, Fifteen Thousand Dollars. Tuberculosis Commission

For the improvement of School Houses for Colored Children, Two Thousand Dollars. School Houses for Colored Children

For Woman's Christian Temperance Union for Soldiers' Rest Room at Delaware City, Two Hundred Dollars. Rest Room at Delaware City

For the Secretary of State for printing and publishing the Constitution of the State of Delaware, the Corporation Laws, the School Laws, and the Election Laws, Three Hundred and Fifty Dollars. Secretary of State for printing laws

For Commissioner of Education for salary, Two Thousand Dollars. Commissioner of Education salary

For Commissioner of Education for contingent expenses, Three Hundred Dollars.

For Child Labor Commission, Two Hundred and Fifty Dollars. Child Labor Commission

For the Delaware State Fair Association, for prizes, Five Thousand Dollars. Delaware State Fair Association

For Delaware College for summer school, Twelve Hundred Dollars. Summer School

For Child Labor Inspector for salary, Eighteen Hundred Dollars. Child Labor Inspector's salary

## OF THE REVENUES OF THE STATE.

For Child Labor Inspector for expenses, Three Hundred Dollars.

Affiliated  
College  
redemption  
of bonds

For Redemption of Bonds of Affiliated College at Newark, Delaware, as per provision of Act 1913, Thirty Thousand Dollars.

Colored  
consumptives

For the State Tuberculosis Commission to provide for the care of colored consumptives, Five Thousand Dollars.

Amusement  
Fund

For the Trustees of the State Hospital at Farnhurst, for amusement fund, Two Hundred Dollars.

Delaware  
Industrial  
School, erection of new  
buildings

For Delaware Industrial School for girls for erection of new buildings, Thirty-five Thousand Dollars.

Joint  
Committee  
to settle with  
State Officers

For the expenses of the Joint Committee appointed to settle with certain State Officers and Institutions, Fifteen Hundred Dollars.

Portraits of  
Delawareans

For the purpose of purchasing the portraits of prominent Delawareans, Nine Hundred Dollars.

Approved April 22, A. D. 1913.



## OF THE REVENUES OF THE STATE.

## CHAPTER 33.

## OF THE REVENUES OF THE STATE.

AN ACT Appropriating Certain Money out of the State Treasury of this State to Pay Certain Claims Against the State.

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Section 1. That the several sums of money hereinafter named are hereby appropriated out of the Treasury of this State for the purpose of paying the claims hereinafter mentioned and the State Treasurer is hereby authorized and directed to pay the same as follows:

S. P. Winslow, Agent -----	\$ 508.18
E. A. Robinson -----	54.00
J. C. Lawson, Quartermaster -----	1,609.08
Wilbur D. Wiles -----	4.00
William S. Smith -----	4.00
Pennel Rash -----	4.00
James A. Kerin -----	4.00
Wilbur Wilson -----	2.00
Henry I. Beers, Jr. -----	81.12
J. S. Godwin -----	49.90
Mercantile Printing Company -----	1,289.45
Alice M. Foster -----	10.00
Margaret G. Horn -----	20.00
Mollie M. Hirons -----	20.00
Bertha L. Butts -----	20.00
Olive M. Roach -----	20.60
Bessie F. Weaver -----	20.60
Lila Carey -----	10.60

Appropriations  
for paying  
claims against  
the State

## OF THE REVENUES OF THE STATE.

C. S. Hammett -----	18.00
The Smith Ignitor Company -----	5.25
Wm. H. Hartlove -----	15.00
Levy Court of Kent County -----	54.00
The Delawarean -----	6.00
Millard F. Davis -----	286.50
Julian B. Robinson -----	55.20
M. Megary & Son Co. -----	1,251.95
Julian B. Robinson -----	146.00
Woodward & Bro. -----	6.65
A. S. Taylor, Treasurer -----	54.00
Wilmington Brass Company -----	324.00
J. M. Houston -----	14.90
Kennard & Company -----	48.00
John Waters -----	158.00
J. Frank Starling -----	1,281.70
Dover Gas Light Company -----	140.75
J. E. Beck -----	100.90
J. R. Hunter -----	75.00
Mabel Moore -----	100.00
William Hardecastle -----	50.00
Charles Adkins -----	25.00
Alfred Raikes -----	25.00
Charles H. LeFevre -----	30.97
Joshua B. Raughley -----	30.00
Pennel Rash -----	30.00
James A. Kerin -----	30.00
Wilbur Wilson -----	14.00
Melvin Hopkins -----	1.00
John Behen, Jr., & Co. -----	30.00
The Dover Index -----	11.50
Every Evening Printing Co. -----	1.44
John Waters -----	6.00
Dover Opera House -----	20.00
Joseph Wigglesworth, Prothonotary -----	349.33
C. P. Holcomb -----	6.00
Bostic & Haman -----	11.76

## OF THE REVENUES OF THE STATE.

B. A. Hopkins -----	.50
A. Brown Lancaster -----	350.00
Birdie Hearne -----	200.00
H. A. Miller, Agent -----	1,328.10
Clarke & McDaniel -----	127.50
Dover Gas Light Company -----	20.00
Diamond State Telephone Company -----	35.97
Chas. M. Smith -----	38.70
Jessup Kay -----	8.00
Underwood Typewriter Co. -----	68.00
Quayle Enamel Co. -----	547.50
Mabel A. Godwin -----	165.00
Thomas Morris -----	40.00
Frazier Store Co. -----	2.80
Joseph J. Low -----	30.50
William Shillingsburg, Jr. -----	67.94
Greenwich Piers Marine Railway Co. -----	248.05
Colen Ferguson -----	10.56
Underwood Typewriter Co. -----	10.00
The Bobbs-Merrill Company -----	7.50
The Smyrna Times -----	36.00
Elmer I. Abbott -----	2.55
James A. Oliver -----	3.88
Godfrey R. Hanby -----	3.88
Daniel J. Layton -----	300.00
Henry Ridgley -----	300.00
Herbert H. Ward -----	300.00
The Delaware State News -----	175.00
T. K. Jones & Bro. Co. -----	139.84
The Seaford News -----	1.20
The Evening Journal Publishing Co. -----	1.32
Frank P. Collins -----	1,182.33
The Smith Ignitor Co. -----	.75
The Diamond State Telephone Co. -----	427.41
R. J. Ferguson -----	2.00
Granville P. Alexander -----	500.00
E. Frank Lecates -----	500.00

## OF THE REVENUES OF THE STATE.

Geo. W. Tilghman .....	4.00
James E. Tull .....	14.00
James W. Robertson .....	36.00
P. S. Wilgus .....	8.00
Henry S. Anthony .....	6.00
Edwin F. Wood .....	6.00
Alfred D. Cox .....	8.00
Jno. B. Wharton .....	6.00
Charles S. Hamblin .....	4.00
Leonard W. Lovett .....	8.00
Jesse T. Sharp .....	2.00
B. F. Simmons, Jr. ....	4.50
T. W. Scott, Jr. ....	46.80
The Delaware State News .....	4.00
T. K. Jones & Bro. Co. ....	525.00
Bostic & Haman .....	.41
H. C. Blizzard .....	45.00

Approved April 16, A. D. 1913.

OF THE REVENUES OF THE STATE.

CHAPTER 34.

OF THE REVENUES OF THE STATE.

AN ACT to provide for the State of Delaware to be represented at the Panama-Pacific International Exposition and to make an Appropriation therefor.

WHEREAS, The Panama-Pacific International Exposition is to be held in the year 1915; and

WHEREAS, The State of Delaware was the first State to adopt the Constitution of the United States, thereby making it the oldest State in the Union; and

WHEREAS, It is deemed expedient and proper that the natural resources and the industrial, agricultural and horticultural interests and progress of the State of Delaware should be fully and creditably displayed at said Exposition; therefore,

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That for the purpose of exhibiting the resources, products and general development of the State of Delaware at the Panamā-Pacific International Exposition to be held in 1915, a Commission is hereby constituted to be designated "The Panama-Pacific International Exposition Commissioners of Delaware," to consist of seven residents of the State of Delaware, one of whom shall be the Governor of the State, who shall be Chairman of the said Commission, the other members of the said Commission shall be appointed by the Governor, two from each County of the State.

Commission created

To consist of seven citizens, one of whom is to be the Governor

## OF THE REVENUES OF THE STATE.

Secretary of  
State to act as  
Secretary of  
Commission

Powers of  
the Board

No compensa-  
tion except  
necessary ex-  
penses

Section 2. The said Board of Commissioners shall meet within ten days from the date of their appointment and organize by the election of a Vice-President and Treasurer. The Secretary of State shall act as the Secretary of said Commission, without compensation. A majority of the members of said Board shall constitute a quorum, the Board shall have power to make such rules and regulations and to employ such agents or persons as it may deem necessary. Any member of the Board may be removed, at any time, by the Governor for a cause, and any vacancy occurring in the Board shall be filled by the Governor. No member of the Board or the Secretary shall receive any compensation for services, but may be allowed actual and necessary expenses incurred.

To have charge  
of interests of  
the State of  
Delaware

Shall have full  
authority in  
relation to par-  
ticipation of  
State and  
citizens

Section 3. The said Board shall have charge of the interests of the State of Delaware and its citizens in the preparation and exhibition at the Panama-Pacific International Exposition of the natural and industrial products of the State, and of objects illustrating its history and progress, together with its moral and material welfare and development; and in general shall have and exercise full authority in relation to the participation of the State of Delaware and its citizens in the said Panama-Pacific International Exposition, and shall sell or otherwise dispose of all buildings and other property acquired by it as it shall deem best for the interest of the State.

Custodians to  
loan portraits,  
&c.

Section 4. The custodian of any portraits, furniture or historical articles owned by the State is hereby authorized to loan the same to the Commission created by this Act, if in the judgment, of said custodian, it would be to the best interests of the State so to do.

Appropriation  
to carry out  
into effect

Section 5. To carry out the provisions of this Act the sum of One Thousand Dollars (\$1,000.00) or so much

OF THE REVENUES OF THE STATE.

thereof as shall be necessary, is hereby appropriated, and the State Treasurer is directed to pay the same from the general fund, from time to time, on the requisition of said Board of Commissioners, signed by the President and Secretary who shall certify that the sum is actually necessary for disbursement; and at the close of service of said Board of Commissioners it shall make a full report to the Governor of its proceedings including all receipts and disbursements, with complete vouchers therefor attached.

Approved April 14, A. D. 1913.

## OF THE REVENUES OF THE STATE.

## CHAPTER 35.

## OF THE REVENUES OF THE STATE.

**AN ACT Appropriating Certain Moneys for the Support, Promotion and Maintenance of Delaware State Fair Incorporated.**

WHEREAS the Delaware State Fair Incorporated, a corporation of the State of Delaware was duly incorporated and organized to have, own and manage a Fair or Exposition for the purpose of encouraging and promoting agriculture, horticulture, the breeding of horses, cattle, poultry and domestic animals of all kinds, mechanics and household arts, at the City of Wilmington or elsewhere in the State of Delaware; and

WHEREAS the efforts of the said Delaware State Fair Incorporated have been since its organization of material benefit in the promotion of agriculture, horticulture and other interests of the State of Delaware; and

WHEREAS the Board of Directors of the said Delaware State Fair Incorporated and others interested in the objects of the said corporation are convinced that a suitable appropriation of the public moneys of the State would most greatly benefit the general interests and welfare of the State of Delaware; now therefore,

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Money appropriated annually to Delaware State Fair Association

Section 1. That the sum of Five Thousand Dollars be and the same is hereby annually appropriated out of the treasury of the State of Delaware payable annually on or before the first day of July in each and every year to



## OF THE REVENUES OF THE STATE.

the Delaware State Fair Incorporated a corporation of the State of Delaware as aforesaid to be expended for the promotion, support and maintenance of the said Delaware State Fair Incorporated in the promotion of the agricultural, horticultural and other interests of the State of Delaware. <sup>How to be expended</sup>

Approved March 20, A. D. 1913.

## OF THE REVENUES OF THE STATE.

## CHAPTER 36.

## OF THE REVENUES OF THE STATE.

**AN ACT to Provide for a Further Inscription on the Monument Erected to Caesar Rodney in the Town of Dover.**

WHEREAS, a monument has been erected in Dover in memory of Caesar Rodney which monument only bears his name, and

WHEREAS, the fact that he was a signer of the Declaration of Independence from Delaware, and of prominence in the early history of this State should be inscribed thereon, now therefore

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Authorizing  
Delaware So-  
ciety of the  
Sons of the  
American Rev-  
olution to place  
inscription up-  
on monument

Expense to  
be paid

Section 1. That the Delaware Society of the Sons of the American Revolution be, and they are hereby authorized to have an inscription placed upon the monument to Caesar Rodney, in Dover, commemorating his services to the Country and this State, and that the State Treasurer be authorized to pay the cost of such inscription upon the presentation of a bill for the same, approved by Governor of this State.

Approved March 14, A. D. 1913.

OF THE REVENUES OF THE STATE.

CHAPTER 37.

OF THE REVENUES OF THE STATE.

**AN ACT to appropriate Six Hundred Dollars to Sylvester D. Townsend, Junior, for Legal Services Rendered the Commission on Employer's Liability.**

WHEREAS, the Commission on Employer's Liability has expended only a portion of their appropriation, and

WHEREAS, the Commission have not sufficient funds to employ counsel, and thereby the entire legal work involving months of exhaustive consultation with authorities on the subjects in various parts of the country, and the laborious preparation has devolved voluntarily upon one member of the Commission, Sylvester D. Townsend, Junior, therefore

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That the sum of six hundred dollars be, <sup>Appropriating money to S. D. Townsend, Jr.</sup> and the same is hereby appropriated to Sylvester D. Townsend, Junior, in payment for legal services rendered the Commission on Employer's Liability; the State Treasurer be, and he is hereby authorized and directed to pay said appropriation out of any moneys in the Treasury to the credit of the general fund not otherwise appropriated.

Approved March 22, A. D. 1913.

## OF THE REVENUES OF THE STATE.

## CHAPTER 38.

## OF THE REVENUES OF THE STATE.

**AN ACT Appropriating Three Thousand Dollars for the Maintenance and Support of the Old Folks' Home at Dover.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (three-fourths of all the members elected to each House concurring therein):*

Appropriation  
to be paid to  
Ever Ready  
Circle Kings  
Daughters

Section 1. That the sum of Three Thousand Dollars be and the same is hereby appropriated out of the Treasury of this State, to be paid to the Ever Ready Circle Kings Daughters, a corporation of this State, for the maintenance and support of the Old Folks' Home at Dover.

To be paid by  
warrant drawn  
by Governor

Section 2. That the said sum of Three Thousand Dollars shall be paid to the President of said Corporation by warrant drawn by the Governor upon the State Treasury, and the receipt of the President of said Corporation, attested by its Secretary shall be a sufficient voucher therefor.

Approved February 25, A. D. 1913.

OF THE REVENUES OF THE STATE.

CHAPTER 39.

OF THE REVENUES OF THE STATE.

**AN ACT Appropriating a Sum Not Exceeding Twenty-five Dollars (\$25) Annually to the Town of Dover for the Payment of Water Rates or Rents for the State Armory.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That a sum not exceeding Twenty-five Dollars (\$25) annually is hereby appropriated and authorized to be paid out of the treasury of this State to The Town of Dover for water rates or rents for the State Armory, said sums to be paid in quarterly installments upon bills presented to the State Treasurer by the Superintendent of the Light and Water Works of The Town of Dover; the said appropriation shall be in addition to any sum or sums now paid by the State for water rates or rents.

Annual appropriation to town of Dover for water rents

Approved February 28, A. D. 1913.

## OF THE REVENUES OF THE STATE.

## CHAPTER 40.

## OF THE REVENUES OF THE STATE.

**AN ACT Providing for the Expenses of the State of Delaware for the Participation in the Governors' Conference in the years 1913 and 1914.**

WHEREAS the Governors of the several States have organized a body known as the Governors' Conference which meets annually, and

WHEREAS this body has become a permanent institution and deals with questions affecting the general welfare of the several States, and

WHEREAS it is desired that the State of Delaware continue to participate in said Conference and assume the pro rata share of the expenses thereof.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

Appropriating  
money for 1913  
and 1914 Gov-  
ernors' Con-  
ferences

Section 1. That the Governor be and he is hereby authorized to draw warrants upon the State Treasury, and the State Treasurer is hereby authorized and directed to pay out of any moneys, not otherwise appropriated, so much thereof as may be necessary, to be expended for the pro rata share of the State of Delaware in the expenses of the Governors' Conference for the years 1913 and 1914.

Approved March 7, A. D. 1913.

OF THE REVENUES OF THE STATE.

CHAPTER 41.

OF THE REVENUES OF THE STATE.

**AN ACT** Appropriating Five Hundred Dollars (\$500.00) to Robbins Hose Company No. 1, of Dover, Delaware.

WHEREAS Robbins Hose Company No. 1, of Dover, Delaware (a corporation of the State of Delaware) is an organization of firemen supported by voluntary contributions; and

WHEREAS no member of said company receives any compensation for services rendered; and

WHEREAS the erection of the State Armory and the additions to the State Capitol Building have greatly increased the responsibilities of the company and made necessary the purchase of additional fire apparatus; and

WHEREAS the State of Delaware now receives, and has for more than twenty (20) years past received fire protection from said Robbins Hose Company No. 1, of Dover, Delaware;

*Now, Therefore, Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met, (three-fourths of all the members of each Branch concurring therein):*

Section 1. That the sum of Five Hundred Dollars (\$500.00) is hereby appropriated and authorized to be paid out of the treasury of this State to Robbins Hose Company No. 1, of Dover, Delaware, for the purpose of purchasing fire apparatus.

Approved March 10, A. D. 1913.

## OF THE REVENUES OF THE STATE.

## CHAPTER 42.

## OF THE REVENUES OF THE STATE.

**AN ACT for the Encouragement of the Breeding of better Poultry in this State.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

Additional ap-  
propriation to  
Board of Agri-  
culture to en-  
courage poul-  
try breeding

Section 1. That the sum of Three Hundred Dollars be, and the same is hereby appropriated annually out of the moneys in the Treasury not otherwise appropriated, to the State Board of Agriculture (in addition to the appropriations now authorized by Law to be made to said Board) to be used by said State Board of Agriculture for the encouragement of the breeding of better poultry in this State.

Approved March 17, A. D. 1913.



## OF THE REVENUES OF THE STATE.

## CHAPTER 43.

## OF THE REVENUES OF THE STATE.

**AN ACT in Relation to an Emergency Hospital at Milford, Delaware.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Section 1. That James B. Gilchrist, William T. Watson, John B. Smith, Frank S. Grier, Isaac S. Truitt, Joseph E. Holland, Theodore Townsend, Dr. William Marshall, Jr., J. Stanley Short and Lee Hirsch, shall be and constitute the "Board of Trustees of the Emergency Hospital at Milford, Delaware". All vacancies shall be filled by the remaining members of the said Board of Trustees. The members constituting the said Board of Trustees shall meet at least once in every three months and shall serve without any compensation.

Board of  
Trustees  
named

Vacancies to  
be filled by  
Board

Section 2. The Board of Trustees shall have sole and complete control and management of the Hospital and shall have power to make rules and regulations for their own government not inconsistent with the provisions of this Act, shall appoint an auxiliary board of women managers, superintendents, physicians, stewards, matrons, nurses and necessary servants and shall fix their terms of service as well as their pay or compensation; shall provide suitable food, raiment and all other medical and surgical treatment, medicine and appliances as may be deemed necessary for the treatment of medical and surgical cases.

Board to have  
complete  
control

To appoint an  
Auxiliary  
Board

To fix compen-  
sation of em-  
ployees

Section 3. The said Board of Trustees shall be and they are hereby authorized and empowered to purchase and hold titles &c.

Board empow-  
ered to pur-  
chase and  
hold titles &c.

## OF THE REVENUES OF THE STATE.

or secure by gift, and acquire and hold title to lands, tenements, and hereditaments, and to erect buildings on said lands, tenements and hereditaments so purchased and acquired at or near the town of Milford, to be used for the purpose of an Emergency Hospital.

State Treasurer to pay out of General Fund

How to be expended

Further sum appropriated

Section 4. The State Treasurer is hereby authorized and directed to pay from the general fund of the State, not otherwise appropriated, to the Board of Trustees of the Emergency Hospital of Milford, Delaware, the sum of One Thousand Dollars. The amount hereby appropriated may be used for the purchase of land and the erection of buildings thereon to be used for the purpose as set forth in this Act, and for the equipment, maintenance and current expenses. The further sum of three hundred dollars is also hereby appropriated from the general funds of the State not otherwise appropriated, to be paid by the State Treasurer as aforesaid to the Board of Trustees on or before May first, A. D. 1913, to be used for current expenses and management.

Board of Trustees authorized to receive any property &c.

Section 5. That it shall and may be lawful for any person, persons, firm or corporation, to give, grant, devise or bequeath to said Board of Trustees for the use of the said Emergency Hospital at Milford, Delaware, any property, real, personal or mixed, and the said Board of Trustees, is hereby authorized and empowered to receive, collect, take and hold for the use and behalf of the Emergency Hospital, any and all property so given, granted, devised and bequeathed, and to manage and use the same for the benefit of the said Hospital in accordance with the provisions of such grants, devises and bequests, and with the law creating and governing the Emergency Hospital at Milford, Delaware.

Approved March 17, A. D. 1913.

OF THE REVENUES OF THE STATE.

CHAPTER 44.

OF THE REVENUES OF THE STATE.

**AN ACT** Authorizing the State Treasurer to pay over to the Levy Court of New Castle County the sum of Five Hundred Dollars to Reimburse the Levy Court of New Castle County for compensation paid by said Levy Court to the five Assessors of Wilmington Hundred for performing the duties under the provisions of Section 19, Chapter 12, Revised Code of 1893, Laws of Delaware, as amended by Chapter 50, Volume 23, Laws of Delaware.

**WHEREAS**, under the provisions of Chapter 50, Volume 23, Laws of Delaware, the five assessors of Wilmington Hundred did make out the list provided in Section 19, Chapter 12, Revised Code of 1893, Laws of Delaware, for their respective representative or assessor districts; and

**WHEREAS**, the Levy Court of New Castle County, under the provisions of said Chapter 50, Volume 23, Laws of Delaware, has paid to each of said assessors for assessments made by them respectively for two years, the sum of one hundred dollars, amounting in all to five hundred dollars, for performing the duties aforesaid; and

**WHEREAS**, the duties performed by said assessors and paid for by said Levy Court were performed for the State of Delaware; therefore,

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That the State Treasurer be and he is hereby authorized, empowered and directed to pay over to the Levy Court of New Castle County, the sum of five hundred dollars.

State Treasurer to pay to Levy Court of New Castle County for Assessor's services

## OF THE REVENUES OF THE STATE.

Section 2. That the said sum of five hundred dollars be and the same is hereby expressly appropriated and set apart out of any moneys now being in the hands of the State Treasurer and not otherwise duly appropriated.

Section 3. This Act shall be deemed and taken to be a public Act.

Approved March 12, A. D. 1913.

## OF THE LEVY COURT.

## CHAPTER 45.

## OF THE LEVY COURT.

AN ACT to authorize the Levy Court of New Castle County to borrow two hundred thousand dollars to be expended for the permanent improvement of public highways of New Castle County under the provisions of Chapter 139, Volume 23, Laws of Delaware, entitled "An Act to provide for the repeal of Chapter 380, Volume 22, Laws of Delaware, being an Act entitled, 'An Act to provide for the permanent improvement of the Public Highways in the State of Delaware'," and providing for the permanent improvement of the Public Highways in New Castle County, Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That the Levy Court of New Castle County, be and is hereby authorized and empowered to borrow upon the faith and credit of said County, as hereinafter provided, a sum not exceeding two hundred thousand dollars, to be expended for the permanent improvement of highways of New Castle County, under the provisions of an Act entitled "An Act to provide for the repeal of Chapter 380, Volume 22, Laws of Delaware, being an Act entitled "An Act to provide for the permanent improvement of the public highways in the State of Delaware," and providing for the permanent improvement of the public highways in New Castle County, Delaware," being Chapter 139, Volume 23, Laws of Delaware, and for the purpose of securing the payment of such sum, to issue bonds in denominations of one thousand dollars each and bearing such rate of interest, not exceeding four and one-half per centum per annum as said Levy Court may deem expedient. The interest upon said bonds shall be

Levy Court of New Castle County empowered to borrow not exceeding \$200,000

To improve highways under provisions of Chap. 139, Vol. 23

To issue bonds

Interest payable semi-annually

## OF THE LEVY COURT.

payable semi-annually in each and every year from the date of issue thereof.

Bonds divided  
into classes

Section 2. Said bonds shall be divided into twenty classes, and shall be paid at their face value as follows:

Class.	Amount.	Year of Maturity.
A. -----	\$15,000-----	1945.
B. -----	\$15,000-----	1946.
C. -----	\$15,000-----	1947.
D. -----	\$15,000-----	1948.
E. -----	\$15,000-----	1949.
F. -----	\$10,000-----	1950.
G. -----	\$10,000-----	1951.
H. -----	\$10,000-----	1952.
I. -----	\$10,000-----	1953.
J. -----	\$10,000-----	1954.
K. -----	\$10,000-----	1955.
L. -----	\$10,000-----	1956.
M. -----	\$10,000-----	1957.
N. -----	\$10,000-----	1958.
O. -----	\$10,000-----	1959.
P. -----	\$ 5,000-----	1960.
Q. -----	\$ 5,000-----	1961.
R. -----	\$ 5,000-----	1962.
S. -----	\$ 5,000-----	1963.
T. -----	\$ 5,000-----	1964.

May be re-  
deemed at ex-  
piration of five  
years from  
date of issue

Said bonds may at the option of the Levy Court contain a provision for the redemption thereof by the Levy Court at any time after the expiration of five years from the date thereof, at a premium not to exceed five per cent.

Bonds to be  
signed by  
County Treas-  
urer, President  
of Levy Court  
and Clerk of  
the Peace

Section 3. Said bonds shall be prepared under the supervision of the Levy Court Commissioners and shall be signed by the County Treasurer, the President of the Levy Court and the Clerk of the Peace of New Castle

## OF THE LEVY COURT.

County, and shall be under the seal used by the Levy Court of New Castle County. It shall be the duty of such officers to execute said bonds when directed by the Levy Court to do so, and it shall be the duty of the County Treasurer and the Levy Court to keep a record of said bonds.

Section 4. Said bonds, or any part thereof, may be sold when and as the said Levy Court Commissioners, shall by resolution determine, and until sold shall remain in the custody of the County Treasurer. Whenever in the judgment of the Levy Court Commissioners it shall be deemed desirable that any part or all of said bonds shall be sold, said Levy Court Commissioners may sell and dispose of the same on the most advantageous terms possible after having advertised the same in the public press at least once each week for at least two weeks. No commission or other compensation shall be charged or paid to any member of said Levy Court for effecting the sale or negotiation of said bonds.

Bonds to be sold on resolution of Levy Court

County Treasurer to hold bonds until sold

To advertise sale of bonds

No compensation to members of Levy Court for sale of bonds

Section 5. Said bonds, principal and interest shall be payable at the Farmers' Bank of Wilmington, Delaware, in gold coin of the United States of America equal in weight and fineness to the present standard, out of the money from time to time appropriated for that purpose by the Levy Court of New Castle County as hereinafter provided; and the said Levy Court of New Castle County is hereby authorized and directed to pay the interest on said bonds to the said Farmers' Bank and when and as the same shall become due and to pay said bonds when and as the respective classes mature, in accordance with the foregoing schedule. The said Levy Court in fixing the rate of taxation shall annually, until the first installment of said bonds shall become due and payable, provide for a sum equal to the amount of interest due each year upon said bonds, and as and when said bonds shall

Principal and interest to be paid at Farmers' Bank

Levy Court to provide for interest when fixing tax rate

## OF THE LEVY COURT.

Levy Court to  
provide for  
payment of  
principal when  
fixing tax rate

become due and payable, shall in like manner provide for a sum equal to the amount of such bonds in addition to the amount necessary to pay the interest on the unpaid bonds as before provided, which shall, when collected and paid to the County Treasurer, be set apart by him in a separate account to be opened for that purpose; and the said County Treasurer shall apply the said sum annually to the payment of such part of said loan and interest thereon as may from time to time become due under the provisions of Section 2 of this Act.

Dating and  
numbering  
bonds

Cost of prepar-  
ing bonds to be  
paid for out  
of sale

Money to be  
used for no  
other purpose  
than set forth  
in Chap. 139,  
Vol. 23

Section 6. All of said bonds shall bear the same date and shall be numbered from one to one hundred inclusive. All money received from the sale of any or all of said bonds, after the payment of the charges and expenses connected with the preparation and sale thereof, shall be deposited by the County Treasurer at the Farmers' Bank at Wilmington to the credit of the Levy Court of New Castle County, in a separate account, and payments therefrom shall be made in the same manner as other payments by said Levy Court; provided that no part of the money thus obtained, except as in this Section provided, shall be used for any other purpose than for the permanent improvement of highways under the provisions of an Act entitled, "An Act to provide for the repeal of Chapter 380, Volume 22, Laws of Delaware, being an Act entitled, "An Act to provide for the permanent improvement of the public highways in the State of Delaware," and providing for the permanent improvement of the public highways in New Castle County, Delaware," being Chapter 139, Volume 23, Laws of Delaware; and provided further that the purchasers or holders of said bonds shall not be bound to see to, or be affected by, the application of said money realized from the sale of said bonds.



## OF THE LEVY COURT.

And provided further, that of the money thus obtained, not less than the sum of One Hundred Thousand Dollars thereof, shall be spent in the various Hundreds of the said County, upon such roads and parts of roads as, together with the improved roads already built in said County, will make one continuous permanent highway in said County, from the Pennsylvania State line to the dividing line between said New Castle County and Kent County.

Not less than \$100,000 to be spent on one continuous highway from Penna. line to Kent county line

And provided further, that before any of the remaining One Hundred Thousand Dollars of the money thus obtained shall be spent in the building of any additional roads or parts of roads in said County, the Levy Court of said County is hereby authorized, directed and required to set aside a sufficient fund, each year, for the purpose of repairing and maintaining in good condition, at all times, all the improved public highways in said County; which fund shall be not less than Three Hundred Dollars per mile, for each year, for each and every mile of the public roads or highways already improved as aforesaid, and the said Levy Court is hereby directed and required to repair, keep and maintain at all times, in good and first class condition, each and all of said improved public roads and highways in said County, and to construct and maintain in effective condition a thorough system of ditching and drainage in connection with aforesaid public Roads and Highways.

Not less than \$300 per mile to be annually set aside for maintaining roads already constructed

Section 7. The bonds to be issued shall be in the following form, to wit:

Form of bond

## OF THE LEVY COURT.

## UNITED STATES OF AMERICA.

## STATE OF DELAWARE.

Class-----

Number-----

New Castle County Highway Improvements.

Bond.

Fourth Series.

\$1000.00

\$1000.00

New Castle County in the State of Delaware, for value received, hereby acknowledges its indebtedness and promises to pay to theholder of this bond at the Farmers' Bank at Wilmington, on the                      day of                      A. D., 19                      , the sum of One Thousand Dollars with interest thereon at the rate of                      per centum per annum, payable semi-annually on the                      day of                      and                      in each year. This bond is one of the authorized issue of two hundred bonds aggregating two hundred thousand dollars, by virtue of and in strict compliance with an Act of the General Assembly of the State of Delaware, approved A. D. 1913, entitled "An Act to authorize the Levy Court of New Castle County to borrow Two Hundred Thousand Dollars to be expended for the permanent improvement of public highways in New Castle County under the provisions of Chapter 139, Volume 23, Laws of Delaware entitled, "An Act to provide for the repeal of Chapter 380, Volume 22, Laws of Delaware, being an Act entitled "An Act to provide for the permanent improvement of the public highways in New Castle County, Delaware," and in pursuance of a resolution of the Levy Court of New Castle County, adopted                      A. D. 19                      .

It is hereby certified that this bond is one of the issue

authorized by the above recited Act of the General Assembly and that the faith and credit of said New Castle County are pledged for the punctual payment of the principal and interest of this bond according to the terms.

**County Treasurer of New Castle County.**

**President of the Levy Court of New Castle County.**

**Clerk of the Peace of New Castle County.**

**Section 8.** Said bonds shall contain such provisions in addition to those set forth in Section 7 of this Act, and not inconsistent with the requirements of this Act, as said Levy Court shall determine.

Approved March 21, A. D. 1913.

OF THE LEVY COURT.

CHAPTER 46.

OF THE LEVY COURT.

AN ACT to authorize the Levy Court of New Castle County to borrow Twenty-five Thousand Dollars to alter, change, repair, and transform the Old Baltimore and Ohio Railroad Bridge over Brandywine Creek, in Wilmington, into a bridge suitable for General Public Travel.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Levy Court of New Castle County to borrow \$25,000 to alter and repair old B. & O. R. R. Bridge over Brandywine Creek

Section 1. That the Levy Court of New Castle County be and is hereby authorized and empowered to borrow upon the faith and credit of said County, as hereinafter provided, a sum not exceeding Twenty-five Thousand Dollars to be expended in altering, changing, repairing, and transforming into a bridge for general public travel, the old Baltimore and Ohio Railroad Bridge over Brandywine Creek, at or near Dupont Street, in the City of Wilmington, and for the purpose of securing the payment of such sum to issue bonds in denominations of One Thousand Dollars each, and bearing such rate of interest not exceeding four and one-half per centum per annum, as said Levy Court may deem expedient. The interest upon said bonds shall be payable semi-annually in each and every year from the date of issue thereof.

Rate of interest of bonds

Three classes of bonds

Section 2. Said bonds shall be divided into three classes and shall be paid at their face value, as follows:

Class.	Amount.	Year of Maturity.
A. -----	\$10,000-----	1950.
B. -----	\$10,000-----	1951.
C. -----	\$ 5,000-----	1952.

May be redeemed by Levy Court after five years

Said bonds may, at the option of the Levy Court, contain a provision for the redemption thereof by the Levy

## OF THE LEVY COURT.

Court at any time after the expiration of five years from the date thereof, at a premium not exceeding five per centum.

Section 3. Said bonds shall be prepared under the supervision of the Levy Court Commissioners and shall be signed by the County Treasurer, the President of the Levy Court and the Clerk of the Peace of New Castle County, and shall be under the seal used by the Levy Court of New Castle County. It shall be the duty of such officers to execute said bonds when directed by the Levy Court to do so, and it shall be the duty of the County Treasurer and the Levy Court to keep a record of said bonds.

Signatures  
on bonds

Record to be  
kept of bonds

Section 4. Said bonds or any part thereof may be sold when and as the Levy Court shall by resolution determine and until sold shall remain in the custody of the County Treasurer. Whenever in the judgment of the Levy Court it shall be deemed advisable that any part or all of said bonds shall be sold, said Levy Court Commissioners may sell and dispose of the same on the most advantageous terms possible after having advertised the same in the public press at least once each week for at least two weeks. No commission or other compensation shall be charged or paid to any member of the Levy Court for affecting the sale or negotiation of said bonds.

To be sold by  
resolution of  
Levy Court

Advertisement  
of bonds

No commission  
for sale of  
bonds to mem-  
bers of Levy  
Court

Section 5. Said bonds, principal and interest, shall be payable at the Farmers' Bank at Wilmington, Delaware, in gold coin of the United States of America, equal in weight and fineness to the present standard, out of the money from time to time appropriated for that purpose by the Levy Court of New Castle County as hereinafter provided; and the said Levy Court is hereby authorized and directed to pay the interest on said bonds to the Farmers' Bank when and as the same shall become due, and pay said bonds when and as the respective classes

Bonds, where  
payable

Levy Court to  
pay interest on  
bonds to Far-  
mers Bank

## OF THE LEVY COURT.

mature in accordance with the foregoing schedule. The said Levy Court in fixing the rate of taxation shall annually, until the first installment of said bonds shall become due and payable, provide for a sum equal to the amount of interest due each year upon said bonds, and as and when said bonds shall become due and payable, shall in like manner provide for a sum equal to the amount of such bonds in addition to the amount necessary to pay the interest upon the unpaid bonds as before provided, which shall, when collected and paid to the County Treasurer be set apart by him in a separate account to be opened for that purpose; and the said County Treasurer shall apply the said sum annually to the payment of such part of said loan and interest thereon as may from time to time become due under the provisions of this Act.

Date and numbers of bonds

Expense of preparation to be paid out of sale

Money to be used for no other purposes than set forth in act

Section 6. All of said bonds shall bear the same date and shall be numbered from 1 to 25 inclusive. All money received from the sale of any or all of said bonds, after the payment of the charges and expenses connected with the preparation and sale thereof, shall be deposited by the County Treasurer in the Farmers' Bank at Wilmington to the credit of the Levy Court of New Castle County in a separate account, and payments thereof shall be made in the same manner as other payments by said Levy Court; provided that no part of the money thus obtained, except as in this section provided, shall be used for any other purpose than for altering, changing, repairing, and transforming the old Baltimore & Ohio Railroad Bridge over Brandywine Creek, in Wilmington, into a bridge suitable for General Public Travel; and provided further that the purchasers or holders of said bonds shall not be bound to see to or to be affected by the application of said money realized from the sale of said bonds.

Form of bond

Section 7. The bonds to be issued shall be in the following form:

## OF THE LEVY COURT.

UNITED STATES OF AMERICA.

STATE OF DELAWARE.

Class\_\_\_\_\_

Number\_\_\_\_\_

New Castle County Bridge Improvement Bond.

Second Series.

\$1000.00

\$1000.00

New Castle County in the State of Delaware, for value received, hereby acknowledges its indebtedness and promises to pay to the holder of this bond at the Farmers' Bank at Wilmington on the \_\_\_\_\_ day of A. D. 19\_\_\_\_, the sum of One Thousand Dollars with interest thereon at the rate of \_\_\_\_\_ per centum per annum, payable semi-annually on the \_\_\_\_\_ day of \_\_\_\_\_

and in each year. This bond is one of the authorized issue of twenty-five bonds aggregating Twenty-five Thousand Dollars, by virtue and in strict compliance with an act of the General Assembly of the State of Delaware approved A. D. 1913, entitled "An Act to authorize the Levy Court of New Castle County, to borrow Twenty-five Thousand Dollars to alter, change, repair, and transform the old Baltimore & Ohio Railroad Bridge over Brandywine Creek, in Wilmington, into a bridge suitable for General public travel", and in pursuance of a resolution of the Levy Court of New Castle County, adopted \_\_\_\_\_ A. D. 191\_\_\_\_.

It is hereby certified that this bond is one of the issue authorized by the above recited act of the General Assembly and that the faith and credit of said New Castle County are pledged for the punctual payment of the principal and interest of this bond according to the terms.

IN WITNESS WHEREOF, The County Treasurer,  
President of the Levy Court and the Clerk of the Peace

## OF THE LEVY COURT.

of New Castle County, have hereunto set their hands and seal of the Levy Court of New Castle County, at the City of Wilmington, in Delaware, this                      day of

A. D. 191    .

-----  
County Treasurer of New Castle County.

-----  
President of the Levy Court of New Castle County.

-----  
Clerk of the Peace of New Castle County.

Section 8. Said bonds shall contain such provisions in addition to those set forth in Section 7 of this act and not inconsistent with the requirements of this act, as said Levy Court shall determine.

Approved March 12, A. D. 1913.



OF THE LEVY COURT.

CHAPTER 47.

OF THE LEVY COURT.

AN ACT to authorize the Levy Court of New Castle County to provide a fund to recompense the Fire Companies of the City of Wilmington for fighting fires, in said County, outside of the corporate limits of said city.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That the Levy Court of New Castle County is hereby authorized and empowered to appropriate and set aside a sum of money, each year, to be used, from time to time, to recompense any of the various Fire Companies of the City of Wilmington, Delaware, or to defray a portion of the expenses of said companies, for fighting fires in New Castle County outside of the corporate limits of said City.

Levy Court to recompense Fire Companies of Wilmington for fire-fighting outside of city limits

Section 2. That all acts or parts of acts inconsistent herewith are hereby repealed.

Approved March 11, A. D. 1913.

## OF THE LEVY COURT.

## CHAPTER 48.

## OF THE LEVY COURT.

**AN ACT Authorizing the Levy Court of Kent County to fund its present Indebtedness by issuing Bonds therefor.**

**WHEREAS**, the present indebtedness of Kent County consists of certificates of indebtedness aggregating Forty-five Thousand Dollars, and Coupon Bonds aggregating Forty Thousand Dollars; and

**WHEREAS**, the said certificates of indebtedness are long past due and said Coupon Bonds will be due in the month of May, A. D. 1913; and

**WHEREAS**, it is necessary that said indebtedness be funded by the issuance of bonds therefore; Now Therefore,

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

Levy Court of  
Kent County  
to prepare  
bonds

**Section 1.** That the Levy Court of Kent County, for the purpose of funding its present indebtedness, be and it is hereby authorized and directed immediately to have prepared eighty-five bonds of the said County, of the par value of One Thousand Dollars each, with coupons or interest warrants thereto attached for each half year's interest thereon. The said bonds shall be numbered from 1 to 85 inclusive, and shall bear date as of the date of their issuance, and shall bear interest from and after that date at a rate not exceeding five per centum per annum, payable semi-annually from their date in each and every year while they remain unpaid, at the Farmers'

Date and num-  
bers of bonds

Rate of  
interest

## OF THE LEVY COURT.

Bank of the State of Delaware, at Dover, on presentation of the coupon representing such semi-annual payment of interest. The principal of said bonds shall be <sup>Payment on principal</sup> payable twenty years from the date of their issuance at the said Farmers' Bank of the State of Delaware at Dover, on presentation of said bonds.

Said bonds, both principal and interest, shall be payable <sup>Payable in gold coin</sup> in Gold Coin of the United States of America, equal in weight and fineness to the present standard.

The said Levy Court may and it is hereby empowered to buy in open market any of the said bonds prior to their <sup>Levy Court authorized to buy bonds before maturity</sup> maturity.

The said bonds shall each be signed by the President of said Levy Court, by the Clerk of the Peace for said County, being ex-officio clerk of the said Levy Court, by <sup>Signatures on bonds</sup> the County Treasurer and County Comptroller of said County, and shall have the seal used by said Levy Court impressed thereon and affixed thereto.

The coupons attached to each bond shall be numbered consecutively from 1 to 170 inclusive, and shall each be signed by the said County Treasurer.

Section 2. The said bonds authorized to be issued by <sup>Form of bond</sup> this Act may be in the following form, to wit:

UNITED STATES OF AMERICA,

STATE OF DELAWARE,

KENT COUNTY.

No.-----

Loan of-----

\$1000.00

\$1000.00

## OF THE LEVY COURT.

Kent County, in the State of Delaware, for value received, hereby acknowledges its indebtedness and promises to pay to the holder of this bond at the Farmers' Bank of the State of Delaware at Dover, on the day of                    A. D. 1933, the sum of One Thousand Dollars with interest thereon at the rate of                    per centum per annum, payable semi-annually on the day of                    and the                    day of                    in each year while said principal sum remains unpaid, upon the presentation of the coupon hereto annexed representing each semi-annual installment of interest. This bond is one of the authorized issue of 85 bonds aggregating Eighty-five Thousand Dollars, by virtue of and in strict compliance with an Act of the General Assembly of the State of Delaware, approved A. D. 1913, entitled, "An Act to authorize the Levy Court of Kent County to fund its present indebtedness by issuing bonds therefor."

It is hereby certified that this bond is one of the issue authorized by the above recited Act of the General Assembly, and the faith and credit of said Kent County are pledged for the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF, the President of the Levy Court, the County Treasurer, the Clerk of the Peace of Kent County, and the County Comptroller of Kent County have hereunto set their hands and the seal used by the Levy Court of Kent County at the town of Dover, in the State of Delaware, this                    day of                    A. D. one thousand nine hundred and thirteen.

-----  
 PRESIDENT OF THE LEVY COURT OF  
 KENT COUNTY, DELAWARE  
 -----

-----  
 COUNTY TREASURER OF KENT COUNTY  
 -----

OF THE LEVY COURT.

-----  
CLERK OF THE PEACE OF KENT COUNTY  
-----

-----  
COUNTY COMPTROLLER OF KENT COUNTY  
-----

And the coupons shall be in the following form, to wit:  
No.-----

The County of Kent in the State of Delaware, will pay  
to the bearer at the Farmers' Bank of the State of Del-  
aware, at Dover, on the first day of                      A. D.  
the sum of                      Dollars for six months' interest on  
Bond No.----- loan of-----

-----  
COUNTY TREASURER OF KENT COUNTY.  
-----

The said Levy Court is hereby authorized to have all  
necessary blanks filled up in conformity with the intent  
of this Act.

Said bonds shall contain such provisions in addition to  
those set forth in Section 2, of this Act, and not inconsis-  
tent with the requirements of this Act as said Levy  
Court shall determine.

Section 3. It shall be the duty of the said Levy Court  
to provide a record for the said County Treasurer, to be  
kept in his office, to be of the proper size and proportions,  
so ruled as to afford a separate space for each coupon,  
and a space at the top of each page or on the opposite  
page of said record for each bond when paid, redeemed  
or purchased as aforesaid; and each space at the top of  
said record shall bear the same number as the bond cor-  
responding thereto, shall contain the record of the said  
bond, and the said record shall be preserved.

Levy Court to  
provide a rec-  
ord for County  
Treasurer

## OF THE LEVY COURT.

Duties of  
County  
Treasurer.

As the said coupons are paid, it shall be the duty of the County Treasurer aforesaid to mark the same in red ink across the face "Paid", cut each of them in two lengthwise, and paste the pieces in the aforesaid space for such coupons in the record aforesaid; and as the said bonds shall be paid, redeemed or purchased as heretofore provided, the said County Treasurer shall cause the same to be cancelled by making lines with red ink through the signatures of the several parties thereto, and also by writing across the face thereof in red ink the following words:—"This bond paid (or redeemed or purchased as the case may be) this                      day of A. D.                      , by the payment of the sum of Dollars in full discharge of the same.

-----  
COUNTY TREASURER.

And all coupons unmatured and surrendered with each bond redeemed or purchased shall likewise have written in red ink across the face thereof, "Cancelled by the redemption of Bond No.-----."

When paid, or redeemed or purchased, the said bonds and coupons shall be pasted in the appropriate places in the record aforesaid.

Bonds exempt  
from taxation

Section 4. The public faith in Kent County, in this State, is hereby expressly pledged for the full and complete payment of the principal and interest of the said bonds by this act authorized to be issued, and the said bonds shall be exempt from taxation for any purpose whatsoever.

Advertisement  
for bids on  
bonds

Section 5. As soon as the said bonds shall have been prepared as hereinbefore provided, the Levy Court of Kent County shall advertise for bids or proposals, under such terms and conditions as it may deem wise, for the bonds authorized by this act. The said bids shall be op-

## OF THE LEVY COURT.

ened at such time as the Levy Court may fix, and the said bonds shall be awarded to the highest and best bidder or bidders therefor. The said County Treasurer shall immediately notify the said successful bidder or bidders that their bid or bids have been accepted; and the said bonds shall be delivered to the said successful bidder or bidders upon their immediate payment of the full amount of the bid to the said County Treasurer; provided, however, that no bid for the said bonds shall be for a less amount than the par value thereof. The proceeds of the sale of said bonds shall be applied by the County Treasurer, on the orders of the said Levy Court, to the liquidation and discharged of the present indebtedness of said County.

To be awarded to highest bidder

Proceeds of bond sale to be used for liquidation of county debt

Approved March 12, A. D. 1913.

## OF THE LEVY COURT.

## CHAPTER 49.

## OF THE LEVY COURT.

**AN ACT Providing for the reimbursement by the Levy Court of Kent County for certain past services performed by the Levy Court Commissioners thereof.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Levy Court of  
Kent County  
to pay former  
members actual  
expenses  
for work outside  
of districts

Section 1. That the Levy Court of Kent County is hereby authorized, empowered and directed to pay to the members constituting the Levy Court of Kent County for the two years prior to the year 1913, such sums of money as were by them expended as actual expenses for committee and inspection work outside of the Representative District from which they were elected, provided that no Levy Court Commissioner shall receive for actual expenses under the provisions of this Act more than Fifty Dollars.

Approved March 20, A. D. 1913.



OF THE LEVY COURT.

CHAPTER 50.

OF THE LEVY COURT.

AN ACT to amend Chapter 22, Volume 21, of the Laws of Delaware, providing for payment of expenses for certain services of Levy Court Commissioners of Kent County in certain instances.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That Section 5 of Chapter 22, Volume 21, <sup>Chap. 22, Vol. 21, amended</sup> Laws of Delaware, be, and the same is hereby amended by inserting after the word "Treasurer", where it appears in the forty-ninth line of said Section and before the word "that", where it appears in the forty-ninth line of the said Section, the following to wit:

"Except, however, that the said Levy Court Commissioners shall be paid by the Levy Court of Kent County <sup>Actual expenses to be paid members of Levy Court of Kent County</sup> the actual expenses incurred by them for committee and inspection work performed by them outside of the Representative District from which they were elected."

Approved March 26, A. D. 1913.

## OF THE LEVY COURT.

## CHAPTER 51.

## OF THE LEVY COURT.

**AN ACT to authorize the Levy Court of Sussex County to borrow not more than thirty thousand dollars to be expended in the construction of two draw bridges over the proposed canal connecting Rehoboth Bay and Delaware Bay.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Levy Court of  
Sussex county  
empowered to  
borrow \$30,000,  
to construct  
draw bridges  
across canal

Location of  
bridges

Style of bridge  
allowed

Levy Court of  
Sussex County  
authorized to  
enter into con-  
tracts &c.

Section 1. That the Levy Court of Sussex County be and is hereby authorized and empowered to borrow upon the faith and credit of said County, as hereinafter provided, a sum not exceeding thirty thousand dollars, to be expended in the construction of two draw bridges across the proposed canal connecting the Rehoboth Bay and Delaware Bay; one of said bridges to be erected across said canal where said canal shall cross South Street in the town of Lewes, and the other across said proposed canal near Rehoboth at or near the point where Delaware, Maryland and Virginia Railroad crosses said canal; and with respect to said last mentioned bridge, the Levy Court of Sussex County is hereby authorized to appropriate and expend a necessary amount of the said sum of Thirty Thousand Dollars in the construction of either a separate draw bridge for the use of the traveling public, or, for the construction of a combination draw bridge to be used jointly by Delaware, Maryland, and Virginia Railroad Company and the traveling public; and the said Levy Court of Sussex County is hereby authorized to enter into proper and necessary contracts and agreements either with Delaware, Maryland and Virginia Railroad Company or with the United States respecting the construction of said combination bridge, should said Levy

## OF THE LEVY COURT.

Court deem a combination bridge more beneficial to the interest of the public, and for its maintenance, management, and control.

The bridges hereby authorized shall be draw bridges and shall be constructed in conformity with the regulations and specifications of the war department of the United States.

For the purpose of securing the payment of the said sum of Thirty Thousand Dollars, the Levy Court of Sussex County is hereby authorized to issue bonds in the denomination of Five Hundred Dollars, which bonds shall bear interest at a rate not exceeding four and one half per centum per annum as said Levy Court may deem expedient. Rate of interest on bond

Section 2. Said bonds shall be divided into twenty classes and shall be paid at their face value as follows: Classes of bonds and years of maturity

Class	Amount.	Year of Maturity.
A. -----	\$1,500.00	1918
B. -----	\$1,500.00	1919
C. -----	\$1,500.00	1920
D. -----	\$1,500.00	1921
E. -----	\$1,500.00	1922
F. -----	\$1,500.00	1923
G. -----	\$1,500.00	1924
H. -----	\$1,500.00	1925
I. -----	\$1,500.00	1926
J. -----	\$1,500.00	1927
K. -----	\$1,500.00	1928
L. -----	\$1,500.00	1929
M. -----	\$1,500.00	1930
N. -----	\$1,500.00	1931
O. -----	\$1,500.00	1932
P. -----	\$1,500.00	1933

## OF THE LEVY COURT.

Q.	-----	\$1,500.00-----	1934
R.	-----	\$1,500.00-----	1935
S.	-----	\$1,500.00-----	1936
T.	-----	\$1,500.00-----	1937

Bonds may be  
redeemed by  
Levy Court  
after five years

Said bonds may at the option of the Levy Court contain a provision for the redemption thereof by the Levy Court at any time after the expiration of five years from the date thereof, at a premium not to exceed five per cent. The said bonds shall be exempt from taxation for State, County or municipal purposes.

Signatures  
on bonds

Record to be  
kept of bonds

Section 3. Said bonds shall be prepared under the supervision of the Levy Court Commissioners and shall be signed by the County Treasurer, the President of the Levy Court and the Clerk of the Peace of Sussex County, and shall be under the seal used by the Levy Court of Sussex County. It shall be the duty of such officers to execute said bonds when directed by the Levy Court to do so, and it shall be the duty of the County Treasurer and the Levy Court to keep a record of said bonds.

To be sold on  
resolutions of  
Levy Court of  
Sussex County

Advertisement  
for sale of  
bonds

Section 4. Said bonds, or any part thereof, may be sold when and as the said Levy Court Commissioners, by resolution shall determine, and until sold shall remain in custody of the County Treasurer. Whenever in the judgment of the Levy Court Commissioners it shall be deemed desirable that any part or all of said bonds shall be sold, said Levy Court Commissioners may sell and dispose of the same on the most advantageous terms possible after having advertised the same in the public press at least once each week for at least two weeks. No commission or other compensation shall be charged or paid to any member of the Levy Court, or to said officers executing said bonds, for effecting the sale and negotiation of said bonds or the proper execution of the same.

## OF THE LEVY COURT.

Section 5. Said bonds, principal and interest shall be payable at the Farmers Bank at Georgetown, Delaware, in gold coin of the United States of America equal in weight and fineness to the present standard, out of the money from time to time appropriated for that purpose by the Levy Court of Sussex County as hereinafter provided; and the said Levy Court is hereby authorized and directed to pay the interest on said bonds to the said Farmers Bank when the same shall fall due and to pay said bonds when and as the respective classes mature, in accordance with the foregoing schedule. The said Levy Court in fixing the rate of taxation shall annually, until the first installment of said bonds shall become due and payable, provide for a sum equal to the amount of interest due each year upon said bonds, and as and when said bonds shall become due and payable, shall in like manner provide for a sum equal to the amount of such bonds in addition to the amount necessary to pay the interest on the unpaid bonds as before provided, which shall when collected and paid to the County Treasurer, be set apart by him in a separate account to be opened for that purpose; and the said County Treasurer shall apply the said sum annually to the payment of such part of said loan and interest thereon as may from time to time become due under the provisions of Section 2 of this Act.

Principal and interest payable at Farmers' Bank at Georgetown

Levy Court to pay interest, when due, to Farmers' Bank

To provide for sufficient sum for interest when fixing tax rate

Section 6. All of said bonds shall bear the same date and shall be numbered serially. All money received from the sale of any or all of said bonds, after the payment of the charges and expenses connected with the preparation and sale thereof, shall be deposited by the County Treasurer at the Farmers Bank at Georgetown to the credit of the Levy Court of Sussex County, in a separate account, and payments therefrom shall be made in the same manner as other payments by said Levy Court; provided that no part of the money thus obtained, except as in this section provided shall be used for any other purpose than

Date and number of bonds.

All money derived from sale to be deposited

OF THE LEVY COURT.

To be used for  
no other pur-  
pose than set  
forth in act

Any residue  
unexpended to  
be used in pay-  
ing off indebt-  
edness of Sus-  
sex County

for the purpose of constructing the said two draw bridges; and provided further that the purchasers or holders of said bonds shall not be bound to see to, or be affected by, the application of said money realized from the sale of said bonds, and provided, further, that any sum which may remain of such funds after the payment of the cost of construction of said two draw bridges and the expenses of preparation of said bonds as aforesaid, shall be used in the extinguishment of the bonded indebtedness of Sussex County.

Form of bond

Section 7. The bonds to be issued may be in the following form, to wit:

UNITED STATES OF AMERICA.

STATE OF DELAWARE.

Class-----

Number-----

Sussex County Bridge Improvement Bond Issue.

\$500.00

\$500.00

Sussex County in the State of Delaware, for value received, hereby acknowledges its indebtedness and promises to pay to the holder of this bond, at the Farmer's Bank at Georgetown, on the ----- day of ----- A. D. 19---, the sum of Five Hundred Dollars, with interest thereon at the rate of ----- per centum per annum, payable semi-annually on the ----- day of ----- and the ----- day of ----- in each year. This bond is one of the authorized issue of sixty bonds aggregating thirty thousand dollars, by virtue of and in strict compliance with an Act of the General Assembly of the State of Delaware, approved A. D. 1913 entitled, "An Act to authorize the Levy Court of Sussex County to borrow not more than thirty thousand dollars to be expended in the construction of two draw bridges over the proposed canal

## OF THE LEVY COURT.

connecting Rehoboth Bay and Delaware Bay," and in pursuance of a resolution of the Levy Court of Sussex County, adopted ----- A. D. 19----

It is hereby certified that this bond is one of the issue authorized by the above recited Act of the General Assembly and that the faith and credit of said Sussex County are pledged for the punctual payment of the principal and interest of this bond according to the tenor thereof.

In Witness Whereof the County Treasurer, President of the Levy Court and Clerk of the Peace, of Sussex County, have hereunto set their hands and the seal used by the Levy Court of Sussex County, at Georgetown, Delaware, this ----- day of ----- A. D. 19----

-----  
County Treasurer of Sussex County.

-----  
President of the Levy Court of Sussex County.

-----  
Clerk of the Peace of Sussex County.

The Levy Court of Sussex County may, if it deem it advisable, modify the said form of bond to meet the requirements or conveniences of the purchasers thereof, provided that nothing therein contained shall be in conflict with the provisions of this Act, or in excess of the authority hereby conferred upon said Levy Court. Said bonds shall contain such other provisions in addition to those herein set forth, and not inconsistent with the requirements of this Act, as said Levy Court shall determine.

Levy Court  
may modify  
form of bond  
to meet re-  
quirements

Section 8. The said Clerk of the Peace shall, in a book to be provided by him for that purpose, make an accurate record showing each series of said bonds, with their numbers and denominations respectively. Whenever any of said bonds shall have been paid by the said County Treasurer, or any of said coupons shall have matured

Duties of  
Clerk of the  
Peace

## OF THE LEVY COURT.

and been surrendered to him, he shall immediately file the same in the office of the said Clerk of the Peace, who shall note the same upon the record of the bonds and coupons so paid and matured and shall give to the said County Treasurer a receipt therefor, stating the series, number, date and denomination of such bonds and coupons, which receipt shall constitute a good and sufficient voucher for said County Treasurer for the sums therein named.

Approved March 19, A. D. 1913.



OF THE LEVY COURT.

CHAPTER 52.

OF THE LEVY COURT.

AN ACT Authorizing and Directing the Levy Court of Sussex County to Borrow on the Credit of the County a Certain Sum of Money not Exceeding Thirty-five Thousand Dollars in Order to Provide for the Repair and Improvement of the Sussex County Court House.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That the Levy Court of Sussex County be, Levy Court to borrow money to repair and improve Sussex County Court House and it is hereby, authorized and empowered to borrow upon the faith and credit of said county, as hereinafter provided, a sum not exceeding Thirty-five Thousand Dollars to be expended in the repair and improvement of the Sussex County Court House, and, for the purpose of securing the payment of such sum, to issue bonds in the denomination of Five Hundred Dollars each, bearing such rate of interest, not exceeding five per centum per Rate of interest annum, as said Levy Court may deem expedient. The interest upon said bonds shall be payable semi-annually in each and every year from the date of the issue thereof.

Section 2. Said bonds shall be divided into ten classes Classes of bonds and years of maturity and shall be paid at their face value as follows:

Class.	Amount.	Year of Maturity.
A.	\$3500	1923
B.	\$3500	1924
C.	\$3500	1925
D.	\$3500	1926
E.	\$3500	1927

## OF THE LEVY COURT.

F.	-----	\$3500-----	1928
G.	-----	\$3500-----	1929
H.	-----	\$3500-----	1930
I.	-----	\$3500-----	1931
J.	-----	\$3500-----	1932

May be re-  
deemed by  
Levy Court af-  
ter five years

Said bonds may at the option of the Levy Court contain a provision for the redemption thereof by the Levy Court at any time after the expiration of five years from the date hereof, at a premium not to exceed five per centum.

Signatures  
on bonds

Section 3. Said bonds shall be prepared under the supervision of the Levy Court Commissioners, and shall be signed by the County Treasurer, the President of the Levy Court of Sussex County, and the Clerk of the Peace of said County, and shall be under the seal used by the Levy Court of Sussex County. It shall be the duty of such officers to execute said bonds when directed by the Levy Court to do so, and it shall be the duty of the County Treasurer and the Levy Court to keep a record of said bonds.

Bonds exempt  
from certain  
taxes

Said bonds shall be exempt from state, county, municipal and other taxation, and the purchaser of said bonds shall not be obliged to see to or in any manner be responsible for the application of the purchase money.

To be sold by  
resolution of  
Levy Court

Section 4. Said bonds, or any part thereof, may be sold when and as the said Levy Court Commissioners shall by resolution determine, and until sold shall remain in the custody of the County Treasurer. Whenever in the judgment of the Levy Court Commissioners it shall be deemed advisable that any part or all of said bonds shall be sold, said Levy Court Commissioners may sell and dispose of the same on the most advantageous terms possible after having advertised the same in the public

Advertisement  
for sale of  
bonds.

## OF THE LEVY COURT.

press at least once a week for at least two weeks. No commission or other compensation shall be charged or paid to any member of said Levy Court for effecting the sale or negotiation of said bonds.

Section 5. The said bonds, principal and interest, shall be payable at the Farmers' Bank at Georgetown, Delaware, in gold coin of the United States of America, equal in weight and fineness to the present standard, out of the money from time to time appropriated for that purpose by the Levy Court of Sussex County; and said Levy Court is hereby authorized and directed to pay the interest on said bonds to the said Farmers' Bank when and as the same shall become due, and to pay said bonds when and as the respective classes mature, in accordance with the foregoing schedule. The said Levy Court in fixing the rate of taxation shall annually, until the first installment of said bonds shall become due and payable, provide for a sum equal to the amount of interest due each year upon said bonds, and as and when said bonds shall become due and payable, shall in like manner provide for a sum equal to the aggregate of said bonds in addition to the amount necessary to pay the interest on the unpaid bonds as before provided, which shall, when collected and paid to the County Treasurer, be set apart by him in a separate account to be opened for that purpose; and the said County Treasurer shall apply the said sum annually to the payment of such part of said loan and interest thereon as may from time to time become due under the provisions of Section 2 of this Act.

Principal and interest payable at Farmers' Bank, Georgetown

Levy Court to provide for interest and maturing bonds when fixing tax rate

Section 6. All of said bonds shall bear the same date, and shall be numbered from one to seventy inclusive. All money received from the sale of any or all of said bonds, after the payment of the charges and expenses connected with the preparation and sale thereof shall be deposited by the County Treasurer at the Farmers' Bank at

Date and number of bonds

County Treasurer to deposit money received from sale of bonds

## OF THE LEVY COURT.

Special  
Warrant

Georgetown to the credit of the Levy Court of Sussex County, in a separate account, and payment therefrom shall be made by the said Levy Court by a special warrant, upon which shall be printed "Sussex County Court House Improvement Warrant", and which in other respects shall be in the form prescribed by said Levy Court.

Judges to ap-  
point commis-  
sion of three  
residents of  
Sussex County

Section 7. The Judges of the Superior Court, at its next regular term in and for Sussex County, after the approval of this Act by the Governor, are hereby authorized and directed to appoint a commission of three men, citizens and residents of Sussex County, to determine upon and cause to be made such additions and repairs to the Sussex County Court House as said commission shall deem proper, and the money realized from the sale of the aforesaid bonds shall be applied to the payment of the cost of making such additions and repairs as shall be determined upon by said commission, and for no other purpose.

Powers of  
commission

The said commission is hereby authorized and empowered to employ architects and other agents as in their judgment seems necessary, and to enter into contracts and agreements respecting the said additions and repairs, and to prescribe the form of said contracts and agreements and the execution of the same; and further shall have power and authority to require good and sufficient bond with surety from any person who shall contract for the work or any part thereof to be done under the provisions hereof.

No moneys  
shall be appro-  
priated except  
as stated in  
this act

No moneys shall be appropriated by the Levy Court of Sussex County from the fund realized from the sale of the aforesaid bonds (except for the payment of the charges and expenses in the preparation and sale of said bonds) unless said commission, or a majority of them, shall have first approved in writing the bills rendered

OF THE LEVY COURT.

therefor; and if the said commission shall employ an architect they may, if they deem it expedient, direct said architect to likewise approve all bills for work, labor, materials or otherwise before presenting the same to the Levy Court for payment.

May employ  
an architect.

Section 8. The bonds to be issued shall be in the following form, to wit,—

Form of bond.

United States of America.

State of Delaware.

Class\_\_\_\_\_

Number\_\_\_\_\_

Sussex County Court House Improvement Bond.

\$500.00

\$500.00

Sussex County in the State of Delaware, for value received, hereby acknowledges its indebtedness and promises to pay to the holder of this bond at the Farmers' Bank at Georgetown, Delaware on the \_\_\_\_ day of \_\_\_\_\_ A. D. 19\_\_\_\_, the sum of Five Hundred Dollars with interest thereon at the rate of \_\_\_\_\_ per centum per annum, payable semi-annually on the \_\_\_\_\_ day of \_\_\_\_\_ and \_\_\_\_\_ in each year. This bond is one of the authorized issue of seventy bonds aggregating Thirty-five Thousand Dollars, by virtue of and in strict compliance with an Act of the General Assembly of the State of Delaware, approved A. D. 1913, entitled "An Act Authorizing and Directing the Levy Court of Sussex County to Borrow on the Credit of the County a Certain Sum of Money not Exceeding Thirty-five Thousand Dollars in Order to Provide for the Repair and Improvement of the Sussex County Court House", and in pursuance of a resolution of the Levy Court of Sussex County adopted on the \_\_\_\_\_ day of \_\_\_\_\_ A. D. 191\_\_\_\_.

## OF THE LEVY COURT.

It is hereby certified that this bond is one of the issue authorized by the above recited Act of the General Assembly and that the faith and credit of said Sussex County are pledged for the punctual payment of the principal and interest of this bond according to the terms.

In witness whereof the County Treasurer, President of the Levy Court, and Clerk of the Peace of Sussex County have hereunto set their hands and the seal used by the Levy Court of Sussex County, at the town of Georgetown, in Delaware, this ----- day of ----- A. D. 191---

Signature of  
County Treasurer  
to be engraved  
on  
coupon &c.

Section 9. The signature of the County Treasurer shall be engraved or printed on each coupon or interest warrant and said bonds shall contain such provisions in addition to those set forth in Section 8 of this Act, and not inconsistent with its requirements, as said Levy Court shall determine.

Approved March 12, A. D. 1913.

OF THE LEVY COURT.

CHAPTER 53.

OF THE LEVY COURT.

AN ACT authorizing the Levy Court of Sussex County to sell the County Jail property in Georgetown in Sussex County.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. The Levy Court of Sussex County is hereby authorized, if they shall deem it advisable, to sell the jail property, at Georgetown, in Sussex County, for such sum as they may be able to obtain and which they may deem advisable to accept, and are hereby authorized to purchase land upon which a new jail may be constructed and to proceed to construct same as they shall deem advisable.

Levy Court of Sussex County authorised to sell jail

To purchase lands &c. with proceeds

Section 2. Nothing in this Act shall be taken to empower the Levy Court Commissioners of Sussex County to dispose of the jail property at Georgetown in Sussex County without having previously made provision for the accommodation of any prisoners which may at any time be held by the said County up to the time when the new jail shall have been constructed.

To make provisions for accommodation of prisoners before selling

Section 3. A Deed of the Levy Court Commissioners of Sussex County upon resolution of said Levy Court Commissioners executed and acknowledged by its President and attested by the Clerk of the Peace shall pass title to said jail property at Georgetown, in Sussex County.

Title, how passed

Approved March 7, A. D. 1913.

## OF CLERKS OF THE PEACE.

## CHAPTER 54.

## OF CLERKS OF THE PEACE.

## AN ACT Defining Certain Duties of the Clerks of the Peace.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Clerk of the  
Peace to pro-  
cure suitable  
book for each  
class of license

Entry to be  
made within  
twenty-four  
hours

Section 1. That every Clerk of the Peace of the State shall procure a suitable book for each class of license, in which shall be entered alphabetically the name of every person, firm or corporation to whom shall be issued a State license, together with the post office address and street and number of the city, village or town where said business is situate, together with the date said license was issued and the amount paid for same, which said entry shall be made within twenty-four hours of the issuance of every such license. Said books shall be procured by the State Board of Supplies and furnished to the several clerks of the peace upon their request.

Approved March 11, A. D. 1913.



## OF THE ASSESSORS.

## CHAPTER 55.

## OF THE ASSESSORS.

## AN ACT in Relation to Assessors.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. Every assessor shall in the month of May yearly make out a list of the wholesale and also of the retail dealers in goods, wares and merchandise, produce, or any property whatsoever; and of the manufacturers, venders of goods, wares and merchandise by sample; keepers of eating houses; keepers of travelers of stallions or jacks for the use of mares; auctioneers, brokers, private bankers, real estate agents, conveyancers, photographers, dentists, physicians, attorneys-at-law, osteopaths, optometrists, circuses and moving picture concerns, and all other persons, firms or corporations who should procure a State license to carry on their business in his hundred or district particularly specifying every class and by the First day of June deliver the same to the Clerk of the Peace of his county, attested by his oath or affirmation, which said list shall be filed of record by the said Clerk of the Peace. In all cases where there are more than one person engaged in any one of the foregoing occupations as partners he shall give the name of each of the individuals composing the firm or partnership, and in every case return the christian name of the respective party or parties. He shall also ascertain the post office address and street and number, if any, of the party or parties so doing business, which he shall return with the name of the firm, incorporated company or indi-

Assessors to  
make out list  
of wholesale  
and retail  
dealers

Instructions to  
Assessors

## OF THE ASSESSORS.

Compensation  
of Assessors

Assessors to  
render bills to  
State Treasurer

Penalty for  
failure of As-  
sessor to carry  
out duties

Clerk of Peace  
to compare  
lists

Clerk of the  
Peace to de-  
liver lists to  
Attorney  
General

Clerk of the  
Peace shall not  
thereafter issue  
license

vidual so returned by him on the list aforesaid, and every such assessor shall be paid for such services by the State Treasurer, the sum of ten cents for each and every name appearing upon said list, said sum shall be paid to the assessors as aforesaid by the State Treasurer during the month of September in the year that said lists are delivered to the Clerks of the Peace as aforesaid, every assessor shall render to the State Treasurer during the month of August a bill showing the number of names appearing on said lists delivered to the Clerk of the Peace as aforesaid, but no such bill shall be paid by the State Treasurer until the same is certified to as being correct by the Clerk of the Peace of the County, and every assessor who shall fail to make out and deliver to the Clerk of the Peace of the County a list as aforesaid, shall be guilty of a misdemeanor and upon conviction thereof shall be fined or imprisoned, or both, at the discretion of the Court. It shall be the duty of the Clerk of the Peace of the several counties in this State, to compare the said lists, so returned to them by the assessors, with the list of the persons or firm who shall have taken out a license by that time, ten days prior to the then next term of the Court of General Sessions in their county, and make therefrom a list for each hundred of the persons and firms who shall have failed to take out a license for the occupation in which he or they may have been reported engaged in, and deliver said last mentioned lists, with the name of the assessor duly certified, to the Attorney General, two days before the then next term of the Court of General Sessions in such county. The Clerks of the Peace shall not, after the making and delivery of the aforesaid lists to the Attorney General, issue a license to any person or firm whose name appears on said lists, without an order from the Attorney General until after the discharge of the grand jury at the then next term of the said court of the General Sessions. In the event of any person or persons being indicted who shall have a

## OF THE ASSESSORS.

license for the transaction of the business for which such person may be indicted, and his or her name shall appear on the lists so as aforesaid required to be certified to the Attorney General by the Clerk of the Peace, the costs upon such indictment shall be paid by the Clerk of the Peace of the county in which such indictment has been found. Costs to be paid by Clerk of the Peace Provided that before the Clerk of the Peace shall deliver to the Attorney General the list required by this section, he shall forward through the post office a written or printed notice addressed to the person or persons so having failed to take out a license for the occupations in which he or they are reported to be engaged, setting forth that he or they have failed to take out a license for the occupation in which he or they are reported engaged, and that unless such license is taken out within the term of ten days from the date of the notice, that, he or they, will be subject to an indictment at the ensuing term of court, and said notice shall state where said licenses can be procured. If the person or persons so notified as aforesaid, shall, within ten days from the date of forwarding such written or printed notice, take out a license for the occupation in which he or they may have been reported engaged, then it shall be the duty of the Clerk of the Peace to strike the name of him or them from the said list. The Clerk of the Peace shall receive from the person or persons notified fifty cents for each notice sent as required by this section, which shall be paid at the time of taking out such license, and no other costs than said sum shall be charged, and shall keep a record of the names of the persons or firm or incorporated company to whom such notice may be sent, the dates on which said notices have been placed in the post office, and the post office to which said notices have been mailed. No person whose name may have been returned by the assessor on the list aforesaid directed to be made by this act shall be indicted by the Attorney General unless the provisions of Clerks of the Peace to mail notices to those who are reported as failing to take out license

Clerks of the Peace to charge fifty cents for notices sent out

No indictments unless all provisions are complied with by proper officers

## OF THE ASSESSORS.

this act shall have been complied with, and the notices sent as directed.

Repealing Sec.  
19, Chap. 12,  
Revised Code  
of 1852, amend-  
ed 1893

Section 2. That Section 19 of Chapter 12 of the Revised Code of 1852 as amended in 1893 and all other laws inconsistent herewith be and the same are hereby repealed.

Approved March 11, A. D. 1913.

OF VALUATION OF PROPERTY.

CHAPTER 56.

OF VALUATION OF PROPERTY.

**AN ACT to Exempt from Taxation the Lands, Tenements and Property of Corporations Organized for the Use of the Deaconesses of Any Church of this State.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That the lands, tenements and property, not exceeding in value in any one instance the sum of Ten Thousand Dollars, of all incorporated homes or associations maintained by charity for the use of the deaconesses of any church in this State, shall be exempt from all taxes, assessments, burdens or impositions for County and Municipal purposes. Homes &c. maintained by charity by church deaconesses and valued at under ten thousand dollars exempt from taxation

Section 2. All acts or parts of Acts inconsistent herewith are hereby repealed.

Approved March 12, A. D. 1913.

## OF COLLECTION OF TAXES.

## CHAPTER 57.

## OF COLLECTION OF TAXES.

AN ACT to amend an Act in relation to the collection of taxes for New Castle County, being Chapter 388, Volume 20, Laws of Delaware, as contained in the Appendix to said Volume.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Amending  
Chap. 388,  
Vol. 20

Section 1. That section 6, of Chapter 388, Volume 20, Laws of Delaware, as contained in the Appendix to said Volume, be and the same is hereby amended by adding, at the end of said section 6, the following:

Receiver of  
Taxes and  
County Treas-  
urer at expira-  
tion of term to  
have same  
rights &c. with  
respect to  
back taxes

The said Receiver of Taxes and County Treasurer, upon the expiration of his term of office, shall retain, have and possess, all and the same rights, powers and remedies, and be subject to all and the same duties, obligations, responsibilities and penalties, with respect to the collection of all taxes remaining outstanding and uncollected on his tax duplicates and warrants for any years during his term of office, as is now provided by law with respect to the said Receiver of Taxes and County Treasurer, and, in any legal proceeding for the collection of any of the said outstanding and uncollected taxes, or in any proceeding against said Receiver of Taxes or his surety or sureties, it shall be no objection to any such proceeding that the term of office of the Receiver of Taxes has previously expired.

Retiring Re-  
ceiver to occu-  
py office joint-  
ly with incom-  
ing official

The retiring Receiver of Taxes and County Treasurer shall occupy jointly with the incoming Receiver of Taxes and County Treasurer the tax office at the County Court

OF COLLECTION OF TAXES.

House in the City of Wilmington, until such time as the said retiring Receiver of Taxes shall have duly collected all of the said taxes remaining outstanding and uncollected on his tax duplicates and warrants as above stated, and until such time and in such manner as the Levy Court of New Castle County shall direct.

The Clerks now authorized by law for the Receiver of Taxes and County Treasurer shall also serve as Clerks for the retiring Receiver of Taxes without additional compensation and for such time as the Levy Court shall direct, and the retiring Receiver of Taxes shall be responsible under his bond for any and all neglects and defaults of any of the said Clerks and may require any such Clerk to enter into a bond with surety or sureties for the faithful performance of his duties in like manner as said Clerks may now be required to give bond to the Receiver of Taxes and County Treasurer.

The Levy Court shall have the right and full authority to settle any dispute that may arise between the Receiver of Taxes and County Treasurer and the retiring Receiver of Taxes, or between, either or both of said officers and any or all of said Clerks, and the Levy Court shall have the right to withhold the salary or compensation of any of said officers or Clerks until such time as any such dispute shall have been fully settled.

Nothing in this act shall be so taken or construed as to relieve the retiring Receiver of Taxes or his surety or sureties from any responsibility whatever under the bond as now provided for by law for the Receiver of Taxes and County Treasurer, but the same shall remain and continue in full force and effect after the expiration of his term of office and until he shall have fully accounted for all taxes remaining outstanding and uncollected on

## OF COLLECTION OF TAXES.

his tax duplicates and warrants, and until released by the Levy Court after such full accounting as provided by law.

Approved March 31, A. D. 1913.



## OF COLLECTION OF TAXES.

## CHAPTER 58.

## OF COLLECTION OF TAXES.

AN ACT to Amend Chapter 60, Volume 24, Laws of Delaware, entitled "An Act to Amend an Act Entitled 'An Act In Relation to the Collection of Taxes for New Castle County', passed at Dover, May 29, 1897, as published at Page 2 of the Appendix to Volume 20, Laws of Delaware, Providing for the Collection of Certain Taxes."

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That Section 1, of Chapter 60, Volume 24, <sup>Amending</sup> Laws of Delaware entitled "An Act to Amend an Act <sup>Chap. 60,</sup> Entitled 'An Act In Relation to the Collection of Taxes for New Castle County', passed at Dover, May 29, 1897, as published at Page 2 of the Appendix to Volume 20, Laws of Delaware, Providing for the Collection of Certain Taxes", be and the same is hereby amended by striking out all of said Section 1 thereof, after the word "January" in the thirteenth line of said Section 1 thereof, and inserting in lieu thereof the following:

"There shall be added one per centum per month until the same shall be paid."

Approved March 12, A. D. 1913.

## OF COUNTY TREASURER.

## CHAPTER 59.

## OF COUNTY TREASURER.

**AN ACT in relation to the County Treasurer of Sussex County; and to compel his attendance upon the Trustees of the Poor of Sussex County at their regular and special meetings.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

County Treasurer of Sussex County to attend meeting of Trustees of the Poor

**Section 1.** That the County Treasurer of Sussex County be, and he is hereby, directed to attend upon The Trustees of the Poor of Sussex County at their regular and special meetings, and he is hereby required to lay before said Trustees of the Poor of Sussex County all records, papers, warrants and vouchers so that the financial standing of said Trustees of the Poor may from time to time be ascertained.

Notification of meeting

**Section 2.** The said County Treasurer shall be notified of any special meeting of the Trustees of the Poor at least one day in advance of such meeting; but no notice shall be given said County Treasurer of any regular meeting.

Penalty for failure to attend

**Section 3.** If the said County Treasurer shall fail or neglect to conform to the provisions hereof, he shall forfeit and pay to the Trustees of the Poor of Sussex County the sum of one hundred dollars, to be recovered in an action of debt before any Justice of the Peace of Sussex County.

Approved February 20, A. D. 1913.

OF RECEIVER OF TAXES AND COUNTY TREASURER.

CHAPTER 60.

OF RECEIVER OF TAXES AND COUNTY TREASURER.

AN ACT to authorize Robert M. Burns, late Receiver of taxes and County Treasurer of New Castle County, to collect the unpaid taxes on his duplicates for the years A. D. 1909, 1910, 1911 and 1912.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That Robert M. Burns, late Receiver of Taxes and County Treasurer of New Castle County, is hereby authorized and directed to collect all unpaid taxes remaining due and unpaid on his tax duplicates for the years A. D. 1909, 1910, 1911 and 1912; that the said Robert M. Burns, for the purpose of Collecting said taxes is hereby vested with all the powers and authority, and subjected to all the liabilities and duties provided in an Act of the General Assembly, entitled "An Act in Relation to the Collection of Taxes for New Castle County," passed at Dover, May 29, A. D. 1897, and printed beginning on page 2 of the Appendix in Vol. 20, Laws of Delaware; and that all such taxes so collected by the said Robert M. Burns, shall be paid over to the County Treasurer of New Castle County, in the manner provided for in said Act of the General Assembly and as provided by law.

Robert M. Burns authorized to collect back taxes

Section 2. That the Levy Court of New Castle County is hereby authorized and empowered to appoint one or two clerks, who shall be agreeable to the said Robert M. Burns, to assist in the collection of said taxes; that the said clerk or clerks shall be liable to the said Robert M. Burns for the faithful performance of their duties and shall be under the control of the said Robert M. Burns,

Levy Court of New Castle County to appoint clerical assistance to Robert M. Burns

## OF RECEIVER OF TAXES AND COUNTY TREASURER.

and the said Robert M. Burns shall have the right to discharge any such clerk or clerks at any time for neglect of duty and be responsible for all the official acts, neglects and defaults of such clerk or clerks.

## Compensation

Section 3. That the Levy Court of New Castle County is hereby authorized and empowered to pay to the said Robert M. Burns for his services in collecting said unpaid taxes, and to said clerk or clerks for their services, such reasonable compensation as the said Levy Court shall deem proper.

Approved March 26, A. D. 1913.

# TITLE THIRD

## Of Public Arms and Defence

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### CHAPTER 61.

#### OF THE PUBLIC ARMS AND DEFENCE.

**AN AOT providing for the purchase, repair and erection of State Armories and Arsenals.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. The Armory Commission, consisting of the Governor, the State Treasurer, the Adjutant General, Quartermaster General, and the commanding officer of troops, be, and it is hereby authorized and directed to secure by gift or purchase, lots of ground and buildings at suitable places within the State of Delaware, to be selected by said Armory Commission for State Armories and Arsenals, and that when such grounds and buildings are secured the title to the same shall be taken in the name of the State of Delaware. Upon the acquirement of the title to suitable lots of land and buildings, as above provided, the State Armory Commission is hereby authorized and empowered to draw its warrants on the State Treasurer for the purchase price of such lots of land, buildings and repairs, and after title has been properly vested in the State of Delaware, the State Armory Commission shall have plans prepared for suitable Armories and Arsenals to be erected or repaired there.

Armory Commission authorized to secure lots of ground and buildings

Title to be in the name of the State of Delaware

Commission to have plans prepared

## OF THE PUBLIC ARMS AND DEFENCE.

on. The cost of the said Armories and Arsenals, and the sites upon which the same are to be erected or repaired, and all equipment, including plumbing, lighting, heating and lockers, shall not exceed the aggregate sum of Twenty-one Thousand Dollars, and the said sum of Twenty-one Thousand Dollars, or so much thereof as may be necessary to carry into effect the provisions of this Act, is hereby appropriated out of the State Treasury, to be paid by the State Treasurer upon warrants drawn by the Armory Commission.

Limit of  
expenditures

To advertise  
for bids

Section 2. That after plans have been prepared and accepted for the erection or repair of State Armories and Arsenals, the State Armory Commission shall advertise for bids and shall make an award for the erection or repair of the said buildings to the lowest and most responsible bidders, and when the contracts are awarded the successful bidder in each case shall enter into such contract as the Armory Commission may require, and give bond for such an amount as the Armory Commission may think necessary for the proper enforcement of the contract. No money shall be paid on account of said contracts except upon the certification by the Architect in charge that the work contracted to be done is fifty per cent. completed, upon which the Armory Commission shall pay to the contractor fifty per cent. of the contract price, the remaining fifty per cent. on any contract to be paid upon the completion and acceptance by the Armory Commission of the work to be done under said contract.

No money to  
be paid except  
when certified  
by architect in  
charge that  
fifty per cent  
is completed

Storage of  
Military  
property

Section 3. That when such buildings or repairs to buildings have been completed and accepted, all Government and State Military properties that the Military authorities of the State may desire shall be stored in the State Arsenals, and the use and occupation of the remainder of the Arsenals or Armories shall be turned over to such State Military Organization or Organizations

Armory to be  
turned over to  
State Military  
Organisation

OF THE PUBLIC ARMS AND DEFENCE.

as may be existing or may hereafter exist, subject to the supervision of the proper Military authorities of the State.

Approved February 25, A. D. 1913.

CHAPTER 62.

OF THE PUBLIC ARMS AND DEFENCE.

AN ACT to provide for Furnishing, and to Complete the Heating Plant and Equipment of The State Armory and Arsenal, at Dover.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. The Armory Commission, consisting of the Governor, the State Treasurer, the Adjutant General, Armory Commission to heat and equip Dover Armory Quartermaster General and the Commanding Officer of Troops, be, and it is hereby authorized and directed to furnish and further heat and equip the State Armory and Arsenal at Dover.

Section 2. That the sum of Three Thousand Dollars, Appropriation or so much thereof as may be necessary to carry into effect the provisions of this Act, is hereby appropriated out of the State Treasury, to be paid by the State Treasurer upon warrant drawn by the Armory Commission.

Approved March 17, A. D. 1913.

## OF THE PUBLIC ARMS AND DEFENCE.

## CHAPTER 63.

## OF THE PUBLIC ARMS AND DEFENCE.

**AN ACT Providing for the Building of a Sidewalk from the State House to the State Armory and Arsenal in Dover.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

To lay a sidewalk to Dover Armory

Section 1. That the Armory Commission named in Chapter 41, Volume 26, Laws of Delaware, entitled "An Act Providing for Securing a Site and Erecting a State Armory and Arsenal", be authorized and directed to have a proper and suitable sidewalk built of some improved material, from the State House to the State Armory and Arsenal in Dover.

Section 2. That the State Armory Commission aforesaid shall advertise for bids and make an award for the building of the sidewalk aforesaid, to the lowest and best bidder.

Section 3. No money shall be paid on account of said contract or award until the work is completed and accepted by the Armory Commission.

Appropriation

Section 4. The sum of four hundred dollars, or so much thereof as may be necessary to carry into effect the provisions of this Act, is hereby appropriated out of the State Treasury, to be paid by the State Treasurer upon warrant drawn by the Armory Commission.

Approved March 17, A. D. 1913.



## OF THE PUBLIC ARMS AND DEFENCE.

## CHAPTER 64.

## OF THE PUBLIC ARMS AND DEFENCE.

AN ACT authorizing the Governor, in his discretion to place the names of Captain Bankson T. Holcomb, Jr., and Second Lieutenant John A. Jordan, late of the First Delaware Infantry, Organized Militia, on the roll of retired officers.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That the Governor may in his discretion place the names of Bankson T. Holcomb, Jr., and John A. Jordan, late Captain and Second Lieutenant, respectively, on the First Delaware Infantry, Organized Militia, on the roll of retired officers of the Organized Militia of Delaware.

To place  
Bankson T.  
Holcomb, Jr.  
and John A.  
Jordan on  
retired list

Approved February 25, A. D. 1913.

# TITLE FOURTH

## Of Election.

### CHAPTER 65.

#### OF THE GENERAL ELECTION.

AN ACT to Further Provide for the Secrecy and Purity of the Ballot.

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Inspectors of election outside of Wilmington to make arrangements for holding elections

Room to be at place established by law for election to be held

If change in place Inspector shall give notice in time required by law

Access to and exit from election room

Section 1. That hereafter it shall be the duty of each Inspector of Elections in this State, outside of the city of Wilmington, to provide a room for the holding of any general or special election in his hundred or election district which shall be adapted to the requirements of this Act. Said room shall be at the place now or which may hereafter be established by law in each hundred or election district for the holding of elections, or in as close proximity thereto as practicable, having due regard to the convenience of the voters. Provided, however, that if any Inspector shall select a place for the holding of any general or special election in his hundred or election district, other than the one established by law, he shall do it in time to give the notice of holding such election required by law. Said room shall have a door or entrance of easy or convenient access, and if practicable, a separate means of exit. It shall be provided on the outside with a passage at least four feet wide and with a

## OF THE GENERAL ELECTION.

railing, rope or wire on each side commencing at least thirty feet away from and leading to the entrance to such place of election and passing the place assigned for the challengers and thence to the entrance of the room in which the election is held.

The Inspector shall provide for the room a railing therein separating the part of the room to be occupied by the election officers from the remainder of the room. He shall also provide a suitable table and chairs for the use of the election officers. The table shall occupy such a position in the said room as to enable the election officers and the challengers hereinafter provided for, to easily communicate with each other. He shall cause to be constructed in the room at least one booth for every one hundred and fifty voters or fractional part thereof in each hundred or election district; provided that there shall not be less than three booths at any hundred or election district. The booths shall be at least three feet square and six feet high if the ceiling will admit it. They shall each contain a shelf properly constructed and a cardboard box fastened to the booth to contain the ballots hereinafter provided for, and they shall be so constructed and arranged that all the election officers in the room can see whether more than one voter enters any one of them at any one time. In the City of Wilmington it shall be the duty of the Department of Elections to select the voting place in each election district within the city and to provide the room in which the election is to be held and to protect the same with the required railing or rope and to construct therein the necessary number of booths and to do all other things required to be done by the Inspectors of Election outside of the City of Wilmington in and about the furnishing and fitting up of said room.

Space allotted to election officers to be separated from other part of room

Arrangement of election room

Number of election booths to be provided

Dimensions of election booths

Construction of booths

Department of elections of City of Wilmington to select voting places and make arrangements in Wilmington

Section 2. Each of the political parties may select and

## OF THE GENERAL ELECTION.

Each political party to select challenger to stand without election room

Inspectors and Judges to select challenger in event of failure to select as above

Challengers to be peace officers of State

Misdemeanor to resist a Challenger

Penalty

accredit some suitable person as a challenger to stand without the door or entrance of the room in which the election is to be held, and by the side of the passage hereinbefore provided for; and in case of failure of any or all of the political parties to select such person or persons as challenger or challengers it shall be the duty of the Inspector and Judges to make such selection or selections, provided that the challengers may be exchanged and their places filled, in like manner during the day. The said challengers shall be peace officers of the State with the same powers for preserving the peace as the Inspectors of Election now have. Any person resisting such challenger or challengers shall be deemed guilty of a misdemeanor and upon conviction thereof by indictment shall be fined not more than one hundred dollars and may at the discretion of the Court be imprisoned for a term not exceeding one year. Such challengers shall be appointed by the respective County Committees of each of the political parties.

Definition of a Political Party

Section 3. A political party within the meaning of this Act shall be an organization of bona fide citizens and voters of any county in this State, which shall by means of a convention, primary election or otherwise, nominate candidates for public offices to be filled by the people at any general or special election within the State. No organization shall be regarded as a political party that does not represent at least five hundred bona fide citizens and voters of the county in which it exists. If the Clerk of the Peace should have any doubt as to the sufficiency of the number of bona fide voters represented by any organization in any county, he may demand a certificate containing the signatures, and addresses of two hundred and fifty voters belonging to such an organization, as to that fact.

Must name 500 bona fide voters in each county

Clerk of the Peace may demand certification to show sufficient number

Clerks of the Peace to print ballots

Section 4. The Clerks of the Peace for the several counties shall cause to be printed on the ballots herein

OF THE GENERAL ELECTION.

provided for, the names of the candidates nominated by the parties recognized by them as political parties within the meaning of this act. The nomination of the candidates for the office of Governor, Representative in Congress and Presidential Electors and all other State officers shall be certified to the several Clerks of the Peace by the presiding officer and secretary of the several State party conventions or committees, and the nominations of the candidates for the county, hundred and district offices shall be certified to the respective Clerks of the Peace of the county in and for which such nominations have been made by the presiding officer and secretary of the proper party convention or committee. The certificates shall be in writing and shall contain the name of each person nominated, his residence and the office for which he is nominated. The persons making such certificate shall add to their signatures their respective places of residence and shall acknowledge said certificate before an officer duly authorized to take acknowledgments of deeds, and a certificate of such acknowledgment shall be affixed to the instrument.

Names of nominees to be certified to Clerks of the Peace by officers of nominating Convention or Committee

Form of certificate

The certificate shall also designate a title for the party which such convention or committee represents together with any simple figure or device by which its list of candidates may be designated on the ballot. Provided that the figure, or title or device selected and designated by the State convention or committee of any party shall be used by that party throughout the State; only one figure or device shall be used by a party at any election. The same title, figure or device shall not be used by more than one party, and the party first certifying a name, title, figure or device to the Clerks of the Peace shall have the prior right to use the same. Such figure or device may be the figure of a star, an eagle, a plow, or some such appropriate symbol, but the coat of arms or seal of the State, or of the United States, or the flag of the United States, shall not be used as such figure or device.

Certificate to designate title of party as well as party device

Party device to be used uniformly throughout the State

No one device to be used by more than one Party

Prior right to device and title determined by Clerks of the Peace when in dispute

United States and State seal, coat of arms or flag shall not be used as a party symbol

## OF THE GENERAL ELECTION.

Death, resignation or removal of a candidate

In case of factional division in a Party the Clerks of the Peace to assemble and decide the dispute or to name, title, symbol &c

Clerks of the Peace to select Party name, title or device

Clerks of the Peace to decide individually when time is too short

Clerk of the Peace to act when a county or district division takes place

In case of death, resignation or removal of any candidate subsequent to nomination a supplemental certificate of nomination may be filed by the proper officers of the State, county, district or hundred committees. In case of a division in any party and claim by two or more factions to the same party name or title, figure or device, if the division occurs at a State convention, or extends throughout the State, the Clerks of the Peace of the several counties shall, within ten days after any one of them has received the certificates of the contending factions, assemble in the office of the Clerk of the Peace at Dover and determine which faction the name, title or figure properly belongs to, giving the preference to the convention held at the time and place designated in the call of the regularly constituted party authorities; and if within five days thereafter the other faction shall present no other party name or title, figure or device and certify the same to the Clerks of the Peace the latter shall again immediately assemble and select some suitable title, figure or device for said faction and the same shall be placed above the list of their candidates on the ballots. If the certificate of the contending factions shall not be received by the Clerks of the Peace in time for them to assemble at Dover before publishing the device and list of candidates in the newspapers, then and in that case each Clerk of the Peace shall determine for himself which faction shall be entitled to the name, title, figure or device and shall select a name, title, figure or device for the other faction. Provided that in case of division in any party extending only throughout a county, district or hundred, the Clerk of the Peace in the county in which such division occurs upon the receipt of certificates from the contending factions shall determine which faction is entitled to the party name, figure or device and to have their nominations printed in the proper party column, and should the other faction fail to do so the Clerk of

OF THE GENERAL ELECTION.

the Peace shall select for them a name or title, figure or device.

Section 5. The Clerks of the Peace of the several counties shall cause to be preserved in their respective offices all certificates of nominations filed under the provisions of this act for six months after the date of the filing thereof.

Clerks of the Peace to preserve all certificates of nominations for six months.

Section 6. Certificates of nominations herein directed to be filed with the Clerks of the Peace shall be filed not less than twenty days before the day fixed by law for the election of the persons in nomination.

Certificates of nominations to be filed twenty days before election day

Section 7. At least ten days before an election to fill any public office the Clerk of the Peace of each county shall cause to be published in at least two newspapers within his county the nominations to office certified to him as directed in Section 4. He shall make no less than two publications in each of such newspapers before election. Such publications shall be made in two newspapers representing the two principal political parties. Provided, that in all cities where a daily newspaper is published such notice shall also be published in two daily papers representing such political parties, if such there be. The lists of nominations published by the Clerk of the Peace shall be arranged as far as practicable in the order and form in which they will be printed upon the ballots, and shall designate the devices under which the lists of candidates of each party will be printed. The Clerk of the Peace shall not include in the publication to be made according to this section the name of any candidate whose certificate of nomination shall have been filed in his office who shall have notified him in writing duly signed and acknowledged that he will not accept the nomination. The names of such candidates shall not be included in the names of the candidates to be printed on the ballot as hereinafter provided.

To publish list of nominees ten days before election in newspaper

In cities having daily newspapers political parties to be recognized in publication whenever possible

Clerk of the Peace not to publish name of man who declines a nomination and so notifies the Clerk of the Peace

## OF THE GENERAL ELECTION.

Names of candidates printed in parallel columns under party device

Section 8. The Clerk of the Peace in each county shall cause the names of all candidates to be voted for in his county and the several hundreds or districts in the same to be printed in parallel columns in one ballot, all nominations of any party being placed under the title and device of such party as designated by its authorized agent or agents in the certificate or certificates, or if none be designated under some suitable title and device to be selected by the Clerk of the Peace. The ballots shall be of

Ballots to be of uniform size and same quality of paper

uniform size and of the same quality and color of paper and sufficiently thick that the printing cannot be distinguished from the back. The arrangement of the ballot shall in general conform as nearly as possible to the plan hereinafter given, and the device named and chosen and the list of candidates of the Democratic party shall be placed in the first column on the left hand side of said ballot; of the Republican party in the second column and of any other party in such order as the Clerk of the Peace shall decide.

Arrangement of the ballot



**OF THE GENERAL ELECTION.**

<div><div>: . . . . . : : DEVICE : : . . . . . :</div><div>DEMOCRATIC PARTY</div></div>		<div><div>: . . . . . : : DEVICE : : . . . . . :</div><div>REPUBLICAN PARTY</div></div>	
	For Electors of President and Vice President JOHN DOE		For Electors of President and Vice President JOHN DOE
	For Electors, etc. JOHN DOE		For Electors, etc. JOHN DOE
	For Electors, etc. JOHN DOE		For Electors, etc. JOHN DOE
	For Governor JOHN DOE		For Governor JOHN DOE
	For Lieutenant Governor JOHN DOE		For Lieutenant Governor JOHN DOE

## OF THE GENERAL ELECTION.

Death, resignation or removal of candidate after printing of ballots

Chairman of the State, county, hundred or district political organization to fill vacancy

Posters to be supplied

Section 9. In case of the death, removal or resignation of any candidate after the printing of such ballots and before such election, it shall be lawful for the Chairman of the State, county, hundred or district political organization by which such candidate was nominated to make a nomination to fill such vacancy and to provide the election officers of each election district in which such candidate is to be voted for, with a number of pasters containing only the name of such candidate. Said number to be at least equal to the number of ballots provided for each election district as hereinafter provided, and to deliver said pasters in the same manner as it is hereinafter provided that ballots shall be delivered.

Clerk of the Peace to have printed fifteen ballots for every voter

Clerk of the Peace to have printed in addition such number of ballots as directed by Chairman of any committee of any political party, upon deposit being made to cover cost

Section 10. The Clerk of the Peace in each county shall cause to be printed within the State of Delaware, in the form hereinbefore provided, not less than fifteen ballots for every voter in each hundred or Election District in his county, and the number shall be ascertained in each hundred or Election District by reference to the highest number of votes polled therein at any preceding election, with due allowance for any estimated increase thereof. If a new Election District has been established in his county, the number shall be estimated by the said Clerk of the Peace, according to the best information he can obtain. The Clerk of the Peace in each county, in addition to the above mentioned ballots, shall cause to be printed such further number of ballots as shall be directed by the Chairman of any committee of any political party, in any county, provided, however, that the said Clerk of the Peace shall not have printed any ballots upon the order or request of any Chairman of any political party unless the said request shall have been made to him in writing at least thirty days prior to the holding of the Election at which the said ballots are to be used, nor unless a deposit sufficient to cover the cost of the ballots be made at the time they are ordered. The

OF THE GENERAL ELECTION.

ballots so ordered by the said Chairmen of the various political parties shall be delivered to the said Chairmen or to their agents upon their request or order, at least five days before the Election at which the said ballots are to be used. In addition to the ballots so ordered by the Chairmen of the various political parties, the Clerk of the Peace shall deliver to each Chairman of the various political parties, two ballots for every voter in each hundred or Election District, who at the last preceding election cast his ballot for the head of the ticket of such political party, which ballots shall be furnished to the County Chairmen free of all charges. The Clerk of the Peace shall cause the ballots, other than those delivered to the Chairmen of the various political parties for each hundred or Election District, to be carefully wrapped and tied in two packages. One of such packages shall contain two ballots for every voter in each hundred or Election District in his county, and shall be retained by the Clerk of the Peace, and the ballots therein contained shall only be used to take the place of any ballot that may have been destroyed or lost by any accident or casualty. The other packages of ballots shall be delivered by the Clerk of the Peace in the manner hereinafter provided for. The Clerk of the Peace in each county shall also provide ungummed envelopes of a sufficient size to contain the ballot to be used at any election. Each envelope shall have printed thereon,

Said ballots to be delivered to Chairmen of Political Committees

Clerk of the Peace to deliver in addition two ballots for each voter, free of charge

Disposition of residue of ballots printed in package

Official Envelope

For

Clerk of the Peace to provide ungummed envelopes

Representative District Number ----

Date of Election -----

-----  
-----

Clerks of Election

## OF THE GENERAL ELECTION.

Clerk of Election to sign envelopes

and shall be signed by the Clerks of Election on the lines above the words, "Clerks of Election".

Four envelopes for each voter

He shall have prepared four envelopes for each voter in each hundred or Election District in his county, and the number shall be ascertained in each hundred or Election District by reference to the highest number of votes polled therein at any preceding election, with due allowance for any estimated increase thereof. If a new Election District has been established in his county, the number shall be estimated by said Clerk of the Peace, according to the best information he can obtain. The Clerk of the Peace shall cause the envelopes for each hundred or Election District to be carefully wrapped and tied in two packages, one package containing one envelope for each voter in each hundred or Election District, in his county, and shall be retained by the Clerk of the Peace, and the envelopes therein contained shall only be used to take the place of like envelopes that may have been destroyed or lost by any accident or casualty. The said packages of envelopes shall be plainly marked and securely sealed with wax. The Clerk of the Peace in each County shall also provide, and enclose in each of said packages, not less than one dozen black or indelible pencils or crayons and a sufficient number of rubber bands to secure the number of envelopes in each hundred or Election District.

Envelopes to be tied in packages

Package marked and sealed

Pencils to be provided

Inspectors of Election outside of Wilmington to appear at Clerks of Peace office to receive ballots, envelopes, &c.

Section 11. It shall be the duty of each Inspector of Election outside of the City of Wilmington to appear at the Office of the Clerk of the Peace of his County on the day preceding the election before the hour of three o'clock in the afternoon, and the Clerk of the Peace shall deliver to him the packages of ballots, envelopes, pencils, and rubber bands for his hundred or Election District, and the said Inspector shall safely keep the said packages and produce the same at the place of election, and

## OF THE GENERAL ELECTION.

at the time of the opening of the election; provided, however, that in case there shall be a vacancy in the office of any Inspector on the day preceding the election or any Inspector for any cause, shall not apply to the proper Clerk of the Peace for the packages herein mentioned, for his hundred or Election District by the hour of three o'clock in the afternoon of the day preceding the election, the said Clerk of the Peace shall deliver said packages to some trusty person who shall deliver them on the day of the election to the Inspector of Election, of such hundred or election district at the place of election and immediately upon the qualification of the election officers.

Clerk of the Peace to make delivery to some trusty person when Inspector fails to appear

In the City of Wilmington it shall be the duty of the President of the Department of Elections, or in case he cannot attend some other member of the Department of Elections authorized in writing by the President of the Department of Elections to appear at the Office of the Clerk of the Peace of New Castle County on the day preceding each election on or before the hour of three o'clock in the afternoon, and the said Clerk of the Peace shall deliver to him the packages provided for each election district of the City of Wilmington and the said Department of Elections shall safely keep the same and deliver to said board of election officers and at the polling place on the day of the election at the time provided by law for the delivery of the ballot boxes, the ballots, envelopes, pencils and rubber bands intended for their several and respective districts.

The Department of Elections in Wilmington to have charge of distribution of ballots, envelopes &c., obtaining same from Clerk of the Peace

Section 12. If by any action or casualty the ballots or envelopes delivered to any Inspector or other person by any Clerk of the Peace shall be lost or destroyed it shall be the duty of such person having such packages in his custody to report the loss at once to the Clerk of the Peace from whom the same were obtained and make af-

Loss of ballots or envelopes

## OF THE GENERAL ELECTION.

Custodian of ballots &c. to report loss to Clerk of the Peace and make affidavit as to same

Where ballots or means of voting are lacking, election officers to act speedily to replace same or devise a means of voting

Inspector to deliver at least ten ballots to each box in booths and twenty-five envelopes to clerk of opposite political party

Clerks of Election to write full names on envelopes

fidavit of the circumstances of the loss whereupon such Clerk of the Peace shall at once re-supply such person. In case such person having in custody said packages fails or refuses to report and make proof of the loss, any qualified elector may do so, and thereupon such Clerk of the Peace shall at once send a new supply by some trusty person as provided in other cases. In case, for any reason, there should be found no ballots or other necessary means or contrivances for voting, at the opening of the election it shall be the duty of the election officers at such election place to secure the same as speedily as possible, and, if necessary, such election officers shall have ballots printed or written and envelopes procured; provided, however, that such ballots and envelopes shall conform as nearly as possible to the official ballots and envelopes and the printing and the preparation and the care of the same shall be under the same provisions and penalties as the printing and the care of the other ballots and envelopes prescribed in this Act.

Section 13. At the opening of the election after the qualification of the several officers and in the presence of the others the Inspector or the Chairman of the Board of Inspectors shall open the packages of ballots and envelopes. He shall place in each box provided in each booth, at least ten ballots, and at all times during the election it shall be his duty to see that at least ten ballots are kept in said boxes in said booths. He shall then deliver to the Clerk of the Election, of the opposite political party from his own, twenty-five of the envelopes. The Clerks of the Election shall at once proceed to write their full names in ink in the places designated on the envelopes in their ordinary handwriting and without any distinguishing mark of any kind. As each successive elector calls for a ballot and envelope, the Clerks of the Election having custody of the ballots and envelopes shall deliver to him the first signed of the twenty-five

## OF THE GENERAL ELECTION.

envelopes, and one ballot, and the Inspector shall immediately deliver to the said Clerk of the Election another envelope which the Clerks of the Election shall at once sign as before, and add to the envelopes already signed so that it shall be delivered for voting after all of those theretofore signed.

Section 14. The Clerk of the Peace of each county shall cause to be printed in large type on cards, in English and such other language as he may deem necessary, instructions for the guidance of electors in preparing their ballots. He shall furnish twelve of such cards in each of the languages determined upon by him to each of the Election Inspectors at the same time he delivers to him the ballots and envelopes for his hundred or Election District. Each Inspector shall cause to be posted one of each of said cards in each place or compartment provided for the preparation of ballots, and one of each kind of such cards at or near to the outer end of the enclosure leading to the polling place, and not nearer than thirty feet of the polling place, and not less than three of each of such cards and three samples of each of the ballots in and about the polling place at the opening of the polls on the day of election, which sample ballots shall be printed on different colored paper than the genuine ballots. Said cards shall contain full instructions to the voters as to what must be done:

Clerk of the Peace to print on cards extracts of the law in English and such other languages as he may deem necessary

Deliver cards to Inspector who shall post them

First, to obtain ballots and envelopes for voting;

Form of cards of instructions

Second, to prepare the ballots for voting;

Third, for depositing the ballot in the envelope;

Fourth, to obtain either a new ballot or an envelope or both in place of either or both accidentally defaced, mutilated or spoiled, also copies of Sections 30, 31, 32 and 33.

## OF THE GENERAL ELECTION.

One challenger of each political party to stand at entrance of room but no other person to be within thirty feet of entrance except when voting

Section 15. One challenger appointed and designated by each political party as hereinbefore provided shall be entitled to stand at the side of the passage and near the entrance to the room. No other person shall remain within thirty feet of said entrance except for the purpose of offering his vote, except as hereinafter provided for, and voters shall approach and enter the passage in the order in which they appear, for the purpose of voting. If any person offering to vote shall be challenged by one of such challengers, or by one of the Election officers, his right shall be at once determined by the proper officers, and if his vote is refused he shall immediately stand aside and give place to the person next in line, and retire without delay from within the thirty foot space around the entrance to the room.

When challenged election officers to determine right to vote

No more than one voter for each booth allowed in room

Section 16. When a voter shall have been passed by the challengers, he shall be admitted to the election room; provided, however, there shall not be in the room at any time more than one voter for each booth therein. On entering the room the voter shall announce his name to the Clerks of Election, who shall register it, and one of said Clerks shall deliver to him an envelope and ballot furnished to the Election officers by the Clerk of the Peace. The voter shall then, and without leaving the room, go alone into any of the booths which may be unoccupied and deposit the ballot which he desires to vote in the envelope handed him by the Clerk, and on leaving the booth, or compartment, he shall deliver the envelope containing the ballot to the Inspector or the Judge who may temporarily be authorized to act for the Inspector, who shall forthwith in the presence of the voter and of the other election officers place a rubber band about the said envelope in such a manner as to keep the ballot placed therein from slipping out of the said envelope and shall deposit the said envelope in the ballot box, and the Clerks of the election shall write the word "voted"

Voter on obtaining envelope to go alone into booth and deposit ballot in envelope

Voter to deliver envelope with ballot therein to election officer



## OF THE GENERAL ELECTION.

after the name of the voter on the poll list. The voter shall immediately after voting leave the room, and upon his refusal to do so may be ejected therefrom. But no voter to whom an envelope has been delivered shall be permitted to leave the room without voting or returning the said envelope to the Clerk of the Election. Any voter who shall attempt to leave the room with the envelope in his possession shall be at once arrested on demand of an election officer.

Voter to leave room immediately after voting

No envelope permitted to be taken from election room

Section 17. It shall be lawful for any voter to secure a ballot at any time from the Chairmen of the various political parties or from any other source whatsoever, and to mark the same at any time and at any place before voting the same, and to carry the ballot which he has marked to the designated polling place in the hundred or election district of which he is a registered and qualified voter and there to vote the said ballot in the manner heretofore prescribed.

Other methods of obtaining ballots and marking the same

Section 18. Not more than one person shall be permitted to occupy any booth at one time, and no person shall remain in, or occupy a booth longer than may be necessary to prepare his ballot and to deposit the same in his envelope, and in no event longer than three minutes. No more than one person for each booth in the room, other than the election officers shall be permitted to enter or be in the election room at any one time except as hereinafter provided and no voter or person offering to vote shall hold any conversation or communicate with any other person than an election officer while in the election room except as hereinafter provided.

No more than one person in a booth at one time

Section 19. Any person who shall by accident or mistake spoil or deface or mutilate his ballot or envelope, on returning the spoiled ballot or envelope to the Clerks of the Election and satisfying them that such spoiling,

When ballots are spoiled or defaced voter to receive another

## OF THE GENERAL ELECTION.

Spoiled ballot  
to be destroy-  
ed after voting  
the same

defacing or mutilation was not intentional, shall receive another ballot or envelope or both in place thereof, and such Clerk shall make a minute of the fact on the poll lists at the time, and the mutilated ballot and envelope shall then be destroyed by the elector in the presence of the election officers.

Assistance in  
marking ballot  
allowed under  
certain con-  
ditions

Section 20. Any person who shall be physically unable to prepare or fold his ballot or deposit his ballot in his envelope by reason of defective eyesight or the loss of the use of one or both hands, or inability to walk with safety without assistance as manifestly renders him unable to prepare or fold his ballot, or to deposit his ballot in his envelope, or to reach the polling place alone with safety shall be permitted to bring with him into the election room and booth any elector or two electors if the nature of the disability manifestly requires more than one, such as a total disability to walk to the polling district, for the purpose of rendering him the necessary assistance, and no voter shall receive any other assistance in voting than that herein provided for and the office of the so called voter's assistant is hereby expressly abolished.

Voter's assist-  
ant expressly  
abolished

Penalty when  
need of assist-  
ance is feigned

In case any elector shall feign any of such physical defects, he shall be guilty of a misdemeanor and upon conviction thereof by indictment shall be fined one hundred dollars and shall be imprisoned for not more than two years.

No envelope  
bearing dis-  
tinguishing  
mark or de-  
faced to be de-  
posited in bal-  
lot box

Section 21. No Inspector of election or Judge acting for the Inspector shall deposit any envelope upon which the names of the Clerks of the election as hereinbefore provided for, does not appear or any envelope on which appears any distinguishing mark, defacement or mutilation; provided, however, that no mark shall be considered distinguishing, and no envelope shall be considered defaced or mutilated unless it plainly appears that it was

OF THE GENERAL ELECTION.

the intention of the voter to so mark, deface or mutilate his envelope.

Section 22. The election officers before entering upon the duties of their office shall each take an oath that he will not in any manner attempt to influence, intimidate, persuade, bribe or coerce any voter in the marking of his ballot or in the making of the choice of the person or persons for whom he votes, and that he will not disclose the manner in which any person has voted, and any election officer who shall violate his oath in any of these particulars shall be guilty of wilful and deliberate perjury, and upon conviction thereof by indictment he shall in addition to the penalties and disabilities annexed to such crime be fined not more than five hundred dollars and may at the discretion of the Court be imprisoned not exceeding two years.

Election officers to take an oath before entering upon their duties

Character of oath

Penalty for violation

Section 23. Whenever under any provision of the laws of this State any voter or elector at any election hereinafter to be held in this State is required to indicate on the official ballot the candidate for whom he desires to vote at such election by marking his ballot in such manner as to indicate for whom he casts his vote such voter or elector at any election aforesaid shall indicate his choice of candidates aforesaid by marking his ballot with a black or indellible lead pencil or black crayon in the following manner:

When any elector desires to vote a straight ticket, that is to vote for all of the candidates of a party appearing in the party column on the ballot he shall place a cross mark or "X" within the square at the head of the party column containing the names of such candidates. In the event that any elector does not desire to vote for all of the candidates whose names appear in any one party

Rules for the marking of the ballot

Cross mark or "X" within the square to vote for all candidates of any one party

## OF THE GENERAL ELECTION.

Cross mark or "X" in square at left of the names of candidates if a straight ballot is not voted

column he shall place a cross mark or "X" in the square at the left of the name of the candidate for whom he desires to vote, and he may also scratch out the name of the candidate for whom he does not desire to vote, or he may do either.

May scratch out the name of a candidate

All ballots to be counted for those for whom they were intended to be cast

Rules to be determined in ascertaining the intent of the vote

All ballots cast at any election shall be counted for the persons for whom they were intended so far as such intention can be ascertained therefrom and in determining the intention the following rules shall be observed:

First. If the elector shall place on his ballot a cross mark or "X" within the square containing a party designation at the head of the column he shall be deemed to have voted for all the candidates whose names appear in the column under such mark, unless some name or names shall be erased, or unless in some other column he shall have placed a mark in the square at the left of the name of some other candidate for the same office.

Second. When the voter shall place a mark against two or more names for the same office he shall be deemed to have voted for none of them and the ballot shall not be counted for either candidate therefor, but shall be counted for such other candidates as it is the evident intention of the voter to vote for.

If a name be written on a ballot it shall be void

Third. If any name be written on any ballot the ballot shall be void and not counted.

Fourth. When the elector shall have made a mark in the square at the left of the name of a person in the proper place he shall be deemed to have voted for that person although he shall have omitted to erase or scratch out the name printed in any other column for the same office.

Fifth. A ballot put in without any marks shall not be

## OF THE GENERAL ELECTION.

counted, and a ballot not marked at the top shall be counted only for the persons for whom the marks therein are applicable.

Section 24. In the counting of the votes any ballot contained in an envelope which is not endorsed with the names of the Clerks of the election as provided in this Act, and any ballot which shall bear such a distinguishing mark that it is apparent that such distinguishing mark was placed thereon with the intent of the voter, or any ballot which is contained in any envelope which shall bear any such distinguishing mark shall be void and shall not be counted, and any ballot or part of a ballot from which it is impossible to determine the elector's choice of candidates shall not be counted as to the candidate or candidates affected thereby; provided, however, that such ballots and envelopes and all disputed ballots and envelopes shall be preserved by the inspector and at the close of the count, placed with the seals of the envelope packages in the box into which the ballots shall have been put when read.

Names of the Clerks of the Election necessary on all envelopes to have ballots counted

Ballot having a distinguishing mark

Disputed ballots or envelopes to be preserved

If any envelope should be found to contain more than one ballot none of the ballots contained in that envelope shall be counted. The election officers shall also record on the tally list memoranda of such ballots and envelopes and the condition of the seal of the envelope packages; and in any contest of election such ballot, envelope and seals may be submitted in evidence. Immediately on closing the polls, the envelopes remaining unused shall be counted and destroyed by the election officers of the several hundreds or election districts by totally consuming by fire and the election officers shall certify the number of envelopes so destroyed by them on the respective tally lists.

No envelope to contain more than one ballot

Unused envelopes to be destroyed at close of election

In the counting of the ballots each ballot shall be removed from its envelope and counted for the candidates

Directions for counting ballots

## OF THE GENERAL ELECTION.

voted for thereon and immediately returned to the envelope from which it is taken and secured therein by a rubber band, and the said envelopes and ballots after the count is made shall be returned to the ballot boxes from which they are taken.

Refusal of  
Clerk of the  
Peace to print  
ballots or de-  
liver them

Section 25. If any Clerk of the Peace or his clerk or any one acting for him shall neglect or refuse to have the ballots and envelopes printed and prepared according to the provisions of this Act, or shall neglect or refuse to deliver them in time to the parties properly entitled to receive them, or shall neglect or refuse to do or perform any other duty in and about the preparation and distribution of the ballots and envelopes required to be done and performed by him by the provisions of this Act, he shall be deemed guilty of a misdemeanor and shall be fined not less than one nor more than five thousand dollars, and he may in the discretion of the Court be imprisoned for not less than one nor more than five years.

Penalty for  
refusal

Election Offi-  
cers not to re-  
veal vote

Section 26. If any person being an election officer shall reveal to any person how any elector has voted, or what person or persons were voted for by him on any ballot or give any information concerning the appearance of any ballot voted or envelope used, such person or persons so offending shall be guilty of a misdemeanor and on conviction thereof by indictment shall be fined not more than five hundred dollars and shall be imprisoned not less than two and not more than five years.

Penalty for  
violation

Defacing or  
destroying a  
nomination  
certificate

Section 27. Any person who shall falsely make or fraudulently deface or fraudulently destroy any certificate of nomination, or any part thereof; or file any certificate of nomination knowing the same or any part thereof to be falsely made; or suppress any certificate of nomination which has been duly filed or any part thereof or forge or falsely make the official endorsement of any

OF THE GENERAL ELECTION.

ballot or envelope or either of them; or print or cause to be printed any imitation ballot or envelope or circulate the same; or conspire with others to do any of said acts, or induce or attempt to induce any other person to do any of said acts, whether or not said acts or any of them be committed or attempted to be committed, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than one hundred nor more than five hundred dollars or imprisoned in the discretion of the Court not more than five years.

Penalty for violation

Section 28. If any Clerk of the Peace, Inspector of Election, Clerk of Election or Judge of Election or trusty person shall wilfully violate any of the provisions of this Act in the performance of any duty herein imposed upon him for the violation of which no other punishment is herein provided he shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than three nor more than five hundred dollars and may in the discretion of the Court be imprisoned for a term not exceeding three years.

Penalty for violation by officers mentioned

Section 29. The Sheriff shall make the ballot boxes and the tally lists and all other papers to be delivered to the several inspectors conform to the requirements of this Act. The inspector or trusty person for his services in receiving and delivering at the place of holding the election as aforesaid the packages containing the ballots and stamps shall receive two dollars.

Sheriff to make ballot boxes and tally lists

Compensation for delivering packages of ballots &c.

Section 30. If any person not herein authorized so to do shall enter or attempt to enter the election room, or enter or attempt to enter within the railing leading to the entrance of the election room, or shall remain within thirty feet of the polling place contrary to the provisions hereinbefore made, he shall be guilty of a misdemeanor and on conviction thereof be fined not more than two hundred dollars.

Attempt to enter election room in violation of this act

## OF THE GENERAL ELECTION.

Attempt to  
cause an elec-  
tor to place  
distinguishing  
mark on bal-  
lot and penalty  
therefor

Section 31. If any person shall induce or attempt to induce any elector to write, paste or otherwise place on his ballot the name of any person or any sign or device of any kind as a distinguishing mark by which to indicate to any other person how such elector has voted, or shall enter into or attempt to form any agreement or conspiracy with any other person to induce or attempt to induce electors or any electors to so place any distinguishing mark or name on his ballot whether or not said act be committed or attempted to be committed, such persons so offending shall be guilty of a misdemeanor and on conviction be imprisoned for not exceeding two years.

Attempt to  
cause an elec-  
tion officer to  
violate this act  
and penalty  
therefor

Section 32. If any person shall induce or attempt to induce any election officers to violate any of the provisions of this Act whether or not such election officers shall violate or attempt to violate any of the provisions of this Act, such person so offending shall be guilty of a misdemeanor and on conviction shall be imprisoned for a term not exceeding five years. It shall be the duty of each inspector to distinctly read this and the preceding section to the election officers at the opening of the polls and each member thereof shall thereupon take an oath that he has not violated and will not violate the provisions of said sections.

Removal or  
destruction of  
supplies and  
notices in elec-  
tion room and  
penalty there-  
for

Section 33. Any person who shall during the election remove or destroy any of the supplies or other conveniences placed in the booths as aforesaid or delivered to the voter for the purpose of enabling the voter to prepare his ballot, or shall during the election remove, tear down or deface the cards printed for the instruction of the voters, or shall, during an election destroy or remove any booth, railing or other convenience provided for such election, or shall induce or attempt to induce any person to commit any of such acts whether or not any such acts are committed or attempted to be committed shall be guilty



## OF THE GENERAL ELECTION.

ty of a misdemeanor, and on conviction shall be punished by imprisonment for not less than six months nor more than one year.

Section 34. All necessary costs and expenses incurred by the inspector and Clerks of the Peace in carrying into effect the provisions of this Act shall be paid as other County expenses are paid, except however the ballots ordered to be printed by the County Chairmen of the various political parties shall be paid for by such political party as shall order the same.

All expenses incurred under this Act to be paid as other county expenses

Section 35. At the first General election held after the approval of this Act, it shall be the duty of the Clerks of the Peace of the various counties to mail, as soon as he conveniently can after the last registration day to each voter registered in his county, a sample ballot, with instructions how to mark and vote the same, but the provisions of this section shall apply to only the next preceding election after the approval of this Act.

Clerks of the Peace to supply each voter with a sample ballot at first general election under this Act

Section 36. This Act shall apply to all municipal elections held in the City of Wilmington, but it shall not apply to the election for members of the Board of Education in the City of Wilmington.

To apply to all municipal elections in Wilmington

Section 37. All acts or parts of acts inconsistent with this Act are hereby repealed, provided, however, that nothing contained in this Act shall repeal, alter or in any way affect the validity of Chapters 36 and 38, Volume 21, Laws of Delaware, or any of the provisions thereof, or any of the acts amendatory thereof, or any of the provisions of any such amendatory acts.

Board of Education excepted

Chapters 36 and 38, Vol. 21 not affected

Approved March 10, A. D. 1913.

## OF THE GENERAL ELECTION.

## CHAPTER 66.

## OF THE GENERAL ELECTION.

AN ACT amending Chapter 393, Volume 20, Laws of Delaware, being an act entitled, "An Act to provide for the Purity of Primary Elections in New Castle County" and also amending Chapter 286, Volume 22, Laws of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Provisions of  
Chap. 393,  
Vol. 20 and  
Chap. 286,  
Vol. 22 ex-  
tended

Section 1. That the provisions of Chapter 393, Volume 20, Laws of Delaware and Chapter 286, Volume 22, Laws of Delaware shall apply to the Counties of Kent and Sussex as well as to New Castle County.

Approved March 26, A. D. 1913.

## OF THE GENERAL ELECTION.

## CHAPTER 67.

## OF THE GENERAL ELECTION.

AN ACT to change the boundaries of the Third and Fourth Election Districts of the Seventh Representative District in New Castle County.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That all that part or portion of the Fourth Election District of the Seventh Representative District of New Castle County, bounded and described as follows, to-wit:

Changing  
boundaries of  
Seventh Rep-  
resentative  
District of  
New Castle  
County

Beginning at Adams Cross Roads, and running from thence Easterly, along the centre line of the road from Rockland to Chadds Ford to the Rockland Bridge; thence along the centre line of the road from Rockland to Wooddale to where it crosses the Du Pont Road; thence along the centre line of the Du Pont Road to where said road intersects with the Chadds Ford Road at Adams Cross Roads and place of beginning, be and the same is hereby made and constituted a part of the Third Election District of the Seventh Representative District of New Castle County; and all persons within the said above described bounds, entitled to vote, shall hereafter register and vote at the place designated by law for the voters of the Third Election District of the Seventh Representative District to register and vote.

Boundaries of  
new district

Section 2. That all Acts or parts of Acts inconsistent herewith be and the same are hereby repealed.

Approved March 19, A. D. 1913.

## OF THE GENERAL ELECTION.

## CHAPTER 68.

## OF THE GENERAL ELECTION.

**AN ACT creating five election districts in the Tenth Representative District of New Castle County (New Castle Hundred).**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Creating five election districts instead of four as heretofore in the Tenth Representative District of New Castle County

Section 1. For the purpose of holding all elections for State, County, Hundred and District offices, and for all other purposes, as may now or hereafter be held by and under authority of any acts passed by the General Assembly the Tenth Representative District (New Castle Hundred) shall be divided into five election districts, by the following lines, viz:—

Boundaries of First District

(a) Beginning at the Delaware River in the center line of Delaware Street in the City of New Castle; thence by the said center line of Delaware Street until it intersects the center line of Fourth Street; thence by the said center line of Fourth Street until it intersects the center line of the street or road leading from New Castle to Wilmington, thence by the said center line of said street or road to a point where said road or highway reaches the limits of New Castle Hundred near Eden Park; thence by the boundary of said Hundred to the Delaware River and thence by said river to the place of beginning, shall be the First or Eastern District and the elections in said District shall be held in the Old Court House in the City of New Castle.

Boundaries of Second District

(b) Beginning at the point of intersection of Fourth Street and Delaware Street in the City of New Castle; thence by the said centre line of Fourth Street until it

## OF THE GENERAL ELECTION.

intersects the center line of the street or road leading from New Castle to Wilmington; thence by the said center line of said street or road to a point where said road or highway reaches the limits of New Castle Hundred, near Eden Park; thence Westerly by the boundary of said Hundred to a point in the center line of the Christiana River; thence by the center line of said Christiana River to a point in the center of the draw-bridge over said River at the town of Newport; thence from the center of said River by the center line of the road leading from Newport to New Castle until said road intersects the road known as the New Castle and Frenchtown road (or Delaware Street extended); thence by the said road or street to the place of beginning, shall be known as the Second or Northern District and the elections in said District shall be held in the shop of Charles H. Clewell in the City of New Castle.

(c) Beginning at a point in the center of the draw-bridge over the Christiana River at Newport; thence from the center of said River by the center line of the road leading from Newport to New Castle until the said road intersects the road known as the New Castle and Frenchtown road (or Delaware Street extended); thence by said road or street to the center line of the right of way of the Wilmington and New Castle cut-off of the Delaware Railroad; thence by the said center line of the right of way of the cut-off of the Delaware Railroad until said cut-off intersects the right of way of the main line of the Delaware Railroad; thence by said center line of said Delaware Railroad until it intersects the center line of the public road at State Road Station; thence by the center line of said public road to a point dividing lands of James W. Denning from lands late of John Johns; thence by said dividing line to a point in the center of the right of way of the Delaware Railroad; thence by center of said right of way to the point of intersection

Boundaries of  
Third District

## OF THE GENERAL ELECTION.

of the road (extended) that leads from the New Castle and Frenchtown road to the road that leads from New Castle to Christiana; and thence by the center line of last named road and by the center line of the road leading from New Castle to Christiana, to a point in the center of the draw-bridge over the Christiana River at Christiana; thence by the center line of said Christiana River to the place of beginning, shall be the Third or Western District and the elections in said District shall be held in the store of James J. Ryan in the City of New Castle.

Boundaries of  
Fourth  
District

(d) Beginning at a point in the center line of the right of way of the cut-off of the Delaware Railroad where it intersects Delaware Street (extended) in the City of New Castle; thence by the center line of said Delaware Street to the Delaware River; thence by the said Delaware River to a point dividing lands of Florence B. Hilles from lands of Mark M. Cleaver; thence by said dividing line to the center line of the public road leading from New Castle to Delaware City; thence by the center line of said public road to a point of intersection with the road known as Federal School Lane; thence by the center line of said road to the center line of the road leading from Wilmington to Red Lion; thence by the center line of said road to a point dividing lands of James W. Denning from lands late of John Johns; thence by said dividing line to a point in the center line of the right of way of the Delaware Railroad; thence by said center line of said right of way to a point of intersection with the right of way of the Wilmington and New Castle cut-off of the Delaware Railroad; thence by the center line of said cut-off right of way to the place of beginning, shall be the Fourth or Southern District and the elections in said district shall be held in the building of the Good Will Fire Company in the City of New Castle.

Boundaries of  
Fifth District

(e) Beginning at a point on the Delaware River divid-

## OF THE GENERAL ELECTION.

ing lands of Florence B. Hilles from lands of Mark M. Cleaver; thence by said dividing line to the center line of the public road leading from New Castle to Delaware City; thence by the center line of said public road to a point of intersection with the road known as Federal School Lane; thence by the center line of said road to the center line of the road leading from Wilmington to Red Lion; thence by the center line of said road to a point dividing lands of James W. Denning from lands late of John Johns; thence by said line to the center line of the right of way of the Delaware Railroad; thence by the center of said right of way to a point of intersection of the road (extended) that leads from the New Castle and Frenchtown road to the road that leads from New Castle to Christiana; thence by the center line of said road and by the center line of the road leading from New Castle to Christiana to a point in the center of the drawbridge over the Christiana River at Christiana; thence by the center line of said River and other lines dividing New Castle Hundred from White Clay Creek, Pencader and Red Lion Hundreds from New Castle Hundred to the Delaware River and thence by said River to the place of beginning, shall be the Fifth or Southwestern District and the elections in said District shall be held in the village of Bear at such place as shall be procured by the Inspector or other officer holding the election in said district.

Section 2. It shall be the duty of the Governor to appoint an Inspector of Election for the said Fifth Election District created by this act, to hold the general election next ensuing after the passage of this act, (but any special election held before the next general election shall be held in the four election districts existing prior to the passage of this Act) and at the next ensuing general election and every two years thereafter an Inspector for said District shall be elected by the electors of the said

Governor to  
appoint an  
Inspector of  
Elections to  
hold next gen-  
eral election  
after passage  
of this Act for  
Fifth District

## District.

Inspectors for  
First, Second,  
Third and  
Fourth dis-  
tricts to act

Section 3. The persons who were elected at the general election held in November, A. D. 1912, as Inspectors in the First, Second, Third and Fourth election districts shall continue in said office in the First, Second, Third and Fourth Districts until their successors are elected at the general election to be held in A. D. 1914.

*Note:* This bill became a law on March 6, 1913, without the approval of the Governor and in accordance with Sec. 188, Article III of the Constitution of Delaware.

THOMAS W. MILLER, Secretary of State.



# TITLE FIFTH.

## Of Certain Public Officers.

### CHAPTER 69.

#### GENERAL PROVISIONS.

**AN ACT** authorizing the appointment of a Joint Committee of two on the part of the Senate and three on the part of the House to settle with certain State officers and institutions, at a meeting to be held on the third Tuesday of January, 1914, authorizing the employment of expert assistance, and the payment of the expenses of said session of said Committee.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That a joint committee of five be appointed on the part of the General Assembly to consist of the following: Two members of the Senate and three members of the House of Representatives, who shall be appointed respectively by the President of the Senate and the Speaker of the House of Representatives. Said committee shall meet at Dover on the third Tuesday of January, 1914.

Joint committee to be appointed

To consist of three members of the House and two members of the Senate

Section 2. That it shall be the duty of the said Committee to settle all accounts of the State Treasurer, to settle with the Librarian, to receive the reports of the Auditor of Accounts for the current year, to receive the report and settle all accounts of the Insurance Commissioner, audit the accounts of the Adjutant General, the

To settle and audit accounts of State officers

## GENERAL PROVISIONS.

Oyster Revenue Collector, the State Board of Agriculture, the State Board of Health, the Board of Trustees of the Delaware State Hospital at Farnhurst, and to settle with the Clerk of the Senate and the Clerk of the House of Representatives for the printing of the Journals of the Houses of the Legislature for the present session and making indices thereto, and to audit the account of the Secretary of State for State Taxes and other moneys received by him for the State.

To publish  
statement of  
settlement

Section 3. That it shall be the duty of the said Committee to cause a statement of their settlement with the said officers under their hands, or a majority of them to be published in two newspapers printed in the State for the space of one month from the time of effecting the same.

To employ  
assistance

Section 4. That said Committee be and is hereby authorized to employ expert assistance in making said settlements.

Compensation  
of Committee

Section 5. That the said Committee shall receive the same compensation as members of the General Assembly, to be paid by the State Treasurer, upon orders drawn by the Chairman of the said Committee out of any money in the hands of the said State Treasurer not otherwise appropriated, and the Chairman of said Committee shall have authority to draw orders for the incidental expenses arising out of the session of said Committee and for the appropriations or allowances made by the said Committee to be paid in like manner; provided, however, that the amount to be expended by said Committee shall not exceed the sum of Fifteen Hundred Dollars.

Appropriation

Section 6. That the sum of Fifteen Hundred Dollars is hereby expressly appropriated to said Committee to

**GENERAL PROVISIONS.**

be used by it in defraying the expenses of the session of said Committee and the State Treasurer is hereby directed to pay said sum of money, upon warrant of the Chairman of said Committee, out of any money in the Treasury not heretofore appropriated to any other purpose.

Approved March 12, A. D. 1913.

## GENERAL PROVISIONS.

## CHAPTER 70.

## GENERAL PROVISIONS.

**AN ACT to repeal an Act entitled, "An Act providing for the appointment of an Auditor for the purpose of inspecting and auditing the accounts of certain County officers of Sussex County", being Chapter 50, Volume 25, Laws of Delaware.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Chap. 50, Vol.  
25, repealed

Section 1. That Chapter 50, Volume 25, Laws of Delaware, entitled "An Act providing for the appointment of an Auditor for the purpose of inspecting and auditing the accounts of certain County officers of Sussex County", is hereby repealed and the office of Auditor in and for Sussex County is hereby abolished.

Approved March 17, A. D. 1913.

OF SALARIES

CHAPTER 71.

OF SALARIES.

**AN ACT in Relation to Deputies and Clerks in the Offices of certain State Officers.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That after the expiration of the terms of the present State Treasurer, State Auditor and Insurance Commissioner there shall be no salary or compensation allowed from the State Treasury for any Deputy, Clerk or other helper in the offices of any of the above stated officers, and the position of Deputy which may now exist in any of said offices is hereby abolished, to take effect on the expiration of the principals now in office.

Deputies and clerks for certain State officers abolished

Approved April 1, A. D. 1913.

## OF SALARIES.

## CHAPTER 72.

## OF SALARIES.

**AN ACT to amend An Act entitled, "An Act to Provide for a Stenographer for certain Courts of the State", approved June 16, A. D. 1898, as amended by Chapter 59, of Volume 28, Laws of Delaware, approved March 21, A. D. 1905, by making further provision for Typewriting and Stenographic work to be done in connection with the business of the said Courts and procuring supplies therefor.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Chap. 115,  
Vol. 21  
amended

Section 1. That the Act entitled, "An Act to Provide for a Stenographer for certain courts of the State", being Chapter 115, Volume 21, Page 259, Laws of Delaware, approved June 16, A. D. 1898, be and the same is hereby amended by striking out all of Section 2, after the word "Treasurer" in line seventeen thereof, and inserting in lieu of the part so stricken out, the following:

Assistant  
Court Stenog-  
raphers to be  
employed when  
required

Court Stenog-  
rapher to des-  
ignate with  
approval of  
the Court

Assistant to be  
sworn as other  
Court officers

"When two of any of the lower courts mentioned in this Act shall be in session at the same time, or whenever the Court Stenographer shall in the opinion of any of said courts, require assistance in the Typewriting or Stenographic work necessary to be done in connection with the business of said courts, the Court Stenographer may designate, with the approval of the court, one or more suitable and competent typewriters or stenographers, or both, who shall be sworn as other court officers are sworn, and whose acts shall have the same force and effect as if done by the Official Court Stenographer. The said typewriters or stenographers so designated shall receive for his or their work such compensation as the

## OF SALARIES.

court shall consider proper, provided that it shall not exceed the sum of One Thousand Four Hundred Dollars (\$1400.00) for any one year, and provided further that such sum shall cover also the supplies that may be necessary to be used in connection with the typewriting and stenographic work done by said courts. All payments from this appropriation to be made by the State Treasurer upon the presentation of a bill bearing on its face the approval in writing of some one of the judges of said Courts.

Approved March 26, A. D. 1913.

## OF SALARIES.

## CHAPTER 73.

## OF SALARIES.

AN ACT to amend Chapter 60, of Volume 23, Laws of Delaware, entitled, "An Act requiring and enforcing payment to the County Treasurer of all fees of certain offices, regulating accounts of fees and audits thereof and fixing the compensation of such County officers and of their Deputies and clerks", approved April 6, 1905, as the same has been amended by abolishing the salaries therein provided for certain Deputies.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Chap. 60, Vol.  
23, amended

Section 1. That Chapter 60, of Volume 23, Laws of Delaware, entitled, "An Act requiring and enforcing payment to the County Treasurer of all fees of certain offices, regulating accounts of fees and audits thereof and fixing the compensation of such County officers and of their Deputies and clerks," be and the same is hereby amended by striking out the third paragraph of Section 8, of said Act, reading as follows:

Third para-  
graph of Sec-  
tion 8, Chap.  
60, Vol. 23  
repealed

"In Kent and in Sussex County each of said officers, except the Coroner enumerated in this Section, may select and employ one Deputy at a salary of Six Hundred Dollars"; Also by striking out all of Section 9 of said Act and inserting in lieu thereof the following:

Section 9,  
Chap. 60, Vol.  
23 amended

Sheriffs of  
Kent and Sus-  
sex counties  
may appoint  
a deputy

Kent County  
Recorder of  
Deeds may ap-  
point a deputy

"Section 9: That in Kent County and in Sussex County the Sheriff may appoint a Deputy at a salary of Six Hundred Dollars per annum and in Kent County the Recorder of Deeds may appoint a Deputy at a salary of Six Hundred Dollars, which shall be paid to such Deputies by warrants drawn by the Levy Court of the respective



## OF SALARIES.

Counties on the County Treasurer in equal monthly installments, upon the certificate in writing of the officers employing them that they have faithfully performed their duties during the preceding month. The other officers enumerated in Section 7 may each appoint a Deputy who shall have such powers and be charged with such duties as shall be enumerated in a Certificate of Appointment to be issued to him by the officer so appointing, which certificate shall be immediately recorded in the Recorder's Office of the County in which such office is located; except that in case of the Register of Wills such Deputy shall have the powers and perform the duties now prescribed by law. Such Deputies except the Deputies of the Sheriffs of Kent and Sussex Counties and the Deputy of the Recorder of Deeds of Kent County shall receive no salary from the County."

Payment of  
salary

Other county  
officers may  
appoint a deputy but he shall  
draw no pay  
from county

Section 2. That nothing herein contained shall be construed as affecting the salaries of the Deputies of the said officers now in office.

Approved March 26, A. D. 1913.

## OF SALARIES.

## CHAPTER 74.

## OF SALARIES.

AN ACT to Amend an Act entitled, "An Act to Increase the Salary of the Adjutant General," being Chapter 81, Volume 24, Laws of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Chap. 81, Vol.  
24 amended

Section 1. That Chapter 81, Volume 24, Laws of Delaware, be, and the same is, hereby amended by striking out the words, "Six Hundred Dollars", in the third and fourth line of Section 1 of said Act and inserting in lieu thereof the words, "Twelve Hundred Dollars."

Approved March 7, A. D. 1913.

OF SALARIES.

CHAPTER 75.

OF SALARIES.

**AN ACT in Relation to the Compensation of the Bailiffs of the Courts of the State, holding such offices in New Castle County.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That on and after the first day of April, A. D. 1913, the bailiffs of the Courts of the State of Delaware, holding such offices in New Castle County shall each receive a salary of Four Hundred and Twenty Dollars per year, payable monthly, in the same manner as the salaries of other County officers are paid, in lieu of the per diem payments now allowed them.

Salary of bailiffs in New Castle County

Approved March 19, A. D. 1913.

## OF THE SECRETARY OF STATE.

## CHAPTER 76.

## OF THE SECRETARY OF STATE.

AN ACT providing for a Contingent Fund for the Secretary of State.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Contingent  
Fund for Sec-  
retary of State

1. That the sum of Two Thousand Dollars, or so much thereof as may be needed, be and the same is hereby appropriated annually, out of any money in the Treasury not otherwise appropriated, as a contingent fund for use of the office of the Secretary of State.

2. That all Acts or parts of Acts inconsistent with this Act be and the same are hereby repealed.

Approved March 10, A. D. 1913.

OF THE SECRETARY OF STATE.

CHAPTER 77.

OF THE SECRETARY OF STATE.

**AN ACT to Authorize the Secretary of State to furnish Certified Copies of Certain Acts to Public Officers.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That upon request of any State or County officer, the Secretary of State shall furnish to such officer, without cost, a certified copy of any act of the General Assembly pertaining to the duties of the official making such request.

Secretary of  
State to fur-  
nish certified  
copies of Acts

Approved March 11, A. D. 1913.

## OF THE STATE TREASURER.

## CHAPTER 78.

## OF THE STATE TREASURER.

**AN ACT improving the System of Vouchers covering Expenditures made by the State Treasurer.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

State Treas-  
urer to pay  
moneys as  
hereinafter  
provided

Section 1. That the State Treasurer is hereby directed not to pay any moneys out of the General Fund of the State of Delaware except in the manner, and upon the presentation of bills, warrants or vouchers, as hereinafter provided.

When money  
is due for work  
done for State

Section 2. That when any money shall be due any person, firm or corporation, for the furnishing of goods, wares or merchandise, printed matter, postage, or anything necessary for the proper conduction of the duties of the several State Departments, or for the doing of any work or labor, upon the contract or order of any State Officer, department, board, commission or institution, the bill or bills, statement or statements for same shall be presented in duplicate by the person, firm or corporation to whom the money is due, to the State officer, department, board, commission or institution to which the goods have been furnished or for which the work has been done. If the bill or statement is correct, the State officer, or the member or members of the board, commission or department who has or have been authorized by said board, department or commission to do so, shall approve the said bill or statement, and duplicate of same, for payment and shall also state on the bill or statement, and duplicate of same, the appropriation against which

Method of ap-  
proving bills  
by proper  
officers

## OF THE STATE TREASURER.

the expenditure is to be charged. The bill or statement, and duplicate of same, shall then be sent to the Auditor of Accounts, who shall, if he deems same to be correct and a proper expenditure, approve the bill or statement, and duplicate of same, and send both the original and duplicate to the State Treasurer for payment.

Bill and duplicate to State Auditor and then to State Treasurer

Whenever a bill or statement is for goods or printing furnished under contract awarded by the Board of State Supplies, such bill or statement, and duplicate of same shall bear the approval of said Board, or of the member or members of said Board authorized to approve such bills or statements, before being presented to the Auditor of Accounts.

Goods or printing under contract to be approved by Board of State Supplies

Upon the payment of the amount due by the State Treasurer, he shall write or stamp upon the face of the bill or statement, and duplicate of same, the number of the check drawn in payment thereof, and all checks shall be drawn in consecutive numerical order. The original bill or statement shall be safely filed by the State Treasurer, pending the annual audit of his accounts by the Auditor of Accounts and the Legislative Auditing Committee. The duplicate of the bill or statement shall be returned to the Auditor of Accounts and shall be safely filed by him in consecutive order of the numbers of the checks of the Treasury Department. The Auditor of Accounts shall also enter the amount of the expenditure, the date of payment, to whom paid, the appropriation against which the same has been charged and such other information or data he may deem desirable, in a suitable book to be procured for that purpose, and this record shall be kept in such a way as to be clear and easily checked up.

Stamp number of check drawn on bill and duplicate

Original bill to State Treasurer

Duplicate to State Auditor

Whenever possible, without causing unnecessary delay, any bill or bills, statement or statements, and duplicate of same, shall be presented to the State Treasurer.

Form of bill when presented

## OF THE STATE TREASURER.

Personal ex-  
pense or mile-  
age of State  
officers

cates of same, shall be upon stationery upon which is printed, engraved or embossed the name or title of the person, firm or corporation rendering same. All bills for personal expenses or mileage used, or to be used, by or for any State officer, or member of any State Board, commission, department or institution, shall be a statement upon the face thereof, signed by the officer presenting same, to the effect that such expense was or will be incurred, or mileage was used or will be used, only in the proper execution of his, her or their official duties.

The provisions of this Section shall apply only to expenditures that are not made in accordance with other provisions of the following Sections of this Act.

Delaware State  
Hospital and  
Delaware State  
Tuberculosis  
Commission  
excepted

Section 3. The appropriation for Delaware State Hospital at Farnhurst and the Delaware State Tuberculosis Commission shall be expended in conformity with the custom now prevailing and the system now in vogue regarding the auditing, approving and payment of these bills. Whenever it shall be deemed advantageous by the Auditor of Accounts, the bills of other State Boards, departments, commissions or institutions shall be audited, approved and paid in accordance with the system now used in paying the bills of the Delaware State Hospital at Farnhurst or the Delaware State Tuberculosis Commission.

Payment of  
salaries or  
where state-  
ments are not  
renderable

Section 4. For the payment of salaries, pensions or any other appropriations for the expending of which bills or statements are not renderable, required or necessary, the Auditor of Accounts shall present to the State Treasurer a voucher or warrant, in duplicate, which shall be signed by him, directing and authorizing the payment of the amounts due and payable. This voucher or warrant shall be in whatever form desired by the Auditor of Accounts and shall be numbered and filed in the same manner as hereinbefore provided for bills and statements.



## OF THE STATE TREASURER.

Section 5. The Auditor of Accounts is hereby authorized to make such other requirements that will tend to safeguard or systematize the expenditures of the State's money, but he shall make no requirement or requirements that will unnecessarily interfere with the prompt payment of the amounts due, and under no circumstances shall he cause the payment of salaries to be delayed beyond the date upon which the same are due, nor shall he have the authority to countersign the checks of the Treasury Department. The approval of any bill by the Auditor of Accounts, or the presentation to the State Treasurer or any voucher or warrant signed by him, shall be and is hereby considered full authority for the payment of same by the State Treasurer.

Auditor of Accounts to make such other requirements as may safeguard expenditures

Delay in salaries prohibited

The Auditor of Accounts is hereby required and authorized, from time to time, to ascertain that the State Treasurer has drawn no checks other than those that have been accounted for in the manner herein provided.

Auditor of Accounts to investigate checks drawn from time to time

Section 6. If a check of the Treasury Department is spoiled and becomes useless, a note of same shall be made on the stub thereof, and the check shall be cancelled and handed to the Auditor of Accounts, who shall file same in with the bills and vouchers hereinbefore provided for.

Spoiled or useless checks drawn on State Treasury

Section 7. No bill or statement, or duplicate thereof, shall be considered as having been properly approved unless the same shall bear the genuine signature of the person or persons authorized to make such approval, on the face thereof.

Genuine signature of official required

Section 8. None of the provisions of this Act shall apply to the appropriation for the National Guard of Delaware, except that when such appropriation or appropriations become due and payable, the Auditor of Accounts

National Guard excepted with proviso

## OF THE STATE TREASURER.

shall draw a voucher, or vouchers, for same, as provided for in Section 4 of this Act, and the provisions of prior Acts of the General Assembly now in force governing the expenditure and audit of these appropriations shall continue to be in force.

Purchasing of  
Text Books for  
Free Public  
Schools

Section 9. The provisions of this Act shall not apply to bills rendered the State Treasurer for Text Books purchased for the Free Public Schools of this State, except that, when the State Treasurer desires to make payment for same, he shall advise the Auditor of Accounts the amounts to be paid to the several persons, firms or corporations, and the Auditor of Accounts shall draw a voucher, or vouchers, for these amounts, as provided for in Section 4 of this Act. The account of the purchase of these Text Books shall be kept by the State Treasurer and audited in the same manner as at present.

Governor to  
act if Auditor  
of Accounts  
fails in his duty

Section 10. If, for any reason, the Auditor of Accounts refuses, fails or neglects to perform the duties imposed upon him by the provisions of this Act, the State Treasurer, after a reasonable length of time, shall present the bills on hand, due and payable, to the Governor for approval or order for payment and the approval or order for payment by the Governor, in such case, shall have the full force and effect of the approval of the Auditor of Accounts.

Into effect  
May 1, 1913

Section 11. The provisions of this Act shall go into effect on the first day of May, A. D. 1913, and all bills paid on or after this date shall be approved and paid in accordance with the foregoing provisions.

Section 12. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Approved March 19, A. D. 1913.

OF THE ATTORNEY GENERAL.

CHAPTER 79.

OF THE ATTORNEY GENERAL.

**AN ACT to further amend Chapter 76, Volume 22, Laws of Delaware, entitled "An Act to Provide a Fund to be used by the Attorney General to pay the necessary expenses of criminal prosecutions", by increasing the amount annually appropriated.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Chap. 76, Vol.  
22, amended

Section 1. That Section 2 of Chapter 76, Volume 22, Laws of Delaware, entitled "An Act to provide a fund to be used by the Attorney General to pay the necessary expenses of criminal prosecutions", as the same has been amended by Chapter 53, Volume 25, Laws of Delaware, be hereby further amended by striking out the words "fifteen hundred" where they occur in the first line of said section 2, and inserting in lieu thereof the words "twenty-five hundred".

Approved March 12, A. D. 1913.

## OF THE ATTORNEY GENERAL.

## CHAPTER 80.

## OF THE ATTORNEY GENERAL.

**AN ACT Authorizing the Attorney-General to appoint one or more Deputies for the purpose of Collecting Taxes owed by proclaimed Corporations.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Attorney-General to appoint Special Deputy-Attorneys-General to collect taxes due by proclaimed corporations

Section 1. That the Attorney-General of this State may appoint one or more Special Deputy-Attorneys-General for the purpose of enforcing the provisions of and collecting the taxes due by proclaimed corporations under an Act entitled, "An Act to raise revenue for the State by taxing certain corporations", approved March tenth, 1899, and the amendments thereto. The Special Deputy or Deputies appointed by the Attorney-General under this Act shall have all the power and authority which the Attorney-General himself has under the provisions of the aforesaid law.

Compensation

Section 2. The appointees of said Attorney-General shall receive as compensation for their services thirty-three and one-third per centum of taxes collected.

Approved March 19, A. D. 1913.

OF CORONERS.

CHAPTER 81.

OF CORONERS.

**AN ACT limiting the Size of a Coroner's Jury.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That from and after the passage of this Act <sup>Seven men to constitute a Coroner's Jury</sup> seven men shall constitute a Coroner's Jury in any County of this State, and the Coroner in no case shall summon more than seven for this purpose. The pay for each of the seven Jurors shall be the same as that now allowed for Coroner's Jurors.

Approved March 12, A. D. 1913.

## OF CONSTABLES.

## CHAPTER 82.

## OF CONSTABLES.

**AN ACT to amend Chapter 59, Volume 25, Laws of Delaware, entitled "An Act to amend Chapter 66, Volume 23, Laws of Delaware, Providing for an Additional Constable in New Castle County".**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

**Chap. 59, Vol.  
25 amended**

Section 1. That Section 1 of Chapter 59, Volume 25, Laws of Delaware, be and the same is hereby amended by striking out the whole of said Section and inserting in lieu thereof, the following:—

**Governor to  
appoint an ad-  
ditional Con-  
stable in New  
Castle County**

“Section 1. That the Governor be and he is hereby authorized to appoint an additional Constable in New Castle County, who shall be appointed from New Castle County, State of Delaware; and the office of Constable hereby created shall continue for four years, and the appointment thereto shall be made and vacancies filled by the Governor for and during the said term of four years.”

Section 2. That said Chapter 59, Volume 25, Laws of Delaware, be and the same is hereby further amended by striking out all of Section 3 thereof and inserting in lieu thereof the following:—

“Section 3. That this Act shall become operative on the first day of April, A. D. 1913.”

Approved March 12, A. D. 1913.

OF RECORDER OF DEEDS.

CHAPTER 83.

OF RECORDER OF DEEDS.

**AN ACT to Authorize the Recorder of Kent County to employ an additional Clerk.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That from and after the passage of this Act the Levy Court of Kent County is hereby authorized and empowered to employ an additional Clerk for the Recorder of Kent County at such times as the Levy Court shall deem it necessary, at a salary not to exceed Fifty Dollars per month. This Clerk is in addition to the Deputy provided for by Chapter 60, Volume 23, Laws of Delaware.

Levy Court to  
supply an ad-  
ditional Clerk  
for Recorder of  
Kent County

Approved March 10, A. D. 1913.

## OF STATE BOARD OF HEALTH.

## CHAPTER 84.

## OF STATE BOARD OF HEALTH.

AN ACT to provide for a Uniform System of Registration of Marriages in the State of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

State Board of Health to have charge of the registration of marriages

To prepare necessary methods, forms, blanks &c.

Authorized to promulgate additional forms &c.

Section 1. That the State Board of Health of Delaware shall have charge of the registration of Marriages; prepare the necessary methods, forms and blanks for obtaining and preserving such records and to insure the faithful registration of the same in the hundreds, cities, counties (with the Recorder of Deeds of each County), and in the central bureau of Vital Statistics of the State. The said Board shall be charged with the uniform and thorough enforcement of the law throughout the State, and shall from time to time promulgate any additional forms and amendments that may be necessary for this purpose.

Secretary of State Board of Health to be State Registrar of Vital Statistics

Requirements of State Registrar

Salary

Section 2. That the Secretary of the State Board of Health shall be the State Registrar of Vital Statistics, and shall have general supervision over the central bureau of Vital Statistics, which is hereby authorized to be established by said Board, and which shall be under the immediate direction of the said State Registrar, and who shall be a medical practitioner of not less than five years' practice in his profession, and competent vital statistician. The State Registrar of Vital Statistics shall receive an annual salary to be fixed by the State Board of Health, payable quarterly. The State Board of Health shall provide for such clerical and other assistants as



## OF STATE BOARD OF HEALTH.

may be necessary for the purpose of this act, who shall serve during the pleasure of the Board, and may fix the compensation of persons thus employed within the amount appropriated therefor by the Legislature. Suitable equipment shall be provided for the Bureau of Vital Statistics, which shall be properly equipped with filing cases for the permanent and safe preservation of all official records made and returned under this Act.

Board of Health to provide assistance to carry act into effect

Section 3. That for the purposes of this Act the State shall be divided into Vital Statistic Registration districts by the State Board of Health; provided, however, that the City of Wilmington shall be one of the Vital Statistic Registration districts of the State.

State to be districted

City of Wilmington

Section 4. The State Board of Health shall appoint a Local Registrar of Vital Statistics for each Vital Statistics Registration district in the State and the State Registrar shall approve of the deputy to act in case of the illness or absence of the Local Registrar; provided, however, that the State Board of Health shall appoint the Registrar of Births, Deaths and Marriages of the City of Wilmington the Local Registrar of the Vital Statistics Registration district of Wilmington as provided in Section 3.

Local Registrars to be appointed

Registrar for City of Wilmington

The term of office of Local Registrar appointed by said Board and their deputies shall be for two years, beginning with the first day of May, 1913 and shall continue in office as such until removed or the election of a successor; provided, however, that the term of office of the Local Registrar of the Vital Statistic Registration district of Wilmington shall commence and end with the term of office of the Registrar of Births, Deaths and Marriages of the City of Wilmington.

Term of office of Registrars

City of Wilmington

## OF STATE BOARD OF HEALTH.

Failure of Registrars to carry out their duties

Any Local Registrar appointed by said Board or his deputy, who fails or neglects to discharge efficiently the duties of his office as laid down in this act, or who fails to comply with the Rules of the State Board of Health, or who fails to make prompt and complete returns of marriages as required hereby, shall be forthwith removed from his office by the State Board of Health, and his successor appointed, in addition to any other penalties that may be imposed for failure or neglect to perform his duty, under this act.

Appointment of Deputies

Each Local Registrar appointed by said Board shall, immediately upon his acceptance of appointment as such, appoint a deputy, whose duty it shall be to act in his stead in case of absence, illness or disability, said deputy Registrar shall in writing accept such appointment, and shall be subject to all laws, rules and regulations governing the action of Local Registrars. And when it may appear necessary for the convenience of the people in any district, the Local Registrar is hereby authorized, with the approval of the State Registrar, to appoint one or more suitable persons to act as Local Sub-registrar, who shall be authorized to receive Marriage Certificates in and for such portions of the district as may be designated; and each Local Sub-registrar shall note, over his signature, the date on which each certificate was filed, and shall forward all certificates to the Local Registrar of the district within ten days after receiving the same, and in all cases before the third day of the following month; provided, that all sub-registrars shall be subject to the supervisions and control of the State Registrar, and may be by him removed for neglect or failure to perform the rules and regulations of the State Board of Health, and the State Registrar, and they shall be liable to the same penalties for neglect of duties as the Local Registrar.

Local Sub-registrars

Removal of Sub-registrars

Certificate of Marriage

Every certificate of Marriage shall be written legibly,

## OF STATE BOARD OF HEALTH.

in unfading black ink, and no certificate shall be held to be complete and correct that does not supply all of the items of information called for in this act, or satisfactorily account for their omission.

Section 5. That the State Registrar shall prepare, print and supply to all registrars all blanks and forms used in registering, recording and preserving the returns, or in otherwise carrying out the purposes of this act; and shall prepare and issue such detailed instructions as may be required to secure the uniform observance of its provisions and the maintenance of a perfect system of registration. And no other blanks shall be used than those supplied by the State Registrar. He shall carefully examine the certificates received from the Local Registrars, and if any such are incomplete and unsatisfactory he shall require such further information to be furnished as may be necessary to make the record complete and satisfactory. He shall further arrange, bind and permanently preserve the certificates in a systematic manner.

State Registrar to prepare and supply all blanks and forms

Section 6. Each Local Registrar shall be required to make three correct copies of each marriage certificate received that is properly and completely made out. One copy of which shall be kept by the Local Registrar making the same, one copy shall be forwarded to the State Registrar of the State Board of Health and one copy shall be forwarded to the Recorder of Deeds of the County in which the Vital Statistic Registration district of said Local Registrar is located. For each copy of a marriage certificate properly and completely made out and forwarded to the said Recorder of Deeds, the Local Registrar shall be paid the sum of twenty-five cents by the Treasurer of the County in which the Vital Statistic Registration district of said Local Registrar is located; provided, however, that the Board of Health of the City

Local Registrars to make three copies of marriage certificates

Disposition of copies

Twenty-five cents to be paid local Registrars for each copy of a marriage certificate by County Treasurer

## OF STATE BOARD OF HEALTH.

Board of  
Health of City  
of Wilmington

Compensation  
of Deputy  
Registrars and  
Sub-registrars

of Wilmington or the proper officer thereof shall be paid the sum of twenty-five cents for each copy of a marriage certificate properly and completely made out and forwarded to the Recorder of Deeds of New Castle County by the Registrar of Births, Deaths and Marriages of the City of Wilmington. The Deputy Registrar and the Sub-Registrar shall be paid the sum of ten cents for each certificate received and returned by them as provided in Section 4 of this Act and the said sum of ten cents shall be deducted from the amount payable to the Local Registrar for forwarding the copy of the marriage certificate to the Recorder of Deeds. All sums payable under the provisions of this Section shall be paid quarterly by the Treasurers of the several Counties.

Loose-leaf  
Binders for  
Recorder of  
Deeds

Section 7. The Recorder of Deeds of each county in Delaware shall be furnished with Loose-leaf Binders for Marriages, into which he shall place in proper order the returns of Marriages immediately on the receipt of same from the different Local Registrars of the county of which he is the Recorder of Deeds, said returns shall be made quarterly by the said Local Registrars.

The Binders shall be plainly marked

“Register of Marriages”

To be part  
of official rec-  
ords

Registers to be  
accessible

and shall be part of his official records. All said registers shall at all times be accessible to physicians, clergymen and lawyers without charge.

Each Local Registrar shall be furnished with Loose-leaf Binders similar to those furnished the Recorder of Deeds, and shall file his quarterly copy in same manner as the Recorder of Deeds. The State Registrar shall be furnished with Loose-leaf Binders, and shall file the quarterly copies in same manner as the Recorder of Deeds.

## OF STATE BOARD OF HEALTH.

Section 8. That the State Registrar or Recorder of Deeds shall, upon request, furnish any applicant a certified copy of the record of marriage registered under provisions of this act, for the making and certification of which he shall be entitled to a fee of fifty cents, to be paid by the applicant. And the record or any such copy of the record of a marriage, when properly certified by the State Registrar or County Recorder of Deeds to be a true copy thereof, shall be prima facie evidence in all courts and places of the facts therein stated. For any search of the files and records, when no certified copy is made, the State Registrar or Recorder of Deeds shall be entitled to a fee of fifty cents for each hour or fractional part of an hour of time of search to be paid by the applicant.

Certified copy  
of marriage  
record

Fee for same

Searching of  
files and  
records

Section 9. And any Local Registrar or Deputy Registrar, who shall neglect or fail to enforce the provisions of this act in his district, or shall neglect or refuse to perform any of the duties imposed upon him by this act or by the instructions and directions of the State Registrar, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than ten dollars nor more than one hundred dollars.

Penalty for  
neglect of duty  
of Sub-regis-  
trars, &c.

And any person who shall wilfully alter any certificate of marriage, or the copy of any certificate of marriage, on file in the office of the Local Registrar, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than Ten Dollars nor more than One Hundred Dollars, or be imprisoned in the county jail not exceeding sixty days, or suffer both fine and imprisonment, in the discretion of the court.

Alteration of  
certificate of  
marriage and  
penalty

And any other person or persons who shall violate any of the provisions of this act, or who shall wilfully neglect or refuse to perform any duties imposed upon

Penalty for  
violation of  
this act

## OF INSURANCE COMMISSIONER.

## CHAPTER 90.

## OF INSURANCE COMMISSIONER.

**AN ACT regulating the use of the word "mutual" by Fire Insurance Corporations or Associations.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Use of the  
word "Mut-  
ual" regulated

Section 1. Every domestic mutual fire insurance corporation or association shall embody the word "mutual" in its title, which shall appear on the first page of every policy and renewal receipt. Every fire insurance corporation or association doing business as a cash stock corporation or association shall upon the face of its policy in some suitable manner state that such policy is a policy in a stock corporation or association.

Approved March 26, A. D. 1913.

OF INSURANCE COMMISSIONER.

CHAPTER 91.

OF INSURANCE COMMISSIONER.

**AN ACT in relation to the use of applications for Policies of Insurance in suits brought upon said policies.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. Each Life Insurance Company, Benefit Order, or Association doing a Life Insurance Business within the State of Delaware, shall deliver with, incorporate in, attach to, or photograph upon each policy of Life Insurance issued by it after the passage and approval of this Act, a copy of any application for said policy, made by the insured, so that the entire Insurance Contract may appear in, or with said policy, in default of which, no defense shall be allowed to said policy on account of, or by reason of anything contained in, or omitted from such application, and not contained in the policy issued thereon.

Insurance contract to contain a copy or photograph of any application for policy

Section 2. No application for a policy of Life Insurance heretofore made to any Life Insurance Company, Benefit Order or Association doing a Life Insurance Business within the State of Delaware, shall be admitted in evidence or used in any other manner, in any action at law or suit upon said policy, unless said application, or a copy thereof, shall have been delivered with, incorporated in, attached to, or photographed upon said policy before or at the time when the same was first delivered to the Insured or to his or her beneficiary.

No application shall be admitted in evidence unless Section 1 has been complied with

It is hereby declared to be the intent and meaning of this section, that the same shall effect and have to do

Intent and meaning of this section

**OF INSURANCE COMMISSIONER.**

only with the remedy and procedure in the enforcing of claims for Insurance upon life insurance policies.

Approved March 26, A. D. 1913.



OF STATE BOARD OF AGRICULTURE.

CHAPTER 92.

OF STATE BOARD OF AGRICULTURE.

AN ACT to amend Chapter 216, Volume 21, Laws of Delaware, entitled, "An Act to provide and establish a State Board of Agriculture and to prescribe its powers and duties" as amended by Chapter 382, Volume 22, Laws of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That Section 2 of Chapter 216, Volume 21, Laws of Delaware, as amended, be and the same is hereby amended by striking out the word "three" in line four of Section 2 and inserting in lieu thereof the word "five". Chap. 216, Vol. 21 amended

Approved March 10, A. D. 1913.

## OF COUNTY COMPTROLLER OF NEW CASTLE COUNTY.

## CHAPTER 93.

## OF COUNTY COMPTROLLER OF NEW CASTLE COUNTY.

AN ACT Increasing the Duties of the County Comptroller of New Castle County.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

County Comptroller of New Castle County to examine quarterly accounts of Trustees of the Poor

President of Board of Trustees to submit an account

Section 1. It shall be the duty of the County Comptroller of New Castle County to make a quarterly examination of all accounts of the Trustees of the Poor of New Castle County, and it shall be the duty of the President of the Board of Trustees of the Poor and of the Secretary and of the Treasurer of said Board of Trustees to submit a statement of the accounts of said Board, showing all receipts and disbursements, to the Comptroller for such examination.

Section 2. This Act shall become effective May first, A. D. 1913.

Approved March 19, A. D. 1913.

OF COMPTROLLER FOR KENT COUNTY.

CHAPTER 94.

OF COMPTROLLER FOR KENT COUNTY.

**AN ACT to Amend an Act entitled "An Act Creating the Office of Comptroller for Kent County", being Chapter 83, Volume 26, Laws of Delaware.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That Chapter 83, Volume 26, Laws of Delaware, be, and the same is hereby amended by striking out the words "one thousand dollars" from the eleventh line of the fifth section thereof, and inserting in lieu thereof the words "fifteen hundred dollars". Chap. 83, Vol.  
26 amended

Section 2. Said Chapter 83, Volume 26, of the Laws of Delaware, is hereby further amended by striking out all of Section Six of said Act. Chap. 83, Vol.  
26 further  
amended

Approved March 31, A. D. 1913.

## OF COLLECTOR OF STATE REVENUE.

## CHAPTER 95.

## OF COLLECTOR OF STATE REVENUE.

**AN ACT to Provide for the More Efficient Collection of Certain State Revenue.**

WHEREAS, it is provided by law, that a large amount of the State revenue is collected by and paid to the Secretary of State and Insurance Commissioner. The amount of said revenue being based in each case upon statements made under oath or affirmation of certain parties, and

WHEREAS, it is possible that some of said statements may be sworn to falsely, thereby losing much revenue to the State, and

WHEREAS, for the relief of the State in the future as well as in the past, it is right that such statements should be properly investigated, in order that it may secure its full revenue from such sources, and

WHEREAS, Further, the said Secretary of State and Insurance Commissioner have neither the means, opportunity or authority to investigate such statements, therefore

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

Collector of  
State Revenue  
to investigate  
statements  
filed with Sec-  
retary of State  
and Insurance  
Commissioner  
at request of  
these officials

Section 1. It shall be the duty of the Collector of State Revenue, from time to time, to investigate all statements made under oath or affirmation and filed in the office of the Secretary of State and Insurance Commissioner, (by any person, for the purpose of said officers

## OF COLLECTOR OF STATE REVENUE.

ascertaining and collecting from every such person or any other person, firm or corporation, any revenue due the State) whenever he is requested so to do by the Secretary of State and Insurance Commissioner.

Upon every such investigation by said officer of the statements mentioned in this section, he shall report the result thereof in writing to the Secretary of State or Insurance Commissioner, according to which one of the above officials requested the investigation, and it shall be the duty of such official to immediately take proper steps for the punishment of every person making such false statements.

Collector of  
Revenue to  
report in  
writing

Section 2. If any person shall make any false statement in any affidavit mentioned and described in this Act, he or she shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than One Thousand Dollars or imprisoned for not more than three years, or both in the discretion of the Court.

Penalty for  
making a false  
statement

Section 3. The said Collector of State Revenue, shall perform such other duties in relation to the State Revenue paid to the Secretary of State and Insurance Commissioner, as he shall be directed to do by the Secretary of State and Insurance Commissioner.

Collector of  
State Revenue  
to perform  
other duties

Section 4. All Laws and parts of laws inconsistent with the provisions of this Act, be and the same are hereby repealed.

Approved March 14, A. D. 1913.

## OF STATE BOARD OF HEALTH.

All births to be immediately registered

Section 5. That all births that occur in the State shall be immediately registered in the registration district in which they occur, as provided by this act.

Physician or midwife to file a birth certificate

Section 6. That it shall be the duty of the attending physician or midwife to file a certificate of birth, properly and completely filled out, giving all the particulars required by this act, with the Local Registrar of the district in which the birth occurred, within ten days after the date of birth. And if there be no attending physician or midwife, then it shall be the duty of the father or mother of the child, householder or owner of the premises, manager or superintendent of public or private institutions in which the birth occurred to notify the Local Registrar, within ten days after the birth, of the fact of such birth having occurred. It shall then, in such case, be the duty of the Local Registrar to secure the necessary information and signature to make a proper certificate of birth; provided, that in cities the certificate of birth shall be filed at a less interval than ten days after birth, if so required by municipal ordinance (or regulations) now in force or that may hereafter be enacted.

Local Registrar to be notified if no physician or midwife by others

Registration of still born children

That still born children or those dead at birth shall be registered as births and also as deaths, and a certificate of both the birth and death shall be filed with the Local Registrar, in the usual form and manner, the certificate of birth to contain, in place of the name of the child, the word "Stillbirth". The medical certificate of the cause of death shall be signed by the attending physician, if any, and shall state the cause of death as "Stillborn". With the cause of the stillbirth, if known, whether a premature birth, and, if born prematurely, the period of uterine gestation, in months, if known; and a burial or removal permit in the usual form shall be required. Midwives shall not sign certificates of death for stillborn children; but such cases, and stillbirths occurring with-

OF STATE BOARD OF HEALTH.

out attendance of either physician or midwife, shall be treated as deaths without medical attendance.

That each physician shall be entitled to be paid the sum of ten cents for each birth certificate of a child born after this act goes into effect, properly and completely made out and registered with the Local Registrar of the district in which the birth occurred.

Physicians to receive ten cents for each certificate of birth

The Local Registrar shall certify to the State Registrar the amount thus due each physician on the first day of each year.

Certification as to amount due

The State Registrar shall then draw by warrant, from the County Treasurer of each County, the amount due the physician for said certificates in each county, provided said amount shall tally with the Birth Certificates registered in the Bureau of Vital Statistics, and shall immediately on receiving said moneys from said County Treasurer pay said physician as provided in this section.

State Registrar to draw warrants on County Treasurer to pay Physicians

Any physician or person present at the birth of any child, or (if not present at the time of the birth of the child) who attends the case of any mother during her lying-in period, shall within twenty-four hours report said birth to the State Registrar of Vital Statistics on a form supplied by the State Registrar. This form shall contain the following information:

To report birth of a child

(1) Name of Father and Mother.

Form of report

(2) Date of Birth of the child, and such other information as the State Board of Health may require.

This report shall in no way supplant or relieve any responsibility for filing a certificate of the birth as provided for in this section. Any person failing to make the reports as provided in this section shall be liable to the penalties provided in Section 14 of this act.

Penalties

## OF CANNERY INSPECTOR.

To make a  
thorough  
inspection

thereof, are packed and preserved in tin or glass cans or jars, or other containers, to be sold as food, and, to enforce the correction of all unsanitary conditions and practices found therein; and it shall be his special duty to enforce the laws, rules and regulations provided in this Act.

Written report  
to Attorney-  
General during  
three months

The "Cannery Inspector" shall make a written report weekly to the Attorney General during the months of August, September, and October in each year, and he shall make an annual report to said Attorney General, January first of each year, and shall report at such other times as the Attorney General may require, said reports to set forth the sanitary conditions of each factory and whether the provisions of this Act are being complied with, and such other matters and things as may be relevant thereto, and he shall furnish such other information from time to time as may be required by the Attorney General.

Cannery In-  
spector to  
issue a certi-  
cate of  
inspection

Section 4. The "Cannery Inspector" shall, on the first day of October in each year, furnish to each person, firm or corporation operating a factory affected by this Act, that shall have complied with the provisions hereof during the year immediately preceding said first day of October, a Certificate of Inspection under the hand of the "Cannery Inspector", setting forth that such factory has been inspected and all laws, rules and regulations for the year immediately preceding the date of the certificate have been fully complied with.

Rules and reg-  
ulations for  
"Cannery  
Inspector"

Section 5. The "Cannery Inspector" in the discharge of his duties under the provisions hereof, shall be governed by the following rules and regulations, which are hereby made the Law of this State:

All persons, firms or corporations, operating factories



## OF CANNERY INSPECTOR.

affected by this Act, shall be subject to the following rules, regulations and requirements:—

All rooms in which fruits, vegetables, or by-products thereof, are packed and preserved, and in which manufacturing is actually carried on, shall be provided with smooth, water-tight floors which can be properly cleaned. Character of floors

Adequately equipped wash stations and places where employees may change their clothing and hang the clothes not in use, shall be provided for male and female employees. These wash stations shall be provided with sufficient water, soap and sanitary towels. Wash stations

Separate toilet rooms shall be maintained for male and female employees. Separate rooms for sexes

Living quarters, if provided by the canner, shall have water-proof roofs and tight board floors, and shall be provided with ample light and ventilation, and provision shall be made therein for the proper separation and privacy of sexes. Quarters

Adequate drainage shall be provided to lead all waste liquids outside and away from the buildings. Drainage

All machinery used shall be kept in a clean and sanitary condition by the use of steam or water, and also all floors and toilet rooms shall be kept in a sanitary condition. Machinery

No litter, drainage or waste matter of any kind shall be allowed to collect in or around the buildings, and the surroundings shall be kept in a clean and sanitary condition. Occupants of living quarters provided by the canner shall be required to keep the same in a clean and sanitary condition. No waste matter to collect

## OF CANNERY INSPECTOR.

Rules govern-  
ing employees

Employees in factories affected by the provisions of this Act shall be subject to the following rules, regulations and requirements:

No smoking or  
spitting

Employees are prohibited from smoking or spitting in any room in the cannery where foods are being prepared for canning.

Aprons, dresses  
and caps

Female employees who work where foods are being prepared for canning shall wear clean aprons or dresses made of washable fabrics and shall also wear clean, washable caps over the hair.

Infected  
wounds

Employees with infected wounds in the hands or arms are prohibited from handling food products, or the containers in which they are placed, before such containers are sealed or capped. Clean cuts, which are not infected shall be covered with rubber cots securely fastened.

Inspector to  
have printed  
abstract of  
the law

Section 6. The "Cannery Inspector" shall have prepared and printed, abstracts of this law, and shall furnish every person, firm or corporation in this State, affected by this Act, with a reasonable number of printed abstracts, and such printed abstracts shall be posted in at least five conspicuous places in each factory affected by this Act, and they shall be kept posted in plain view so that they can be easily read by the employees. If persons are employed who do not understand the English language, suitable translations, or so much of the law as affects the employees, shall also be posted in languages with which they are familiar, and such translations shall be furnished by the said "Cannery Inspector" upon application by the owner.

To post same

Translation  
into other  
languages

Violations of  
Act to be  
prosecuted

Section 7. Whenever any person, firm or corporation shall violate any of the provisions of this Act the said "Cannery Inspector" shall cause the person, firm or

## OF CANNERY INSPECTOR.

corporation so violating to be prosecuted in the Court of General Sessions of the County where the offense is committed; provided, however, that in any such case the Attorney General, in his discretion, may, instead of prosecuting such person, firm or corporation, cause an order to be served on such person, firm or corporation, commanding him or it to discontinue or abate such violation, or to make such improvements as may be necessary to abate such violation, within a reasonable time to be fixed by the said Attorney General and stated in said order. Such order shall be in writing, and the person receiving such order shall have the right to be heard, either in person or by attorney, by the Attorney General.

At discretion  
of Attorney  
General firm  
may be warned  
to abate or  
discontinue  
violation

When any person, firm or corporation shall violate any of the provisions of this Act, or shall refuse to comply with any orders duly made in writing, as provided for in this Section, each day upon which such violation occurs shall be deemed to constitute a distinct and separate violation, and each day elapsing after the expiration of the time limit fixed for the compliance with the said order in writing shall be deemed to constitute a distinct and separate offense.

Refusal to  
comply with  
this Act or  
orders given

Section 8. Any person, firm or corporation who violates any of the provisions of this Act, or refuses, neglects or fails to comply with the provisions and requirements hereof, or who fails to comply with any lawful order or requirements of the Attorney General, duly made in writing as herein provided, shall be deemed guilty of a misdemeanor and upon conviction thereof in the Court of General Sessions of the State of Delaware, shall, for the first offense be fined not less than ten dollars nor more than twenty-five dollars; for the second offense not less than twenty-five dollars nor more than fifty dollars and for the third offense not less than one hundred dollars nor more than two hundred dollars.

Penalty for  
neglecting or  
orders of Attor-  
ney General

## OF CANNERY INSPECTOR.

On third  
offense factory  
to be closed by  
Court

If any person, firm or corporation engaged in the canning business within the provisions of this Act, shall be convicted a third time for any violation of this Act, the Court of General Sessions is hereby authorized and empowered to close the factory in which such third offense is committed, and the person, firm or corporation convicted as aforesaid, may be prohibited from engaging in the canning business within the provisions of this Act until the further order of the said Court of General Sessions.

Powers of Can-  
nery Inspector

Section 9. That the "Cannery Inspector" provided for in this Act, be and he is hereby authorized and empowered to enter upon the premises of any factory in this State engaged in the business herein set forth; for the purpose of inspecting and enforcing the provisions of this Act, and any person, firm or corporation engaged in the business aforesaid, refusing access to the said officer, or in any way interfering with said officer in the exercise of his duties shall be guilty of a misdemeanor and upon conviction thereof in the Court of General Sessions, shall be fined in a sum not exceeding One Hundred Dollars for each offense. In default of the payment of any fine that may be imposed under the provisions of this Act, imprisonment may be imposed, for a term, in the discretion of the Court, in lieu thereof.

Interference  
with Inspector

Salary of  
Inspector

Section 10. That the annual salary of the "Cannery Inspector" shall be One Thousand Dollars, payable in quarterly installments of Two Hundred and Fifty Dollars each. There shall also be allowed to the "Cannery Inspector" for contingent expenses the sum of Two Hundred and Fifty Dollars, to be paid to him in like quarterly installments. The salary and contingent expenses aforesaid shall be paid by the State Treasurer out of moneys in the Treasury not otherwise appropriated.

OF CANNERY INSPECTOR.

Section 11. That the sum of Twelve Hundred and Fifty Dollars, be, and the same is hereby appropriated annually out of any moneys in the State Treasury, not otherwise appropriated, for the purpose of carrying into effect the provisions of this Act.

Section 12. That this Act shall be deemed and taken to be a Public Act.

Approved March 19, A. D. 1913.

## OF STATE BOARD OF ACCOUNTANCY.

## CHAPTER 98.

## OF STATE BOARD OF ACCOUNTANCY.

**AN ACT to Regulate the Practice of Public Accountant in the State of Delaware.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

Title of certified Public Accountant provided for

Section 1. That any person who has received from the State Board of Accountancy a certificate of his qualifications to practice as a public expert accountant as hereinafter provided shall be known and styled as a "Certified Public Accountant", and no other person and no partnership all of the members of which have not received such certificate and no corporation shall assume such title or the title of "Certified Accountant" or "Chartered Accountant" or the abbreviations "C. P. A." or "C. A." or any other words, letters or abbreviations tending to indicate that the person, firm or corporation so using the same is a certified public accountant.

State Board of Accountancy to consist of three members appointed by Governor

Section 2. There is hereby created a state board of accountancy to consist of three members to be appointed by the Governor and who, with the exception of the members first to be appointed, shall be the holders of certificates issued under the provisions of this act and shall hold office for the term of three years and until their successors are appointed and qualified.

Members of first board to be skilled in their profession

The members of the board first to be appointed shall be skilled in the practice of accounting and shall have been actively engaged therein on their own account within this State for a period of at least two years next pre-

## OF STATE BOARD OF ACCOUNTANCY.

ceding the passage of this act, and shall hold office, one for the term of three years, and one for the term of two years, and one for the term of one year. The term of office of each is to be designated by the Governor in his appointment.

Length of  
terms of  
members

Section 3. No Certificate as a Certified Public Accountant shall be granted to any person other than a citizen of the United States, residing or having a place for the regular transaction of business in the State of Delaware, who is over the age of twenty one years and of good moral character, and (except under the provisions of Section IV of this act) who shall have successfully passed an examination in "Theory of Accounts", "Practical Accounting", "Auditing", and "Commercial Law as Affecting Accountancy", and in such other subjects as the Board may deem advisable.

No certificate  
except to U. S.  
citizens resi-  
dent in  
Delaware

Examination

No person shall be permitted to take such examination unless he shall for a period of at least three years have been employed in the office of a Public Accountant as an assistant Accountant, or shall have been practicing as a Public Accountant on his own account, and who shall not at least three years prior to the date of said examination have successfully passed a preliminary examination in such subjects as may be prescribed by the Board touching his general education, qualifications and fitness as an accountant provided that the Board may in its discretion waive the preliminary examination of any applicant who, in its opinion, has had a general education equivalent to that which may be prescribed by its rules and is otherwise qualified.

Requirements  
to qualify for  
the examina-  
tion

Board may  
waive rule at  
its discretion

All examinations provided for herein shall be conducted by the Board of Accountancy herein provided for. The time and place of holding examinations shall be duly advertised for not less than three consecutive days in

Board to con-  
duct examina-  
tions

## OF STATE BOARD OF ACCOUNTANCY.

Advertise  
same

one daily newspaper published in each of the places where the examinations are to be held, not less than thirty days prior to the date of each examination.

The examination shall take place as often as may be necessary in the opinion of the Board, but not less frequently than once each year.

The Board may make all needful rules and regulations regarding the conduct of the examinations or their character or scope, the method and time of filing applications for examinations and their form and contents, and all other rules and regulations necessary to carry into effect the purpose of this act.

Board may  
waive exam-  
ination and issue  
a degree under  
following  
rules

Section 4. The State Board of Accountancy may in its discretion waive the examination of and issue a degree as certified public accountant to any person possessing the qualifications mentioned in section III of this Act, who

(1) is the holder of a "C. P. A." certificate issued under the laws of another state, which extends similar privileges to certified public accountants of this state, provided the requirements for said degree in the state which has granted it to the applicant are, in the opinion of the Board of Accountancy, equivalent to those herein provided.

(2) shall be the holder of a degree of certified public accountant or chartered accountant, or the equivalent thereof, issued in any foreign government, provided that the requirements for such degree are equivalent to those herein provided for the degree of certified public accountant.

(3) is a resident of this State and who for more than two consecutive years next before the passage of this act



OF STATE BOARD OF ACCOUNTANCY.

shall have been practicing in this State on his own account as a public accountant, and who shall apply in writing to the board for such certificate within six months after the passage of this act.

Section 5. The State Board of Accountancy may revoke any certificate issued under this Act, or may cancel the registration of any certificate under this Act for unprofessional conduct or other sufficient cause, provided that written notice of the cause for such contemplated action and the date of the hearing thereon by the Board shall have been mailed to the holder of such certificate at least twenty days before such hearing. No certificate issued under this Act shall be revoked until such hearing shall have been held. At all such hearings the attorney-general of this State or one of his assistants designated by him shall sit with said Board with all the powers of a member thereof.

Revoking a certificate

Hearing at which Attorney General is to sit

Section 6. The State Board of Accountancy shall charge for the examination and certificate provided for in this Act a fee of twenty five dollars (\$25.00) to meet the expenses of such examinations. This fee shall be payable by the applicant at the time of making his initial application. No additional fee shall be charged any applicant.

Fee to be paid for examination and certificate

From the fees collected under this act the Board shall pay all expenses incident to the examinations, the expenses of issuing certificates, traveling expenses of the members of the Board and their compensation while performing their duties under this Act, provided that no expense incurred under this act nor the compensation of the members shall be a charge against the funds of this State.

Fees collected to pay expenses of Board

The members of the board of accountancy herein provided for shall be paid an amount not exceeding ten dol-

Per diem compensation of members of Board

## OF STATE BOARD OF ACCOUNTANCY.

lars (\$10.00) per day to each member of said board for the time actually expended and also all necessary traveling expenses incurred in the performance of his duties under this act.

## Annual Report

The Board shall report annually the number of certificates issued and receipts and expenses under this Act to the governor and any surplus then in the hands of the Board above the sum of Five Hundred Dollars (\$500.00) which may be retained to meet future expenses, shall be paid, at the time of filing said account, to the State Treasurer, for the use of the State.

Penalty for  
misrepresentation  
or holding  
a false  
certificate

Section 7. If any person shall represent himself to the public as having a certificate provided for in this act, or shall assume to practice as a Certified Public Accountant without having received such certificate, or if any person having received such Certificate provided for in this act shall thereafter lose the same by revocation and continue to practice as a Certified Public Accountant, or use such title or any other title mentioned in section 1 of this Act, or if any person shall violate any of the provisions of this act, he shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00), or imprisoned in the county jail for a period of not less than one month nor more than six months, or both, in the discretion of the Court for each day during which he shall so practice or violate any of the provisions of this Act.

Section 8. This Act shall take effect immediately upon its passage.

Approved March 31, A. D. 1913.

OF DELAWARE STATE TUBERCULOSIS COMMISSION.

CHAPTER 99.

OF DELAWARE STATE TUBERCULOSIS COMMISSION.

AN ACT to enable The Delaware State Tuberculosis Commission to provide for the care of Colored Consumptives.

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Section 1. That The Delaware State Tuberculosis Commission be and it is hereby authorized to acquire on behalf of the State of Delaware, by purchase or otherwise, a site for the erection of a hospital building or buildings to be used for the care of colored inhabitants of the State of Delaware afflicted with tuberculosis, and the said Commission is hereby authorized and empowered to erect the said building or buildings and to provide for the care of such colored persons.

State Tuberculosis Commission to acquire land and erect building for colored patients

Section 2. The said Commission shall have power and is hereby authorized to admit such colored persons to the said hospital when erected as in the judgment of the said Commission may be proper, and to provide for the care, treatment and support of such persons under such rules and regulations as may be from time to time established by the said Commission.

Admission of patients and care of same

Section 3. To defray the cost of acquiring the said site and erecting the said hospital building or buildings, the sum of Ten Thousand Dollars is hereby appropriated out of the money in the State Treasury not otherwise appropriated, and the State Treasurer is hereby authorized from time to time to pay out the same upon the requisition of the chairman of the said Commission.

Appropriation to defray cost

## OF DELAWARE STATE TUBERCULOSIS COMMISSION.

Annual  
appropriation  
provided

Section 4. To provide for the support and maintenance of the said hospital and the patients occupying the same and the treatment of colored patients in the State dispensaries, the sum of Five Thousand Dollars is hereby appropriated annually out of the money in the State Treasury not otherwise appropriated, and the State Treasurer is hereby authorized from time to time to pay such amount upon the requisition of the chairman of the Commission.

Committee of  
the General  
Assembly to  
approve site

Section 5. For the purpose of determining the site whereon the Hospital building or buildings provided for in this Act are to be erected, a Commission shall be appointed by the President Pro tempore of the Senate and the Speaker of the House of Representatives, consisting of two members of the Senate and three members of the House of Representatives. The said Commission shall fix and determine a site for the erection of the said building or buildings and no site other than that selected by the said Commission shall be purchased with any money appropriated under the provisions of this Act, nor shall any building or buildings be erected except upon a site selected by said Commission.

The members of the said Commission shall serve without compensation.

Approved April 7, A. D. 1913.

## OF PUBLIC ARCHIVES COMMISSION.

## CHAPTER 100.

## OF PUBLIC ARCHIVES COMMISSION.

AN ACT to Amend an Act entitled, "An Act for the better preservation of certain Public Records," approved March 16th, A. D. 1905, being Chapter 77, Volume 23, Laws of Delaware as amended by Chapter 82, Volume 26, Laws of Delaware, approved March 14, A. D. 1911.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That the Act entitled, "An Act for the better preservation of certain Public Records," approved March 16th, A. D. 1905, being Chapter 77, Volume 23, Laws of Delaware as amended by Chapter 82, Volume 26, Laws of Delaware approved March 14th, A. D. 1911, be amended as follows:

Section 2. By striking out all of Section 1, of the Act aforesaid after the word "State" in line five (5) of said Section 1, and inserting in lieu thereof the following: "County and Municipal Officials and primarily of historic value."

Section 3. By striking out all of Section 2, of said Act and by inserting a new Section 2 as follows:—"Section 24\* that the Public Archives Commission shall be comprised of six members two of whom shall come from each of the three Counties in the State of Delaware; who shall be appointed by the Governor of the State."

Section 4. By striking out the words "State and County" in line four of Section 3 of the Act aforesaid as amended in Chapter 82, Volume 26, Laws of Delaware

\*Section 2

## OF PUBLIC ARCHIVES COMMISSION.

and inserting in lieu thereof the words "State, County and Municipal."

Section 3,  
Chap. 77, Vol.  
23 and Section  
1, Chap. 82,  
Vol. 26 further  
amended

Section 5. By striking out of all that part of Section 3, of the Act aforesaid as amended by Chapter 82, Volume 26, Laws of Delaware between the word "amended" in the sixteenth line of said Section and the words "shall be placed" in the seventeenth line thereof and substituting in lieu thereof the following:—"The Commission shall retain as many copies of each and every such publication made as aforesaid for the purpose of exchange as are required to meet the demands of the State Exchange list of State and Historic Libraries and for such distributions as shall be deemed necessary by the said Commission provided that in no case shall the number of copies so exchanged and distributed exceed 125."

Section 1,  
Chap. 82, Vol.  
26 further  
amended

Section 6. By striking out all of that part of Section 7 of the Act aforesaid between the word "aggregate" in the eleventh and twelfth lines of said section and words "is hereby" in line thirteen of the same section, and by inserting in lieu thereof the following:—"One Thousand Dollars (\$1,000.00) annually. The said sum of One Thousand Dollars (\$1,000.00).

Approved March 17, A. D. 1913.

OF DELAWARE COMMISSION FOR THE BLIND.

CHAPTER 101.

OF DELAWARE COMMISSION FOR THE BLIND.

AN ACT to amend an Act entitled "An Act establishing The Delaware Commission for the Blind, defining the duties and powers of said Commission and providing for an appropriation to pay the expenses thereof," approved March 31, A. D. 1909, being Chapter 73, of Volume 25, of the Laws of Delaware and the amendments thereto.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That the Act entitled "An Act establishing The Delaware Commission for the Blind, defining the duties and powers of said Commission and providing for an appropriation to pay the expenses thereof," approved March 31, A. D. 1909, being Chapter 73, of Volume 25, of the Laws of Delaware, and the amendments thereto, be amended as follows:

Chap. 73, Vol.  
25 amended

First: By striking out all of Section 8 thereof and inserting in lieu thereof the following:

"Section 8. Said The Delaware Commission for the Blind shall have full power and authority to purchase or otherwise acquire, to hold, own, mortgage, sell or assign real and personal property, to accept and receive any private funds, bequests, legacies or gifts of property, real and personal, to be used for the education and training of blind persons and to hold, manage and invest the same and collect and disburse the income thereof and disburse the principal thereof in accordance with the directions of the parties devising or donating the same; and in default of any such direction, then the said The

New  
Section 8

Powers and  
authority of  
Del. Commission  
for the  
Blind

## OF DELAWARE COMMISSION FOR THE BLIND.

Delaware Commission for the Blind shall accept, hold, manage and dispose of said property and disburse the income thereof in any manner which it may deem best adapted to promote the education, training and welfare of blind persons residing in the State of Delaware. Said The Delaware Commission for the Blind may hold, own, sell and dispose of any such property real, personal or mixed so purchased or received as aforesaid and may reinvest the proceeds from the sale of any of said property and collect and disburse the income therefrom and the principal thereof in the manner above outlined."

New Section  
(14) created

Second: By adding a new section to the said act to be known as Section 14, as follows:

Lands and  
property of  
Commission to  
be exempt from  
taxation

Exception

"Section 14. The lands, tenements and property of said The Delaware Commission for the Blind shall be exempt from any and all State, County and Municipal Taxes during such time and to the extent that such lands, tenements and property shall be actually used by said Commission in its work for the blind of this State, provided that said exemption shall not apply to any lands, tenements and property owned by said Commission as investments, and not actually used by said Commission in its work."

Approved February 24, A. D. 1913.



OF DELAWARE COMMISSION FOR THE BLIND.

CHAPTER 102.

OF DELAWARE COMMISSION FOR THE BLIND.

**AN ACT to Provide for the Support and Maintenance of Certain Indigent Blind Persons While Learning a Trade.**

WHEREAS The Delaware Commission for the Blind is engaged in teaching indigent blind of this State various trades in order that they may earn their own living and support themselves,

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

Section 1. That the State Treasurer be and he is hereby authorized to pay to said The Delaware Commission for the Blind the sum of Three Dollars (\$3.00) per week for the support and maintenance of each of such indigent blind of this State as are learning a trade under the direction of said Commission, provided that such payments are not to extend over a period of more than two years for any one person, and provided that such payments shall be made for not more than ten such indigent blind at any one time, engaged in learning a trade.

Support and maintenance of indigent blind of State when learning a trade

Section 2. The said The Delaware Commission for the Blind shall have the exclusive right to decide which of the indigent blind of this State shall so receive support and maintenance.

Commission to decide who are to receive benefits under this Act

Section 3. All payments authorized by this act shall be made by the State Treasurer upon proper voucher signed by the Chairman and Treasurer of said The Delaware Commission for the Blind and may be made quarterly or semi-annually as is most convenient.

All payments paid on presentation of vouchers

Approved February 24, A. D. 1913.

## OF DELAWARE CHILD LABOR COMMISSION.

## CHAPTER 103.

## OF DELAWARE CHILD LABOR COMMISSION.

## AN ACT Creating the Delaware Child Labor Commission.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Delaware  
Child Labor  
Commission  
created

Section 1. The Delaware Child Labor Commission is hereby created and constituted for the purpose and with the powers and duties hereinafter provided.

To consist of  
eight members  
to be ap-  
portioned

Term of office

To be appoint-  
ed by Judge

Length of  
terms of origi-  
nal commission

Judges to fill  
vacancies

One member to  
be employer  
and one em-  
ployee

Section 2. The Delaware Child Labor Commission shall consist of eight members, three from the City of Wilmington, one from New Castle County outside the City of Wilmington, two from Kent County, and two from Sussex County. Their term of office shall be for two years. The members of the commission from each county shall be appointed by the Judges constituting the Supreme Court of the State of Delaware, or a majority of them. The terms of office shall begin upon the first day of March. Upon the appointment of the original commission, the said Judges shall appoint one-half of the members of the commission to be appointed for a term of one year, and one-half for a term of two years. Upon the expiration of the terms of the original appointees, their successors shall be appointed for a term of two years. The Judges shall have power to fill vacancies in the membership of the commission caused by death, resignation or otherwise, and appointments to fill such vacancies shall be for the balance of the unexpired term. At least one member of the commission shall be an employer of labor and one member an employee in an industrial or manufacturing plant.

## OF DELAWARE CHILD LABOR COMMISSION.

Section 3. The members of the commission shall receive no salary for their services. They shall annually elect one of their number as chairman of the said Commission, and may appoint a person, not a member of the commission, as secretary, who may receive a salary not exceeding one hundred dollars per annum.

No salary to members

Secretary to Commission

Section 4. The commission shall have power and are hereby authorized, by a majority vote of the whole commission, to make all appointments of officials or employees which may now be made under any existing law, or which may be provided for under any future law relating to the condition, regulation or inspection of labor of minor children in the State of Delaware. The term of office of any official or employee now holding office under any existing law relating to the conditions, regulations or inspection of labor of minor children shall terminate on the twenty first day of December A. D. 1913, anything in any existing law or conditions of appointment to the contrary notwithstanding. The State Child Labor Inspector shall make a quarterly report to the Commission. When, in the opinion of a majority of the whole commission, any official appointed or engaged by the commission shall not perform his duty in a satisfactory and efficient manner the commission shall have the power to remove the said official forthwith and appoint a new official in his stead.

Commission to make all appointments under child labor laws

Terms of officials under existing laws to terminate Dec. 21, 1913

Report of Inspector

Section 5. The Commission shall furnish annually to the Governor during the first week in January a full account of their expenditures, disbursements and action. Such report shall at all times be open to the inspection of the citizens of Delaware in the office of the Secretary of State.

Annually report to Governor on expenditures

Section 6. To defray the expenses of the Commission the sum of Two Hundred and Fifty Dollars is hereby ap-

Annual appropriation provided

**OF DELAWARE CHILD LABOR COMMISSION.**

appropriated annually out of the money in the State Treasury not otherwise appropriated, and the State Treasurer is hereby authorized from time to time to pay out of such amount upon the requisitions of the chairman of the Commission.

Section 7. All acts or parts of acts inconsistent with any of the provisions of this act are hereby repealed.

Approved March 21, A. D. 1913.

## OF BATTLE OF GETTYSBURG COMMISSION.

## CHAPTER 104.

## OF BATTLE OF GETTYSBURG COMMISSION.

AN ACT Amending Chapter 88, Vol. 26, Laws of Delaware entitled "An Act Creating a Commission to be known as the Fiftieth Anniversary of the Battle of Gettysburg Commission; authorizing the Governor to appoint three members thereof, and fill the vacancies that may occur therein; the Commission to consider and arrange for observance of the Fiftieth Anniversary of the Battle of Gettysburg; and report to next session of General Assembly; and making an appropriation for the payment of expenses of said Commission" by increasing the number of members of said Commission and making an appropriation to defray expenses of attending the Anniversary.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That Chapter 88, Vol. 26, Laws of Delaware, entitled "An Act creating a Commission to be known as the Fiftieth Anniversary of the Battle of Gettysburg Commission; authorizing the Governor to appoint three members thereof, and fill vacancies that may occur therein; the Commission to consider and arrange for observance of the Fiftieth Anniversary of the Battle of Gettysburg; and report to next session of General Assembly; and making an appropriation for the payment of expenses of said Commission", be and the same is hereby amended by adding the following sections thereto:

Chap. 88, Vol.  
26 amended

"Section 3. That as soon as practicable after the approval of this Act, the Governor shall appoint two additional citizens of Delaware as members of the Fiftieth Anniversary of Gettysburg Commission, to serve with himself as ex-officio members, and the three members heretofore appointed."

A new section  
(3) created

Two additional  
members of  
commission to  
be appointed  
by the Governor

To be ex-officio  
members

## OF BATTLE OF GETTYSBURG COMMISSION.

**Appropriation**    "Section 4. That the sum of Two Thousand Dollars, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the State Treasury, not otherwise appropriated, to pay for transportation and defray other expenses incident to said Anniversary; said appropriation to be paid by warrant of the Commission drawn upon the State Treasurer upon specially itemized vouchers of the expenses of said Anniversary."

Approved March 7, A. D. 1913.

OF VALLEY FORGE COMMISSION.

CHAPTER 105.

OF VALLEY FORGE COMMISSION.

AN ACT to provide for an appropriation of Five Hundred Dollars to erect a marker at Valley Forge in memory of the Revolutionary Soldiers from Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That the Governor of the State is hereby authorized and directed to appoint a committee of five, of which he shall be one, to procure and erect at Valley Forge, in the State of Pennsylvania, a suitable marker in memory of the Revolutionary Soldiers from Delaware; and the sum of Five Hundred Dollars is hereby appropriated for that purpose, said sum, or so much of the same as shall be necessary, to be expended under the direction of said committee.

Governor to  
appoint a com-  
mittee of five

Monument at  
Valley Forge  
to Delaware's  
Revolutionary  
Soldiers

Approved March 21, A. D. 1913.

# TITLE SIXTH.

## Of Religion, Public Education and Health.

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### CHAPTER 106.

#### OF FREE SCHOOLS.

**AN ACT** in relation to free public schools of the State of Delaware, and in further amendment of an Act entitled, "An Act concerning the establishment of a general system of free public schools," being Chapter 67, Volume 21, of the Laws of Delaware, as amended.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

<b>Governor to appoint a com- missioner of Education</b>	<b>Section 1.</b> As soon as practicable after the approval of this Act the Governor shall appoint some suitable person, who shall be Commissioner of Education of the State of Delaware, and who shall also be Secretary of the State Board of Education. The term of said Commissioner shall be for two years, or until his successor is qualified, and the duties of said office shall begin on the first day of May, A. D. 1913. On or before the first day of May, A. D. 1915, the Governor shall appoint a Successor to said Commissioner whose term of office shall be for two years, or until his Successor is duly qualified. Such appointment shall be made biennially thereafter and the duties of said office shall begin on the first day of May following such appointment. Said Commission* shall be entitled to a salary of Two Thousand Dollars per annum, payable at least quarterly.
<b>Term of office</b>	
<b>To be appointed biennially</b>	
<b>Salary</b>	

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\*Commissioner



## OF FREE SCHOOLS.

He shall be a person of good moral character and well qualified mentally to perform the duties of his office. He must have had, at the time of his appointment, at least five years' experience as a teacher; and must hold a certificate of graduation from some reputable college or normal school. Qualifications

The duties of said Commissioner shall be such as shall be prescribed by the State Board of Education and shall be directed toward the betterment and standardization of the free schools within this State. As Secretary of the State Board of Education he shall keep and file all documents, reports, communications and other papers of said Board and shall conduct the correspondence of said Board. The sum of Three Hundred Dollars is hereby appropriated to defray the travelling expenses incurred by said officer as Commissioner of Education and Secretary of the State Board of Education, and all other expenses incurred by said officer as Secretary of the State Board of Education shall be paid by the State Treasurer upon presentation to him of a statement of said expenses, bearing thereon the approval of the State Board of Education. Duties to be prescribed by Board of Education  
  
To be Secretary State Board of Education

Approved March 14, A. D. 1913.

## OF FREE SCHOOLS.

## CHAPTER 107.

## OF FREE SCHOOLS.

AN ACT to Appropriate Money for the Payment of Certain Expenses  
Incurred by the State Board of Education.

*Be it enacted by the Senate and House of Representatives  
of the State of Delaware in General Assembly met:*

Appropriation  
to defray ex-  
penses incurred  
by Board of  
Education for  
legal services

Section 1. The sum of Five Hundred Dollars is hereby appropriated to pay the expenses incurred by the State Board of Education in securing the statistics, information and data necessary for the said Board in making its Report to the General Assembly, to pay for the legal services rendered said Board in drafting bills relative to the schools of this State to be presented to the General Assembly, and to pay the expenses incurred by said Board in its investigation of and report concerning Higher Education for Women under the provisions of Chapter 298, Volume 26, Laws of Delaware.

Approved March 28, A. D. 1913.

OF FREE SCHOOLS.

CHAPTER 108.

OF FREE SCHOOLS.

AN ACT for the improvement of the School Houses for colored children in this State, and making an appropriation therefor.

WHEREAS, Some of the buildings now used by the colored people for school houses are unfit and inadequate for the purpose; and

WHEREAS, The financial condition of the colored people is such that they cannot afford to build school houses through taxation, solely, as provided in the General School Laws of the State; therefore

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That the sum of two thousand dollars (\$2,000.00) annually for two years is hereby appropriated from the State Treasury for the purpose of repairing, enlarging and building school houses for the colored children of this State, said amount to be divided amongst the three counties of the State and to be under the control and direction of the County School Commission for each county, as follows: Five Hundred Dollars (\$500.00) each to Kent and Sussex Counties, and One Thousand Dollars (\$1,000.00) to New Castle County.

Annual appropriation for colored schools

Apportionment of the appropriation

Section 2. Each County School Commission shall decide, after conference with the school committees of the respective districts, upon the location of the school, or the nature and extent of repairs or enlargement that may be necessary, and before the commencement of the work shall determine the amount that is to be appropriated to the particular district.

County School Commission to decide upon schools to be improved

## OF FREE SCHOOLS.

Manner of  
drawing  
warrants

Section 3. That the amount herein appropriated shall be paid by the State Treasurer on warrants drawn by the President of the respective County School Commissions, attested by the Secretary of the Commission, and accompanied by the original bills, subject to the approval of the State Auditor.

Approved March 19, A. D. 1913.

OF FREE SCHOOLS.

CHAPTER 109.

OF FREE SCHOOLS.

**AN ACT appropriating money for tuition of Non-Resident Pupils to the Board of Education of the City of Wilmington.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in general Assembly met:*

Section 1. That the State Treasurer is hereby authorized and directed to pay the Board of Education of the City of Wilmington, Delaware, upon the passage and approval of this Act, the sum of Forty Hundred and Twenty Five Dollars and Eighty Cents, being the balance due for tuition of non-resident pupils for the school year ending in June of the years of 1911 and 1912, as per the provisions of Chapter 219, Volume 21, of the Laws of Delaware; and subsequent amendments thereto.

Tuition for non-resident pupils in Wilmington under Chap. 219, Vol. 21

Approved February 12, A. D. 1913.

## OF FREE SCHOOLS.

## CHAPTER 110.

## OF FREE SCHOOLS.

AN ACT to authorize The Board of Education in Wilmington to borrow Eighty Thousand Dollars to be expended for the erection and equipment of Public Schools in the City of Wilmington.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members of each branch concurring therein):*

Board of Public Education in Wilmington to borrow eighty thousand dollars

Section 1. That the Board of Public Education in Wilmington is hereby authorized and empowered to borrow the sum of Eighty Thousand Dollars to be expended for the erection and equipment of Public Schools in the City of Wilmington, and for the purpose of securing the payment of such sum, to issue bonds in denominations of One Thousand Dollars each, and bearing such rate of interest, not exceeding four and one-half per centum per annum as said The Board of Public Education in Wilmington, may deem expedient. The interest upon said bonds shall be payable semi-annually in each and every year from the date of issue thereof.

Interest on bonds

Classes and maturity of Bonds

Section 2. Said bonds shall be divided into four classes and shall be paid at their face value as follows:

Class	Amount	Year of Maturity.
A	\$20,000	1928
B	\$20,000	1930
C	\$20,000	1932
D	\$20,000	1934

Said bonds may at the option of The Board of Public Education in Wilmington, contain a provision for the re-

OF FREE SCHOOLS.

redemption thereof by The Board of Public Education in Wilmington at any time after the expiration of five years from the date thereof, at a premium not to exceed five per cent.

Redemption  
proviso

Section 3. Said bonds shall be prepared under the supervision of The Board of Public Education in Wilmington, and shall be signed by the President of The Board of Public Education in Wilmington, the City Treasurer of Wilmington, and the Secretary of said Board, and shall be under the corporate seal of the Board of Public Education in Wilmington. It shall be the duty of such officers to execute said bonds when directed to by The Board of Public Education in Wilmington, and it shall be the duty of the City Treasurer of Wilmington and the Secretary of The Board of Public Education to keep a record of said bonds.

Signatures on  
Bonds

Section 4. Said bonds, or any part thereof, may be sold when and as The Board of Public Education in Wilmington, shall by resolution determine and direct, and until sold shall remain in the custody of the City Treasurer of the City of Wilmington. Whenever in the judgment of The Board of Public Education in Wilmington it shall be deemed expedient that any part or all of said bonds shall be sold, the said The Board of Public Education in Wilmington may sell and dispose of the same on the most advantageous terms possible after having advertised the same in the public press at least once each week for at least two weeks. No commission or other compensation shall be charged by or paid to any member of The Board of Public Education in Wilmington for effecting the sale or negotiation of said bonds.

To be sold by  
resolution of  
Board of Pub-  
lic Education  
in Wilmington

No compensa-  
tion allowed  
members of  
Board on sale  
of bonds

Section 5. Said bonds, principal and interest shall be paid at the Union National Bank of Wilmington in gold coin of the United States of America equal in weight and

Principal and  
interest paid at  
Union Nation-  
al Bank

## OF FREE SCHOOLS.

Schedule for  
payment of  
bonds becom-  
ing due

To set aside  
money out of  
annual funds

fineness to the present standard, out of money appropriated for that purpose by The Board of Public Education in Wilmington, as hereinafter provided; and the said The Board of Public Education in Wilmington is hereby authorized and directed to pay the interest on said bonds to the Union National Bank, in Wilmington when and as the same shall become due and payable, and to pay said bonds when and as the respective classes mature in accordance with the foregoing schedule. The said The Board of Public Education in Wilmington shall annually, until the first installment of said bonds shall become due and payable, provide for and set aside from any money appropriated to its use by the City Council of Wilmington, an amount equal to the amount of interest due each year on said bonds, and as and when said bonds mature and become due and payable, shall in like manner provide for and set aside an amount equal to the amount of such bonds in addition to the amount necessary to pay the interest on the unpaid bonds as before provided, which shall when collected, be set aside in a separate account to be opened for that purpose, and the said The Board of Public Education in Wilmington, shall apply the said sum annually to the payment of such part of said loan and interest thereon as may from time to time become due and payable under the provisions of Section 2 of this Act.

Number and  
date of bonds

Section 6. All of said bonds shall bear the same date and shall be numbered from one to eighty inclusive. All money received from the sale of any or all of said bonds, after the payment of the charges and expenses connected with the preparation and sale thereof, shall be deposited by The Board of Public Education in Wilmington at the Union National Bank in Wilmington to the credit of The Board of Public Education in Wilmington, and payments therefrom shall be made in the same manner as other payments by the said The Board of Public Education in



## OF FREE SCHOOLS.

Wilmington, provided that no part of the money so obtained except as in this section provided shall be used for any other purpose than for the purchase of ground and erection and equipment of Public School Houses in the City of Wilmington; and provided further that the purchasers or holders of said bonds shall not be bound to see to, nor be affected by, the application of said money realized from the sale of said bonds.

Money to be  
used for cer-  
tain purposes

Section 7. The bonds to be issued shall conform as nearly as possible to the following form, to wit:

Form of bond

United States of America

State of Delaware.

Class-----

Number-----

“The Board of Public Education in Wilmington.”

*School Erection and Equipment Bond.*

\$1,000.00

\$1,000.00

The Board of Public Education in Wilmington in the State of Delaware for value received hereby acknowledges its indebtedness and promises to pay at the Union National Bank in Wilmington on the \_\_\_\_ day of \_\_\_\_\_ A. D. 19\_\_, the sum of One Thousand Dollars (\$1,000.00), with interest thereon at the rate of \_\_\_\_ per centum per annum payable semi-annually on the \_\_\_\_ day of \_\_\_\_\_ A. D. 19\_\_, and in each year. This bond is one of the authorized issue of eighty bonds aggregating Eighty Thousand Dollars (\$80,000.00), by virtue of and in strict compliance with an act of the General Assembly approved A. D. 1913, entitled, “An Act to authorize The Board of Public Education in Wilmington, to borrow Eighty Thousand Dollars (\$80,000.00) to be expended for the erection and equipment of Public Schools in the City of

## OF FREE SCHOOLS.

Wilmington," and in pursuance to a resolution of The Board of Public Education in Wilmington, adopted-----  
-----A. D. 19---

It is hereby certified that this bond is one of the issue authorized by the above recited act of the General Assembly and that the faith and credit of said The Board of Public Education in Wilmington is pledged for the punctual payment of the principal and interest of this bond according to its terms.

In witness whereof the President of The Board of Public Education in Wilmington, The City Treasurer of Wilmington and the Secretary of the Board of Public Education in Wilmington have hereunto set their hands and the corporate seal of the said The Board of Public Education in Wilmington is hereunto affixed, this -----  
day of ----- A. D. 19---

Section 8. Said bonds shall contain such provisions in addition to those set forth in Section 7 of this act, and not inconsistent with the requirements, of this act, as the said The Board of Public Education in Wilmington shall determine.

Approved March 10, A. D. 1913.

OF FREE SCHOOLS.

CHAPTER 111.

OF FREE SCHOOLS.

AN ACT in Relation to the Sale of Certain School Property by the Board of Education of the Town of Harrington.

WHEREAS The Board of Education of the Town of Harrington have recently purchased a site for and caused to be erected thereon a new School building for the consolidated School District formed out of School Districts numbers 94, 126 and 127 in Kent County and State of Delaware; and

WHEREAS the said consolidated School District has no longer any need for the old school building and lot upon which the same now stands, now therefore

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That The Board of Education of the Town of Harrington be and it is hereby authorized to sell the lot, piece or parcel of land, with the improvements thereon being, which was conveyed to the said The Board of Education of the Town of Harrington by James Sharp and Rachel C., his wife, by their deed bearing date the first day of June, 1883, and of record in the office of the Recorder of Deeds, for Kent County and State of Delaware, in Deed Record Book N, Volume 6, pages 459, and following; the said premises being situated on the east side of Dorman Street, in the town of Harrington, Kent County and State of Delaware, and being the same which were used for school grounds and school building prior to the recent erection of the new school building in the

Board of Education of Harrington authorized to sell a certain plot of ground

Description of plot of land

## OF FREE SCHOOLS.

consolidated District aforesaid, and being more particularly described in the deed aforesaid.

To be sold at  
private or pub-  
lic sale

Section 2. The sale of the property aforesaid shall be either at public or private sale, and upon such terms as the said The Board of Education of the Town of Harrington shall deem best.

Board may ac-  
cept mortgage

The said Board is further authorized to accept a bond and mortgage, or other evidence of indebtedness, in part payment of the purchase price of such property if the said Board shall deem it advisable, so to do.

Title to plot  
when sold

Section 3. The said The Board of Education of the Town of Harrington is hereby authorized to convey to the purchaser or purchasers of the property aforesaid a good and merchantable title or estate in fee simple to said property, and the deed of the said The Board of Education of the Town of Harrington shall be deemed sufficient for this purpose. The signing of the name "The Board of Education of the Town of Harrington" by the President of the Board and the acknowledgment by said President shall be deemed to be an execution and acknowledgment of said deed by The Board of Education of the Town of Harrington.

No liability on  
part of pur-  
chaser

Section 4. There shall be no liability on the part of any purchaser of the property aforesaid for the application of any of the proceeds of the sale thereof.

Proceeds  
of sale

Section 5. The proceeds of the sale of the property aforesaid shall be applied by the said The Board of Education of the Town of Harrington toward the payment of the indebtedness incurred in and by the erection and equipment of the new school building hereinbefore referred to.

Section 6. This Act shall be deemed and taken to be a public Act.

Approved February 24, A. D. 1913.

## OF FREE SCHOOLS.

## CHAPTER 112.

## OF FREE SCHOOLS.

AN ACT to Authorize and Empower "The Board of Commissioners of the Public Schools of Georgetown, Sussex County," to Procure a Site, Borrow Money to Pay for the Same and Erect Thereon a New High School Building, to Issue Bonds to Secure Said Loan, to Refund the Outstanding Floating and Bonded Indebtedness and to Levy a Tax to Pay the Said Bonds.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That "The Board of Commissioners of the Public Schools of Georgetown, Sussex County", and their successors in office are hereby authorized and empowered to borrow, at its discretion, a sum of money not to exceed twenty thousand dollars, for the purpose of procuring a site and erecting and constructing thereon a high school building, fully to complete and furnish the same, in the corporate districts Numbers 67, 96, 106 and 107, Sussex County, for school purposes, and establish an adequate and modern heating plant therein, and refunding the outstanding floating and bonded indebtedness against said districts.

Georgetown School Commissioners to borrow not exceeding twenty thousand dollars

To erect a high school building

Section 2. That the said Board of Commissioners be and it is hereby vested with full power and authority to issue and sell, for the purpose of carrying into effect the provisions of this Act, its bonds to an amount not exceeding the sum of twenty thousand dollars, of such denominations as may be determined by said Board of Commissioners and in such proportions of such denominations as may be determined by said Board of Commissioners, which said bonds shall be dated on the first day

Commissioners to issue and sell bonds in denominations they determine

Date of bond

## OF FREE SCHOOLS.

Interest	of July A. D. 1913, and numbered consecutively commencing with number one, and shall bear interest from and after that date at such rate as the said Board of Commissioners may determine, not to exceed five per centum per annum, payable annually on the first day of July in each and every year while they remain unpaid, at such bank or trust company as the said Board of Commissioners shall determine, on presentation of the coupons representing said annual interest, each annual installment of interest being represented by coupons attached to said bonds, the said bonds shall be payable on the first day of July A. D. (1963) one thousand nine hundred and sixty-three, but may be redeemed, at the option of the said Board of Commissioners at any time after the first day of July, A. D. (1923) one thousand nine hundred and twenty-three: Provided, however, that no more of said bonds than shall amount, in the aggregate, at par value, to the sum of one thousand dollars shall be redeemed by said Board of Commissioners in any one year: And provided further, however, that if the said Board of Commissioners elects to redeem any of said bonds according to their tenor, such redemption shall be effected on the first day of July, and in pursuance of notice signed by the President and Treasurer of the said Board of Commissioners, published in four consecutive issues of two newspapers published in Georgetown, Sussex County, such notice shall indicate the bonds called and in making the calls the said Board of Commissioners shall call the bonds according to their number, beginning with the lowest number.
Commissioners to determine bank	
When payable	
Limit to be redeemed annually	
Notice of redemption of bonds	

Section 3. That the said Board of Commissioners shall direct and effect the preparation, printing and sale of the bonds authorized by this Act, at such time or times, and on such terms and for such sums, not less than their par value, as they may deem expedient, but that all the money, the proceeds of such sale, shall be ap-

## OF FREE SCHOOLS.

plied to carrying into effect the provisions of this Act, and the said bonds shall be signed by the President of the said Board of Commissioners and Treasurer of said Board of Commissioners, and shall be exempt from state, county and municipal taxation, and be denominated Georgetown School Bonds, and shall be in the following form: Signatures  
on bonds

United States of America.

State of Delaware,

United School Districts Nos. 67, 96, 106 and 107, of Form of bond  
Georgetown, in the County of Sussex.

Number-----

Series-----

These presents certify and make known that "The Board of Commissioners of the Public Schools of Georgetown, Sussex County," is held and firmly bound unto the bearers in the sum of \_\_\_\_\_ dollars, lawful money of the United States of America, which the said Board of Commissioners binds itself to pay to the bearers on the first day of July A. D. one thousand nine hundred and sixty-three, with interest at the rate of \_\_\_\_\_ per centum per annum, payable on the first day of July in each and every year until the principal be paid, upon the presentation of the coupons hereto annexed, representing such annual installment of interest: provided, however, and it is expressly stipulated that the said Board of Commissioners reserves to itself the power, at its option, to call in and redeem this bond on the first day of July A. D. one thousand nine hundred and twenty-three, pursuant to the notice provided for by the Act of Assembly, in accordance with the provisions of which this bond is issued. And provided further, that when this bond shall be called in by notice aforesaid, interest thereon shall cease to accrue from and after the first day of July next succeeding the date of such notice.

## OF FREE SCHOOLS.

Dated at Georgetown, this      day of July, A. D. 1913.

Witness the seal of the said "The Board of Commissioners of the Public Schools of Georgetown, Sussex County," and the hands of the President and Treasurer of said Board.

President of Board.

Treasurer.

Corporation

Seal.

Cancelled coupons and bonds

As the said interest coupons and the said bonds are paid the same shall be cancelled, in such manner as the said Board of Commissioners shall direct. The bonds issued and sold by the said Board of Commissioners, in accordance with the provisions of this Act, shall be a lien upon all the real estate situate and lying in said united districts.

To raise annually money to redeem bonds and pay interest

Section 4. That for the purpose of raising the funds necessary for the redemption of said bonds and for the payment of the interest thereon, the said Board of Commissioners is hereby further authorized, empowered and directed to assess, raise, and collect annually, in the same manner as now provided by law for assessing, raising, and collecting the school taxes in said united school districts, such further sums of money as shall in their judgment be necessary and sufficient to meet the interest on said bonds as the same shall accrue, and to redeem the said bonds as the same shall be called in by the said Board of Commissioners, according to the provisions of this Act. The sums assessed, raised and collected under and by virtue of the provisions of this Act to be in addition to such sums assessed, raised and collected by the said Board of Commissioners for the school purposes, provided, that the sums levied and assessed under and by virtue of this section shall not exceed the interest of



## OF FREE SCHOOLS.

the bonds then outstanding and the par value of the bonds called in for that year by more than twenty per centum of the aggregate amount of said interest and par value of said bonds.

Section 5. In case the said Board of Commissioners shall not be able to procure, by agreement with the owner, a lot of land suitable and proper for the erection of said high school building, it shall and may be lawful for the said Board of Commissioners to have condemned said lot of land in the same manner and under and by virtue of the provisions of Section 17, of Chapter 67, Vol. 21 of the Laws of Delaware, in such case made and provided. Provided, however, that said Board of Commissioners shall have the right and they are hereby authorized and empowered under such condemnation proceedings as aforesaid, to select a site for said high school building and appurtenances not to exceed five acres in area.

May condemn  
land for building under  
Chap. 67,  
Vol. 21

Section 6. That before the provisions of this Act shall go into effect, or The Board of Commissioners of the Public Schools of Georgetown, shall have authority to issue any bonds, acquire any lands for school purposes, or make any contracts by virtue of this Act, the borrowing of a sum of money not to exceed Twenty Thousand Dollars as aforesaid, shall be submitted to and approved by the majority of the votes cast, at the annual school election to be held in Georgetown in the month of June, 1913.

To hold school  
election before  
this act goes  
into effect

Approved March 19, A. D. 1913.

## OF FREE SCHOOLS.

## CHAPTER 113.

## OF FREE SCHOOLS.

**AN ACT to amend an Act entitled, "An Act Uniting the School Districts of Laurel and Vicinity", being Chapter 511, Volume 18, Laws of Delaware.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members of each House of the Legislature concurring therein):*

**Amend Chap.  
511, Vol. 18**

**Eligibility for  
election as a  
school com-  
missioner**

**To file name  
ten days prior  
to date of  
election**

**Section 1.** That Chapter 511, Volume 18, Laws of Delaware, be, and the same is hereby amended by adding after the word "Districts", in the fifteenth line of Section 4, the following: No person shall be eligible for election as a Commissioner for said United School Districts unless a notice that his name will be presented at such election for the consideration of the voters of said Districts as a candidate for the position of Commissioner, shall have been filed with the Secretary of the Board of Commissioners of said Districts, at least ten days prior to the date of the election, and it shall be the duty of the Secretary of the said Board of School Commissioners to have the names of all such candidates published in at least one issue of some Newspaper in the Districts, and the Secretary shall have tickets printed, containing the names of all candidates filed in accordance with this Act, and all necessary election expenses shall be paid by the Districts.

**Further amend  
Chap. 511,  
Vol. 18**

**Section 2.** That Section 6 of Chapter 511 is hereby amended by striking out all after the word "Districts" in the eighteenth line and all of the nineteenth line of said Section 6, and inserting in lieu thereof the follow-

## OF FREE SCHOOLS.

ing: "A sum not less than Three Thousand Dollars (\$3,000.00) and not more than Five Thousand Dollars (\$5,000.00) for School purposes, by assessment on real values and in the same manner as County taxes are now, or may be hereafter assessed, levied, and collected, except that the poll or head tax on each male School voter shall be the sum of two dollars and fifty cents (\$2.50) for each year, and the said Board of School Commissioners of said United School Districts may make said School Assessment during the month of June in each year."

Amount to be  
raised by as-  
essment

Annual poll  
tax

Approved March 12, A. D. 1913.

## OF FREE SCHOOLS.

## CHAPTER 114.

## OF FREE SCHOOLS.

**AN ACT** Appropriating the sum of One Hundred and Ninety-four Dollars to Seaford Graded School District No. 70, 70½, 102, 102½ to cover an insufficiency in the amount allowed to said District in the Distribution of the State School Funds.

WHEREAS, The Seaford Graded School District No. 70, 70½, 102, 102½ is now employing eleven teachers and should be entitled to One Hundred and Ninety-four Dollars for each teacher so employed;

AND WHEREAS, By an oversight on the part of the Commissioners of said Seaford Graded School District No. 70, 70½, 102, 102½ the said School District is receiving dividend from the State for only ten teachers instead of eleven; therefore,

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Appropriating  
money to Sea-  
ford School  
Districts

Section 1. That the sum of One Hundred and Ninety-four Dollars be, and the same is, hereby appropriated to be paid to the said Seaford Graded School District No. 70, 70½, 102, 102½, and the State Treasurer is hereby authorized and directed to pay the said amount out of any funds in the State Treasury not otherwise appropriated.

Approved February 19, A. D. 1913.

OF FREE SCHOOLS.

CHAPTER 115.

OF FREE SCHOOLS.

AN ACT to change the Number of School District Number Twenty-three and Twenty-three and one-half, One Hundred and sixty-one and One Hundred and sixty-one and one-half, in Sussex County, Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

That School District Number Twenty-three, Twenty-three and one-half, One Hundred and sixty-one and One Hundred and sixty-one and one-half, in Sussex County, Delaware, shall upon and after the passage of this Act be known by the name or number of Twenty-three and One Hundred and sixty-one only.

Changing  
name or num-  
ber of certain  
school districts  
in Sussex Co.

That all Laws or parts of Laws heretofore passed that are inconsistent with this Act are hereby repealed.

Approved February 19, A. D. 1913.

## OF FREE PUBLIC LIBRARIES.

## CHAPTER 116.

## OF FREE PUBLIC LIBRARIES.

AN ACT to Amend an Act entitled "An Act Providing for the establishment and maintenance of Free Public Libraries," approved March 9, A. D. 1901, being Chapter 136 of Volume 22 of the Laws of Delaware, as amended by Chapter 361, of Volume 23 of the Laws of Delaware, and as further amended by Chapter 114, Volume 23 of the Laws of Delaware, and as further amended by Chapter 106, Volume 25 of the Laws of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Amend Chap.  
136, Vol. 22,  
Chap. 361,  
Vol. 23, Chap.  
114, Vol. 23,  
Chap. 106,  
Vol. 25

Section 1. That the Act entitled "An Act providing for the establishment and maintenance of free public libraries," approved March 9, A. D. 1901, being Chapter 136 of Volume 22 of the Laws of Delaware, as amended by Chapter 361 of Volume 22 of the Laws of Delaware, and as further amended by Chapter 114, Volume 23 of the Laws of Delaware, and as further amended by Chapter 106, Volume 25 of the Laws of Delaware, be amended as follows:—

Amend Sec. 2,  
Chap. 362,  
Vol. 22

Section 2. By striking out the word "chairman" in line two of Section 2 of the Act aforesaid, as said Section 2 is printed in Chapter 362 of Volume 22 of the Laws of Delaware, and by inserting the word "president" in lieu thereof.

Further  
amending Sec.  
2, Chap. 362,  
Vol. 23

Section 3. By striking out all of Section 2 of the Act aforesaid, as section 2 is printed in Chapter 362 of Volume 22 of the Laws of Delaware after the words "The sum of" in line eleven of said Section 2, and by inserting in lieu thereof the following:—

## OF FREE PUBLIC LIBRARIES.

“Two Thousand Dollars, exclusive of the expenses actually incurred by the members in attending to the work of the Commission and of sums laid out for necessary printing, postage, stationery and office expenses. The said sum of Two Thousand Dollars, together with the actual expenses of the members as aforesaid and all bills for necessary printing, postage, stationery, and office expenses, shall be paid by the State Treasurer annually to the said Commission out of any funds in his hands as such Treasurer, not otherwise appropriated, upon the order or orders of its President, attested by its Secretary, and this Act shall be the warrant for such payment.” Annual appropriation

Section 4. By inserting the following sentence between the word “aforesaid” and the words “The said State” in line twelve of Section 3 of the Act aforesaid, as said Section 3 is printed in Chapter 362 of Volume 22 of the Laws of Delaware:— Amend Section 3, Chap. 362, Vol. 22

“The said Commission is further authorized to provide Libraries to such extent as they shall deem advisable and their funds shall permit, and to control the circulation of the same, and to provide for the distribution of books and other reading matter and to do such other acts tending to the encouragement of reading, as they shall deem expedient.” Further authorisation for commission to provide libraries

Section 5. By striking out all of Section 5 of the Act aforesaid, as said Section 5 is printed in Chapter 362 of Volume 22 of the Laws of Delaware, after the word “provided” in line four of said Section 5 and by inserting in lieu thereof the following:— Amend Section 5, Chap. 362, Vol. 22

“either that at any election held as hereinafter provided, a majority of the qualified electors of said School District then present and voting shall vote in favor of

## OF FREE PUBLIC LIBRARIES.

Volume 22 of the Laws of Delaware between the word "consider" in line eighteen of page 704 of Volume 22 of the Laws of Delaware, and the words "The said District" in line twenty-five of the aforesaid page 704, and by inserting in lieu thereof the following:

"The said Commission shall also make such report and recommendation to the Board of Education or School Committee of the District as they shall deem proper or advisable."

Amend Section  
16, Chap. 362,  
Vol. 22

Section 12. By striking out all of Section 16 of the Act aforesaid as said Section 16 is printed in Chapter 362 of Volume 22 of the Laws of Delaware, and by inserting in lieu thereof a new Section 16 as follows:—

State Treasurer  
to pay  
money to Dis-  
trict Library  
Commission  
when proper  
certification  
has been made  
by State Li-  
brary Com-  
mission

"Section 17. Whenever the State Library Commission shall certify to the State Treasurer of the State of Delaware that any single, united, consolidated or incorporated School District in this State has established a Free Public Library therein and has raised by taxation, subscription, gift or otherwise, a sum not less than the sum prescribed by Section 10 of this Act for the class to which such District belongs for the support and maintenance of said Library for the year next ensuing such establishment, that then said State Treasurer shall pay to the District Library Commission of any such School District a sum equal to the lowest sum prescribed in Section 10 of this Act for the class to which such District belongs; and annually thereafter the said State Treasurer shall pay the said District Library Commission a sum equal to one-half of the lowest sum prescribed in Section 10 of this Act for the class to which such District belongs upon the Certificate of the State Library Commission that said District has raised by taxation, subscription gift or otherwise, a sum as hereinbefore provided for the maintenance and support of a Free

Annual pay-  
ments to  
District  
Library  
Commission



## OF FREE PUBLIC LIBRARIES.

Public Library therein for the year then next ensuing. All such sums to be paid by the State Treasurer as provided in this Section, shall be paid by him out of any moneys in his hands as such Treasurer not otherwise appropriated, and this Act shall be his warrant therefor. All such sums paid to any District Library Commission by the said State Treasurer as aforesaid shall be expended by the District Library Commission for books, approved by the State Library Commission." Money to be expended for Books

Approved March 20, A. D. 1913.

## OF DELAWARE COLLEGE.

## CHAPTER 117.

## OF DELAWARE COLLEGE.

**AN ACT to re-incorporate Delaware College and amend the Charter thereof.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met (two-thirds of each branch thereof concurring) :*

"The Trustees of Delaware College" to have perpetual existence

Section 1. That from and after the passage of this Act, "The Trustees of Delaware College," as incorporated, reincorporated and renewed by the several Acts of the General Assembly of the State of Delaware, be, and the same is hereby reincorporated and renewed, with perpetual existence as a Corporation, for the purpose of carrying on, at Newark, Delaware, a College to give instruction in such subjects as will best promote the liberal and practical education of the youth of all classes in the several pursuits and professions of life.

Corporation to have same powers as heretofore

Section 2. That said Corporation shall perform the same duties and possess the same privileges and prerogatives heretofore enjoyed and exercised by it, subject to the Amendments and provisions hereinafter contained.

Board of Trustees to consist of twenty-eight members and four ex-officio members

Section 3. That the Board of Trustees of said College shall consist of twenty-eight members, together with the Governor of the State, the President of the College, the Master of the State Grange, and the President of the State Board of Education, all of whom shall be members of the Board, ex-officio. Eight of said Trustees shall be appointed by the Governor, by and with the consent of a majority of the members elected to the Senate. At least

Eight Trustees to be appointed by the Governor

## OF DELAWARE COLLEGE.

one of said members to be appointed by the Governor shall be a person skilled in the Mechanic Arts. Twenty of said Trustees shall be elected by a majority of the whole Board of Trustees, as hereby constituted, not less than five of whom shall reside in each County in the State, and said election shall not be final until reported to the Senate at its next regular session, and confirmed by a majority of all of the members elected thereto.

One so appointed to be a mechanic

Twenty Trustees to be elected by a majority of Board as hereby constituted

Section 4. The first eight vacancies occurring in the Board of Trustees, as the same is constituted at the time of the passage of this Act, by death, resignation or otherwise, shall be filled by the Governor, as herein provided, the succeeding vacancies occurring, as aforesaid, shall be filled by election by a majority of the whole Board of Trustees, as herein provided, and thereafter all vacancies occurring as aforesaid, in the number appointed by the Governor, shall be filled by the Governor, so that there shall, at all times be eight members of the Board appointed by the Governor, and all other vacancies shall be filled by election by the board of Trustees, as herein provided.

Filling of vacancies in Board

Board to contain at all times eight members appointed by the Governor

Section 5. All accounts of the Treasurer of Delaware College shall be audited by the State Auditor in the same manner as the accounts of other State officers.

State Auditor to audit Treasurer's accounts

Section 6. The President of the College shall each year, not later than the First day of December, make a report of all the activities of the College, instructional, administrative and financial, for the preceding year, to the Board of Trustees, who shall transmit the same to the Governor, to be by him presented to the Legislature at its next regular session.

President of College to report to Governor

Section 7. A College for the instruction and education of women, affiliated with Delaware College, shall be es-

## OF DELAWARE COLLEGE.

College for  
women author-  
ised

tablished and maintained by The Trustees of Delaware College, whenever buildings, equipment and funds shall be provided by the Legislature or otherwise, for the proper establishment and maintenance of said College.

Board of Trus-  
tees may or-  
ganise a de-  
partment of  
education

Section 8. The Board of Trustees may organize a department of education which shall be a part of the public school system of the State, and which shall have for its object the education of teachers for the public schools of this State.

Course of  
study

The Courses of Study for this Department shall be arranged by the Trustees of Delaware College in co-operation with the State Board of Education, and they shall also conjointly adjust the courses of study of the High Schools of this State in so far as they are related to the terms of admission to Delaware College.

Associate  
Judge of New  
Castle county  
to appoint  
Commission  
when Trustees  
cannot agree  
with owner  
of land

Section 9. That whenever The Trustees of Delaware College cannot agree with the owner or owners for the purchase of any land, with the improvements thereon, in New Castle County, deemed by the Board of Trustees of the Trustees of Delaware College necessary for the purpose of erecting any building or buildings to be used by and in connection with said College, or for the enlargement of its grounds, or for any other purpose in connection with said College, or the Agricultural Experiment Station connected therewith, to better carry out the purpose of said College and Agricultural Experiment Station, the said The Trustees of Delaware College may apply to the Associate Judge of the State of Delaware, resident in New Castle County, first giving to the other party, owner or owners, at least five days' notice in writing, of the intended application to the said resident Judge; and if said other party, owner or owners be unknown or without the State, then such notice shall be published in some newspaper in New Castle County, Delaware, at least five days prior to

Notice

## OF DELAWARE COLLEGE.

the intended application; and the said Associate Judge shall appoint five judicious and impartial freeholders to view the premises and assess the damages which the owner or owners will sustain by reason of the taking and using said land. The said freeholders shall be sworn or affirmed before some Judge, Justice of the Peace or Notary Public before entering on the premises, faithfully and impartially to perform the duties assigned them. They shall give ten days' notice, in writing, to the owner or owners of the premises, or to his, her or their Guardian or Guardians duly appointed according to law, if within the State, and the same notice to the President of The Trustees of Delaware College, of the time of their meeting to view the premises; and the said Commissioners shall certify their finding and award to both parties and to the said resident Judge, but if either party is dissatisfied with the damages so assessed, such party may upon application to the Prothonotary of the Superior Court of the State of Delaware, in and for New Castle County, within twenty days after such assessment, sue out a writ of *ad quod damnum*, requiring the sheriff in the usual form, to inquire of twelve impartial men of his bailiwick of the damages as aforesaid, and their report shall be final; the said Commissioners shall in assessing the damages as aforesaid, award the actual cash value, in their judgment, of the land so to be taken and used, as aforesaid; upon the finding of said Commissioners, or of said jury, The Trustees of Delaware College, upon paying the damages so assessed, shall become entitled to have, hold, use and enjoy the said lands for the purposes by them required, forever; and in case any owner or owners of land necessary and taken for the purposes aforesaid, shall be a minor or non-resident, or for any cause incapable of receiving, or unwilling or neglecting to receive said damages, the said The Trustees of Delaware College may deposit the amount of the said damages to the credit of such owner or owners in the Farm-

Duties and  
authority of  
Committee

## OF DELAWARE COLLEGE.

To deposit  
money allotted  
for damages to  
credit of owner  
in Farmers'  
Bank and pro-  
ceed to take  
possession  
of land

Payment of  
assessment of  
expenses

ers' Bank of the State of Delaware, located at Wilmington, Delaware, subject to his, her or their order, whereupon the said The Trustees of Delaware College shall be entitled to have, hold, use and enjoy the said lands described and condemned in said report, and required for the purposes aforesaid, for or on account of which said damages shall have been so assessed; the expenses of the assessment by the said commissioners of the damages aforesaid, shall be paid by The Trustees of Delaware College, and the fees of the said Sheriff, Prothonotary, and all costs incurred in the execution of the writ of *ad quod damnum*, shall be paid by the party making the application for said writ.

Section 10. That all Acts, or parts of Acts hereby superseded, or which are inconsistent herewith, be, and the same are hereby repealed.

Approved March 19, A. D. 1913.

OF DELAWARE COLLEGE.

CHAPTER 118.

OF DELAWARE COLLEGE.

**AN ACT to appropriate Fifteen Thousand Dollars towards the maintenance of Delaware College.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met (three fourths of all the members elected to each House concurring therein):*

Section 1. That for the erection, alteration, extension, repair and general improvement of the buildings and grounds for Delaware College, at Newark, in the State of Delaware, to better enable the Board of Trustees to carry into effect the purposes as provided in the various Acts of Congress applicable thereto, and for such other purposes as are not provided for in said Acts of Congress, the sum of fifteen thousand dollars is hereby appropriated out of any money in the Treasury of the State of Delaware not otherwise appropriated, to be paid by the State Treasurer to The Trustees of Delaware College, in manner as follows:

Appropriation to better enable Trustees of Delaware College to carry into effect the purposes of various acts of Congress applicable thereto

Seventy-five Hundred Dollars thereof to be paid on the first day of July, A. D. one thousand nine hundred and thirteen, and seventy-five hundred dollars thereof to be paid on the first day of July, A. D. one thousand nine hundred and fourteen.

When to be paid

Approved March 12, A. D. 1913.

## OF DELAWARE COLLEGE.

## CHAPTER 119.

## OF DELAWARE COLLEGE.

**AN ACT to Appropriate Five Thousand Dollars for the Erection, Alteration and Repair of Buildings on the State Farm for Agricultural Experimental Purposes.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

Appropriation  
for agricultural  
experimental  
purposes

Section 1. That for the purpose of building a green house on the grounds of Delaware College, the sum of Five Thousand Dollars is hereby appropriated out of any money in the Treasury of the State of Delaware not otherwise appropriated, to be paid by the said Treasurer to the Trustees of Delaware College as follows:—

When to be  
paid

Twenty-five Hundred Dollars thereof to be paid on the first day of July, A. D. 1913, and Twenty-five Hundred Dollars on the first day of January, A. D. 1914.

Approved April 1, A. D. 1913.



OF DELAWARE COLLEGE.

CHAPTER 120.

OF DELAWARE COLLEGE.

**AN ACT to provide for the maintenance of Agricultural Extension at Delaware College.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Section 1. To enable the Trustees of Delaware College to continue the Division of Agricultural Extension established under the control of the Agricultural Department of said College, under the provisions of Chapter 127, Vol. 26, Laws of Delaware, the sum of Ten Thousand Dollars be, and is hereby appropriated out of the Treasury of the State of Delaware, to be paid by the State Treasurer to The Trustees of Delaware College, as follows:

Five Thousand Dollars thereof to be paid on the first day of July A. D. one thousand nine hundred and thirteen, and Five Thousand Dollars thereof on the first day of July, A. D. one thousand nine hundred and fourteen.

Approved April 1, A. D. 1913.

## OF DELAWARE COLLEGE.

## CHAPTER 121.

## OF DELAWARE COLLEGE.

AN ACT to amend Chapter 240, Volume 21, Laws of Delaware, entitled, "An Act to Prevent the Spread of Disease and to establish a Pathological and Bacteriological Laboratory for such purposes at Delaware College", as amended by Chapter 135, Volume 22, Laws of Delaware, as amended by Chapter 126, Volume 26, Laws of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 6,  
Chap. 126, Vol.  
26 amended

Section 1. That Section 6, of Chapter 126, Volume 26, Laws of Delaware, entitled, "An Act to Prevent the Spread of Disease and to establish a Pathological and Bacteriological Laboratory for such purposes at Delaware College", the same being an amendment to Chapter 135, Volume 22, of the Laws of Delaware, the same being an amendment to Chapter 240, Volume 21, Laws of Delaware, be and the same is hereby further amended by striking out all of said Section 6 and inserting in lieu thereof a new section as follows:

Annual appro-  
priation for  
Laboratory

Section 6. That the sum of Three Thousand, Five Hundred (\$3500.00) Dollars annually be appropriated for the Pathological and Bacteriological Laboratory for the payment of salaries and all other expenses of the said Laboratory, and the said sum of Three Thousand, Five Hundred (\$3500.00) Dollars is hereby annually appropriated out of any funds in the State Treasury, not otherwise appropriated; the said appropriation hereby made to be drawn by warrants signed by the President and Secretary of the State Board of Health, the accounts to be audited by the Auditor of Accounts of the State annually as now required for other accounts of the State Board of Health.

Warrants to be  
signed by offi-  
cials of State  
Board of  
Health

Approved April 1, A. D. 1913.

OF DELAWARE COLLEGE.

CHAPTER 122.

OF DELAWARE COLLEGE.

**AN ACT to Provide for the Establishment and Maintenance of a Summer School at Delaware College for the instruction of Teachers in a Summer Session.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Section 1. The Trustees of Delaware College shall establish and maintain at Delaware College for a period of not less than five weeks during the summer of each and every year a school for teachers in which shall be given courses in pedagogy and such other subjects as will give increased efficiency to those who are now teaching or wish to prepare to teach in the free public schools of this State, said courses shall include such instruction in agriculture as will enable such persons to teach said subject in the free Public Schools of this State. The courses given in said School shall be arranged by the Trustees of Delaware College conjointly with the State Board of Education. All persons who are now teaching or who will give satisfactory assurance to the Director of said School that they intend to teach in the free public schools of this State, shall be admitted into said School, the tuition in which shall be free.

Trustees of Delaware College to establish and maintain a summer school for teachers

To include instruction in agriculture

Free tuition for those intending to teach in public schools of this State

Section 2. The sum of One Thousand Two Hundred Dollars is hereby appropriated annually out of any money in the Treasury not otherwise appropriated for the maintenance of said School. Said sum shall be paid by the State Treasurer to the Treasurer of the Trustees of Delaware College in each and every year, which sum shall be used exclusively for the purposes of this Act.

Annual appropriation

Approved March 14, A. D. 1913.

## OF DELAWARE COLLEGE.

## CHAPTER 123.

## OF DELAWARE COLLEGE.

**AN ACT Appropriating One Thousand Dollars to the Board of Trustees of Delaware College, for Finishing Swimming Pool and Completing the Gymnasium.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Appropriation  
for Trustees of  
Delaware Col-  
lege to finish  
swimming pool  
and gymna-  
sium

Section 1. That the sum of One Thousand Dollars is hereby appropriated to the Trustees of Delaware College, for the purpose of enabling said Trustees of Delaware College to finish Swimming Pool and Completing the Gymnasium, and the State Treasurer is hereby authorized to pay the same to said Trustees of Delaware College, out of any funds not otherwise appropriated.

Approved March 17, A. D. 1913.

## OF DELAWARE COLLEGE.

## CHAPTER 124.

## OF DELAWARE COLLEGE.

AN ACT Providing for Securing the Site, Erecting, Equipping and Furnishing Buildings for a Women's College Affiliated with Delaware College, at Newark, Delaware, and to Provide the Method of Paying for the Same.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, three-fourths of the members elected to each House concurring therein:*

Section 1. During the month of March, A. D. 1913, the Senate of the State of Delaware, the House of Representatives, the State Board of Education, the Board of Trustees of Delaware College and the State Federation of Women's Clubs each shall elect one person from their number, which said persons, so elected, together with the Governor of the State of Delaware, shall constitute a commission for the purposes and with the powers and duties hereinafter named. The members of said commission shall serve without compensation, but shall be reimbursed for actual expenses incurred in connection with the duties of said commission. Any vacancies occurring in said commission shall be filled by the body which elected the member whose death, resignation or removal shall have caused such vacancy.

Commission provided to secure site and construct buildings for a Women's College affiliated with Delaware College

Vacancies how filled

The said commission, after the organization thereof, is hereby authorized and empowered to secure the site or sites, construct, equip and furnish two modern fire-proof buildings for a Women's College affiliated with Delaware College, at Newark, Delaware. One of said buildings shall be a Dormitory and shall accommodate not less

One building to be a dormitory, another a laboratory

## OF DELAWARE COLLEGE.

than fifty students. The other building shall be a Laboratory and shall be designed and constructed so as to provide proper conveniences for the instruction of the students in said College. The said commission shall have the power and authority to purchase any real property in the vicinity of Delaware College which shall be selected by the commission for the purposes aforesaid from the owner or owners thereof upon such terms as may be agreed upon.

Power and authority to purchase land

Section 2. It shall be the duty of the said commission to secure the services of some competent architect or architects and to have the necessary plans, specifications and drawings for said buildings submitted to said commission as soon as possible.

To secure services of an architect

When the plans, specifications and drawings for said buildings have been approved by said Commission, the said commission shall let contracts for the work authorized by this Act, by public advertisement to the lowest, best and most responsible bidder, and shall have the right to reject any and all bids; and shall require all contractors to give bond, satisfactory to said commission, equal to one-half of the amount of the respective contracts.

To let contract to lowest, best and most responsible bidder

Section 3. The total aggregate cost of the construction of the buildings provided for in this Act, including the site, or sites, equipment, fixtures and furnishings for the same, together with all fees, salaries, commissions and expenses of all kinds for the commission, engineers, experts, architects, superintendents, clerks and other employees, shall not exceed the sum of One Hundred and Twenty Five Thousand Dollars. All payments on account of said work shall be made by the State Treasurer upon warrants drawn by the said commission from time to time upon the presentation to him of properly itemized vouchers bearing thereon the approval of said commission.

Total aggregate cost not to exceed a certain sum

Payments to be made on warrants drawn

## OF DELAWARE COLLEGE.

Section 4. The said commission shall have full and free right and authority to enter upon any lands in New Castle County in the vicinity of Delaware College and into any buildings being on such land for the purpose of inspecting and surveying the same in order that said commission may determine whether the acquisition of the same for the purposes set forth in this Act would be expedient. In case the said commission shall be unable to agree with the owner or owners of any real estate selected, for the purchase thereof, either by reason of inability to agree upon the terms of said purchase or because any owner thereof is a minor, or under any legal disability, or is unknown, or for any reason is unwilling to make or incapable of making a deed, conveying to the State of Delaware a good and perfect title to the real property aforesaid in fee simple, said commission may apply to the Associate Judge of this State, resident in New Castle County, by petition, and the said Judge shall appoint five judicious and impartial freeholders of said County to view the premises and assess the damages which the owner or owners will sustain by reason of the taking and using of such real property. The said Board shall give the owner or owners of such real property notice of its intention to present the petition aforesaid. Such notice shall be served upon said owner or owners in writing at least five days before the presenting of said petition, if such owner or owners be within the said County, but if said owner or owners shall not be within the said County at the time, then said notice shall be left with the tenant of said real property (or if there be no tenant, shall be posted on the premises), at least ten days before the presenting of said petition, and if said notice shall not be served personally upon the owner or owners, such notice shall also be printed in two or more newspapers published in said County in at least one issue thereof, which shall appear at least five days before the presenting of the petition aforesaid. The free-hold-

Commission  
right to enter  
upon any lands  
in New Castle  
county in vi-  
cinity of Dela-  
ware College

Resident Judge  
of New Castle  
county to ap-  
point Commis-  
sion to view  
land in dispute  
and assess  
damages

Board to  
govern free-  
holders ap-  
pointed on  
Commission in  
assessing dam-  
ages and view-  
ing land

## OF DELAWARE COLLEGE.

ers appointed as aforesaid shall be sworn or affirmed severally before entering upon the premises to perform the duties assigned them faithfully and impartially. Such oath or affirmation may be made before any judge or Justice of the Peace. The said free-holders shall give notice of the time of their meeting to view the premises. Such notice shall be given in the same manner and for the same time as is prescribed in this Section with respect to the notice of the presentation of the petition for the appointment of the free-holders aforesaid. The said free-holders, or a majority of them, shall certify their finding and award to the owner or owners of the real property aforesaid by serving a copy of such finding and award upon such owner or owners, if within the County aforesaid at such time, but if such owner or owners shall not be within said County at such time, then a copy of said finding and award shall be left with the tenant of the real property aforesaid, if there be a tenant, or if there be no tenant, the said finding and award shall be printed in at least one issue of at least two newspapers published in said County. The said free-holders shall also certify their finding and award to the said commission by serving a copy thereof upon any member thereof. If either party be dissatisfied with the damages assessed, the party so dissatisfied may, within twenty days after the date of the certifying of the finding and award of the free-holders as aforesaid, present a petition for review to the Associate Judge of the State, resident in New Castle County, first giving notice to the other party or parties affected. If the party dissatisfied be the said commission, such notice shall be given to the owner or owners of the real property aforesaid in the same manner and for the same time as prescribed in this Section with respect to the notice of the time of presenting the petition for the appointment of the first set of free-holders. In case the party dissatisfied be the owner or owners of said real property, the notice of the pre-

Findings to be  
printed in  
newspapers

To certify find-  
ings to Com-  
mission

If either side is  
dissatisfied  
may present a  
petition for  
review to Resi-  
dent Judge in  
New Castle  
county



## OF DELAWARE COLLEGE.

senting of the petition for review shall be given to any member of said commission. Upon the presentation of any such petition for review the said Judge shall appoint five other judicious and impartial free-holders of said County. The said free-holders shall be sworn or affirmed severally as hereinbefore prescribed with regard to the freeholders appointed on the first petition and shall give notice of the time of their meeting to view the premises and assess the damages precisely as prescribed with respect to the notice to be given of the time of the meeting of the freeholders appointed on the first petition, and the said freeholders, or a majority of them, shall certify their finding and award to the several parties affected in the same manner as in this Section prescribed with respect to the certifying of the finding and award of the first set of freeholders. The finding and award of the freeholders appointed on the petition for review, or a majority of them, shall be final.

On presentation for review Judge to appoint five other freeholders to view premises

Findings of second committee to be final

In making return of their finding and award, said freeholders shall attach thereto a plot of the land taken. When said award becomes final and upon payment of the damages, said plot shall be recorded in the office of the Recorder of Deeds for New Castle County and the same shall be indexed in the indices for Deed Records in said office in the same manner as if a voluntary conveyance had been made by the owner to the State of Delaware.

Freeholders to attach plot of the land with final findings to be recorded as if a voluntary conveyance

In assessing the damages, either under the first petition or under the petition for review, the freeholders shall in no case award a sum less than what in their opinion is the actual cash value of the real property condemned.

Sum to be awarded not to be less than actual cost value of land

The acts, doings and findings of a majority of the freeholders shall be as binding and effectual as the acts, doings and findings of all, both in the case of those free-

## OF DELAWARE COLLEGE.

holders first appointed and in case of those appointed on the petition for review.

Chancellor or Chief Justice to act when Resident Judge of New Castle county is unable so to do

In case the Associate Judge of this State, resident in New Castle County shall, for any reason, be unable to act under the provisions of this Section, then either the Chancellor or Chief Justice is hereby authorized to act in the place of said Resident Judge.

Failure to present a petition for review

Section 5. Upon failure to present a petition for review as aforesaid, or upon final determination of the damages assessed under a petition for review, the said commission shall, within twenty days thereafter, decide whether such damages shall be paid and such real property acquired, and if it shall decide that said real property shall be acquired, it shall cause the damages so assessed to be paid within twenty days aforesaid to the party or parties entitled, or may pay the same into the Superior Court of the State of Delaware, in and for New Castle County or to the Prothonotary thereof in vacation, for the use of the owner or owners of the real property condemned as aforesaid. Upon payment of the damages as aforesaid, the title to the real property condemned shall be vested in the State of Delaware, and shall be and become its absolute property for the purposes set forth in this Act. All fees and costs of the proceedings for the condemnation of the real property aforesaid as provided in this Act, shall be paid by the said commission. Each freeholder appointed under the provisions of Section 4, hereof, who shall perform the duties as prescribed by this Act, shall be entitled to a fee of Three Dollars which shall be paid him by the said commission within twenty days after the completion of his duties.

Assessed damage to be paid within twenty days to Superior Court in New Castle county or to Prothonotary for use of owner of land condemned

Title to be vested in the State of Delaware

Freeholder's fee

In case the said commission shall pay any damages awarded in the condemnation proceedings authorized by

OF DELAWARE COLLEGE.

this Act into the Superior Court of the State of Delaware, in and for New Castle County or to the Prothonotary thereof in vacation, for the use and benefit of the owner or owners of the real property condemned as aforesaid, the said Court, shall, upon petition of any person interested in the damages so paid, make such order for the payment or distribution of the fund so paid as the Court shall determine to be proper, said funds being deemed to be subject to unpaid liens, which, at the time of the condemnation, bound the real property aforesaid.

Pay or distribution of damage funds

Funds for damages subject to unpaid liens

Section 6. The said commission shall use its best endeavor to complete the erection of the buildings and the installation of all appliances and equipment therefor, as required by this Act, by the first day of September A. D. 1914, and shall, after the completion of said work, render to the General Assembly at its next session, a full report of its proceedings under the provisions of this Act.

To endeavor to complete buildings by September 1914

Section 7. The Trustees of Delaware College are hereby authorized and empowered to borrow upon faith and credit of the State of Delaware, in such manner and upon such terms as a majority of said trustees shall deem advisable, the sum of One Hundred and Twenty Thousand Dollars, which said sum, together with the first appropriation made under the provisions of Section 8 of this Act, or as much thereof as may be, shall be expended by the commission hereinbefore provided, in carrying out the provisions of this Act.

Trustees authorized to borrow \$120,000

The said Trustees are hereby authorized to borrow said sum or sums of money and to give therefor certificates or other evidence or evidences of indebtedness, executed in such manner and in such form as shall be considered advisable by said Trustees. Said Trustees shall have the power to fix the amount of any such certificates or other evidence or evidences of indebtedness, to fix the

Trustees authorized to give certificates of indebtedness

## OF DELAWARE COLLEGE.

Rate of  
interest

rate of interest which shall be paid on the sum or sums borrowed, to determine the date of maturity of such certificates or other evidence or evidences of indebtedness and the place where the same shall be payable when they shall become due. The said certificates or other evidence or evidences of indebtedness or any sum or sums which shall be borrowed as aforesaid, shall be in the name of the Trustees of Delaware College, and the same shall be executed in such manner as the Trustees of Delaware College shall by resolution determine. When the said sum or sums shall have been borrowed by the said Trustees, the same shall be paid by them to the commission hereinbefore provided, to be used by said commission for the purpose aforesaid.

Sums when  
raised by Trus-  
tees to be paid  
to Commission

Annual appro-  
priation for  
five years

Section 8. The sum of Thirty Thousand Dollars is hereby appropriated annually for a period of five years, which said sum shall be paid by the State Treasurer out of the current funds of the State to the Trustees of Delaware College, which said sums shall be used by the Trustees of Delaware College only for the purpose of paying the interest on the sums borrowed by them under the provisions of the preceding Section, and for the purposes of liquidating the indebtedness created as aforesaid, when the same shall become due and payable.

To be used in  
paying interest  
and liquidating  
indebtedness  
created

The faith and credit of the State of Delaware is hereby pledged to secure the indebtedness authorized to be created by Section 7 hereof.

Buildings and  
equipment to  
be used for  
Women's Col-  
lege

Section 9. The buildings and all equipment thereof, when completed and accepted by the commission designated in Section 1 hereof, shall be for the use of and under the control and supervision of the Trustees of Delaware College for the establishment and maintenance of a Women's College affiliated with Delaware College; but

**OF DELAWARE COLLEGE.**

nothing in this Act shall be construed or deemed to vest the title to said buildings or the equipment thereof, in said Trustees.

Approved March 31, A. D. 1913.

## OF STATE COLLEGE FOR COLORED STUDENTS.

## CHAPTER 125.

## OF STATE COLLEGE FOR COLORED STUDENTS.

**AN ACT** Appropriating Three Thousand Dollars, annually for the use and benefit of the State College for Colored Students, near Dover.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (three-fourths of all the members elected to each House concurring therein):*

Annual appropriation to State College for colored students for instruction in agriculture and mechanic arts

Section 1. That in order to enable the Board of Trustees of the State College for Colored Students to more effectually carry out the purposes contemplated in the various Acts of Congress relating to the establishment and maintenance of Colleges for instruction in Agriculture and the Mechanic Arts, the sum of Three Thousand Dollars, (\$3,000.) is hereby appropriated to be paid annually to "The Trustees of State College for Colored Students," to be used in the erection, alteration, extension, repair and general improvement of the buildings, grounds and equipment of said State College for Colored Students, and in providing instruction in necessary branches of learning not included in and provided for by the aforesaid acts of Congress.

How to be used

When to be paid

Section 2. That the said sum of Three Thousand Dollars, (\$3,000.) shall be paid annually to the Treasurer of the Board of Trustees of the said "The Trustees of State College for Colored Students" on the first day of July of each year, out of any money not otherwise appropriated.

Approved February 25, A. D. 1913.

OF DELAWARE INDUSTRIAL SCHOOL FOR GIRLS.

CHAPTER 126.

OF DELAWARE INDUSTRIAL SCHOOL FOR GIRLS.

AN ACT in Relation to the Delaware Industrial School for Girls.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That Chapter 363, Volume 22, of the Laws of Delaware, be amended by striking out the word "who" in the fifth line of Section 1, and inserting in said fifth line of said Section 1, the word "who" between the words "girl" and "under";

Section 1,  
Chap. 363,  
Vol. 22  
amended

That said Chapter be further amended by striking out the words "three respectable persons", in the eleventh line of Section 2, and inserting in lieu thereof the words, "respectable person";

Sec. 2, Chap.  
363, Vol. 22  
amended

That said Chapter be further amended by striking out the period after the word "regulations" in the twenty-fourth, thirty-eighth, fifty-sixth and sixty-second lines of said Section, and inserting in lieu thereof, a comma, and adding thereto, after the word "regulations" in each of said lines, the words "or until she reach the age of twenty-one years, whichever shall first occur";

Section 2. That Chapter 637, Volume 19, of the Laws of Delaware be further amended by adding thereto as follows: "Any girl committed to the custody of said corporation, unless committed by the Court of General Sessions of the State of Delaware, may by her parent, guardian or next friend, at any time within ninety days after the date of such commitment, upon giving security

Chap. 637,  
Vol. 19  
amended

## OF DELAWARE INDUSTRIAL SCHOOL FOR GIRLS.

Right of appeal to Resident Judge of New Castle county

for costs, as hereinafter provided, appeal to the Resident Associate Judge of New Castle County, who shall rehear the case, and for that purpose shall cause said girl to be brought before him, and also the witnesses on behalf of the corporation and the said girl, and upon such rehearing, if it shall appear to the Judge that such girl was without sufficient cause committed to the custody of said corporation she shall be discharged, otherwise remanded to the custody of said corporation; or if she shall have been committed on conviction of a criminal offense, the said Judge, without remanding her to the custody of the said corporation may, in his discretion direct that the penalties prescribed by law for such offense be in force, and such judgment shall be final.

If committed on conviction of a criminal offense Judge may direct penalties prescribed by law be in force

Appeal not to be allowed unless bond is given

Such appeal shall not be allowed unless such parent, guardian or next friend shall first give bond to the State of Delaware in such amount, and with such surety as shall be approved by such Judge, conditioned for the payment of the costs of such appeal and rehearing in case such girl shall not be discharged from the custody of said corporation”.

Chap. 637, Vol. 19 further amended

Section 3. That Chapter 637, Volume 19, of the Laws of Delaware be further amended by adding thereto as follows:

Auditor of Accounts to audit accounts of Delaware Industrial School

“That is shall be the duty of the Auditor of Accounts of the State of Delaware, to audit the accounts of the Treasurer of The Delaware Industrial School for Girls once every three months, and at such other times as he may deem desirable; and it shall be the duty of the Treasurer of said corporation to submit for his inspection all the books of account, vouchers and papers as will be necessary for said audits. And said Auditor of Accounts shall further certify to the Treasurer of the State of Delaware the result of such audit”.



## OF DELAWARE INDUSTRIAL SCHOOL FOR GIRLS.

Section 4. That Chapter 637, Volume 19, of the Laws of Delaware be further amended by adding thereto as follows:—

“That the Governor of the State of Delaware, the Treasurer of the State of Delaware, the Auditor of Accounts of the State of Delaware and the Judge of the Juvenile Court of the City of Wilmington be and they are hereby made ex-officio members of the Board of Managers of The Delaware Industrial School for Girls; and the Governor shall during the year A. D. 1913, appoint three suitable persons, one from each County of the State, to be managers of the said corporation; one to serve for one year, one to serve for two years, and one to serve for three years; and the Governor shall thereafter annually appoint a suitable person to be manager to succeed the manager whose term has expired, the person so to be appointed shall be from the same County as was the manager to be succeeded”.

Approved April 1, A. D. 1913.

## OF DELAWARE INDUSTRIAL SCHOOL FOR GIRLS.

## CHAPTER 127.

## OF DELAWARE INDUSTRIAL SCHOOL FOR GIRLS.

**AN ACT to re-enact and Renew an Act entitled, "An Act to Incorporate The Delaware Industrial School for Girls," being Chapter No. 637, Volume 19, Laws of Delaware, and the Several Supplements and Amendments thereto.**

WHEREAS, The Delaware Industrial School for Girls is a corporation for reformatory purposes, sustained in part by the State, and has duly filed under the corporate seal of said corporation, and duly attested, in the office of the Secretary of State, an Acceptance of the Provisions of the Present Constitution of the State of Delaware;

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (three-fourths of all the members elected to each House concurring therein):*

Chap. 637, Vol.  
19 renewed and  
reenacted

Section 1. That the act entitled "An Act to Incorporate The Delaware Industrial School for Girls," passed at Dover, Delaware, April 11, A. D. 1893, and all the several supplements and amendments thereto, be, and the same are hereby renewed and reenacted, and the said The Delaware Industrial School for Girls, the corporation thereby created, shall have perpetual succession from and after the passage of this act, and all the rights, powers, privileges and authority granted or conferred in and by the said act, and the several supplements and amendments thereto, are hereby renewed and extended.

Approved February 20, A. D. 1913.

OF CONTAGIOUS DISEASES.

CHAPTER 128.

OF CONTAGIOUS DISEASES.

AN ACT in relation to the Bodies of Animals and Birds dying from a Contagious Disease.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That from and after the passage of this Act it shall be unlawful for any person, the owner of any dead bird or animal within this State, to leave unburied for more than twenty-four hours after its death the body of any such bird or animal which has died from a contagious disease, and it shall be unlawful for any person to drag out and leave unburied the body of any bird or animal which has died from a contagious disease. Unlawfu to leave unburied any dead bird or animal

Section 2. Any person who violates any of the provisions of the above Section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined a sum not less than Twenty Dollars nor more than Fifty Dollars for each offense. Penalty for violation

Approved March 17, A. D. 1913.

## OF VETERINARIANS.

## CHAPTER 129.

## OF VETERINARIANS.

AN ACT amending an Act entitled "An Act requiring all Veterinarians to register and pay an annual license fee of Ten Dollars to the State therefor," being Chapter 22, Volume 22, Laws of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Chap. 22, Vol.  
22 amended

Section 1. That Chapter 22, Volume 22, of the Laws of Delaware be amended by adding thereto the following, which shall be denominated as Section Two of said Act:

Veterinarians  
must take out  
license

Any person, who shall after the passage of this Act, within the limits of this State practice veterinary medicine or surgery without having the license from the Clerk of the Peace and without having his name registered in a book to be kept by the Clerk of the Peace for that purpose in accordance with the provisions of this Statute, shall be deemed guilty of a misdemeanor and upon conviction thereof in any County of this State shall pay a fine for the first offense of Twenty-five Dollars (\$25.00), and for every subsequent offense One Hundred Dollars (\$100.00).

Penalty for  
violation.

Approved March 19, A. D. 1913.

## OF PROFESSIONAL NURSING.

## CHAPTER 130.

## OF PROFESSIONAL NURSING.

AN ACT to amend Chapter 114, Volume 25, Laws of Delaware, entitled "An Act to Regulate the practice of Professional Nursing in the State of Delaware and to create a Board of Examiners for nurses, to require registration by those desiring to practice nursing in the State as registered nurses and to provide penalties for the breach of the requirements of this Act", by more specifically defining who may practice professional nursing as trained, professional, graduate or registered nurses, resident or non-resident, and those who do not in any way assume to be such trained, professional, graduate or registered nurses.

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Section 1. That Chapter 114, Volume 25, Laws of Delaware, be amended by striking out the words "Professional nursing as a registered nurse without a certificate of said Board of Examiners" in lines 18 and 19 of Section 5 of said Act, and inserting in lieu thereof "nursing as a trained, professional, graduate or registered nurse without a certificate from the said Board of Examiners", and by striking out all of Section 5 of said Act after the word "nurse" in the twenty-fourth line of said Section and inserting in lieu thereof "A nurse registered in any State or Country having the same qualifications or higher ones than required in this State can, on the payment of five dollars and the production of a registration certificate, with the approval of the said Board of Examiners, be a registered nurse in this State."

Section 5,  
Chap. 114,  
Vol. 25  
amended

Section 2. That Section 6 of said Act be amended by striking out the words "registered nurse" in the fifth

Section 6,  
Chap. 114,  
Vol. 25  
amended

## OF PROFESSIONAL NURSING.

line thereof, and inserting in lieu thereof "trained, professional, graduate or registered nurse."

Section 3. That all Acts or parts of Acts inconsistent herewith, be and the same are hereby repealed.

Approved March 31, A. D. 1913.

# TITLE SEVENTH

## Of the Poor; The Insane; Deaf and Dumb, and the Blind

### CHAPTER 131.

#### OF TRUSTEES OF THE POOR.

**AN ACT** to authorize the Trustees of the Poor of Sussex County to borrow Ten Thousand Dollars for the repair and improvement of the inmates' and overseer's houses, and for the installation of water and heat; and to direct the Levy Court of Sussex County to provide for the payment thereof by additional taxation.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. The Trustees of the Poor of Sussex County are hereby authorized and empowered to borrow a sum of money not exceeding ten thousand dollars. The sum so borrowed shall be secured by bond and mortgage to be executed by The Trustees of the Poor of Sussex County upon the lands and tenements of said Trustees of the Poor of Sussex County as now held and owned by them.

Trustees of the Poor of Sussex county to borrow \$10,000

To be secured by bond and mortgage

Section 2. The money so borrowed under the provisions hereof shall be expended by The Trustees of the Poor of Sussex County to repair and improve the houses and buildings of the inmates and Overseer, to renovate and refurnish said buildings, and to provide a water

Money to be expended in improving county almshouse buildings

## OF TRUSTEES OF THE POOR.

supply and a heating plant therefor, and for such other purposes as will ameliorate the condition of the inmates of the Alms house of Sussex County.

Money to be paid to Treasurer of Sussex county and kept as a separate fund

Section 3. The money so borrowed shall be paid to the County Treasurer of Sussex County to be kept by him in a separate and distinct fund, denominated "Improvement Fund of the Trustees of the Poor", and The Trustees of the Poor of Sussex County shall draw upon said fund from time to time by warrants denominated "Improvement Warrants", which shall be in such form as the said The Trustees of the Poor of Sussex County shall deem proper.

Levy Court of Sussex county to levy an additional tax in March as long as indebtedness created by this act exists

Section 4. In addition to the tax levied each year for the benefit of the Poor of Sussex County by The Levy Court of Sussex County, the said Levy Court shall, in the month of March of each year while the indebtedness created under the provisions of this act, or any portion thereof, shall remain unpaid, levy an additional tax for the benefit of the Trustees of the Poor of Sussex County, to be known as "Additional Poor Tax", which shall be collected as other County taxes are collected. The said Levy Court shall, by calculation, fix such rate as will provide a fund sufficient each year to pay one tenth of the amount of money borrowed under the provisions of this act, together with interest upon the whole amount due and unpaid; and the County Treasurer shall keep a separate and distinct account of the money so raised. The Trustees of the Poor of Sussex County shall draw upon the money so raised and deposited by warrants designated "Special Warrants", and for the sole and only purpose of applying said money to the payment of the principal and interest of the debt secured by the bond and mortgage aforesaid.

Levy Court to fix rate as will provide a fund to pay off one-tenth yearly

"Special Warrants" to be used

Approved March 12, A. D. 1913.



OF TRUSTEES OF THE POOR.

CHAPTER 132.

OF TRUSTEES OF THE POOR.

AN ACT Increasing the Allowance to the Trustees of the Poor of  
Sussex County for their attendance upon the meetings of the  
Trustees.

*Be it enacted by the Senate and House of Representa-  
tives of the State of Delaware in General Assembly met:*

Section 1. That the Trustees of the Poor of Sussex County shall be allowed for their attendance at any regular or special meeting the sum of two dollars for each regular or special meeting, instead of one dollar as has been heretofore provided by law.

Trustees of the  
Poor of Sussex  
county allowed  
two dollars for  
each meeting

Approved February 19, A. D. 1913.

## OF THE INSANE.

## CHAPTER 133.

## OF THE INSANE.

**AN ACT to Amend Chapter 49 of the Revised Code, entitled "Of the Insane".**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

Section 2,  
Chap. 49, Re-  
vised Code  
Amended

Section 1. That Section 2 of Chapter 49 of the Revised Code, entitled "Of the Insane", be and it is hereby amended by adding thereto the following words:

"The Chancellor may, at any time, require the trustee to give other or additional recognizance or bond with surety to be approved by the Chancellor; and if such order be not complied with, the Chancellor may remove the trustee from his office."

Section 5,  
Chap. 49 of  
Revised Code  
amended

Section 2. That Section 5 of said Chapter 49 of the Revised Code be and it is hereby repealed and the following Section, known as Section 5, inserted in lieu thereof.

Trustee to  
collect and re-  
invest proceeds  
of sale

"Section 5. The proceeds of such sale shall be received by the trustee and shall be within the condition of his recognizance or bond. It shall be the duty of the trustee to invest, collect and re-invest the proceeds of sale and apply the income therefrom for the support and benefit of the insane person. The Chancellor may direct the trustee to expend a specified sum, either of principal or income, for the support or benefit of the insane person, or for the repair or improvement of his real estate; and may also direct such portion of the wood or timber grow-

Chancellor  
may direct &c

OF THE INSANE.

ing upon the land of the insane person, as may not be necessary for the use of the occupant of the land, to be cut and sold by the trustee for the benefit of the said insane person, and the proceeds of such sale shall be within the condition of the recognizance or bond of said trustee."

Approved March 17, A. D. 1913.

## OF THE INSANE.

## CHAPTER 134.

## OF THE INSANE.

**AN ACT making an Appropriation to the Delaware State Hospital at Farnhurst.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

Special approp-  
riation to  
Delaware State  
Hospital  
Board

Section 1. That the sum of One Thousand Three Hundred and Eighty-five Dollars is hereby appropriated to the Board of Trustees of the Delaware State Hospital at Farnhurst for the purposes enumerated below, namely:—

For the purpose of constructing cement walks the sum of Five Hundred and Sixty Dollars.

For the purpose of installing spray baths in Ward A Four Hundred and Seventy-five Dollars.

For the purpose of procuring a new engine for the laundry Three Hundred and Fifty Dollars.

Approved March 17, A. D. 1913.

OF THE INSANE.

CHAPTER 135.

OF THE INSANE.

**AN ACT Making an Appropriation for the Expenses of the State Board of Trustees of the Delaware State Hospital at Farnhurst for the Fiscal Year ending on Monday immediately Preceding the Second Tuesday of January in the Year of our Lord, one thousand nine hundred and fourteen.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That the sum of Seventy Two Thousand and Five Hundred Dollars, (\$72,500), is hereby appropriated and authorized to be paid out of the treasury of this State to the State Board of Trustees of the Delaware State Hospital at Farnhurst as an appropriation for the use and support of the Delaware State Hospital at Farnhurst for the fiscal year ending on Monday immediately preceding the second Tuesday of January in the year of our Lord, one thousand nine hundred and fourteen.

Appropriation  
to Delaware  
State Hospital  
at Farnhurst  
for fiscal year  
ending Jan.  
1914

Approved February 19, A. D. 1913.

# TITLE EIGHTH.

## Of the General Police.

### CHAPTER 136.

#### GENERAL PROVISIONS RESPECTING THE POLICE.

**AN ACT to Amend an Act entitled "An Act Defining Motor Vehicles and Providing for the Registration of the same and Uniform Rules regulating the use and speed thereof", the same being Chapter 120, Volume 25, Laws of Delaware.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 2,  
Chap. 120,  
Vol. 25 re-  
pealed

Section 1. That Section 2, Chapter 120, Volume 25, Laws of Delaware be and the same hereby is repealed and stricken out and another section, to be known as Section 2, be and the same is inserted in lieu thereof, as follows:

New Section 2  
created

To apply an-  
nually for reg-  
istration

Application  
shall contain  
names, ad-  
dress and de-  
scription of  
motor

How made

Section 2. Every resident of this State who is the owner of a motor vehicle, and every non-resident except as hereinafter provided, shall annually apply to the Secretary of State for the registration of the said motor vehicle. The application shall contain the name, place of residence and correct post office address of the owner, with a brief description of the motor vehicle, stating the name of the maker, manufacturer's number and character of the motive power and rated horse power. The said application shall be made upon a blank provided for

GENERAL PROVISIONS RESPECTING THE POLICE.

the purpose by the Secretary of State. It shall be signed by the owner and shall be verified by oath or affirmation. Upon receipt of the application and a fee of three dollars for a motor cycle and a fee of five dollars for any other motor vehicle, the Secretary of State shall register the said motor vehicle in a book to be kept for that purpose and shall issue to the owner a registration certificate and the Secretary of State at the expense of the State shall provide two number tags for each motor vehicle, excepting motor cycles, containing the registration number, the figures of which shall not be less than four inches in height and the abbreviated name of the State and the year. The Secretary of State at the expense of the State shall provide one number tag of flexible metal for motor cycles, containing the registration number, the figures of which shall not be less than one and three-eighths of an inch in height, and the abbreviated name of the State and the year: the figures to run length-wise (one above the other) of the number tag, which shall not be shorter than seven inches in height and two and one-quarter inches in width, the same to be attached to the rear mud guard of the motor cycle. Provided, however, that non-residents of this State shall be entitled to the same exemptions from the provisions of this Act as are granted to the citizens of this State by the laws of the State in which said non-residents reside. The fees provided for by this Act shall include all the fees due the Secretary of State upon any license or certificate provided for by this Act.

Fee for registration

Registration certificate

Number tags

Except motor cycles

Figures on tags

Special tags for motor cycles

Exemption of non-residents

All fees included

Approved March 19, A. D. 1913.

## GENERAL PROVISIONS RESPECTING THE POLICE.

## CHAPTER 137.

## GENERAL PROVISIONS RESPECTING THE POLICE.

AN ACT to amend an Act entitled, "An Act defining Motor Vehicles and Providing for the Registration of the same and Uniform Rules Regulating the Use and Speed thereof," being Chapter 120, Volume 25, Laws of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Sec. 4, Chap.  
120, Vol. 25  
amended

Family License  
for operators

Fee

To be issued  
to immediate  
family

Separate  
affidavits

Section 1. That Chapter 120, Volume 25, Laws of Delaware, be and the same is hereby amended by adding to Section 4 of said Act the following to wit: Any person may make application to the Secretary of State as herein provided for a "Family License", and upon receipt of the application and a fee of Eight Dollars (\$8.00), the Secretary of State shall issue to such applicant a "Family License" which shall entitle any member of his or her immediate family, who is over the age of sixteen years and who is otherwise qualified, to operate such applicant's motor vehicle, provided however, that no such "Family License" shall be issued until an affidavit has been filed with the Secretary of State from each member of the "immediate family", who shall come within the provisions of this Act, that he or she is qualified to operate such applicant's motor vehicle.

Approved March 14, A. D. 1913.



GENERAL PROVISIONS RESPECTING THE POLICE.

CHAPTER 138.

GENERAL PROVISIONS RESPECTING THE POLICE.

AN ACT to amend Chapter 146, Volume 26, Laws of Delaware, entitled "An Act for the protection of Owners of Motor Vehicles".

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That Chapter 146, Volume 26, Laws of Delaware, entitled "An Act for the Protection of Owners of Motor Vehicles" be and the same is hereby amended by striking out the word "felony" in line four of Section 3 of said Act and inserting in lieu thereof the word "misdemeanor" and by striking out the word "and" in line five of said Section 3 of said Act and inserting in lieu thereof the word "or".

Sec. 3, Chap.  
146, Vol. 26  
amended

Approved March 12, A. D. 1913.

## OF SHIPMENT AND CARRYING OF INTOXICATING LIQUORS.

## CHAPTER 139.

## OF SHIPMENT AND CARRYING OF INTOXICATING LIQUORS.

AN ACT regulating the shipment or carrying of spirituous, vinous or malt liquor into local option territory, or the delivery of same in such territory.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

Common carriers not to accept shipments of liquors

Unlawful to transport or deliver

Section 1. That it shall be unlawful for any common carrier, knowingly to accept or receive for shipment, transportation or delivery to any person or place within local option territory, or to carry, bring into, transfer to any other person, carrier or agent, handle, deliver or distribute in local option territory, any spirituous, vinous or malt liquor, regardless of the name by which it may be called.

Unlawful for any firm or person to convey liquor into local option territory when engaged in manufacture or sale of same

Section 2. That it shall be unlawful for any person, firm or corporation engaged in the manufacture or sale of spirituous, vinous or malt liquor, or the agent, servant or employee of any such person, firm or corporation, to carry, convey or bring into local option territory, spirituous, vinous or malt liquor, regardless of the name by which it may be called, by any conveyance or means of transportation whatsoever.

Penalty for violation

Section 3. That any person, whether as principal, or agent, clerk or servant of another, who shall knowingly violate any of the provisions of this Act, shall upon conviction thereof be fined not less than fifty dollars, nor more than five hundred dollars for the first offense; and upon conviction for any subsequent offense, in addition

OF SHIPMENT AND CARRYING OF INTOXICATING LIQUORS.

to such fine shall be imprisoned for a period of not less than thirty days, nor more than six months.

Section 4. This Act shall apply to all packages of spirituous, vinous or malt liquor, whether broken or unbroken. Each package of spirituous, vinous or malt liquor, regardless of the name by which it may be called, accepted, received, carried, transferred, handled, delivered or distributed in violation of the provisions of this Act, shall constitute a separate offense. And the false or fictitious naming or labeling of any spirituous, vinous or malt liquor for shipment or delivery into local option territory, shall work a forfeiture of such liquor.

Each package shipped constitutes a separate offense

False labeling

Section 5. Nothing in this Act shall be construed to apply to the shipment or delivery to physicians or druggists, of spirituous, vinous or malt liquor, in unbroken packages in quantity not to exceed five gallons at any one time, nor to the delivery to Churches, or the proper officers thereof, of wine in unbroken packages for sacramental purposes.

Physicians, druggists and churches exempted

Limit of five gallons

Section 6. That it shall be unlawful for any person to carry, bring or have brought any quantity of spirituous, vinous or malt liquor from any point within the State of Delaware into local option territory within said State greater than one gallon within the space of twenty-four hours.

Shipments from within State of Delaware into local option territory

Limit of shipment

Approved April 8, A. D. 1913.

## OF FISH, OYSTERS AND GAME.

## CHAPTER 140.

## OF FISH, OYSTERS AND GAME.

AN ACT appropriating money for the hatching, propagating and distribution of food fish and game.

WHEREAS the office of Fish Commissioner has been abolished by legislation of this General Assembly, and

WHEREAS the appropriation for the purpose of hatching, propagating and distributing food fish in the inland waters of this State has been expended upon the order and under the supervision of the Fish Commissioner, and in order to continue said appropriation for the benefit of the people of this State, therefore

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Appropriation  
for hatching  
and propa-  
gating food  
fish and game

Section 1. That there be and is hereby appropriated out of any moneys of the sinking fund of the State not otherwise appropriated the sum of Six Hundred Dollars per annum to be expended for the hatching, propagating and distribution of valuable food fish and game in this State as nearly equally as may be through the three Counties of this State.

State Treas-  
urer to pay to  
Board of Fish  
and Game  
Commissioners

Section 2. That the State Treasurer is hereby authorized and directed to pay to the Board of Game and Fish Commissioners the said sum of Six Hundred Dollars in equal semi-annual installments upon the order of the President of said Board of Game and Fish Commissioners.

## OF FISH, OYSTERS AND GAME.

Provided, however, that the State Treasurer shall not pay the second and subsequent installments of this appropriation, unless the order of the President as hereinbefore provided shall be accompanied by an itemized account of the expenditure of the previous payment. This itemized account shall be signed by the President and Secretary of said Board and shall be approved by the Auditor of Accounts. If for any reason the Auditor of Accounts shall deem that the previous installment of this appropriation was not expended within the meaning of the provisions of this Act, the subsequent installments of this appropriation shall be withheld and unpaid by the State Treasurer.

Second and subsequent installments not to be paid unless itemised account is presented

Approval of Auditor of Accounts

Section 3. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved March 28, A. D. 1913.

## OF FISH, OYSTERS AND GAME.

## CHAPTER 141.

## OF FISH, OYSTERS AND GAME.

AN ACT to Regulate Fishing by Steam and other Vessels with shirred or purse seines in the waters of the State of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

Unlawful to take menhaden with purse or shirred nets unless licensed according to this act

Section 1. It shall be unlawful for any person or persons, corporation or corporations, to take or attempt to take with purse or shirred nets menhaden of any kind in any waters within the jurisdiction of this State, including the waters of the Atlantic Ocean, within three nautical miles of the coast line of said State, either on his own account and benefit or on account and benefit of his employer; provided, however, that any person licensed in accordance with the provisions of this act may take menhaden with a purse or shirred net in accordance with the permission granted by such license.

To apply to Collector of Oyster Revenue for license to take menhaden

Section 2. Whenever any person or persons, corporation or corporations, may intend to take menhaden with such purse or shirred nets in the waters above specified, such person or persons, corporation or corporations, shall make an application to the Collector of Oyster Revenue of this State, for a license to take menhaden, with purse or shirred nets, as aforesaid.

Charge for License dependent on tonnage of vessels engaged in fishing

Section 3. Upon the receipt of such application the Collector of Oyster Revenue shall upon the payment to the said Collector of the sum of One Hundred Dollars for each steam, naphtha or oil vessel, not over One Hundred and twenty-five (125) net tons, and Two Hundred

## OF FISH, OYSTERS AND GAME.

Dollars (\$200.00) for each vessel over One Hundred and twenty-five (125) tons; and Twenty-five Dollars (\$25.00) for each sailing vessel with tenders to be so employed in the taking of menhaden by means of such purse or shirred nets, and Twenty-five Dollars (\$25.00) for each vessel other than steam or sailing vessels to be employed in taking menhaden as aforesaid, as a license fee, issue to such person or persons, corporation or corporations, a license to take menhaden with purse or shirred nets, duly signed by the Governor of the State of Delaware, attested by the Secretary of State, which said license shall be valid and in force for the term of one year from the date thereof, and no license shall be issued for a space of time less than one year.

License to be  
signed by Gov-  
ernor and at-  
tested by Sec-  
retary of State  
Valid for  
one year

Section 4. Any person or corporation violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall pay a penalty of two hundred dollars (\$200.00). Any person or corporation violating any of the provisions of this act shall, whether or not such person has been criminally prosecuted for such violation, be liable to a penalty of two hundred dollars (\$200.00) for each offense, to be sued for and recovered in a civil action as now provided by law.

Penalty for  
violation of  
this act

Approved April 3, A. D. 1913.

## OF FISH, OYSTERS AND GAME.

## CHAPTER 142.

## OF FISH, OYSTERS AND GAME.

AN ACT to amend an Act entitled "An Act Fixing the Time for Catching Shad in the Mispillion River, being Chapter 152, Volume 26, Laws of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Sec. 1, Chap.  
152, Vol. 26  
amended

Section 1. That Chapter 152, Volume 26, Laws of Delaware, be amended by striking out all of that part of Section 1 after the word "every" in the seventh line of said section, and inserting in lieu thereof the following: "Monday and twelve o'clock noon of the following Saturday."

Section 2. All acts and parts of acts inconsistent herewith are hereby repealed.

Approved February 4, A. D. 1913.



OF FISH, OYSTERS AND GAME.

CHAPTER 143.

OF FISH, OYSTERS AND GAME.

AN ACT to Regulate the Catching and Taking of Shad in Broadkila River and its Tributaries.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That on and after the approval of this Act it shall be unlawful to catch or take shad from the said waters, in any manner, whatsoever, between the hours of twelve o'clock noon of every Saturday and sunrise of the Monday next ensuing, and also between the first day of June, in each and every year, and the first day of March, thence next ensuing.

Hours for fishing for shad in Broadkila River limited

Section 2. That hereafter, it shall be unlawful for any person to catch or take, or attempt to catch or take, shad from the said waters, except by the following nets, namely: haul seines, drift nets and bow nets, and the size of the meshes of said seines, to conform to the general State Law, governing the same.

Nets to be used

Section 3. That any person or persons violating Section 1 and 2, of this Act, shall be deemed guilty of a misdemeanor and upon conviction before a Justice of the Peace, in and for Sussex County, shall be fined not less than Ten Dollars, nor more than Twenty-five Dollars, for each and every offense so committed.

Penalty for violating this act

Section 4. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Section 5. This shall be deemed and taken to be a public Act.

Public act

Approved March 19, A. D. 1913.

## OF FISH, OYSTERS AND GAME.

## CHAPTER 144.

## OF FISH, OYSTERS AND GAME.

AN ACT to amend an Act entitled, "An Act for the Protection of certain Fish in the fresh Waters of the State of Delaware, other than the Delaware River," being Chapter 148, Volume 26, Laws of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Sec. 2, Chap.  
148, Vol. 26  
amended

Section 1. That Section two of Chapter 148, Volume 26, Laws of Delaware, be, and the same is, hereby amended by adding at the end of said Section the words "the unlawful setting or placing of any of the devices or contrivances named in this Section shall constitute an offense against the provisions of this Section, and said devices and contrivances when found unlawfully set or placed shall be confiscated by the Board of Game and Fish Commissioners of the State of Delaware and be disposed of as said Board shall see fit."

Devices and  
contrivances  
to be con-  
fiscated

Sec. 3, Chap.  
148, Vol. 26  
amended

Section 2. That Section three of said Act be and the same is hereby amended by inserting immediately after the word "year" in the seventh line of said Section the words: "excepting pike in Sussex County, the season for which fish shall be from the twentieth day of May to the first day of April in each and every year."

Season for pike  
in Sussex  
county

Sec. 5, Chap.  
148, Vol. 26  
amended

Section 3. The said Act is further amended by striking out Section five and inserting in lieu thereof the following:

German carp,  
where to be  
caught and  
nets to be used

"Section 5. That it shall be lawful to catch German carp in the waters named in Section one of this Act, ex-

## OF FISH, OYSTERS AND GAME.

cepting tidal waters where the law shall be as heretofore, in haul nets and in gill nets of not less than a five inch mesh, provided that all other fish which are alive caught in said nets shall be returned with wet hands as quickly as possible and with the least possible injury to the water. And further, that it shall be lawful to catch shad, herring, cat fish and white and yellow perch in tidal waters and in the locks of the Chesapeake and Delaware Canal in gill and haul nets, provided that all other fish which are alive caught in said nets shall be returned with wet hands as quickly as possible with the least possible injury to the water."

Fishing in the  
Delaware and  
Chesapeake  
Canal.

Section 4. That Section six of said Act be and the same is hereby further amended by striking out Section six and inserting in lieu thereof, "Section 6. That it shall be unlawful to draw or lift any net set for German carp, except in tidal waters, as above provided between one hour after sunset of one day and one hour before sunrise of the day next following."

Sec. 6, Chap.  
148, Vol. 26  
amended

Hours for fish-  
ing for Ger-  
man carp

Section 5. That said Act be, and the same is, hereby further amended by striking out all of Section eight, and inserting in lieu thereof Section nine of said Act hereafter to be known as "Section 8."

Sec. 8, Chap.  
148, Vol. 26,  
stricken out

Approved March 26, A. D. 1913.

## OF FISH, OYSTERS AND GAME.

## CHAPTER 145.

## OF FISH, OYSTERS AND GAME.

**AN ACT regulating the number of acres of the bottom of the Delaware Bay which may be appropriated for planting oysters, and confirming the title of said bottom heretofore leased.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Possession of  
oyster bottoms  
heretofore held  
confirmed  
upon payment  
of ground rent

Section 1. The possession and title of any person, firm or corporation who has heretofore had possession for planting oysters on any portion of the bottom of the Delaware Bay within the jurisdiction of Delaware, and who paid, for the year beginning the first of April, A. D. 1912, the ground rent prescribed by Law, whether the bottom so occupied and planted shall be more or less than fifty acres, is hereby confirmed, provided the person, firm or corporation so occupying and planting said bottom shall pay the ground rent prescribed by Law for such bottom for the year beginning on the first day of April, A. D. 1913.

Hereafter only  
bona fide resi-  
dents of Dela-  
ware shall ap-  
propriate oys-  
ter bottoms

Section 2. That from and after the approval of this Act none except bona fide residents of the State of Delaware shall appropriate any part of the bottom of the Delaware Bay for planting and propagating oysters or for any other purpose whatever; provided, however, that this Section shall in no-wise affect the bottom of said Bay now occupied and leased.

Not to affect  
bottom now  
occupied

Approved March 20, A. D. 1913.

OF FISH, OYSTERS AND GAME.

CHAPTER 146.

OF FISH, OYSTERS AND GAME.

AN ACT to Amend Chapter 154, Vol. 26, Laws of Delaware, entitled  
"An Act in relation to the leasing of Oyster Bottoms in the Delaware Bay"

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That Section 9, Chapter 154, Volume 26 Laws of Delaware, entitled "An Act in relation to the leasing of oyster bottoms in the Delaware Bay", be and the same is hereby repealed.

Sec. 9, Chap.  
154, Vol. 26  
repealed

Approved March 20, A. D. 1913.

## OF FISH, OYSTERS AND GAME.

## CHAPTER 147.

## OF FISH, OYSTERS AND GAME.

AN ACT regulating the Tonnage Tax on Boats engaged in the Oyster business.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Tonnage tax  
on oyster boats  
hereafter esti-  
mated on boats  
actually owned  
and operated  
in the business

Rate of tax

Applicable to  
residents and  
non-residents

Section 1. That from and after the approval of this Act no person, firm or corporation engaged in the oyster business shall be required to pay any tonnage tax except on boats actually owned and operated by the person, firm or corporation engaged in said business, and the tonnage tax shall be at the rate of Three Dollars and fifty cents per net ton, (custom-house measurement) upon all boats or vessels engaged in said business, whether owned by residents or non-residents.

Section 2. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved March 21, A. D. 1913.

## OF FISH, OYSTERS AND GAME.

## CHAPTER 148.

## OF FISH, OYSTERS AND GAME.

AN ACT to Amend an Act entitled, "An Act for the Protection of Oysters in Murderkill River and in St. Jones' River," being Chapter 464, Volume 20, Laws of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That Chapter 464, Volume 20, Laws of Delaware, be, and the same is hereby amended by striking out all of Section 2 of said Act, and inserting in lieu thereof, the following:—"That from and after the passage of this Act it shall be lawful for any person or persons to sell and to dispose of twelve bushels of oysters taken from Murderkill River or St. Jones' River in a day, or to carry them through the mouth of Murderkill River or the St. Jones' River into the Delaware Bay by boat, vessel or otherwise, for sale or otherwise, whether the oysters shall be intended for planting, for home consumption or for any other purpose; provided, that no oyster shall be taken, sold or shipped from said Murderkill River or St. Jones' River less than two and one-half inches in length. Provided that two quarts of small oysters and refuse shall be allowed for each bushel of oysters".

Sec. 2, Chap.  
464, Vol. 20  
amended

Twelve bush-  
els of oysters  
may be taken  
from Murder-  
kill and St.  
Jones' River  
in a day

No oysters less  
than two and  
one-half inches  
in length to  
be taken

Approved March 20, A. D. 1913.

## OF FISH, OYSTERS AND GAME.

## CHAPTER 149.

## OF FISH, OYSTERS AND GAME.

**AN ACT for the Further Protection of Oysters in Broadkila River and Sound.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met :*

No oysters less than three and one-half inches in length to be taken from Broadkila River

Section 1. From and after the passage of this Act it shall be unlawful for any person or persons to take or catch any oysters for any purpose from Broadkila River or Sound or their tributaries of size less than three and one-half inches in length.

Daily catch limited to seven bushels for market consumption

Section 2. It shall be unlawful for any person or persons in any one day to take, catch or carry away in any boat, cart, or other vehicle from Broadkila River or Sound or their tributaries more than seven bushels of oysters for market or home consumption.

Misdemeanor

Section 3. Any person or persons violating the provisions of this Act shall be deemed to be guilty of a misdemeanor and upon conviction thereof shall be fined a sum not less than twenty nor more than forty dollars together with the costs of prosecution; in default of payment of said fine, the offender shall be imprisoned in the Sussex County Jail at Georgetown not less than twenty nor more than forty days. Justices of the Peace of Sussex County are hereby given jurisdiction to hear and determine all violations of the provisions of this Act, with power to enforce the same.

Penalty and fine



OF FISH, OYSTERS AND GAME.

Section 4. The Governor shall appoint two suitable persons in Sussex County, one from Broadkiln Hundred and one from Lewes and Rehoboth Hundred, whose duty it shall be to enforce the provisions of this Act, and who shall be entitled to One-half the fines collected from offenders found guilty of violation of the provisions of this Act, the remaining one-half to be paid to the Collector of Oyster Revenue. Said persons shall have the right to arrest any person or persons charged with the violation of the provisions of this Act.

Governor to appoint two oyster policemen to carry act into effect

To receive one-half of fines collected

Section 5. This Act shall continue in force for a period of four years from the date of its passage.

Act to continue in force for four years

Section 6. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved March 20, A. D. 1913.

## OF FISH, OYSTERS AND GAME.

## CHAPTER 150.

## OF FISH, OYSTERS AND GAME.

## AN ACT for the Protection of Diamond Back Terrapin.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Season for  
Diamond Back  
Terrapin

Section 1. That from and after the passage of this Act it shall be unlawful for any person to catch, take, kill or destroy or have in his possession, except for strictly scientific or propagating purposes, any Diamond Back Terrapin from the fifteenth day of March until the fifteenth day of November following in each and every year.

Unlawful to  
kill any Heifer  
Diamond Back  
Terrapin meas-  
uring less than  
five and one-  
half inches

Section 2. That it shall be unlawful for any person to catch, take, kill or destroy or have in his possession any Heifer Diamond Back Terrapin which measures less than five and one-half inches lengthwise on the bottom shell, except for strictly scientific or propagating purposes.

Misdemeanor

Section 3. That any person or persons violating any of the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall pay a fine of not less than Five Dollars and not more than Twenty-five Dollars for each Terrapin so caught, taken or had in possession, one-half of said fine to be paid to the person or persons securing the arrest and conviction, and in default of the payment of such fine together with costs, shall be imprisoned for a term not exceeding ten days.

Penalty for  
violation

One-half of  
fine to be paid  
to person se-  
curing arrest  
and conviction

OF FISH, OYSTERS AND GAME.

Section 4. That nothing in this Act shall be construed to prevent any person from disposing by sale or otherwise of any Diamond Back Terrapin which he may have had in his possession previous to the passage of this Act.

Section 5. That all Acts and parts of Acts in so far as the same are inconsistent with the provisions of this Act be, and the same are hereby repealed.

Approved March 26, A. D. 1913.

## OF FISH, OYSTERS AND GAME.

## CHAPTER 151.

## OF FISH, OYSTERS AND GAME.

## AN ACT for the Protection of Clams.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Right to clam  
granted to  
bona fide resi-  
dents of State  
only

Section 1. That from and after the approval of this Act it shall be unlawful for any person except such as have been bona fide residents of this State for at least one year immediately preceding the approval of this Act, to take or catch, or assist in taking or catching, clams in any waters within the jurisdiction of Delaware.

Misdemeanor

Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction in the Court of General Sessions, shall be imprisoned for not less than three months, nor more than six months, and fined in a sum not exceeding One Hundred Dollars, (\$100.) in the discretion of the Court.

Penalty

Clams found  
on oyster plan-  
tation

Provided, that any person or persons licensed under the laws of this State to plant oysters on the bottom of the Delaware Bay shall have the right, notwithstanding this Act, and without the payment of any special license fee therefor, to take and dispose of any clams found within the limits of any oyster plantation, taken up in good faith for the purpose of planting and propagating oysters and for which the said person or persons shall have paid for any current year the rental and tonnage fees prescribed by the then existing laws of this State for the occupation and use of said oyster plantations.

## OF FISH, OYSTERS AND GAME.

And provided further, that it shall be the duty of the Oyster Revenue Collector to revoke forthwith any license or privilege heretofore given or granted since the oyster ground survey in the Delaware Bay in the year 1910, to any non-resident, for ground which has not prior to the passage of this Act been in good faith used for the purpose of planting and propagating oysters.

Oyster Revenue Collector to revoke a license to non resident when good faith has not been practiced

Section 2. That Section One of Chapter 55, of the Revised Code of 1852 as amended in 1893, be and the same is hereby repealed, provided that this Section shall not effect the collection of any license fee or tax now due and uncollected, or any pending or future prosecutions for violations of said section.

Chap. 55  
Revised Code  
repealed

Approved March 20, A. D. 1913.

## OF FISH, OYSTERS AND GAME.

## CHAPTER 152.

## OF FISH, OYSTERS AND GAME.

## AN ACT Prescribing the Fees for Hunting and Fishing Licenses in the State of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Non-resident  
to obtain hunt-  
ing license

Section 1. That every non-resident of this State must obtain a license to hunt game birds or animals in this State, for which he shall pay ten dollars and fifty cents every year to the Board of Game and Fish Commissioners of the State of Delaware.

Non-resident  
Fisherman to  
buy license

Section 2. That every fisherman who is a non-resident of this State must obtain a license to fish in the waters of this State other than the Delaware River and Bay, for which he shall pay three dollars and fifty cents every year to the Board of Game and Fish Commissioners of the State of Delaware; provided that the word "fisherman" used in this section shall not be construed to include excursionists on a licensed excursion boat to this State, stopping for not more than three hours. A fee of fifty dollars shall be paid every year to the Board of Game and Fish Commissioners of the State of Delaware for each excursion boat fishing license above prescribed. Nothing in this paragraph shall be construed to render immune from arrest and prosecution any non-resident fishing without a license who has come into the State on a licensed boat and who does not in all other respects come strictly within the class above allowed to fish as excursionists on licensed boats.

Construction  
of word "fish-  
erman"

Excursion boat  
fishing license

No immunity  
granted non-  
resident

## OF FISH, OYSTERS AND GAME.

Section 3. That every resident of this State must obtain a license to hunt game birds or animals in this State, except landlords and tenants and their respective children on their freeholds and leaseholds, respectively, for which license he shall pay one dollar and ten cents every year to the Board of Game and Fish Commissioners of the State of Delaware. Resident gunners license fee

Section 4. That the license provided for in this act shall be in lieu of all charges for gunning or fishing privileges heretofore made and shall authorize their holders to hunt game birds or animals or to fish during the calendar year, i. e., they shall all expire on the thirty-first day of December of the year they are issued. Scope of licenses granted

Section 5. That for the purposes of this act all unnaturalized foreign born residents of this State shall be classed as non-residents of this State, and any person not an alien who has resided a year or more within this State shall be deemed to be a resident of this State. Unnaturalized foreign born to be treated as non-residents

Section 6. That all acts or parts of acts, in so far as the same are inconsistent with the provisions of this act, be and the same are hereby repealed.

Approved March 21, A. D. 1913.

## OF FISH, OYSTERS AND GAME.

## CHAPTER 153.

## OF FISH, OYSTERS AND GAME.

**AN ACT to Authorize the Board of Game and Fish Commissioners of the State of Delaware to appoint a Chief Game and Fish Warden of the State of Delaware and to provide for his compensation.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Board of Game and Fish Commissioners to appoint a Chief Game and Fish Warden in lieu of Fish Commissioner

Section 1. That the Board of Game and Fish Commissioners of the State of Delaware shall immediately after the approval of this act appoint some suitable person to be successor to the Commissioner of Fish and Fisheries who shall be known as Chief Game and Fish Warden of the State of Delaware and who shall serve at the pleasure of the said Board.

Duties

Section 2. That it shall be the duty of the said Chief Game and Fish Warden of the State of Delaware to protect, propagate and distribute game and fish throughout the State and to enforce the game and fish laws of the State of Delaware and to perform such other work as may be required of him by the Board of Game and Fish Commissioners of the State of Delaware.

Compensation

Section 3. That the said Chief Warden shall receive as compensation for his services the sum of Six Hundred Dollars per annum payable monthly.

Chap. 349,  
Vol. 16  
repealed

Section 4. That Chapter 349, Volume 16 of the Laws of Delaware as amended, entitled "An Act to Authorize the Governor to Appoint a Commissioner of Fish and Fisheries and to Provide for his Compensation," Be and the Same is Hereby Repealed.

Approved February 25, A. D. 1913.



OF FISH, OYSTERS AND GAME.

CHAPTER 154.

OF FISH, OYSTERS AND GAME.

AN ACT to amend an Act entitled, "An Act to Establish the Board of Game and Fish Commissioners of the State of Delaware," Chapter 162, Volume 26, Laws of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

Section 1. That Chapter 162, Volume 26, Laws of Delaware, entitled, "An Act to establish the Board of Game and Fish Commissioners of the State of Delaware," be and the same is hereby amended by striking out the words, "except those which heretofore have belonged to the Audubon Society", where they occur in the seventh and eighth lines of Section Three of said Chapter.

Sec. 3, Chap.  
162, Vol. 26  
amended

Approved February 25, A. D. 1913.

## OF FISH, OYSTERS AND GAME.

## CHAPTER 155.

## OF FISH, OYSTERS AND GAME.

**AN ACT to amend an Act entitled, "An Act Providing for the Enforcement of the Game and Fish Laws of the State of Delaware," Chapter 164, Volume 26, Laws of Delaware.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Sec. 7, Chap.  
164, Vol. 26  
amended

Section 1. That Section seven of Chapter 164, Volume 26, Laws of Delaware, entitled, "An Act providing for the enforcement of the Game and Fish Laws of the State of Delaware," be and the same is hereby amended by striking out the words "One dozen" where they occur in the fourth line of said section and inserting in lieu thereof the word, "twenty"; by striking out the words, "six animals in all," where they occur in the fifth line of said section and inserting in lieu thereof the words, "ten animals of each species, excepting muskrats"; by striking out the words, "provided that the numbers and affidavit required by this section shall not apply to ducks, snipe and plover when shipped openly by a resident of this State who has lawfully killed the same," where they occur in the twenty-fifth, twenty-sixth, twenty-seventh and twenty-eighth lines of said section.

Sec. 12, Chap.  
164, Vol. 26  
amended

Section 2. That Section Twelve of said Act be and the same is hereby amended by striking out the word, "every," where it occurs in the first line of said section and inserting in lieu thereof the word, "any"; by striking out the word, "clerk", where it occurs in the first line of said section and inserting in lieu thereof the word, "of-

OF FISH, OYSTERS AND GAME.

ficer"; by adding at the end of said section the words, "remitting at the same time all money collected from fines."

Section 3. That section fifteen of said Act be and the same is hereby amended by striking out all of that part of said section after the word, "paid", in the third line thereof and by adding in lieu thereof the words, "to the Board of Game and Fish Commissioners of the State of Delaware."

Sec. 15, Chap.  
164, Vol. 26  
amended

Approved February 28, A. D. 1913.

## OF FISH, OYSTERS AND GAME.

## CHAPTER 156.

## OF FISH, OYSTERS AND GAME.

## AN ACT for the Protection of Hungarian Partridges and Pheasants.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members elected to each House concurring therein):*

Hunting of  
Hungarian  
Partridge  
prohibited

Section 1. That from and after the passage of this Act it shall be unlawful for any person in the State of Delaware to hunt, kill, take or destroy, sell or expose for sale, or have in his possession after the same has been killed any Hungarian partridge or pheasant, except for scientific or propagating purposes.

Common  
nuisance  
Penalty

Section 2. That if any person shall be found within the State of Delaware hunting, wilfully killing, taking or destroying, selling or exposing for sale, or having in his possession after the same has been killed any Hungarian partridge or pheasant, except for scientific or propagating purposes, such person shall be deemed guilty of a common nuisance and shall be fined twenty-five dollars and costs for each offense, and failing to pay forthwith any fine imposed under the provisions of this Act together with the costs of prosecution, unless an appeal be taken, such person shall be committed to the County Jail or Workhouse of the County in which such offense was committed for thirty days unless said fine and costs be sooner paid.

Section 3. That the Justices of the Peace shall have plenary jurisdiction of all offenses against the provisions of this Act.

Approved February 25, A. D. 1913.

OF FISH, OYSTERS AND GAME.

CHAPTER 157.

OF FISH, OYSTERS AND GAME.

AN ACT to further protect Muskrats.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That from and after the approval of this Act it shall be unlawful for any person or persons to hunt, take, catch or kill any muskrat or muskrats with dog or dogs. Hunting muskrats with dogs prohibited

Section 2. That all persons violating the provisions of this Act shall be guilty of a misdemeanor, and upon conviction thereof before any Justice of the Peace, shall for each and every offense be fined a sum not exceeding five dollars, and in default of the payment of the said fine and costs shall be imprisoned for not less than twenty days. Misdemeanor Penalty

Approved March 7, A. D. 1913.

## OF FISH, OYSTERS AND GAME.

## CHAPTER 158.

## OF FISH, OYSTERS AND GAME.

AN ACT to amend an Act Entitled, "An Act for the Protection and Preservation of Birds and certain Animals", Chapter 165, Volume 26, Laws of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Sec. 2, Chap.  
165, Vol. 26  
amended

Section 1. That Section two, Chapter 165, Volume 26, Laws of Delaware, be and the same is hereby amended by adding to said section the following: "in Kent and Sussex Counties only; the swan being hereby expressly excepted from the list of game birds."

Sec. 3, Chap.  
165, Vol. 26  
amended

Section 2. That Section three of said Act be and the same is hereby amended by striking out the words, "pheasants from November 15 to December 31 next following," where they occur in the fifth and sixth lines of said section; by inserting the word, "only" in the sixteenth line of said section immediately before the word, "from"; by striking out the words, "November first to July first," where they occur in the twenty-fourth line of said section and inserting in lieu thereof the words, "July first to December thirty-first"; by adding at the end of said Section the words: "and provided further landlords and tenants and their respective children may trap rabbits in the open season on their freeholds and leaseholds respectively."

Sec. 5, Chap.  
165, Vol. 26  
amended

Section 3. That Section five of said Act be and the same is hereby amended by adding to said section the following: "the unlawful setting or placing of any of the

## OF FISH, OYSTERS AND GAME.

devices or contrivances named in this section shall constitute an offense against the provisions of this section and said devices and contrivances when found unlawfully set or placed shall be confiscated by the Board of Game and Fish Commissioners of the State of Delaware and disposed of as said Board shall see fit."

Confiscation  
of contrivance

Section 4. That Section six of said Act be and the same is hereby amended by adding the words, "or to set fire to, burn, bark or in any way mutilate any tree, living or dead, stump or log, on lands of another without the consent of the owner or person in charge expressly given and except as expressly permitted in Section three of this Act."

Sec. 6, Chap.  
165, Vol. 26  
amended

Section 5. That Section seven of said Act be and the same is hereby amended by adding the words, "provided it shall be unlawful to shoot muskrats within the hours named in this section."

Sec. 7, Chap.  
165, Vol. 26  
amended

Section 6. That Section eleven of said Act be and the same is hereby amended by striking out the word "seventy-five" where it occurs in the second line of said section and inserting in lieu thereof the word "fifty"; by adding immediately after the word, "animals", at the end of the third line of said section the words "except such animals as are habitually trapped for their pelts;" and by adding at the end of said section the words, "and except such birds or animals when had in possession alive for scientific or propagating purposes."

Sec. 11, Chap.  
165, Vol. 26  
amended

Section 7. That Section fifteen of said Act be and the same is hereby amended by adding to said section the words, "the mere selling, offering or exposing for sale by a resident of this State of any birds or animals forbidden to be sold under this section shall be prima facie evidence of an offense against this section and the pros-

Sec. 15, Chap.  
165, Vol. 26  
amended

Prima facie  
evidence of  
offense

## OF FISH, OYSTERS AND GAME.

ecution shall not be required to prove that the person accused did not lawfully himself kill said birds or animals but that fact may be offered in evidence by the accused and if established, shall be a good defence."

Approved March 26, A. D. 1913.



## OF FISH, OYSTERS AND GAME.

## CHAPTER 159.

## OF FISH, OYSTERS AND GAME.

AN ACT to amend an act entitled, "An Act for the Protection and Preservation of Birds and Certain Animals," being Chapter 165, Volume 26, Laws of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

Section 1. That Section 3, Chapter 165, Volume 26, Laws of Delaware, be, and the same is hereby amended Sec. 3, Chap. 165, Vol. 26 amended by striking out the words "April first" where they occur in the ninth and tenth lines of said section, and inserting in lieu thereof the words "March fifteenth"; by striking out the words "April fifteenth", where they occur in the twelfth line of said section, and inserting in lieu thereof the words "March fifteenth"; by striking out the words "from July first to September first next following and", where they occur in the thirteenth and fourteenth lines of said section; by striking out the words "November twentieth to March fifteenth", where they occur in the eighteenth and nineteenth lines of said section, and inserting in lieu thereof the words "December first to March tenth"; and by striking out the word "September" where it occurs in the twenty-third line of said section and inserting in lieu thereof the word "November".

Section 2. That the change herein above provided for the open season on muskrats, shall apply to New Castle County only; that is the open season for the trapping of muskrats for Kent and Sussex Counties, shall be from November twentieth to March fifteenth next following in every year as heretofore. Muskrat season under this act

Approved March 18, A. D. 1913.

## OF DITCHES.

## CHAPTER 160.

## OF DITCHES.

AN ACT to amend an Act entitled, "An Act concerning the Drainage of Swamps and Lowlands, empowering the Manager of any Canal, Ditch or Drain operating under the provisions or by authority of any Act of the General Assembly, or under the authority of an order of the Superior Court of the State of Delaware, to purchase, or construct, maintain and operate, a Dredge and other Instrumentalities for the purpose and uses of such Companies and Ditches," being Chapter 168, Volume 126, Laws of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Sec. 1, Chap.  
168, Vol. 26  
amended

Section 1. That Section 1 of Chapter 168, Volume 26, Laws of Delaware, entitled, "An Act concerning the Drainage of Swamps and Lowlands, empowering the Managers of any Canal, Ditch or Drain operating under the provisions or by authority of any Act of the General Assembly, or under the authority of an order of the Superior Court of the State of Delaware, to purchase, or construct, maintain and operate, a Dredge and other Instrumentalities for the purposes and uses of such Companies and Ditches" be, and the same is, hereby amended by striking out of said Section 1 of said Act the words, "the majority of the taxables present and voting" in the seventh and eighth lines of said Section 1, and inserting in lieu thereof the following words:—"two-thirds of the taxables of said ditch."

Approved March 17, A. D. 1913.

## OF DITCHES.

## CHAPTER 161.

## OF DITCHES.

AN ADDITIONAL Supplement to the Act entitled An Act for Stopping St. Georges Creek and draining a quantity of Marsh, on each side of said Creek being deemed Three Thousand and acres, situated in Red Lion and St. Georges' Hundreds, and County of New Castle, and for Keeping the Dykes and Drains belonging to the same in good order and repairs; providing a punishment for trespass on the property of said Company.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members elected to each house concurring therein).*

Section 1. That from and after the passage of this Act no person shall be permitted to fish in the waters of St. Georges Creek within the bounds of the marsh of the St. Georges Marsh Company, or enter the water of said Creek within said limits with a boat unless for the purposes of repairing the banks or sluices, without having first obtained a written permit so to do from at least two of the managers of the said St. Georges Marsh Company. And if any person or persons shall so fish or enter said waters without such consent, he, she or they shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding Ten Dollars.

Fishing in St. Georges Creek around St. Georges Marsh Company  
Permit necessary  
Misdemeanor  
Penalty

Section 2. Every person who shall wilfully injure any of the banks, ditches, water-ways, or sluices of the St. Georges Marsh Company shall be guilty of misdemeanor, and upon conviction thereof shall be punished by fine, not exceeding Fifty Dollars.

Injury to property of Marsh Co.

Approved March 17, A. D. 1913.

## OF DITCHES.

## CHAPTER 162.

## OF DITCHES.

AN ACT to renew an Act, entitled, "An Act to enable the owners of the marsh meadow, near Newport, called Conrad's Cripple, to keep the banks, dams and sluices in repair, and to raise a fund to defray expenses thereof," and the Acts supplementary thereto.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members elected to each House concurring therein):*

Act of Feb. 23,  
1865, extended  
indefinitely

That the Act, entitled, "An Act to enable the owners of the marsh meadow, near Newport, called Conrad's Cripple, to keep the banks, dams and sluices in repair, and to raise a fund to defray the expenses thereof," passed at Dover February 23, 1865, as subsequently amended and renewed, be and the same is hereby perpetually renewed, re-enacted and extended and declared to be in full force and virtue from the passage of this Act thenceforth forever.

Approved March 17, A. D. 1913.

## OF DITCHES.

## CHAPTER 163.

## OF DITCHES.

AN ACT to repeal Chapter 150, Vol. 19, Laws of Delaware, entitled, "An Act incorporating the Extension Ditch for the Water Privilege of the Mifflin Ditch and the Georgetown and Vaughan Ditch and Phipps Ditch."

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That Chapter 150, Volume 19, Laws of Delaware, entitled "An Act incorporating the Extension Ditch for the Water Privilege of the Mifflin Ditch and the Georgetown and Vaughan Ditch and Phipps Ditch," passed at Dover, April 21, 1891, be and the same is hereby repealed. Chap. 150,  
Vol. 19  
repealed

Section 2. That this Act shall be deemed and taken as a public Act.

Approved February 19, A. D. 1913.

## OF DITCHES.

## CHAPTER 164.

## OF DITCHES.

**AN ACT Providing for the Punishment of Disturbers of Ditch meetings and School meetings.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

Disturbers of  
Ditch and  
School meet-  
ings punished

Misdemeanor

Section 1. If any person shall wilfully disturb, interrupt or interfere with the proceedings of any meeting of the taxables of any Ditch Company, held under the provisions of any Statute of this State, or of any Charter granted by it, or any meeting of the taxables of any School District, held under the provisions of any Statute of this State, or any Charter granted by it, he shall be deemed guilty of a misdemeanor, and shall be fined not less than five, nor more than fifty dollars, in the discretion of the Court

Approved March 26, A. D. 1913.

OF ROADS AND BRIDGES.

CHAPTER 165.

OF ROADS AND BRIDGES.

**AN ACT Relating to Bridges over Streams forming parts of boundary lines between Counties.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That whenever a bridge crossing a stream forming a part of the boundary line between two Counties of the State is, in the judgment of the Levy Court of one of said Counties, required to be built or repaired, such Levy Court shall request the Levy Court of the other County adjoining such stream to join with it in such work; and if such other Levy Court shall consent, such work shall be done and each of such Counties shall bear one-half of the expenses of such building or repairing. When bridge forms a county boundary line  
 In case such Levy Courts cannot agree as to the need of such bridge or repairs, or as to the sort of bridge or repairs needed, or any other thing or things connected with the matter, the Levy Court requesting such work to be done may apply to the Chancellor of the State who shall have full power to hear and determine all matters in controversy; and his order in the matter shall be binding on the Levy Courts and other officers of such Counties. Levy Courts to co-operate  
Chancellor to referee in case of dispute

Approved March 12, A. D. 1913.

## OF ROADS AND BRIDGES.

## CHAPTER 166.

## OF ROADS AND BRIDGES.

**AN ACT to enable the Levy Court of New Castle County to build a bridge over the Christiana Creek in the place of Third Street Bridge in Wilmington.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Levy Court of New Castle County to construct bridge over Christiana River at Third Street, in Wilmington

Section 1. That the Levy Court of New Castle County shall have and is hereby granted full power and authority to construct a bridge over the Christiana Creek at Third Street; in the City of Wilmington.

Change of location of bridge permitted

Section 2. That if it should seem advisable to the Levy Court to change the location of said bridge from Third Street full authority is hereby given to make such change and to construct the bridge authorized by this Act at any point South of Fifth Street and North of Second Street.

When condemnation proceedings are necessitated

Section 3. That whenever it shall be necessary for the Levy Court aforesaid, for the purpose of building the said bridge, or the approaches thereto, or making the same accessible to enter in and upon and occupy any lands, the owner or owners of which refuse to permit such entry and occupation, then it shall be lawful for the Superior Court, sitting in and for New Castle County, in term time, or any Judge of the said Court in vacation, upon application of the said Levy Court, and at the cost and charge of the same, to appoint five freeholders of the said County, who shall go upon the said lands and assess the damages of such owner or owners fairly and impartially, taking into consideration all the benefits to be de-

Superior Court to appoint five freeholders



## OF ROADS AND BRIDGES.

rived from or in consequence of said bridge to the said owner or owners, and the said freeholders shall certify their finding and award to all parties in interest and make a return of their finding to be filed in the said Superior Court or with the said Judge, as the case may be, appointing them.

The return upon one commission shall not be con-  
 clusive, but upon application by any party in interest or  
 by President of the Levy Court upon resolution of said  
 Court, within fifteen days after the filing of such return,  
 the said Superior Court or said Judge shall issue a com-  
 mission of review appointing five other freeholders with  
 like instructions as were contained in the first commis-  
 sion, provided that if a review be granted upon the ap-  
 plication of a person or persons interested, the review  
 shall extend only to the assessment of damages made in  
 respect to the person or persons making such applica-  
 tion. If the return of a commission of review varies in  
 the damages assessed from the return to the original  
 commission the said Superior Court or said Judge shall  
 grant a second commission of review upon the applica-  
 tion of the President of the Levy Court upon the resolu-  
 tion of said Court, or any person interested in the return  
 to the commission of review, within ten days after the  
 filing of such return. If a review be not applied for in  
 due time, the return to the original commission shall be  
 conclusive as to the amount of damages. If the return to  
 any two commissions correspond as to the amount of  
 damages, such amount shall be conclusive, but if there  
 be more than one return and none conclusive under the  
 foregoing provisions, the said Superior Court or said  
 Judge shall confirm such one of them as he shall deem  
 most just, and the return so confirmed shall be conclu-  
 sive. The said Superior Court or said Judge may set  
 aside a return to a commission for gross inequality or  
 inequity, in which case he shall issue another commission

A second com-  
mission pro-  
vided for

Amount of  
damages con-  
clusive when  
returns cor-  
respond

Superior Court  
Judge to con-  
firm when re-  
turns are not  
conclusive

## OF ROADS AND BRIDGES.

in its place, and the said Superior Court or said Judge shall have power to fill any vacancy in a commission.

Levy Court's  
title to land  
perpetual

Whenever the damages to any owner or owners shall have been conclusively returned in accordance with the foregoing provisions the Levy Court, on paying the damages so assessed and determined upon, shall become entitled to have, use and enjoy the said lands for the purpose required by them forever. And in case the owner or owners of any land necessary for the purposes of the Levy Court shall be a minor, or non-resident, or for any cause incapable of receiving, or unwilling or neglecting to receive said damages, the said Levy Court may deposit the amount of the said damages to the credit of such owner or owners in the Farmers' Bank of the State of Delaware, at Wilmington, subject to the order of such owner or owners; whereupon the said Levy Court shall be entitled to have, use and enjoy the said lands and premises required for the purposes aforesaid for or on account of which the said damages shall have been assessed. The expenses of the assessment of said damages shall always be paid by the Levy Court.

Levy Court to  
deposit money  
in Farmers'  
Bank when  
owner of land  
incapable of  
receiving same

Expenses of  
assessment to  
be paid by  
Levy Court

Levy Court  
authorized to  
borrow \$250,000

Section 4. That the Levy Court of New Castle County be and is hereby authorized and empowered to borrow upon the faith and credit of said County, as hereinafter provided, a sum not exceeding Two Hundred and Fifty Thousand Dollars (\$250,000), to be expended in erecting, constructing and completing a bridge over the Christiana Creek, in the place of Third Street Bridge, in Wilmington, and for the purpose of securing the payment of such sum to issue bonds in denominations of One Thousand Dollars each and bearing such rate of interest, not exceeding four and one-half per centum per annum, as said Levy Court may deem expedient. The interest upon said bonds, shall be payable semi-annually in each and every year from the date of issue thereof.

Rate of inter-  
est not to ex-  
ceed 4½%

## OF ROADS AND BRIDGES.

Section 5. Said bonds shall be divided into seventeen Classes and amount of bonds classes and shall be paid at their face value, as follows:

Class.	Amount.	Year of Maturity.
A. -----	\$15,000	----- 1933
B. -----	\$15,000	----- 1934
C. -----	\$15,000	----- 1935
D. -----	\$15,000	----- 1936
E. -----	\$15,000	----- 1937
F. -----	\$15,000	----- 1938
G. -----	\$15,000	----- 1939
H. -----	\$15,000	----- 1940
I. -----	\$15,000	----- 1941
J. -----	\$15,000	----- 1942
K. -----	\$15,000	----- 1943
L. -----	\$15,000	----- 1944
M. -----	\$15,000	----- 1945
N. -----	\$15,000	----- 1946
O. -----	\$15,000	----- 1947
P. -----	\$15,000	----- 1948
Q. -----	\$10,000	----- 1949

Said bonds may at the option of the Levy Court contain a provision for the redemption thereof by the Levy Court at any time after the expiration of five years from the date thereof at a premium not exceeding five per centum. Bonds may be redeemed after five years

Section 6. Said bonds shall be prepared under the supervision of the Levy Court Commissioners and shall be signed by the County Treasurer, the President of the Levy Court and the Clerk of the Peace of New Castle County, and shall be under the seal used by the Levy Court of New Castle County. It shall be the duty of such officers to execute said bonds when directed by the Levy Court to do so, and it shall be the duty of the County Treasurer and the Levy Court to keep a record of said bonds. Signatures on bonds

## OF ROADS AND BRIDGES.

per centum per annum, payable semi-annually on the  
day of and in each year. This  
bond is one of the authorized issue of Two Hundred and  
Fifty bonds aggregating Two Hundred and Fifty Thous-  
and Dollars, by virtue and in strict compliance with an  
act of the General Assembly of the state of Delaware  
approved A. D. 1913, entitled "An Act to enable the  
Levy Court of New Castle County to build a bridge over  
the Christiana Creek in the place of Third Street Bridge  
in Wilmington, and in pursuance of a resolution of the  
Levy Court of New Castle County, adopted  
A. D. 19 .

It is hereby certified that this bond is one of the issue  
authorized by the above recited act of the General As-  
sembly, and that the faith and credit of said New Castle  
County are pledged for the punctual payment of the  
principal and interest of this bond according to the  
terms.

IN WITNESS WHEREOF, the County Treasurer,  
President of the Levy Court and the Clerk of the Peace  
of New Castle County, have hereunto set their hands and  
seal of the Levy Court of New Castle County, at the  
City of Wilmington in Delaware, this day of  
A. D. 191 .

-----  
County Treasurer of New Castle County.

-----  
President of the Levy Court of New Castle County.

-----  
Clerk of the Peace of New Castle County.

Section 11. Said bonds shall contain such provision in  
addition to those set forth in Section 10 of this Act and  
not inconsistent with the requirements of this Act, as  
said Levy Court shall determine.

OF ROADS AND BRIDGES.

Section 12. That Chapter 27, Volume 26, Laws of Delaware, be and the same is hereby repealed. Chap. 27, Vol. 26 repealed

Section 13. That no public service corporation shall have the exclusive right and privilege to the use of the bridge hereby authorized to be built to the exclusion of any other public service corporation, and all acts or parts of acts inconsistent herewith are hereby repealed. Public service corporations using bridge

Approved April 8, A. D. 1913.

## OF ROADS AND BRIDGES.

## CHAPTER 167.

## OF ROADS AND BRIDGES.

AN ACT to encourage the use of broad tires on wagons, carts and other heavy vehicles in New Castle County.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Levy Court of New Castle county to allow rebate on road taxes when tires of not less than four inches in width are used

Section 1. That the Levy Court of New Castle County is hereby authorized, when in their judgment such action will be for the public good, to allow a rebate of taxes for road purposes to any person, persons, firm or corporation who, during the fiscal year ending on June 30, A. D. 1914, or any year thereafter, have used on the public roads or highways of said County one or more two or four wheeled wagons, carts or other heavy vehicles, drawn by one or more horses, mules or other beasts of burden, the tires of which shall be not less than four inches in width.

To make application in June to Levy Court

Section 2. Any person, firm or corporation, assessed and liable for road taxes in New Castle County, who desires to take advantage of the rebate authorized by this act, shall, during the month of June of any year in which such rebate is desired, make application in writing to the Levy Court of said County, stating all the facts and circumstances upon which such application is based, and if the said Levy Court, after full investigation, deems it for the public good that the request for a rebate contained in such application should be granted, said Court may, in its discretion, allow such applicant a rebate of his, her, theirs or its road tax for the fiscal year ending on the thirtieth day of June of such year; provid-

Court to use its discretion

## OF ROADS AND BRIDGES.

ed that, in every such case, the amount of rebate shall be based upon the number of wheels that such applicant has had in use and the frequency of such use during such year; and provided further that such rebate shall in no case exceed three fourths of the total amount of such applicant's road tax for any such year.

Amount of  
rebate based  
number of  
wheels used  
and frequency  
of use

Section 3. That all acts, and parts of acts inconsistent herewith are hereby repealed.

Approved March 17, A. D. 1913.

## OF ROADS AND BRIDGES.

## CHAPTER 168.

## OF ROADS AND BRIDGES.

## AN ACT Concerning the Elimination of Grade Crossings

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

Elimination of  
grade crossings

Section 1. Whenever it is desired to eliminate any grade crossing in this State, either by lowering or raising the grade of any public road at any such grade crossing, whereby it becomes necessary to take or occupy any property for the purpose of eliminating such grade crossing, or whereby any damage will be done to any property adjacent thereto, the owner or owners of such property shall be paid or tendered such damages as they shall respectively be entitled to receive, whether said damages shall be caused by the County or by any railroad company or companies whose tracks or road-beds are located at said crossings; which damages shall be assessed as follows, viz :

Owner of prop-  
erty to be paid  
or tendered  
damages

Five or more  
freeholders or  
President of  
Levy Court  
may apply to  
Resident Judge

FIRST: Five or more freeholders of the county, or the President of the Levy Court of the County upon resolution of said Court, may apply to the Resident Judge of the County where the grade crossing which it is desired to eliminate is located, or where the property desired to be taken or liable to be damaged is located, first giving all parties in interest, or their legal representatives, at least five days notice in writing of the intended application, if they be within the State and under no legal disability to receive the same; and if any owner or party in interest be unknown or without the State or under legal disability to receive such notice, and have no legal rep-

Five days  
notice of in-  
tended appli-  
cation



## OF ROADS AND BRIDGES. .

representatives within the State, then such notice shall be published in some newspaper of the County in which such grade crossing is located at least five days previous to the intended application and the Resident Associate Judge shall appoint five judicious and impartial freeholders of the County to view the premises and make return on a day fixed by such Resident Associate Judge, authorizing the freeholders so appointed to employ, if necessary, a skilled engineer or surveyor, who shall submit to the said five freeholders such maps, plans and specifications as will show the changes required, if any, in the public road and the property or properties adjacent thereto to eliminate such crossing.

To be published in newspaper if unable to reach owner

Resident Judge to appoint a commission of five freeholders

SECOND: In all cases they shall assess the damages which the owner or owners or other parties in interest will sustain by reason of the elimination of said grade crossing, whether such damage shall be caused by the County or by any railroad company or companies in making such changes as are required to eliminate such crossing.

To assess the damage

THIRD: The freeholders named in such commission shall be first sworn or affirmed as in said commission shall be directed, and the return of such commissioners shall be made to the said Resident Associate Judge who shall file the same in the office of the Clerk of the Peace.

Commissioners to be sworn or affirmed

Return to be filed with Resident Judge

Section 2. The Return upon one commission shall not be conclusive, but upon application by any party in interest or by the President of the Levy Court of the County upon resolution of said Court, within fifteen days after the filing of such return, the Judge shall issue a commission of review appointing five other freeholders as aforesaid with like instruction as were contained in the first commission, provided that if a review be granted upon the application of a person or persons interested,

Return upon one Commission not conclusive

Commission of Review

## OF ROADS AND BRIDGES.

Review to extend only to assessment of persons making such application the review shall extend only to the assessment of damages made in respect to the person or persons making such application. If the return to a commission of a review varies in the damages assessed from the return to the original commission, the Judge shall grant a second commission of review upon the application of the President of the Levy Court of the County upon resolution of said Court, or of any person interested in the return to the commission of review, within ten days after the filing of such return. If a review be not applied for in due time, the return to the original commission shall be conclusive as to the amount of damages. If the returns to any two commissions correspond as to the amount of damages, such amount shall be conclusive, but if there be more than one return and none conclusive, under the foregoing provisions, the Judge shall confirm such one of them as he shall deem most just, and the return so confirmed shall be conclusive.

Second Commission of Review

Original Commission conclusive unless application for review is made in due time

Judge to confirm when no return is conclusive

Judge may set aside a return

The Judge may set aside a return to a commission for gross inequality or inequity, in which case he shall issue another commission in its place, and the Judge shall have power to fill any vacancy in a commission. There shall be allowed to the Commission for their services

Compensation Three Dollars (\$3.00) per day.

When damages are ascertained Levy Court to pay or tender money

Section 3. The amount of damages being so ascertained, the Levy Court of the County, the duly authorized officers of the State or any person interested may pay or tender the same to the party, parties, person or persons entitled thereto within two calendar months after the same shall have been finally ascertained, or if the party, parties, person or persons so entitled reside out of or are absent from the county during all or any part of said period of two months, then the same may be deposited to its, their, his or her credit in the Farmers' Bank of Delaware at the County seat of the county

## OF ROADS AND BRIDGES.

wherein such proceedings are instituted within said time, and thereupon it shall be lawful to take or occupy said property or properties and to make such changes as shall be necessary to eliminate such crossing.

Section 4. Whenever damages shall have been assessed to any owner or owners of property for the elimination of any grade crossing as hereinbefore stated, and the Levy Court of the County, duly authorized officers of the State or persons interested, shall omit or neglect to pay or tender the amount of certain damages to the party, parties, person or persons entitled to the same or to deposit the same in the manner and within the time herein provided for such payment or tender or deposit, no further application or proceedings shall be made or had for the elimination of such grade crossing for which said damages were assessed until after the expiration of two years from and after the said assessment.

Omission or neglect of Levy Court to pay damages within specified time no further application allowed until expiration of two years

Section 5. That all acts or parts of acts inconsistent with this act be and the same are hereby repealed.

Approved March 19, A. D. 1913.

## OF ROADS AND BRIDGES.

## CHAPTER 169.

## OF ROADS AND BRIDGES.

AN ACT to amend an Act entitled "An Act Concerning Public Roads and Bridges", being Chapter 169, Volume 26, Laws of Delaware, Approved March 7th A. D. 1911.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Chap. 169,  
Vol. 26  
amended

That Chapter 169, Volume 26, Laws of Delaware, be amended as follows:—By striking out all of Sections 7 and 8 of said Act and inserting in lieu thereof the following:—

When any railway company is operating on such turnpike road proceedings under this act not to affect rights &c

"Section 7. That if at any time, when any proceedings are instituted under the provisions of this Act, any railway company shall have its rails and tracks laid along and upon such turnpike road and is engaged in the actual operation of such railway line whether operated by electricity or otherwise, steam power excepted, then in that event, the proceedings under this Act shall not in anywise affect the rights, powers and privileges of such railway company in, on and to said turnpike road, but all the rights, powers and privileges of such railway company in, on and to said turnpike road shall be preserved, secured and confirmed, and this Act shall not in anywise be construed to curtail or diminish the rights, powers and privileges of such company, in, on and to such turnpike road. A railway company within the meaning of the provisions of this section shall be construed to be a company on whose road the cars, carriages and coaches are propelled by electricity, by cable, motor, or by any improved motor power other than steam.

Definition of a railway company under this act

**OF ROADS AND BRIDGES.**

“Section 8. That Sections 5, 6, 7, 8 and 9 of Chapter 60 of the Revised Code of the State of Delaware, be and the same are hereby repealed. Sec. 5, 6, 7, 8 and 9 of Chap. 60 Code repealed

“Section 9. That all Acts or parts of Acts inconsistent with this Act be and the same are hereby repealed.

Approved April 3, A. D. 1913.

## OF ROADS AND BRIDGES.

## CHAPTER 170.

## OF ROADS AND BRIDGES.

## AN ACT Concerning Private Roads.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

Resident Judge  
to have juris-  
diction over  
private roads

Section 1. The Resident Associate Judge in each County of this State, shall have jurisdiction in the County in which he resides to lay out, widen, change, or vacate private roads.

Resident Judge  
to appoint five  
persons upon  
petition

Section 2. Upon petition, of one or more persons, for the laying out, widening, changing, or vacating a private road, stating that the same is necessary, the Resident Associate Judge, by an order, shall appoint five suitable persons to view the premises and make return of their proceedings to him on a day fixed in said order, authorizing them to employ, if necessary, a surveyor, and shall authorize and direct them.

Commission to  
lay out road if  
they deem it  
necessary

First. In an order on a petition for laying out a new private road, that if they judge such road necessary they shall lay it out in the best way, having respect to the nature of the ground, the distance and other circumstances of public or private convenience or detriment, and shall make a map of the said road showing its courses and distances, the woodland and cleared land through which it passes, and other proper notes, and shall assess the damages of every the owner or owners, or holder or holders of such land on occasion of said road, considering all circumstances of benefit or injury which may accrue to him or them therefrom; and shall make said map,

Information to  
be contained  
in return

## OF ROADS AND BRIDGES.

the assessment of damages, and also their determination that such road is necessary, part of their return.

Second. In an order made on a petition for changing the course of a private road, the direction shall be, that if they judge the changes asked for, or any changes of like effect proper, then they shall lay out such road as will produce such change in the best way, having respect as aforesaid, and shall make a map as aforesaid, showing the changes, and shall assess the damages as aforesaid, and shall determine what part of the old road shall be vacated on opening the new, and who shall enclose the same, all of which shall be set out in the return.

To lay out road as shall produce change in the best way

Third. In an order made on a petition for widening a private road or any part thereof, the direction shall be, that if they judge the widening of such private road or any part thereof to be necessary, they shall widen the same, and shall make a map as aforesaid, showing the widened part thereof and shall assess the damages as aforesaid, all of which shall be set out in the return;

Widening of a private road and petition therefor

Fourth. In an order made on a petition for vacating a private road or any part thereof, the direction shall be, that if they judge such private road or any part of it, to be unnecessary and that it ought to be vacated, they shall determine who may enclose the same or any part thereof, and what portion of the costs such persons ought to pay respectively, all of which shall be set out in the return.

Vacating a private road

Section 3. The return upon one order shall not be conclusive, but upon application made by any party in interest, within ten days after the filing of such a return, the Resident Associate Judge shall make an order of review and thereby appoint five other suitable persons to review the premises and determine concerning the same,

Order of Review

## OF ROADS AND BRIDGES.

and make return on a day fixed in said order of review, granting them all the authority which was conferred by the first order, with similar instructions, and directing them, if they approve the proceedings on the first order or any part thereof to adopt the same. If an order of review be not applied for within the time fixed by this Act the return to the original order shall be confirmed by the Resident Associate Judge. If there be more than one return the Resident Associate Judge, if he approve either of said returns shall confirm such one of them as he shall deem most just, and a return confirmed by the Resident Associate Judge shall be conclusive. The Resident Associate Judge may set aside a return on an order or a return on an order of review for gross inequality or gross injustice, and may make a further order of review.

Original order confirmed by Resident Judge when order of review is applied for within time allowed

When more than two returns Resident Judge to confirm

May set aside return

The petitions, order, orders of review, returns, confirmations, and other orders shall be filed by the Resident Associate Judge in the office of the Clerk of the Peace.

To be filed with Clerk of the Peace

Confirmation of return

Section 4. The effect of confirmation of a return shall be to establish as a private road any road laid out by said return; to establish the width of any private road thereby widened; to establish any change thereby made in a private road, to vacate any private road thereby vacated, or any part of a private road thereby vacated; and to settle the damages assessed.

Vacancy on Commission

Section 5. In the event of the death of one or more of the persons appointed to execute an order under the provisions of this Act, or the neglect to serve for any cause, the Resident Associate Judge shall have full power and authority to appoint some other suitable person or persons to fill such vacancy or vacancies.

Section 6. The persons appointed to execute a road order, and the surveyor, if there be one, shall, before



## OF ROADS AND BRIDGES.

viewing the premises, be severally sworn or affirmed, faithfully and impartially to perform the duties incumbent on them respectfully according to the order. A majority of the persons appointed to execute such an order may do or determine any matter under said order.

The persons appointed to execute an order under the provisions of this Act shall receive Two Dollars per day for their services. Compensation

Section 7. The costs of laying out, widening and changing private roads and the damages assessed shall be paid by the petitioner or petitioners, or deposited by order of the Resident Associate Judge to the credit of the Court of General Sessions before the return for the road is confirmed. The costs on order for review shall be taxed by the Resident Associate Judge at the time a return is confirmed or vacated and made payable as he shall adjudge. The Resident Associate Judge shall have power to enforce the payment of such costs by attachment process. Costs of work to be paid by petitioner  
Costs of an order for review  
Judge to enforce payment of costs

Section 8. The order of the Resident Associate Judge shall specify the width of private roads to be made under the provisions of this Act, provided, however, that such private roads shall be not less than fifteen feet wide nor more than twenty-five feet wide. Such road need not be approved by the Levy Court. Dimensions in width of road  
Levy Court need not approve

The making and repairing private roads and the bridges thereon shall be at the expense of those interested, to be raised by voluntary contributions. When upon proceedings for the laying out, widening, changing, or vacating a private road pursuant to the provisions of this Act, such road be not laid out, widened, changed or vacated, as the case may be, no further petition shall be filed for or concerning the same road until after the expir- Repairs to be paid by those interested

## OF ROADS AND BRIDGES.

ation of two years after the time of filing the first petition for the same.

Sec. 41, Chap.  
60, Rev. Code  
repealed

Section 9. That section 41 of Chapter 60 of the Revised Code, of the State of Delaware, be and the same is hereby repealed.

Section 10. That all Acts or parts of Acts inconsistent with this Act be and the same are hereby repealed.

Approved March 17, A. D. 1913.

OF ROADS AND BRIDGES.

CHAPTER 171.

OF ROADS AND BRIDGES.

**AN ACT to Repeal Chapter 140, of Volume 25, Laws of Delaware entitled, "An Act to provide for the permanent improvement of the public high-ways of Kent County."**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That Chapter 140, of Volume 25, Laws of Delaware, entitled, "An Act to provide for the permanent improvement of the public high-ways of Kent County," be and the same is hereby repealed.

Chap. 140.  
Vol. 25  
repealed

Approved March 19, A. D. 1913.

## OF ROADS AND BRIDGES.

## CHAPTER 172.

## OF ROADS AND BRIDGES.

## AN ACT for the Protection of Draw Bridges in Sussex County.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

Rate of speed  
for automo-  
biles over  
draw bridges  
in Sussex  
county

Section 1. That from and after the approval of this Act by the Governor, it shall be unlawful for any person to drive an automobile upon or over any draw bridge in the County of Sussex at a rate of speed exceeding six miles per hour.

Penalty for  
violating Sec. 1

Section 2. Any person offending against the provisions of this Act, shall, upon conviction thereof before any Justice of the Peace in Sussex County, be fined not more than fifty dollars; and upon the failure or refusal to pay such fine, such person, so convicted, may be imprisoned for a term not exceeding thirty days; provided, that the Levy Court of Sussex County shall have previous to the date of the alleged offense being committed, placed at each approach to the bridge on which the alleged offense has been committed, a conspicuous sign showing that it is a prison offense to drive at a rate of speed exceeding six miles per hour upon or over said bridge.

Levy Court to  
post notices  
at approaches  
of bridge

Right of ap-  
peal from  
sentence

Section 3. Any person convicted under the provision of this Act shall have the right to an appeal to the Court of General Sessions in and for Sussex County, upon giving bond in the sum of Five Hundred Dollars (\$500.00) with surety satisfactory to said Justice of the Peace. Such appeal shall be taken and bond given within two days from the time of such conviction.

Approved March 14, A. D. 1913.

## OF ROADS AND BRIDGES.

## CHAPTER 173.

## OF ROADS AND BRIDGES.

**AN ACT Authorizing the Construction of a Draw-bridge over Laurel River at or near the Town of Laurel, in Little Creek Hundred, Sussex County.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That the Levy Court of Sussex County be, and it is hereby, authorized to construct and build, or cause to be constructed or built a good and sufficient draw-bridge over Laurel River, the dividing line between Broad Creek Hundred and Little Creek Hundred, Sussex County, which said draw-bridge shall be constructed or erected at the foot of Poplar Street in the Town of Laurel, Sussex County and State of Delaware. That the said draw-bridge shall be so constructed as to allow of the free passage of steamboats or other vessels using said river.

Said bridge when erected shall be a part of the Public Highway over the said river and generally every provision of law in relation to public bridges applicable to the bridge hereby authorized shall appertain to it. Said bridge shall be maintained by the Levy Court of Sussex County, and the said Levy Court is hereby directed to comply with all the rules, regulations and laws of the United States Government with reference to draw-bridges over navigable rivers.

Section 2. That the total cost of constructing and erecting said bridge and of the work necessary to be done

Drawbridge  
over Laurel  
River to be  
built by Sussex  
county Levy  
Court

Location of  
bridge

Bridge to be a  
Public High-  
way

To be main-  
tained by  
Levy Court

Limit to cost  
of bridge

## OF ROADS AND BRIDGES.

his records and papers which shall at all times be accessible to said Levy Court or any member thereof.

To have charge of all road work within Kent Co. except that undertaken by State

Appointment of inspectors and assistants and their compensation

Plots of roads in Kent county to be made

Section 3. He shall have charge of all permanent road construction and improvement in Kent County, except such road construction and improvement as shall be undertaken by the State. He may from time to time subject to the approval of the Levy Court appoint such inspectors and other assistants as he may deem necessary for the work in hand and may discharge them at pleasure. The compensation of such inspectors and assistants shall be fixed by the Levy Court. His first duty shall be to make surveys and plots of all the principal public roads of the County, except such as the State shall decide to improve and as his other duties may permit, he shall survey and plot all of the roads of the County. Such plots shall show the length and width of such roads, all bridges and drains therein and such other physical features as shall be deemed necessary and useful, or as shall be directed by the Levy Court. Such plots shall be kept on file in his office at Dover and may be inspected at any time by the Levy Court or any member thereof.

Engineer to supervise expenditures of all road moneys

Road moneys collected under Chap. 143 of Vol. 23 also to be expended by Engineer

Section 4. All road moneys now in the County Treasury of Kent County or hereafter to be paid into such Treasury including all moneys to be derived from the sale of bonds provided for in this Act, except the amounts necessary to construct and keep in repair the bridges of the County and the roads not improved under this Act, which shall in no year exceed the sum of Ten Thousand Dollars (\$10,000) and which shall be expended as hereinafter provided, shall be expended under the directions of the said Engineer, for the permanent improvement of roads as hereinafter provided and for expenses and salaries of his department. All good road moneys now in the County Treasury collected under Chapter 143 of Volume 23 of the Laws of Delaware are

## OF ROADS AND BRIDGES.

also to be expended by said Engineer in permanent improvement of roads in the districts where such moneys were raised. The said Engineer shall not at any time have any interest, directly or indirectly, in any of the contracts for work or materials for improvements of roads under this Act. The said Engineer may at all times consult any State officer having charge of State roads as to the best methods of road construction and any other matter relating to the duties of his office.

Engineer to have no interests in contracts

Section 5. The Levy Court of Kent County shall out of the Ten Thousand Dollars (\$10,000) reserved for its expenditures, as hereinbefore provided, keep in repair the unimproved roads of the County and shall construct and keep in repair the bridges of the County. The office of overseer of roads is hereby abolished. The Levy Court of Kent County shall annually in the month of March appoint one Supervisor of Roads for each Representative District of the County, who shall keep the roads and bridges of his District in repair. Such Supervisor shall have authority to employ men, teams and implements, and purchase materials for the purpose of making such repairs. He shall personally supervise the work in his District, and shall make full and complete reports thereof to the Levy Court quarterly, giving in detail items of work done, men, teams, implements and materials employed, used and purchased, and such other information as the Levy Court shall require. Such reports shall be in duplicate and shall be sworn to by said Supervisor before some officer authorized to administer oaths, and one copy thereof shall be filed in the office of the Clerk of the Peace and the other in the office of the County Comptroller. No money shall be paid out for such labor, teams, implements and materials except upon the order of said Supervisor, countersigned by the member of the Levy Court from his District, and approved by the County Comptroller. No bridges to cost over one

To keep in repair unimproved roads and bridges

Office of Overseer abolished

One Supervisor of Roads for each Representative District to be appointed

Authority of Supervisors

Quarterly report in duplicate

No money to be paid out except on order of Supervisor countersigned by member of Levy Court from district

## OF ROADS AND BRIDGES.

hundred dollars shall be built in any District until the same shall be recommended by the County Road Engineer, and the money appropriated by the Levy Court for payment of the same. All such bridges shall be built by contract and upon plans and specifications made by said County Road Engineer. Such contracts shall be awarded to the lowest responsible bidder therefor after advertisements for bids for such work shall have been published for at least two weeks in two newspapers published in Kent County, giving the place, date and hour of the sitting of the Levy Court to consider such bids. The Levy Court may prescribe the amount of certified check that shall accompany such bids, and shall require the successful bidder to enter into contract for such work and to give a bond with surety or sureties to be approved by the Levy Court in such amount as shall be fixed by the Levy Court conditioned for the faithful performance of the contract. Such contract shall be signed by said contractor and by the President of the Levy Court. The said contract, shall among other things, provide for the retention of at least ten per cent. of the contract price for one year after the completion and acceptance of the work, and the money so retained may be forfeited to the county if, within said year the bridge is found not to be in compliance with the contract. The said supervisors of roads shall each receive for their services an annual salary of two hundred dollars, to be paid by order of the Levy Court out of the road money derived from taxes over and above the ten thousand dollars reserved for repairs, provided, however, that if any supervisor shall work for a period of less than one hundred days in any year the compensation of the said supervisor shall be fixed at a rate of two dollars per diem, and the said supervisor shall receive for his services only such compensation as he is entitled to for the number of days worked at said two dollars per diem allowance.

No bridge costing more than one hundred dollars to be built unless recommended by County Engineer

Successful bidder to enter into contract

Form of contract

Salary of Supervisors

Compensation reduced when work is for less than one hundred days per year

Petition to improve road

Section 6. A majority of the owners of the lands abut-



## OF ROADS AND BRIDGES.

ting on any section of road in the County, not less than two miles in length, may petition the Levy Court to have the same improved under the provisions of this Act. All such petitions for improvement of roads in the year 1913, shall be filed with the Levy Court on or before the first day of May, A. D. 1913. Immediately thereafter, the County Road Engineer shall inspect the roads petitioned for, and shall survey and plot the same and shall on or before the first day of June, A. D. 1913, report to the Levy Court giving estimates of the cost of each road, the improvements which he recommends and such other information as he shall think fit, or the Levy Court shall require. The Levy Court shall within one month after the receipt of such report decide which roads petitioned for shall be improved. Provided, that no Representative District shall be entitled to have improved in any year, more roads than the money decided by the Levy Court to be apportioned to such District by the Levy Court as hereinafter provided, will defray the cost of.

Engineer to  
inspect roads  
petitioned for  
and report

Levy Court to  
decide roads to  
be improved

Limit to ex-  
penditures per  
district

Section 7. The said Levy Court, shall, from time to time, as bonds are sold, as hereinafter provided, apportion among the Representative Districts of the County, according to the assessed valuation of real estate in the several Districts as shown by the last general assessment, the money derived from the sale of such bonds, and the sum so apportioned to the Districts, shall thereafter be used or reapportioned as hereinafter provided. The same shall be kept as a special fund for the improvement of the roads of such Districts until used or reapportioned.

Apportion  
money among  
districts ac-  
cording to  
assessed valua-  
tion of real  
estate

Section 8. In case the petitions for roads in any District, shall not be sufficient to require the expenditure of the moneys apportioned to such District for the year 1913, the amount remaining over, shall be carried to such District's share apportioned to it, out of the money de-

Unexpended  
apportionment  
for 1913 carried  
over to 1914

## OF ROADS AND BRIDGES.

rived from the sale of bonds and other sources in the year 1914.

Petitions for other roads to be made before March, 1914

That on or before the first day of March, A. D. 1914, abutting land owners in the several Districts, may as hereinafter provided, petition the Levy Court for other roads in such Districts. That immediately thereafter the County Road Engineer shall inspect the roads petitioned for and shall survey and plot the same, if he has not already done so, and shall report to the Levy Court as to the needs of such roads and the advisability of improving them. If the total amount of roads petitioned

When petitions do not require expenditures of all moneys in 1914

for in any District on or before the first day of March, A. D. 1914, shall be less than will require the expenditure of all moneys apportioned to such District and to which it will be entitled from sale of the balance of said bonds and otherwise, the amount remaining unused of such District's share, shall be carried to such District's share apportioned to it out of the moneys derived from the sale of bonds and other sources in the year 1915, and if the total amount of roads petitioned for in any District on or before March 1, 1915, shall be less than will

All unused moneys for 1913 and 1914 to be used for roads in 1915 throughout all districts

require the expenditure of all the moneys apportioned to such District and to which it will be entitled the amount of such District's share remaining unused, shall be apportioned among the other Districts of the County where more roads have been petitioned for than the share of such other Districts shall be sufficient to defray the cost of. The intention being that all moneys to be derived from the sale of bonds, from taxes, assessments and otherwise and not used in 1913 and 1914 shall be used for permanent road improvement in 1915. If after 1915, any

After 1915 unexpended apportionment to be expended regardless of districts

amount remains unexpended because of failure of abutting land owners to petition or otherwise the same shall be expended in permanent improvement of such roads as shall be decided by the Levy Court to be improved regardless of Districts.

## OF ROADS AND BRIDGES.

Section 9. The moneys raised in the several Districts under Chapter 143, of Volume 23 Laws of Delaware, and now in the County Treasury shall be applied by the County Engineer to improvement of such roads in that District, other than those petitioned for as shall be decided by the member of the Levy Court from that District. Moneys hereafter paid into the County Treasury under said Chapter 143 of Volume 23, Laws of Delaware and appropriated by the State to the purpose of that Act shall go to the County Good Roads Account for the purpose of this Act. The County road moneys raised by taxes under the General Law, shall be expended as follows: So much thereof as is necessary for the construction and repair of bridges and the repair of unimproved roads of the County not exceeding ten thousand dollars, shall be applied to such purpose. So much thereof as is necessary to keep the roads improved under this Act in repair, shall be used for that purpose, and the remainder thereof shall become a part of the County Good Roads Account, and shall be apportioned to the improvement of roads petitioned for or that may be decided by the Levy Court to be improved, as hereinbefore provided.

Money now in  
County Treasury  
under  
Chap. 143,  
Vol. 23, to go  
to Engineer

Money here-  
after to go to  
County Good  
Roads account

Detailed ex-  
penditure of  
money

Section 10. All roads improved under the provisions of this Act, shall require the construction of a road of stone, gravel, cinders, sand and clay, or other good materials, in such manner that the same, shall with reasonable repairs thereto at all seasons of the year be firm, smooth and convenient for travel. Provided that the total cost of any mile of road constructed or improved under this Act, shall not exceed the sum of two thousand dollars. Provided, also, that all roads improved under this Act shall be thoroughly drained.

Character of  
road con-  
struction

Limit to cost  
per mile

Drainage

Section 11. When the said roads to be constructed or improved shall have been selected, said Road Engineer

Survey and  
plot of roads to  
be constructed  
to be filed

## OF ROADS AND BRIDGES.

shall cause the same to be surveyed and plotted, designating on such plot the route of such roads, the length and width thereof, all bridges and drains therein, and such other features as he or the said Levy Court may deem proper. Said plot and plans and other information shall be filed in the office at Dover and may at all times, when such office is open, be inspected by any citizen of the County.

Levy Court  
and Engineer  
authority to  
enter upon any  
lands

Section 12. In case the said Levy Court of Kent County shall deem it advisable to widen, straighten or alter the course of any road or parts thereof, or to obtain any deposits of sand, gravel, clay or other materials deemed by it or the County Road Engineer necessary, said Levy Court and said County Road Engineer shall have authority to enter upon any lands for the purpose of surveying and locating the changes necessary to widen and affect the alterations in the course of such roads, or for inspection, location and ascertainment of the depth of any deposits of sand, gravel, clay or other materials. Any person or corporation owning the land which it will be necessary to procure for the purpose of widening, straightening, altering or changing the course of such roads, or owning such deposits of sand, gravel, clay or other materials, may dedicate the same to the public for the purpose aforesaid, and the said Levy Court may enter into negotiations with such owner or owners for that purpose, and may secure the necessary conveyance or dedication of such land and deposits for that purpose.

May purchase  
lands and de-  
posits

Conveyances  
and papers  
part of County  
Engineer's  
Records

It may also purchase such land and deposits from the owner or owners thereof upon such terms as it may deem advisable. All conveyances and dedications shall be to the State of Delaware. All conveyances, dedications and other papers relating to the acquirement of such land shall be and remain a part of the records of the office of the said County Road Engineer. In case the said Levy

OF ROADS AND BRIDGES.

Court cannot agree with the owner or owners of such lands or such deposits of sand, gravel, clay or other materials for the acquirement of the same, it may apply to the Associate Judge of the Superior Court resident in Kent County, and cause the same to be condemned and acquire the same under the provisions of an Act entitled, "An Act Concerning Public Roads and Bridges," Approved March 7, A. D. 1911.

Condemnation proceedings

Section 13. No construction or improvements of roads within the corporate limits of an incorporated town shall be made under the provisions of this Act, unless such town shall appropriate and pay over to Kent County the cost of such construction or improvements before the same shall be begun.

Towns to pay for improvements within corporate limits

Section 14. After the said Levy Court and County Road Engineer shall have decided the sort of road to be built and the material to be used, such County Road Engineer shall fix the grades and make plans and specifications, for the building of such roads as said Levy Court and County Road Engineer shall decide to build that year, and shall advertise for bids for construction of such roads. The said County Road Engineer shall prepare such plans and specifications for each road separately, and shall advertise for two successive weeks in two newspapers in Kent County for bids to build and construct each road. Such advertisements shall set forth the amount of bond or certified check required of each bidder for the good faith of his proposal; the place where the plans and specifications may be examined and the time and place for the reception of bids. Every bid shall be accompanied by a certified check upon some reliable bank or banking institution in such sum as the Levy Court and County Road Engineer may determine, and shall be held upon condition, that if the contract shall be awarded to such bidder, he will, when required

Advertise for bids

Form of advertisement

Agreement

## OF ROADS AND BRIDGES.

by the said Levy Court and County Road Engineer, execute a proper agreement with surety, as hereinafter provided, for the faithful performance of the contract for building the road provided for by such plans and specifications and that upon the execution of such contract such certified check will be returned to the bidder. All bids submitted shall be opened at the office of the County Road Engineer at Dover at the time mentioned in said advertisement, and shall be considered and acted upon without unreasonable delay. The said Levy Court and County Road Engineer may reject any and all bids if in their opinion good cause exists therefor, but otherwise, the contract shall be awarded to the lowest responsible bidders. The successful bidders shall give satisfactory evidence of their ability to perform the contract, and shall also furnish a bond for one-third of the amount of the cost of the construction of the work, conditioned that the work shall be performed in accordance with the plans and specifications and terms of the contract. If all bids are rejected, the County Road Engineer shall make new plans and specifications and shall advertise for, receive and consider new bids in the same manner as hereinbefore provided and so on until a bid for construction of such road shall be satisfactory to the Levy Court and County Road Engineer. If such second bids on any section of road are in the judgment of said Engineer and Levy Court too high the said Levy Court may decide to have such section of road constructed or improved by such County Road Engineer who shall for that purpose have authority to employ men, teams and implements and purchase materials and with the consent of said Levy Court may purchase such teams and implements which shall thereafter belong to the County. He shall make such reports as are required to be made by Supervisors which reports shall be filed as are such Supervisors' reports under Section 5. Moneys shall be paid over for such work, materials, teams, implements and other

Opening  
of bids

Awarding  
of contract

Upon rejection  
of bids  
new plans to  
be prepared

County Road  
Engineer to  
construct road  
if all bids too  
high

## OF ROADS AND BRIDGES.

expenses upon the order of such Engineer countersigned by the President of the Levy Court and approved by the County Comptroller. In awarding contracts for construction of said roads, the said County Road Engineer and Levy Court shall provide in such contracts for the date on which the work shall commence, and the date on which same shall be completed, and may provide for forfeitures for failure to complete the work on or before the date for completion.

Section 15. Partial payments may be made on account of said contracts provided for by this Act in the manner provided for in said contracts not exceeding eighty per centum of contract price, and in final payment under such contracts ten per centum of the contract price shall not be paid to the contractors at the time of the completion of the contract, but shall be retained for a period of one year after the completion and acceptance of the work and all contracts entered into under the provisions of this Act shall provide for the maintenance and keeping in repair of the roads to be constructed or improved under such contract for the period of one year from the date of completion and acceptance of the work.

Section 16. After a contract has been executed as aforesaid, the said County Road Engineer shall have entire charge of the work done thereunder and his decision upon all matters pertaining to said contracts shall be final.

Section 17. That when any road decided by the Levy Court to be constructed or improved, as hereinbefore provided, shall have been constructed or improved under the provisions of this Act, the Levy Court of Kent County shall pay for the same out of the moneys derived from the sale of bonds and from other sources, as hereinbefore provided, and shall assess against the property abutting

Partial payments on contracts

Decision of County Engineer final

Payment for road construction out of bond sale

Assessment against

## OF ROADS AND BRIDGES.

on such road one tenth of the whole cost of making such improvements, one-twentieth of such cost being assessed on the property owners on each side of such road.

List of property owners abutting on each road improved

Advertisement of list

Objections to assessment

Alterations or corrections in assessment

When any improvement made under the provisions of this Act is completed, the Levy Court shall cause to be prepared a list showing the names of the property owners, the linear feet of property of each abutting on the said road the amount proposed to be assessed against each parcel of land and the total cost of the improvement. Upon the completion of such list, a copy of the same shall be hung up for at least ten days at some place along such road for the inspection of the public, and notice of the completion of such list, and the place where the same is hung up for inspection as aforesaid, shall be given to all parties in interest by advertisement in at least two newspapers published in Kent County in at least two consecutive issues of said newspapers. Said advertisement shall also state the time when the said Levy Court will hear any objections to such assessment. The time of the meeting for the hearing of objections as aforesaid, shall not be earlier than one week nor later than three weeks from the date of the last issue of the newspaper containing said advertisement. The said Levy Court shall sit to hear such objections at the Levy Court Room in Dover, from ten o'clock in the forenoon until twelve o'clock, noon, of the day designated, and may adjourn from day to day if necessary. The said Levy Court may make such alterations and corrections of the assessments as it shall deem proper. The determinations of the Levy Court shall be final and conclusive. Immediately upon the determination of said Levy Court, it shall certify said assessment to the Collector of Taxes of the District in which the land against which the same is assessed is located, and from the date of such certification, the several amounts shown upon said list shall be a lien upon the property against which the same is as-



## OF ROADS AND BRIDGES.

sessed, and such lien shall have priority over all other liens and encumbrances or conveyances, except taxes. Any error or mistake in regard to the name of the owner shall not be held to invalidate any assessment, and it shall be sufficient that the name of the last owner as shown by the record in the office of Recorder of Deeds for Kent County is shown upon such assessment.

Errors in names on list not to invalidate an assessment

Section 18. All assessments made in pursuance of this Act shall be based upon the linear feet of property actually abutting upon the road improved, and each linear foot of such property affected abutting on such road shall be assessed alike regardless of the depth, width or other dimensions or value of such property. All assessments so made shall be due upon the date of the certification by the Levy Court to the collector, as aforesaid, but shall not be collectible until the expiration of thirty days from said date. The payment of the amount of any assessment within the said thirty days shall be accepted by the Collector of Taxes as a full satisfaction of such assessment. On all assessments remaining unpaid after the expiration of said thirty days from the date of the certification as aforesaid, interest, at the rate of six per centum per annum computed from the date of the certifying, as aforesaid, shall be added.

Assessment to be made according to linear feet abutting

Interest to run on unpaid assessment

Section 19. If any property owner shall have omitted to pay the said assessment at the expiration of thirty days from the date of the certification of the assessment as aforesaid, then and in every such case it shall be the duty of the President of the Levy Court of Kent County to issue his warrant directed to the Collector of Taxes of the District in which the land against which the same is assessed is located, commanding him to levy the entire assessment or so much thereof as shall then remain unpaid, together with accrued interest and all costs thereon, upon the property affected by said assessment, which

Property on which assessment is unpaid to be sold by Collector of Taxes

## OF ROADS AND BRIDGES.

said property, or any part thereof, shall be sold by the said Collector of Taxes at public auction after advertisement in two successive issues of some newspaper published in said County and a deed from the President of the Levy Court of Kent County shall convey to the purchaser of such property as full and complete a title to said property in fee simple, or otherwise, as if the same were executed by the owner thereof. And it shall be the duty of said Collector of Taxes out of the purchase money of said property so sold as aforesaid to pay all the costs arising from said process and sale to the parties entitled thereto respectively and to retain the amount of such assessment with accrued interest thereon as aforesaid. The residue of said purchase money shall be immediately deposited by the said Collector of Taxes in the Farmers Bank of the State of Delaware, at Dover, to the credit of the owner of the property sold.

Residue to be deposited in Farmers Bank at Dover to credit of property owner

Collectors of Taxes to render accounts

Section 20. The Collector of Taxes of Kent County shall render an accurate account of all moneys received or collected by them under the provisions of this Act by the Levy Court of Kent County aforesaid at such times as the said Levy Court shall require. All moneys received and collected as aforesaid, shall be paid to the County Treasurer of Kent County immediately after receipt thereof. All payments made to the County Treasurer aforesaid, under the provisions of this Act, and all moneys raised by the Levy Court of Kent County by the issuance and sale of bonds under the provisions of this Act, and all other moneys by this Act devoted to improvement of roads shall from time to time as paid into the County Treasury be by the County Treasurer set apart to a special account which shall be known as the County Good Roads Account. All moneys being in said account shall be payable only on check or warrant signed by both the County Road Engineer and the President of the Levy Court of Kent County. None of the moneys

County Treasurer to receive all moneys under this act

Signatures on checks

## OF ROADS AND BRIDGES.

aforesaid shall be used for any other purposes than to pay for the work and improvements contemplated by this Act.

Section 21. The Levy Court of Kent County is hereby authorized to require of both the County Treasurer and the Collector of Taxes of said County, bonds in addition to those now prescribed by law, in penal sums to be fixed by said Levy Court and with such sureties as said Levy Court shall approve. The conditions of said additional bonds shall be prescribed by the said Levy Court.

Bond for  
Treasurer and  
Collector

Section 22. The Levy Court of Kent County is hereby authorized to borrow money on the faith and credit of Kent County, executing a note or notes of said County therefor and pledging as security for such loan the proceeds of the assessments to be collected for making the proposed improvements authorized by this Act; provided, however, that the aggregate of the sums borrowed under this Section shall not exceed the aggregate amount of assessments unpaid at the time of the execution of any note or notes aforesaid. All moneys so borrowed shall be deposited to the credit of the County Good Roads Account provided for in Section 20.

Levy Court of  
Kent county  
authorized to  
borrow money

Section 23. The entire cost of improving the intersections of roads shall be paid out of the moneys raised by the Levy Court of Kent County by the issuance and sale of bonds under the provisions of this Act. Intersections here mean all that portion of the roadways improved lying between the lines extended of the two intersecting roads. Where one road runs into but does not extend beyond another road, then and in such case any property facing the road so running into such other road shall be assessed one-twentieth of the cost and expense of the improvement made to that portion of the road lying within the space bounded by the lines extended of said road.

Improving in-  
tersections  
of roads

Assessments  
when road runs  
into another  
road

## OF ROADS AND BRIDGES.

The residue of the cost and the expense of such improvement shall be paid for out of the moneys raised by the County as aforesaid.

Section 24. The improvements authorized by this Act and to be paid for out of the sale of bonds and by assessments on abutting properties shall be completed within five years from the approval of this Act.

Section 25. For the purpose of providing the residue of the funds required for the improvement contemplated by this Act, over and above the aggregate of the assessments against the property affected thereby and the moneys received from taxes, the Levy Court of Kent County is hereby authorized and directed to borrow the sum of One Hundred Thousand Dollars (\$100,000) and to this end the said Levy Court is hereby authorized, empowered and directed to issue and sell bonds of Kent County, said bonds to be known as "Kent County Good Roads Bonds" to the amount of One Hundred Thousand Dollars (\$100,000).

\$100,000 to be  
borrowed

Section 26. The said bonds shall be of the denomination of One Thousand Dollars (\$1,000) each, and bearing interest at the rate of five per centum per annum. The interest upon said bonds shall be payable semi-annually in each and every year from the date of issue thereof.

Denomination  
and interest  
on bonds

Section 27. Said bonds shall be divided into twenty classes, and shall be paid at their face value as follows:

Class and ma-  
turity of bonds

Class	Amount	Year of Maturity
A	\$5,000	1933
B	\$5,000	1934
C	\$5,000	1935
D	\$5,000	1936
E	\$5,000	1937
F	\$5,000	1938

## OF ROADS AND BRIDGES.

G	\$5,000	1939
H	\$5,000	1940
I	\$5,000	1941
J	\$5,000	1942
K	\$5,000	1943
L	\$5,000	1944
M	\$5,000	1945
N	\$5,000	1946
O	\$5,000	1947
P	\$5,000	1948
Q	\$5,000	1949
R	\$5,000	1950
S	\$5,000	1951
T	\$5,000	1952

Section 28. Said bonds shall be prepared under the supervision of the Levy Court Commissioners and shall be signed by the County Treasurer, the President of the Levy Court and the Clerk of the Peace of Kent County and shall be under the seal used by the Levy Court of Kent County. It shall be the duty of such officers to execute said bonds when directed by the Levy Court to do so, and in any case not later than July 1st, 1913, and it shall be the duty of the County Treasurer and the Levy Court to keep a record of said bonds. Said bonds, or any part thereof, shall be sold as follows:

The County Road Engineer shall, on the first day of June, A. D. 1913, and on the first day of April, thereafter in each year advise the Levy Court of Kent County in writing of the estimated portion of the said sum of One Hundred Thousand Dollars herein provided for, which will be needed for the improvement of roads in the succeeding twelve months. Whereupon, the County Treasurer, the President of the Levy Court and Clerk of the Peace, or a majority of them, are hereby authorized and directed to sell a sufficient number of the bonds herein

Signature  
on bonds

Engineer to  
advise Levy  
Court on first  
day of April of  
estimated  
amount need-  
ed in succeed-  
ing year

Bonds then to  
be sold to a  
sufficient num-  
ber to raise  
sum needed

## OF ROADS AND BRIDGES.

provided for to secure a sum sufficient to defray the cost of improvements to be made during the year; and to this end the County Treasurer, President of the Levy Court and the Clerk of the Peace are hereby directed to advertise twice a week for four consecutive weeks in such newspapers in or out of the State as in their judgment may be conducive to said sale, that they will receive bids at such place or places as may be named in said respective advertisements for the bonds so decided to be sold, under such regulations as may be made in their discretion and accrued interest between the date of the bonds and the time of sale and delivery of and payment for said bonds shall be adjusted with the purchaser thereof under such regulations as may be made in the discretion of the said County Treasurer, the President of the Levy Court and the Clerk of the Peace, provided that any over-due coupons attached to said bonds shall before the sale of said bonds be detached and cancelled in accordance with the provisions of this Act. And upon the day mentioned in said advertisement as the day for opening the bids for the proposals thereby called for, they shall receive such sealed proposals for the purchase of as many of such bonds as may be designated in said advertisement, and on the opening of said sealed proposals as many of said bonds or certificates of indebtedness as have been so bid for shall be awarded by the said County Treasurer, President of the Levy Court and Clerk of the Peace to the highest responsible bidder or bidders therefor, for cash, provided the prices bid are adequate in the judgment of the County Treasurer, President of the Levy Court, and Clerk of the Peace. If two or more bidders have made the same bid and such bid is the highest and the bonds so bid for by the highest responsible bidders are in excess of the whole amount of bonds of certificates so offered for sale, such bonds shall be awarded such highest responsible bidders bidding the same price in a ratable proportion. If any of said bonds so offered

Bids for bonds

Over-due attached coupons to be cancelled as provided in act

Award of bonds

## OF ROADS AND BRIDGES.

for sale are not bid for or if any insufficient price be bid for them they may be subsequently disposed of under the direction of the County Treasurer, President of the Levy Court, and Clerk of the Peace aforesaid at private sale upon the best terms they can obtain for the same. Private sale when bids are too low Provided, however that they shall not be sold at private sale for less than par and accrued interest. Not to be sold for less than par No commission or other compensation shall be charged or paid to any of said officers for effecting the sale or negotiations of said bonds.

Section 29. Said bonds, principal and interest, shall be payable at the Farmers Bank at Dover, Delaware, in gold coin of the United States of America equal in weight and fineness to the present standard, out of the money from time to time appropriated for that purpose by the Levy Court of Kent County as hereinafter provided; and the said Levy Court is hereby authorized and directed to pay the interest on said bonds to the said Farmers Bank when and as the same shall become due, and to pay said bonds when and as the respective classes mature, in accordance with the foregoing schedule. The said Levy Court in fixing the rate of taxation shall annually, until the first installment of said bonds shall become due and payable, provide for a sum equal to the amount of interest due each year upon said bonds and as and when said bonds shall become due and payable, shall in like manner provide for a sum equal to the amount of such bonds in addition to the amount necessary to pay the interest on the unpaid bonds as before provided, which shall, when collected and paid to the County Treasurer, be set apart by him in a separate account to be opened for that purpose; and the said County Treasurer shall apply the said sum annually to the payment of such part of said loan and interest thereon as may from time to time become due under the provisions of this Act. Principal and interest payable at Dover Levy Court to provide a sum equal to interest due

## OF ROADS AND BRIDGES.

Number and  
date of bonds

Section 30. All of said bonds shall bear the same date, and shall be numbered from 1 to 100 inclusive. All money received from the sale of any or all of said bonds, after the payment of the charges and expenses connected with the preparation and sale thereof, shall be deposited as herebefore provided.

Form of bond

Section 31. The bonds to be used shall be in the following form to wit:

United States of America.

State of Delaware.

Class -----

Number -----

Kent County Highway Improvement Bond.

\$1,000

\$1,000

Kent County in the State of Delaware, for value received hereby acknowledges its indebtedness and promises to pay to the holder of this bond at the Farmers Bank at Dover, on the ----- day of ----- A. D. 19----, the sum of One Thousand Dollars with interest thereon at the rate of five per centum per annum, payable semi-annually on the ----- day of ----- and ----- each year.

This bond is one of the authorized issue of one hundred bonds aggregating One Hundred Thousand Dollars, by virtue of and in strict compliance with an Act of the General Assembly of the State of Delaware approved ----- A. D. 1913 and providing for the permanent improvement of public highways in Kent County, Delaware, and in pursuance of a resolution of the Levy Court of Kent County adopted ----- A. D. 19---. It is hereby certified that this bond is one of the issue authorized by the above recited Act of the General Assembly and the faith and credit of said Kent County are pledged for the punctual payment of the principal and interest of this bond according to its terms.



OF ROADS AND BRIDGES.

In Witness Whereof the County Treasurer, President of the Levy Court and Clerk of the Peace, of Kent County, have hereunto set their hand and seal of the Levy Court of Kent County, at the Town of Dover, in Delaware, this first day of July, 1913.

-----  
County Treasurer of Kent County.

-----  
President of the Levy Court of Kent County.

-----  
Clerk of the Peace of Kent County.

Section 32. Said bonds shall contain such provisions in addition to those set forth in this Act, and not inconsistent with the requirements of this Act, as said Levy Court shall determine, and the coupons shall be in the following form, to wit:

No. -----

Kent County, Delaware, will pay to the bearer at the Farmers Bank of the State of Delaware, at Dover, on the first day of ----- A. D. ----- the sum of Twenty-five Dollars for six months' interest on Bond No. -----.

Kent County Highway Improvement Bond of 1913.

-----  
County Treasurer.

Dated July 1, 1913.

Section 33. That Chapter 140 of Volume 25 of the Laws of Delaware and all Acts or parts of Acts inconsistent with the provisions of this Act be and the same are hereby repealed.

Chap. 140.  
Vol. 25  
repealed

Approved March 20, A. D. 1913.

# TITLE NINTH.

## Regulations Concerning Trade.

### CHAPTER 175.

#### GENERAL PROVISIONS RESPECTING TRADE.

**AN ACT to regulate the hours of employment and safeguard the health of females employed in the State of Delaware, in any mercantile, mechanical or manufacturing establishments, laundry, baking or printing establishments, telephone and telegraph office or exchange.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

After July 1, 1913, no female to work more than ten hours in any one day in certain establishments

Hours per week

Only eight hours permitted under certain conditions

Exceptions in canning establishments

Section 1. That from and after the first day of July, nineteen hundred and thirteen, no female shall be employed or permitted to work in any mercantile, mechanical or manufacturing establishment, laundry, baking or printing establishment, telephone and telegraph office or exchange, more than ten hours in any one day, or more than fifty-five hours in any one week; provided, however, that if any part of a female's daily employment is performed between the hours of eleven o'clock P. M. and seven o'clock A. M. of the following day, no such female shall be employed or permitted to work thereat, more than eight hours in any twenty-four hours; provided also, that the provisions of this Act shall not apply to females employed in the canning or preserving or preparation for canning or preserving of perishable fruits and vegetables; and provided, that any said female may be

## GENERAL PROVISIONS RESPECTING TRADE.

permitted to work twelve hours in one day only of each week, on the condition that her total hours of employment for any week shall not exceed fifty-five hours.

Section 2. From and after the first day of July, nineteen hundred and thirteen, where a female is employed in the same day or week by more than one concern or employer in any establishment or occupation named in Section One of this Act, the total time of employment must not exceed that allowed per day or week in a single establishment or occupation. It shall be the duty of the employer to make diligent inquiry as to such previous or other employment of such female employee elsewhere, and as to the hours of such employment. Any person who shall require or permit a female to work in excess of the total time of employment permitted by this statute, shall be liable for a violation thereof, and the employment of such female employee in excess of the total time of employment permitted by law shall be presumed, in absence of evidence to the contrary, to be with knowledge of such violation.

When employed by more than one concern or employer hours of employment not to exceed those allowed by this act

Section 3. From and after the first day of July, nineteen hundred and thirteen, no female shall be employed or permitted to work for more than six hours continuously at one time in any establishment or occupation named in Section One of this Act, without an interval of at least three-quarters of an hour; except that such female may be so employed for not more than six and one-half hours continuously at one time if such employment ends not later than half past one o'clock in the afternoon and if she is then dismissed for the remainder of the day.

No female to be employed for more than six and one-half hours continuously without an intermission

Section 4. From and after the first day of July, nineteen hundred and thirteen, that every employer shall post and keep posted in a conspicuous place in every

Notice to be posted by employers

## GENERAL PROVISIONS RESPECTING TRADE.

room in any establishment or occupation named in Section One of this Act, in which any females are employed, a printed notice stating the number of hours such females are required or permitted to work on each day of the week, the hours of beginning and stopping such work, and the hours of beginning and ending the recess allowed for meals. The printed form of such notice shall be furnished by the inspector authorized by this Act. The employment of such female for a longer time in any day than that stated in the printed notice shall be deemed a violation of the provisions of this Act. The presence of any such female on the premises at any other hours than those stated in the printed notice shall constitute prima facie evidence of a violation of this Act. Where the nature of the business makes it impracticable to fix the recess allowed for meals at the same time for all females employed, the inspector authorized to enforce this Act may issue a permit dispensing with the posting of the hours when the recess allowed for meals begins and ends, and requiring only the posting of the total number of hours which females are required or permitted to work on each day of the week and the hours of beginning and stopping such work. Such permit shall be kept by such employer upon such premises and exhibited to all inspectors authorized to enforce this Act.

Printed notice  
to be furnished  
by inspector

Violation  
of act

When female is  
present on  
premises out of  
working hours,  
constitutes  
prima facie  
evidence of  
violation

When imprac-  
ticable to fix  
recess

Chancellor to  
appoint an  
Inspector

Salary

Section 5. That the Chancellor of the State of Delaware is hereby authorized and directed, on or before the First day of May, A. D. nineteen hundred and thirteen to appoint one inspector to carry out the purposes of this Act, at a salary of One Thousand Dollars (\$1,000.) per annum, to be paid in quarterly installments of Two Hundred and Fifty Dollars (\$250.00). The term of office of said inspector shall be two years from the date of such appointment.

Authority of  
Inspector to  
enter estab-  
lishment

Section 6. That the inspector authorized by this Act may in the discharge of the inspector's duties enter any

## GENERAL PROVISIONS RESPECTING TRADE.

place, building or room where any labor is being performed by females which is affected by the provisions of this chapter whenever such inspector may have reasonable cause to believe that any such labor is being performed therein.

Section 7. That the inspector authorized by this Act shall visit and inspect the establishments and places of employment named in Section One as often as practicable, during reasonable hours, and shall cause the provisions of this Act to be enforced therein, and shall report any cases of illegal employment contrary to the provisions of this Act to the Attorney General of the State of Delaware; the said inspector shall report in writing, at least once every year to the State Board of Health. The said report shall show—1. The number of establishments in the State where females are employed. 2. The number of females employed. 3. The number of inspection visits made. 4. The number of violations. 5. The number and dispositions of prosecutions under this Act, and in addition thereto, any matters in the knowledge of the said inspector pertinent to the purpose and enforcement of this Act.

To report violations to  
Atty-General

Annual report to State Board of Health and contents

The State Board of Health shall incorporate such report or reports in its regular biennial printed report.

State Board of Health to incorporate said report with its biennial report

Section 8. That any person who violates or does not comply with any of the provisions of this Act shall upon conviction be punished for a first offense by a fine of not less than Twenty Dollars nor more than Fifty Dollars; for a second offense, by a fine not less than Fifty Dollars nor more than Two Hundred Dollars; for a third offense by a fine of not less than Two Hundred and Fifty Dollars.

First, second and third offenses and penalties

## GENERAL PROVISIONS RESPECTING TRADE.

Invalidity of  
any part of this  
act not to af-  
fect validity of  
any other  
portion

Section 9. The invalidity of any portion of this Act shall in no way affect the validity of any other portion thereof, which can be given effect without such invalid part.

Section 10. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved March 20, A. D. 1913.

GENERAL PROVISIONS RESPECTING TRADE.

CHAPTER 176.

GENERAL PROVISIONS RESPECTING TRADE.

**AN ACT to Regulate the Employment of Children and to make Uniform the Laws Relating Thereto.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

Section 1. No child under twelve years of age shall be employed, permitted or suffered to work in, about or in connection with any canning or packing establishment other than those engaged in canning or packing perishable fruits and vegetables.

No child under twelve years of age to work in a canning &c. establishment

Section 2. No child under fourteen year of age shall be employed, permitted or suffered to work in, about or in connection with any (1) mill, (2) factory, (3) workshop, (4) mercantile or mechanical establishment, (5) tenement-house, manufactory or workshop, (6) office, (7) office building, (8) restaurant, (9) boarding-house, (10) bakery, (11) barber shop, (12) hotel, (13) bootblack stand establishment, (14) public stable, (15) garage, (16) laundry, (17) or as a driver, (18) or in any brick or lumber yard, (19) or in the construction or repair of buildings, (20) or in the transmission of messages.

No child under fourteen years of age to work in establishments enumerated in this section

Section 3. It shall be unlawful for any person, firm or corporation to employ, permit or suffer to work any child under fourteen years of age in any business or service whatever during any of the hours when the public schools of the district in which the child resides are in session under the provisions of any compulsory school law of the State.

No child under fourteen years of age to be employed during hours schools are in session

## GENERAL PROVISIONS RESPECTING TRADE.

No child under fourteen years of age to work at any of occupations or positions enumerated in this section

Section 4. No child under the age of fourteen years shall be employed, permitted or suffered to work at any of the following occupations or in any of the following positions: (1) Adjusting any belt to any machinery, (2) sewing or lacing machine belts in any workshop or factory, (3) oiling, wiping or cleaning machinery in motion or assisting therein; (4) operating or assisting in operating any of the following machines: (a) Circular or hand saws; (b) wood shapers; (c) wood jointers; (d) planers; (e) sandpaper or wood-polishing machinery; (f) wood turning or boring machinery; (g) picker machines or machines used in picking wool, cotton, hair or any other material; (h) carding machines; (i) paper-lace machines; (j) leather burnishing machines; (k) job or cylinder printing presses operated by power other than foot power; (l) boring or drill presses; (m) stamping machines used in sheet-metal and tin-ware or in paper and leather manufacturing, or in washer and nut factories; (n) metal or paper cutting machines; (o) corner staying machines in paper box factories; (p) corrugating rolls, such as are used in corrugated paper, roofing or washboard factories; (q) steam boilers; (r) dough brakes or cracker machinery of any description; (s) wire or iron straightening or drawing machinery; (t) rolling mill machinery; (u) power punches or shears; (v) washing, grinding or mixing machinery; (w) calendar rolls in paper and rubber manufacturing; (x) laundering machinery; (5) or in proximity to any hazardous or unguarded belts, machinery or gearing; (6) or upon any railroad, whether steam, electric or hydraulic; (7) or upon any vessel or boat engaged in navigation or commerce within the jurisdiction of this State.

No child under fifteen years of age to work at occupations named in this section

Section 5. No child under the age of fifteen years shall be employed, permitted or suffered to work in any capacity (1) in, about or in connection with any process in which dangerous or poisonous acids are used; (2) nor in



## GENERAL PROVISIONS RESPECTING TRADE.

the manufacture or packing of paints, colors, white or red lead; (3) nor in occupations causing dust in injurious quantities; (4) nor in the manufacture or use of dangerous or poisonous dyes; (5) nor in the manufacture or preparation of compositions with dangerous or poisonous gases; (6) nor in the manufacture or use of compositions of lye in which the quantity thereof is injurious to health; (7) nor on scaffolding; (8) nor in heavy work in the building trades; (9) nor in any tunnel or excavation; (10) nor in, about or in connection with any mine, coal breaker, coke oven or quarry; (11) nor in any other occupation dangerous to the life and limb, or injurious to the health or morals of such child; (12) nor shall any child under the age of sixteen years be employed upon the stage of any theatre or concert hall or in connection with any theatrical performance or other exhibition or show, provided, however, that the State Child Labor Inspector may issue a permit allowing a child under age to appear in connection with theatrical performances or other exhibitions or shows for a period not exceeding two weeks, when, in his opinion, such permit is justified by the evidence presented to him.

Section 6. The State Board of Health may from time to time, after a hearing duly had, determine whether or not any particular trade, process of manufacture or occupation, in which the employment of children under the age of fifteen years is not already forbidden by law, or any particular method of carrying on such trade, process of manufacture or occupation, is sufficiently dangerous to the lives or limbs or injurious to the health or morals of children under fifteen years of age to justify their exclusion therefrom. No child under fifteen years of age shall be employed, permitted or suffered to work in any occupation thus determined to be dangerous or injurious to such children, provided, however, that any person, firm or corporation engaged in such trade, pro-

State Board of Health may determine whether any particular trade &c. not already forbidden by law is dangerous to child under fifteen years of age

Person, firm or corporation to have right of appeal to Superior Court under this section

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cess, manufacture or occupation, so determined by the board of health to be dangerous to the lives or limbs or injurious to the health or morals of children under fifteen years of age, shall have the right of appeal from said determination to the Superior Court of the State of Delaware in and for either county thereof.

Requirements  
of employers  
when children  
under sixteen  
years of age  
are employed  
in establish-  
ments or  
occupations  
named in Sec-  
tions 1, 2 and 3

Section 7. No child under sixteen years of age shall be employed, permitted or suffered to work in, about or in connection with any establishment or occupation named in Sections 1, 2 and 3, unless the person, firm or corporation employing such child procures or keeps on file, and accessible to the State Child Labor Inspector, the employment certificate as hereinafter provided, issued to said child; and keeps two complete lists or card indices of the names, together with the ages of all boys under sixteen years of age and all girls under eighteen years of age employed in or for such establishment or in such occupation, one on file and one conspicuously posted near the principal entrance of the place or establishment in which such children are employed; and unless such employment, permission or sufferance to work in, about or in connection with said establishments or occupations shall be in accordance with the terms and regulations laid down for said employment certificates as hereinafter provided, which employment certificates and lists shall be produced for inspection of the State Child Labor Inspector at all reasonable times upon his request.

Return of em-  
ployment cer-  
tificate upon  
termination of  
employment  
of child

Section 8. On termination of the employment of a child under sixteen years of age, the employment certificate issued to such child shall be returned by registered mail by the employer to the official issuing the same within twenty-four hours if said return is demanded by said child and otherwise within fifteen days of the termination of said employment, and the official to whom said certificate is so returned shall file said certificate and

## GENERAL PROVISIONS RESPECTING TRADE.

preserve the same, and on the return of said certificate shall notify the State Child Labor Inspector. Any child whose employment certificate has been returned as above provided shall be entitled to a new certificate without re-examination, and such re-issue of a certificate shall be subject to all the conditions as to recording and reporting governing the original issue.

New employ-  
ment certifi-  
cate

Section 9. An employment certificate shall be issued either by the superintendent of public schools of the City of Wilmington or one of the superintendents of the public schools of either of the counties of this State, or by some person designated in writing by one of said superintendents. Such designation in writing may be revoked by the superintendent giving the same at any time at his pleasure. The said superintendents upon designating in writing an authority to some other person to issue said employment certificates, shall upon said designation, immediately notify the State Child Labor Inspector of said designation, and upon revoking any such designation, said superintendent shall immediately notify the State Child Labor Inspector of said revocation. The State Child Labor Inspector shall at all times keep on file in his office a list of all persons designated in writing by any said superintendents as having authority to issue said employment certificates and of the revocations of said designation. The employment certificate shall be issued only upon the application in person of the parent, guardian or legal custodian of the child desiring such employment, or if said child have no parent, guardian or legal custodian, then by next friend, but no certificate shall be issued by any person for any child then in, or about to enter such person's own employment, or the employment of a firm or corporation of which said person is a member, officer or employee. Employment certificates shall be of two classes; General employment certificates and vacation employment certificates. Gen-

Officials who  
have authority  
to issue em-  
ployment  
certificates

When issued

When not to  
be issued

Two classes  
of certificates

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eral employment certificates shall entitle the child to work during the entire year; vacation employment certificates shall entitle the child to work during the entire year, excepting such days thereof as said child is required to attend public or private schools under the provisions of the laws now in force, or hereafter to be enacted.

Papers necessary to be examined, approved and filed before issuance of certificate

Section 10. The person authorized to issue an employment certificate shall not issue such certificate until he has received, examined, approved and filed the following papers, duly executed, viz.:

School record

1. The school record of such child properly filled out and signed, as provided in this act.

Physicians certificate

2. A certificate signed by a physician appointed by the public school board or committee of the district wherein said child resides, stating that such child has been examined by him and, in his opinion, has reached the normal development of a child of its age, and is in sufficiently sound health and physically able to be employed in any of the occupations or processes in which a child between twelve and sixteen years of age may be legally employed.

Age certificate

3. Evidence of age showing that the child is twelve years old or upwards, which shall consist of one of the following proofs of age and shall be required in the order herein designated as follows:

Birth certificate

(a) A duly attested transcript of the birth certificate filed according to law with a Board of Health or other Board or officer charged with the duty of recording births, which certificate shall be prima facie evidence of the age of such child.

Passport

(b) A passport or a duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of such child.

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(c) In case none of the above proofs of age can be produced, other documentary evidence of age which shall appear to be satisfactory to the officer issuing the certificate (aside from the school record of such child or the affidavit of parent, guardian or custodian), may be accepted in lieu thereof. In such case a school census or enumeration record, duly attested, may be used as proof of age in the discretion of the officer issuing the certificate.

In case none of  
above proofs  
of age are  
obtainable

(d) In case no documentary proof of age of any kind can be produced, the person issuing the certificate may receive and file an application signed by the parent, guardian or custodian of the child. Such application shall contain the name, alleged age, place and date of birth, and present residence of the child, together with such further facts as may be of assistance in determining the age of such child, and shall contain a statement certifying that the parent, guardian or custodian signing such application is unable to produce any of the documentary proofs of age specified in the preceding subdivisions of this section. Such application shall be filed for not less than thirty days for an examination to be made of the statements contained therein, and in case no facts appear within such period or by such examination tending to discredit or contradict any material statement of such application, the person issuing the certificate may direct such child to appear thereafter for physical examination before the State Child Labor Inspector, and in case that in his opinion, such child is at least twelve years of age or is at least fourteen years of age as the case may be, such officer shall accept such certificate as sufficient proof of the age of such child for the purposes of this section.

When no doc-  
umentary  
proof of age is  
obtainable

The person issuing the certificate shall require the evidence of age specified in subdivision (a) in preference

Person issuing  
certificate to  
require evi-  
dence of age

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to that specified in any subsequent subdivision and shall not accept the evidence of age permitted by any subsequent subdivision unless he shall receive and file in addition thereto an affidavit of the parent, guardian or custodian showing that no evidence of age specified in any preceding subdivision or subdivisions of this section can be produced. Such affidavit shall contain the age, date and place of birth, and present residence of such child, which affidavit must be taken before the officer issuing the employment certificate, who is hereby authorized and required to administer such oath and who shall not demand or receive a fee therefor.

No certificate to be issued until child personally appeared and been examined

Section 11. No employment certificate shall be issued until the child in question has personally appeared before and been examined by the person issuing the certificate, nor until such person, after making such examination, has signed and filed in his office a statement that the child can read intelligently and write legibly simple sentences in the English language.

Contents of employment certificate

Section 12. Every such employment certificate shall state the name, sex, the date and place of birth and the place of residence of the child, and describe the color of the hair and eyes, the height and weight and any distinguishing facial marks of such child, and shall contain a statement of the proof of age accepted and shall certify that the papers required by the preceding sections have been duly examined, approved and filed, and that the child named in such certificate has appeared before the officer issuing the certificate and has been examined.

Date and signature of certificate

Every such certificate shall be dated the date of its issue and shall be signed by the child in whose name it is issued in the presence of the person issuing the same. The superintendent issuing said certificate shall place and keep on file in his office a duplicate thereof and any

## GENERAL PROVISIONS RESPECTING TRADE.

person other than the superintendent issuing such employment certificate shall immediately upon issuing the same, forward a duplicate thereof to the superintendent authorizing such person to issue such certificate and said duplicate shall be placed and kept on file in said superintendent's office in the same manner as certificates issued by him.

Section 13. The school record required by this act School record shall be filled out and signed by the principal or chief executive officer of the school which such child has last attended, and shall be furnished to a child who, after the examination and investigation, may be entitled thereto.

It shall contain a statement certifying that the child Contents has regularly attended the public schools or schools equivalent thereto or parochial schools for not less than one hundred and thirty days either during the twelve months previous to arriving at the age of twelve years or during the twelve months previous to applying for such school record, and is able to read intelligently and write legibly simple sentences in the English language.

Such school record shall also give the name, date of birth and residence of the child as shown on the records of the school and the name of the parent or guardian or custodian.

In case a child has attended more than one school during the twelve months previous to arriving at the age of twelve years or during the twelve months previous to applying for such school record, the principal or chief executive officer of each school shall separately certify to the number of days attended by the child in such school during such period, and no employment certificate shall be issued to such child unless the total of the days so attended shall be at least one hundred and thirty days. When child has attended more than one school

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Certificates and other papers to be formulated by State Child Labor Commission

Section 14. The blank certificates and other papers required in the issuing of employment certificates shall be formulated by the State Child Labor Commission and printed by the State Child Labor Inspector and furnished by him to the County Superintendents or other boards or committees requiring the use of the same.

Superintendents of Public Schools to transmit a monthly list of certificates issued

Section 15. The superintendents of public schools shall transmit between the first and tenth of each month to the State Child Labor Inspector upon blanks to be furnished by him, a list of the names of the children to whom certificates have been issued, such lists shall give the name and address of the prospective employer and the nature of the occupation the child intends to engage in if such intention is known.

Child Labor Inspector may demand evidence as to age of child apparently under sixteen years of age

Section 16. The State Child Labor Inspector may make demand on any employer in or about whose place or establishment a child apparently under the age of sixteen years is employed or permitted or suffered to work, and whose employment certificate is not filed as required by this act, that such employer shall either furnish him, within ten days, satisfactory evidence that such child is in fact over sixteen years of age, or shall cease to employ or permit or suffer such child to work in such place or establishment. The State Child Labor Inspector shall require from such employer the same evidence of age of such child as is required upon the issuance of an employment certificate, and the employer furnishing such evidence shall not be required to furnish and further evidence of the age of the child.

Failure of employer to comply with Section 16

Section 17. In case any employer shall fail to produce and deliver to the State Child Labor Inspector within ten days after demand made pursuant to Section 16 of this act, the evidence of age therein required, and shall thereafter continue to employ such child or permit



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or suffer such child to work in such places or establishment, proof of the making of such demand and of such failure to produce and file such evidence shall be prima facie evidence of the illegal employment of such child in any prosecution brought therefor.

Section 18. No child under the age of fifteen years shall be employed, permitted or suffered to work (1) in, about or in connection with blast furnaces, docks, or wharves; (2) in the outside erection and repair of electric wires; (3) in the running or management of elevators, lifts or hoisting machines, or dynamos; (4) in oiling or cleaning machinery in motion; (5) in the operation of emery wheels or any abrasive, polishing or buffing wheel where articles of the baser metals or iridium are manufactured; (6) at switch tending; (7) gate tending; (8) track repairing; (9) or as brakemen, firemen, engineers, motormen or conductors upon railroads; (10) or as railroad telegraph operators; (11) as pilots, firemen or engineers upon boats and vessels; (12) or in or about establishments wherein nitroglycerine, dynamite, dualin, guncotton, gunpowder or other high or dangerous explosives are manufactured, compounded or stored; unless said establishments are insured under the approval of the board of insurance underwriters of the district where said establishment is situated.

No child under fifteen years of age to work in establishments &c. named in this section

Section 19. The State Board of Health may, from time to time, after hearing duly had, determine whether or not any particular trade, process of manufacture or occupation, in which the employment of children under fifteen years of age is not already forbidden by law, or any particular method of carrying on such trade, process of manufacture or occupation, is sufficiently dangerous to the lives or limbs or injurious to the health or morals of children under fifteen years of age to justify their exclusion therefrom.

State Board of Health may determine whether any other occupation not forbidden by this act is dangerous

## GENERAL PROVISIONS RESPECTING TRADE.

No child under fifteen years of age to work in establishment determined injurious &c

Right of appeal by any person, firm &c

No child under fifteen years of age shall be employed, permitted or suffered to work in any occupation thus determined to be dangerous or injurious to such children, provided, however, that any person, firm or corporation engaged in such trade, process, manufacture or occupation, so determined by the board of health to be dangerous to the lives or limbs or injurious to the health or morals of children under fifteen years of age, shall have the right of appeal from said determination to the Superior Court of the State of Delaware in and for either county thereof.

No person under twenty-one years of age to work in saloon &c

Section 20. No person under twenty-one years of age shall be employed, permitted or suffered to work in, about or in connection with any saloon or bar-room where intoxicating liquors are sold.

No girl under eighteen years of age to work standing constantly unless seats are provided

Section 21. No girl under eighteen years of age shall be employed, permitted or suffered to work in any capacity where such employment compels her to remain standing constantly, unless seats are provided.

Hours of employment for children in occupations named in Sec. 2

Section 22. No boy under the age of sixteen and no girl under the age of sixteen years shall be employed, permitted or suffered to work in, about or in connection with any establishment or occupation named in Section 2 (1) for more than six days in any one week; (2) nor more than fifty-four hours in any week; (3) or before the hour of seven o'clock in the morning or after the hour of six o'clock in the evening. The presence of such child in any establishment during working hours shall be prima facie evidence of its employment therein.

Allowance for meal hours

Section 23. Every child employed under the provisions of this act shall be entitled to thirty minutes for meal time between the hours of twelve o'clock noon and one o'clock in the afternoon.

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Section 24. In all cities having a population of twenty thousand or over, no person under the age of eighteen years shall be employed, permitted or suffered to work as a messenger for telegraph, telephone or messenger companies in the distribution, transmission or delivery of goods or messages before six o'clock in the morning or after ten o'clock in the evening of any day.

Messenger boys in Cities over twenty thousand population

Section 25. Every employer shall post and keep posted in a conspicuous place in every establishment where in any person under the age of eighteen is employed, permitted or suffered to work, a printed copy of the sections of this act relating to hours of labor. Such copies shall be formulated by the State Child Labor Commission and shall be printed and furnished by the State Child Labor Inspector on application of any such employers.

Every employer to post printed copy of certain section of this act

Section 26. No boy under twelve years of age, and no girl under fourteen years of age shall, in any city having a population of twenty thousand or over, distribute, sell, expose, or offer for sale (1) newspapers, (2) magazines or (3) periodicals in any street or public place.

Distribution of newspapers & in cities over twenty thousand population

Section 27. No boy under fourteen years of age and no girl under sixteen years of age shall, in any city having a population of twenty thousand or over, be employed, or permitted or suffered to work at any time as (1) bootblack, or (2) in any other trade or occupation performed in any street or public place, (3) in the distribution of hand bills or circulars, or (4) any other articles except newspapers, magazines and periodicals hereinafter provided.

Work in public places in cities over twenty thousand population

Section 28. No boy under fourteen years of age and no girl under sixteen years of age, shall, in any city having a population of twenty thousand or over, distribute, sell, expose or offer for sale in any street or public place any (1) newspaper, (2) magazines, (3) or periodicals,

In cities no boy under fourteen or girl under sixteen to distribute newspapers & unless they have complied with school attendance laws

## GENERAL PROVISIONS RESPECTING TRADE.

(4) or work in any of the trades or occupations mentioned in Section 27, unless he or she complies with all of the legal requirements concerning school attendance, and unless a permit and badge as hereinafter provided shall have been issued to him by the superintendent of public schools of the City of Wilmington or of the county in which such child resides, or by some person designated in writing by said superintendent, upon the application in person of the parent, guardian or custodian of the child desiring such permit and badge, or in case said child has no parent, guardian or custodian, then upon the application of his or her next friend, being an adult.

Permit and  
badge

Papers neces-  
sary to obtain  
permit and  
badge

Section 29. Such permit and badge shall not be issued until the officer issuing the same shall have received, examined, approved and filed the following papers, duly executed, viz.:

Refer to Sec.  
27 and 28 and  
Sec. 10 sub-  
division 3

(1) Evidence that such child is of age required by Sections 27 or 28, as the case may be. Such evidence of age shall consist of the proof of age required for the issuing of an employment certificate as specified in Section 10, subdivision (3), of this act.

(2) The written statement of the principal or chief executive officer of the school which the child is attending, stating that such child is an attendant at such school with the grade such child shall have attained, and that he or she has reached the normal development of a child of its age and sex and is physically and mentally fit for such employment and that it is able to do such work beside the regular school work required by law.

After having received, examined and placed on file such papers, the person shall issue to the child a permit and badge, provided, that in the case of a child between the ages of fourteen and sixteen having an employment

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certificate shall be accepted by the person issuing such permit and badge in lieu of any other requirements.

Lists of permits and badges shall be forwarded, filed and kept in the office of the superintendent of public schools in the city or county where such boy resides in the same manner as the lists of employment certificates as herein provided.

Lists of permits and badges to be forwarded the same as employment certificate

Section 30. Such permit shall state the name and the date and place of birth of the child, the name and address of the parent or guardian or custodian or next friend making application for such permit, and shall describe the color of the hair and eyes, the height and weight, and any distinguishing facial marks of such child and shall further state that the papers required by the preceding sections have been duly examined and signed, and that the child named in such permit has personally appeared before the person issuing the permit. The badge furnished by the person issuing the permit shall bear on its face a number corresponding to the number of the permit and the name of the child. Every such permit and every such badge on its reverse side shall be signed in the presence of the person issuing the same by the child in whose name it is issued.

Contents of permit

Badge

Section 31. The badge provided for herein shall be worn conspicuously at all times by such child while so working. All such permits and badges shall expire annually on the first day of January and no such permit or badge shall be authority beyond the period fixed therein for its duration. The color of the badge shall be changed each year.

Badge, how worn and displayed and expiration of same

Color of badge

No child to whom such permit and badge are issued shall transfer the same to any other person. He shall exhibit the same upon demand at any time to the State Child Labor Inspector.

Not transferable

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Hours permitted for occupation under Sec. 28

Section 32. No child under sixteen years of age to whom a permit and badge are issued as provided for in the preceding sections of this act shall distribute, sell, expose, or offer for sale, any newspapers, magazines or periodicals; or work at any of the trades or occupations mentioned in Section 28 in any street or public place (1) after eight o'clock in the evening, (2) or before six o'clock in the morning, (3) nor during the hours when the public schools in the city in which such child resides are in session, unless provided with an employment certificate.

Penalty for violation by child

Section 33. Any child in any city having a population of twenty thousand or over who shall distribute, sell, expose or offer for sale newspapers, magazines or periodicals or shall work at any of the trades or occupations mentioned in Section 27 in violation of any of the provisions of this act shall be deemed delinquent and may be arrested and brought before the juvenile court, if there be any juvenile court in the city where such child resides, or, if not, before any Justice of the Peace of the State of Delaware and shall be dealt with according to law. Upon the recommendation of the principal or chief executive officer of the school which such child is attending, or upon the complaint of the State Child Labor Inspector or probation officer of a juvenile court, the permit of any child who violates any of the provisions of this act, or who becomes delinquent or fails to comply with all the legal requirements concerning school attendance, may be revoked by the person issuing the same, for a period of six months, and a badge taken from such child. The refusal of any child to surrender such permit and badge, or the working at any of the occupations above mentioned in any street or public place by any child after notice of the revocation of such permit shall be deemed a violation of this Act. The provisions for badges in this and preceding sections shall not apply in the case of newsboys.

Revocation of permit

Refusal to surrender badge a violation of act

GENERAL PROVISIONS RESPECTING TRADE.

Section 34. The State Child Labor Inspector or any inspector authorized by him shall enforce the provisions of the preceding sections relating to the employment of children in street trades.

Duties of State  
Child Labor  
Inspector

Section 35. The State Child Labor Inspector may visit and inspect at any time any place of employment mentioned in this act, and shall ascertain whether any minors are employed therein contrary to the provisions of this act; and he shall report weekly to the school authorities any cases of children under sixteen years of age discharged for illegal employment.

It shall be the duty of the State Child Labor Inspector to make complaints against any person violating any of the provisions of this act and to prosecute the same.

This shall not be construed as a limitation upon the right of other persons to make and prosecute such complaints.

Section 36. A failure by an employer to produce to the State Child Labor Inspector, any employment certificate or list required by this act shall be prima facie evidence of the illegal employment of any child whose employment certificate is not produced or whose name is not so listed.

Failure to produce  
employment  
certificate

Section 37. Nothing in this act shall prevent children of any age from receiving industrial education furnished by the United States, this State or any city or town in the State and duly approved by the State Board of Education or by a school board or committee or other duly constituted public authority.

Not to prevent  
children receiving  
industrial education

In any case where the labor of a child under the age as specified in this act is necessary to assist in the support of itself or its family, because of the death of a par-

Where labor of  
child under age  
as specified in  
this act is necessary  
for support of itself  
or family

## GENERAL PROVISIONS RESPECTING TRADE.

ent or the illness of a parent, or for any other unavoidable cause, the State Child Labor Inspector shall present the case of such child to the judge of the juvenile court of the City of Wilmington, or to the resident judge of the county in which such child resides, and also to the agent of the Society for the Prevention of Cruelty to Children, and if said judge and said agent shall sign a permit for said purpose the said child shall be allowed to work for not exceeding one year from the date of said permit, and said permit may be renewed by said judge and said agent from year to year. The State Child Labor Inspector shall make report of all such cases to the Commission, both in his quarterly report and at any stated meeting of said Commission called prior to the time of filing said quarterly report.

Penalties for  
offenses under  
this act

Section 38. Any person, firm or corporation, agent or manager of any firm or corporation, who, whether for himself or for such firm or corporation, or by himself, or through agents, servants or foremen, employs any child and whoever having under his control as parent, guardian, custodian or otherwise, any child, permits or suffers such child to be employed or to work in violation of the provisions of this act, shall, for a first offence, be punished by a fine of not less than five dollars nor more than fifty dollars; for a second offence by a fine of not less than fifty dollars nor more than two hundred dollars, or by imprisonment for not more than thirty days or by both such fine and imprisonment; for a third offence by a fine of not less than two hundred dollars, or by imprisonment for not more than sixty days, or by both such fine and imprisonment.

Penalty for il-  
legal employ-  
ment after no-  
tification by  
Inspector

Section 39. Whoever continues to employ any child in violation of any of the provisions of this act, after being notified thereof in writing by the State Child Labor Inspector, shall, for every day thereafter that such em-



## GENERAL PROVISIONS RESPECTING TRADE.

ployment continues, be fined not less than five nor more than twenty dollars.

Section 40. Any person, firm or corporation retaining an employment certificate in violation of Section 8 of this act shall be fined not less than five nor more than fifty dollars. Illegal retention of employment certificate by employer

Section 41. Every employer who fails to procure and keep on file employment certificates for all children employed under the age of sixteen years, or who fails to keep and post lists, as provided in Section 7 of this act, shall be fined not less than five dollars nor more than one hundred dollars. Failure of employer to keep on file certificates or post lists

Section 42. Any employer who fails to post and keep posted the printed notices required by Section 25 of this act in the manner therein specified shall be fined not less than five dollars nor more than fifty dollars.

Section 43. Any person, firm or corporation who (1) hinders or delays the State Child Labor Inspector in the performance of his duties, (2) or refuses to admit or locks out such officer from any place which said inspector is authorized to inspect shall be punished by a fine of not less than five nor more than two hundred dollars, or by imprisonment for not less than ten days nor more than thirty days, or by both such fine and imprisonment. Penalty for hindering &c. Inspector

Section 44. Any person authorized to issue employment certificates or permits and badges as required by this act, or other person charged with the enforcement of any of the provisions of this act, who knowingly and willfully violates or fails to comply with any of the provisions of this act shall be fined not less than five nor more than one hundred dollars. Penalty for violating Section with respect to issuance of certificates, permits or badges

Section 45. Any person authorized to sign any certifi-

## GENERAL PROVISIONS RESPECTING TRADE.

Penalty for  
false statement

cate, affidavit or paper called for by this act, who knowingly certifies to any materially false statement therein, shall be fined not less than five dollars nor more than one hundred dollars.

Penalty for  
refusal of child  
to give in-  
spector infor-  
mation &c.

Section 46. Any child working in or in connection with any of the establishments or places or in any of the occupations mentioned in this act, who refuses to give to the State Child Labor Inspector his or her name, age and place of residence, shall be forthwith conducted by the inspector before the juvenile court if there be any juvenile court in the city where such child resides or if not before any Justice of the Peace of the State of Delaware, for examination and to be dealt with according to law.

Penalty for  
selling child  
anything to be  
sold in viola-  
tion of this act

Section 47. Any person who, either for himself or herself or as agent of any other person or of any corporation, furnishes or sells to any minor any article of any description with the knowledge that said minor intends to sell said article in violation of the provisions of this act, or who shall continue to furnish or sell articles of any description to a minor after having received written notice from the State Child Labor Inspector, or from the person issuing the permit and badge required by Section 28, that said minor is unlicensed to sell such articles, shall be punished by a fine of not less than five dollars or more than two hundred dollars, or by imprisonment for not less than ten days nor more than thirty days, or by both such fine and imprisonment.

Justice of  
Peace to have  
jurisdiction

Section 48. Any Justice of the Peace of the State of Delaware shall have jurisdiction of any offense arising under this act, but any person, firm or corporation convicted of such offense before any such Justice of the Peace, shall have the right to appeal to the Court of General Sessions of the State of Delaware in and for the county in which said conviction was had, upon giving

Right of appeal

## GENERAL PROVISIONS RESPECTING TRADE.

bond in the sum of One Hundred Dollars to the State of Delaware with surety satisfactory to the said Justice of the Peace by whom said person was convicted, provided such appeal shall be taken and bond given within three days from the time of said conviction.

Section 49. That the Delaware Child Labor Commission shall appoint some suitable person, within thirty days after this act shall go into effect, who shall be known and be the "State Child Labor Inspector," who shall serve for the term of two years from the time of said appointment and whose duties shall be as herein prescribed. Any vacancies arising in the office of the State Child Labor Inspector by death, resignation, removal from the State, expiration of term or otherwise shall be filled by the Delaware Child Labor Commission as herein provided. The State Child Labor Inspector shall have no other gainful occupation than the performance of his duties as herein set forth and he shall receive a salary of Eighteen Hundred (\$1800.00) per year payable in equal monthly installments by the State Treasurer out of any State funds in his hands not otherwise appropriated. The State Child Labor Inspector shall likewise have a contingent fund not exceeding Three Hundred Dollars (\$300.00) per year for the purpose of office expenses, traveling expenses and such other incidental expenses as may be attached to said office in the performance of his duties as herein provided, which contingent expenses shall be paid by the State Treasurer out of any State funds in his hands not otherwise appropriated, upon the requisition of the State Child Labor Inspector setting forth the uses to which said fund is to be put by him.

Delaware  
Child Labor  
Commission  
to appoint  
State Child  
Labor  
Inspector

Term

To have no  
other gainful  
occupation

Salary and  
contingent  
fund

Section 50. This act may be cited as the uniform Child Labor Law. It shall be so interpreted and construed as to effectuate its general purposes and objects.

## GENERAL PROVISIONS RESPECTING TRADE.

Section 51. All acts or parts of acts inconsistent with any of the provisions of this act are hereby repealed.

To take effect  
Jan. 1, 1914

Section 52. This act shall take effect on the first day of January, A. D. 1914.

Approved March 26, A. D. 1913.

## GENERAL PROVISIONS RESPECTING TRADE.

## CHAPTER 177.

## GENERAL PROVISIONS RESPECTING TRADE.

**AN ACT Providing for the Registration of Persons, Firms, Partnerships, and Associations.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That after the approval of this act, no person, firm or association shall engage in, prosecute or transact any business within the limits of this State, by using any trade name or title which does not disclose the Christian and surname of such person, or in case of a firm or association, the Christian and surname of each and every person comprising said firm or association without, in addition to what is now required by the laws of this State, first filing a certificate under the hand of such person, or in case of a firm or association under the hand of one of the members of such firm or association in the office of the Prothonotary of each County in which it is prosecuting or transacting such business, designating the trade name or title and Christian and surname of such person, or, in case of a firm or association, the Christian and surname of each and every member comprising such firm or association, and all such certificates shall show the date when such partnership or association was organized, to which said certificate there shall be attached the affidavit of the person signing it to the effect that the facts therein stated are true and correct.

Every person firm or corporation to file a certificate with each Prothonotary designating trade name or title of firm or in case of person the Christian and surname of each member of firm

To show date when partnership &c. was formed

Section 2. That whenever a change occurs in the membership of any firm or association which has filed a certificate under the provisions of Section 1 of this Act,

## GENERAL PROVISIONS RESPECTING TRADE.

To notify  
Prothonotary  
when change of  
membership in  
firm occurs

a supplemental certificate under the hand of one of the members of such firm or association shall within ten days after such change be filed in the office of the Prothonotary of each County in which it had theretofore filed a certificate designating the Christian and surname of each and every member comprising such firm or association after such change, and the date when such change took effect, to which said certificate shall be attached the affidavit of the person signing it to the effect that the facts therein stated are true and correct.

Affidavit to be  
attached

Prothonotaries  
to record cer-  
tificates in a  
book

Section 3. It shall be the duty of the Prothonotary of each County to number such certificates when filed consecutively and to endorse thereon the date of such filing and to enter and record in a book which he shall procure for that purpose, which is hereby named "Partnership and Association Docket" the trade name and title of such person, firm or association, the date of the filing of such certificate, the date of the formation or change in the formation of such firm or association and the number thereof, and for the filing and making of such entries he shall receive from the person filing such certificate a fee of one dollar to be disposed of by him in the same manner as other fees which are by law payable to him.

Fee

Penalty for a  
false affidavit

Section 4. If any person shall wilfully make or file under the provisions of this Act any affidavit which is false, the same shall constitute the crime of false swearing and shall be punishable as such.

Violation of  
this act a  
misdemeanor

Section 5. If any person, firm or association shall violate any of the provisions of this Act, then every such person and each and every person comprising such firm or association shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than one hundred dollars or imprisoned for a term not

GENERAL PROVISIONS RESPECTING TRADE.

exceeding three months, or both, at the discretion of the Court.

Section 6. Nothing in this Act shall affect or apply to joint-stock associations, using a common name, not being ordinary partnerships, which have more than fifty stock-holders or members, nor to legally incorporated companies. <sup>Exemptions under this Act</sup>

Approved March 12, A. D. 1913.

## GENERAL PROVISIONS RESPECTING TRADE.

## CHAPTER 178.

## GENERAL PROVISIONS RESPECTING TRADE.

**AN ACT Regulating the Use of Milk Bottles and other Receptacles used in the sale and delivery of Dairy Products.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

• No milk bottles, cans, &c. to be used unless by owner's permission

Section 1. That no person other than the owner or owners thereof shall hereafter use milk bottles, milk cans, or any other receptacle used in the sale and delivery of milk, cream and other dairy products, without the express permission of the owners of the same.

Bottles to be sterilized

Section 2. That glass bottles used in the sale and delivery of milk, cream and other dairy products shall be sterilized before each and every filling, and shall not be used by the owner or owners thereof, or by any other person or persons for any other purpose whatsoever.

Penalty for violation of this Act

Section 3. Any person, firm or corporation who shall violate any of the provisions of this Act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding Ten Dollars for each offense.

Approved March 26, A. D. 1913.



OF WEIGHTS AND MEASURES.

CHAPTER 179.

OF WEIGHTS AND MEASURES.

AN ACT to standardize berry cups, hampers, barrels, peach baskets and apple baskets in the State of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. From and after the passage of this Act the standard pint basket or cup for fruit and berries in this State shall contain a full pint. The standard quart basket or cup for fruit and berries in this State shall contain a full quart. The standard hamper in this State shall hold a full bushel. The standard barrel for fruit and produce shall hold eleven pecks. The standard peach basket shall hold one-half of a bushel. For the summer apple the standard basket shall hold seven-eighths of a bushel. In measuring all forms of fruit and produce dry measure shall be used.

Measures for standard baskets, cups, hampers, barrels, &c. to be used in shipping berries, fruit and produce

Any person or persons, corporation or corporations in this State handling, shipping or selling fruit or produce in cups or baskets, hampers, barrels, peach baskets or summer apple baskets shall use the standard cup or basket, hamper, barrel, peach basket or summer apple basket, or if he or it shall use a different size from that herein designated as standard for any of these fruits or produce he shall clearly mark upon the outside of such cup or basket, hamper, barrel, peach basket or summer apple basket in figures not less than one inch in height the exact amount which such cup, or basket, hamper, barrel, peach basket or summer apple basket does hold.

Any person or corporation to use standard measures as set forth in this Act

To mark clearly when standard size is not used

Figures not less than one inch high

## OF WEIGHTS AND MEASURES.

Violation of  
this Act a  
misdemeanor

Section 2. Any person or persons, corporation or corporations violating any of the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined a sum not less than Ten Dollars for each offense.

Section 3. This Act shall take effect on January 1, A. D. 1914.

Approved March 20, A. D. 1913.

OF WEIGHTS AND MEASURES.

CHAPTER 180.

OF WEIGHTS AND MEASURES.

AN ACT fixing the standard Weight for a ton of coal.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. From and after the passage of this Act the legal standard ton for coal in this State shall be Two Thousand two hundred and forty pounds avoirdupois weight and any coal dealer or other person selling or sending out into the highway, lane, or streets of this State, or any City or Town of this State, or otherwise disposing of a load of coal containing less than two Thousand two hundred and forty pounds avoirdupois for a ton, except when delivering fractions of a ton, or if delivering a fraction of a ton and said fraction of a ton contains less relatively than the legal standard of Two Thousand two hundred and forty pounds avoirdupois, the dealer or other person so acting shall be deemed guilty of a misdemeanor and upon conviction thereof shall be compelled to pay a fine of Fifty Dollars.

Standard ton  
of coal to con-  
tain 2240 lbs.  
avoirdupois

Violation a  
misdemeanor

Approved March 17, A. D. 1913.

## OF RETAILERS OF GOODS AND PEDDLERS.

## CHAPTER 181.

## OF RETAILERS OF GOODS AND PEDDLERS.

**AN ACT to amend Chapter 67, Volume 14, Laws of Delaware, entitled  
"An Act to amend Chapter 68, of the Revised Code of the State of  
Delaware, concerning Retailers of Goods and Peddlers."**

*Be it enacted by the Senate and House of Representatives  
of the State of Delaware in General Assembly met:*

**Sec. 2, Chap.  
76, Vol. 14  
amended**

Section 1. That Section 2 of Chapter 76, Volume 14, Laws of Delaware, entitled, "An Act to amend Chapter 68 of the Revised Code of the State of Delaware, concerning Retailers of Goods and Peddlers", be, and the same is hereby amended by striking out the words "feme covert traders" in the thirteenth line thereof, and inserting in lieu thereof the following, viz:

"Widows".

Approved March 11, A. D. 1913.

OF RETAILERS OF GOODS AND PEDDLERS.

CHAPTER 182.

OF RETAILERS OF GOODS AND PEDDLERS.

AN ACT Regulating the Sale of Certain Drugs and Poisons.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That every person who sells or in any way disposes of to any person any morphine, opium, cocaine, chloral-hydrate, or any of their compounds, except to a licensed physician, or on the authority of a certificate of such licensed physician, or fails to keep on file at his place of business, any such certificate for inspection of all persons, after the same has been surrendered to him by the buyer of any such drugs, or uses or fills out any such certificate more than once, for the benefit of the person presenting the same, or any other person, is punishable by fine not exceeding two hundred dollars (\$200), or by imprisonment not exceeding one year, or by both fine and imprisonment in the discretion of the Court. The provisions of this Section do not apply to the sale of paregoric or any other mild compound of any of such drugs, nor do they apply to persons who are sick and in actual need of any of such drugs as a medicine.

Certain drugs and poisons to be sold to only a licensed physicians or upon certificate of same

To keep on file such certificate

Penalty for violation .

Exemptions from provisions of this Act

Section 2. It shall be unlawful for any person to sell at retail or furnish any of the drugs or poisons named in Section 1, of this Act with out affixing or causing to be affixed, to the bottle, box, vessel or package, a label containing the name of the article and the word "poison" distinctly shown, with the name and place of business of the seller, all printed in red ink, together with the name

Articles in Sec. 1 to be plainly marked "poison", when sold

Manner of marking

## OF RETAILERS OF GOODS AND PEDDLERS.

Penalty for  
violating this  
Section

of such poisons printed or written thereupon in plain legible characters. Every violation of the provisions of this Section shall be punishable by a fine not exceeding Fifty Dollars (\$50) or by imprisonment not exceeding two months by the discretion of the Court.

Approved March 17, A. D. 1913.

OF RETAILERS OF GOODS AND PEDDLERS.

CHAPTER 183.

OF RETAILERS OF GOODS AND PEDDLERS.

AN ACT to Amend Chapter 68 of the Revised Code of 1893 by Providing a Penalty for Neglecting to take out any License for the Period of Thirty Days after the Time Prescribed by Law for Taking out the Same.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

Section 1. That Section 6, of Chapter 68, of the Revised Code of 1893 be and the same is hereby amended by striking out all of said section, and inserting in lieu thereof, the following:

Sec. 6, Chap.  
68, Rev. Code  
of 1893  
amended

“Section 6. That any person, firm or corporation, who shall neglect to take out any license required by the laws of this State for the period of thirty days after the time prescribed by law for taking out the same, shall forfeit and pay to the Clerk of the Peace issuing the same, for the use of the State, in addition to the amount already required by law for such license, a further sum equal to five per centum of the amount required for such license as aforesaid for each month or portion of month that shall intervene between the expiration of said thirty days and the time when such license is taken out.”

Neglect to take  
out license  
within thirty  
days of pre-  
scribed time  
there is to be  
added 5% for  
each month

Approved March 11, A. D. 1913.

## OF PILOTAGE, NAVIGATION AND VESSELS.

## CHAPTER 184.

## OF PILOTAGE, NAVIGATION AND VESSELS.

AN ACT to amend Chapter 171 of Volume 24, Laws of Delaware, enlarging the time in which the commissioners designated in said Chapter 171 shall present to the General Assembly for allowance an account of the services rendered by them and increasing the amount apportioned for the payment of damages.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of each branch of the Legislature concurring) as follows:*

Sec. 3, Chap.  
171, Vol. 24  
amended

Section 1. That Chapter 171 of Volume 24 of the Laws of Delaware, entitled "An Act in Relation to Shortening the Course of the Navigable Waters of Mispillion River," be and the same is hereby amended by striking out the words "at its next session" where the same occur in Section 3 of said Act and inserting in lieu thereof the words "at any subsequent session."

Sec. 4, Chap.  
171, Vol. 24  
amended

Section 2. That said Chapter 171 of Volume 24 of the Laws of Delaware be and the same is further amended by striking out the words "two hundred dollars" where the same occur in Section 4 of said Act and inserting in lieu thereof the words "five hundred dollars."

Approved February 28, A. D. 1913.



## OF PILOTAGE, NAVIGATION AND VESSELS.

## CHAPTER 185.

## OF PILOTAGE, NAVIGATION AND VESSELS.

AN ACT to amend Chapter 172 of Volume 24, Laws of Delaware, enlarging the time in which the commissioners designated in said Chapter 172 shall present to the General Assembly for allowance an account of the services rendered by them and increasing the amount appropriated for the payment of damages.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of each branch of the Legislature concurring) as follows:*

Section 1. That Chapter 172 of Volume 24, of the Laws of Delaware, entitled "An Act in Relation to the Proposed Canal intended for a Free Water Way from the Mouth of North West Branch on Smyrna River to the upper end of the first reach in said river above Fleming's Bridge, with a view to shortening the course of the navigable waters of Smyrna River," be and the same is hereby amended by striking out the words "at its next session" where the same occur in Section 3 of said Act and inserting in lieu thereof the words "at any subsequent session."

Sec. 3, Chap.  
172, Vol. 24  
amended

Section 2. That said Chapter 172 of Volume 24 of the Laws of Delaware be and the same is further amended by striking out the words "two hundred dollars" where the same occur in Section 4 of said Act and inserting in lieu thereof the words "five hundred dollars."

Sec. 4, Chap.  
172, Vol. 24  
amended

Approved February 28, A. D. 1913.

# TITLE TENTH.

## Of Corporations.

### CHAPTER 186.

#### GENERAL PROVISIONS RESPECTING CORPORATIONS.

#### AN ACT in relation to the Renewal of the Charters of Corporations.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (with the concurrence of two-thirds of all the members elected to each House of the General Assembly) :*

Section 1. That any corporation which was in existence on the Tenth day of March, A. D. 1899, and whose charter has expired by reason of failure to renew the same through oversight or inadvertence, or whose charter has been renewed but through failure to comply strictly with the provisions of the General Corporation Law, the validity of the renewal has been brought into question, may, at any time before the first day of January, A. D. 1914, procure a renewal and revival of its charter or a confirmation of the renewal and revival of its charter for any period, together with all the rights, franchises, privileges and immunities and subject to all its duties, debts and liabilities which had been secured or imposed by its original charter and all amendments thereto, by filing with the Secretary of State a certificate of its last or acting President and Secretary, duly sworn or affirmed to by such officers.

Certain classes  
of corporations  
may obtain a  
renewal or re-  
vival of its  
charter before  
Jan. 1, 1914

To file certifi-  
cate with  
Secretary of  
State

## GENERAL PROVISIONS RESPECTING CORPORATIONS.

Such certificate shall set forth:

1. The name of the corporation, which name shall be the same name it bore when the charter expired or was attempted to be renewed. Form of certificate

2. The name of the city, town or place within the county in which its principal office or place of business is located in this State.

3. The date when such renewal or revival is to commence, which shall be prior to the date of the expiration of the charter which it is desired to renew, or prior to the date when it was attempted to renew the charter; whether or not such renewal is to be perpetual, and if not perpetual, the time for which such renewal is to continue.

4. That the corporation desiring to renew and so renewing its charter was duly organized and carried on the business authorized by its charter until the       day of       1       , at which time its charter expired by limitation through inadvertence and oversight on the part of the corporation, or in the case of a corporation whose charter has been renewed but not in strict compliance with the provisions of the General Corporation Law, that it was duly organized and carried on the business authorized by its charter until the       day of       1       , at which time its charter was renewed but not in strict compliance with the provisions of the General Corporation Law; and that this certificate is filed by the authority of those who were President and Directors or Managers of the said corporation at the time its charter expired and who under the laws of this State and virtue thereof became its trustees, or who were President and Directors or Managers of the said corporation at the time when its charter was attempted to be renewed.

## GENERAL PROVISIONS RESPECTING CORPORATIONS.

Certificate to be dealt with in accordance with Chap. 934, Vol. 22

Section 2. Such certificate shall be filed, copied, recorded and dealt with, and in all respects shall have the same force and effect as if such certificate had been filed by such corporation before the expiration of its charter, under the provisions of "An Act Providing a General Corporation Law", approved March 17, 1903, Chapter 394, Volume 22, Laws of Delaware.

Revival and renewal to be retro-active with respect to powers granted by charter

Upon such revival and renewal, or confirmation of renewal, all acts, matters and things done and performed by such corporation within the scope of its charter, since the expiration of the same, or since the attempted renewal of its charter, shall be and hereby are expressly ratified and approved, and all real and personal property, rights and credits, which were of the said corporation at the time of the expiration of its charter, and which have not been disposed of, shall be vested in and restored to the renewed and revived corporation as fully and amply as they were held by the said corporation at and before the time when its charter expired or was attempted to be renewed.

Corporation to first pay all City, County, State and franchise taxes that are unpaid

Section 3. Any corporation seeking to renew or to confirm the renewal of its charter under the provisions of this Act shall first pay all City, County, State and franchise taxes and charges which it would by law have been liable to pay and chargeable with, if its said charter had not expired; and said corporation shall file the certificate mentioned in Section 1 of this Act a statement executed and sworn or affirmed to by its last or acting President and Secretary. Said statement shall contain the amount of said taxes and charges so paid, the date of payment, to whom paid, and the period of time covered by said taxes and during which they accrued.

Must file an acceptance of the Constitution of Delaware

Section 4. Before the charter of any corporation shall be renewed and revived, or the renewal of any charter confirmed, under the provisions of this Act, the said

## GENERAL PROVISIONS RESPECTING CORPORATIONS.

corporation shall file under the seal used by it immediately prior to the expiration of the charter of the said corporation, and duly attested by its last or acting Secretary, an acceptance of the provisions of the present Constitution of this State.

Section 5. Provided, however, that this shall not apply to any Life or Fire Insurance Company, or other Company engaged in the insurance business. Not to apply to insurance companies

Approved March 26, A. D. 1913.

## GENERAL PROVISIONS RESPECTING CORPORATIONS.

## CHAPTER 187.

## GENERAL PROVISIONS RESPECTING CORPORATIONS.

## AN AOT to make valid certain stock certificates.

WHEREAS, in many instances stock certificates have been issued by various corporations which are signed by other officers of the corporation than those designated in Section 15 of Chapter 394, Volume 22, Laws of Delaware, as the same has been amended. *Now therefore*

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (with the concurrence of two-thirds of the members elected to each House of the General Assembly):*

To make valid  
certain stock  
certificates

Section 1. That a certificate for the ownership of stock in any corporation, heretofore issued, which is under the seal of the corporation, and is signed by the President or a Vice-President, and either the Treasurer, or an Assistant Treasurer, or the Secretary, or an Assistant Secretary, of such corporation, shall be as valid, for all intents and purposes, as if the same had been signed by the President and Treasurer of such corporation.

Approved March 11, A. D. 1913.

GENERAL PROVISIONS RESPECTING CORPORATIONS.

CHAPTER 188.

GENERAL PROVISIONS RESPECTING CORPORATIONS.

AN ACT to amend an Act entitled "An Act Providing a General Corporation Law," as printed and published in Chapter 394, Volume 22, Laws of Delaware, as the same has been amended.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (with the concurrence of two-thirds of the members elected to each House of the General Assembly):*

Section 1. That Section 15 of an Act entitled "An Act Providing a General Corporation Law," as printed and published in Chapter 394, Volume 22, Laws of Delaware, as the same has since been amended, be and the same is hereby amended by striking out the whole of said Section 15 of said Act, and inserting in lieu thereof the following:

"Section 15. Every stockholder shall have a certificate, under the seal of the corporation, signed by the President or a Vice-President, and either the Treasurer or an Assistant Treasurer, or the Secretary or an Assistant Secretary, certifying the number of shares owned by him in such corporation."

Sec. 15, Chap.  
394, Vol. 22  
amended

Stockholders  
to have certifi-  
cate as to  
number of  
shares owned

Approved March 12, A. D. 1913.

## GENERAL PROVISIONS RESPECTING CORPORATIONS.

## CHAPTER 189.

## GENERAL PROVISIONS RESPECTING CORPORATIONS.

AN ACT to amend an Act entitled, "An Act providing a General Corporation Law", (being Chapter 394, Volume 22, Laws of Delaware as amended), enabling telegraph and telephone companies and companies using wires for transmitting electrical current for heat, light and other purposes to condemn property for their lines of wires, in certain cases.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, with the concurrence of two-thirds of the members elected to each House of the General Assembly:*

Sec. 105, Chap.  
394, Vol. 22  
amended

Section 1. That said Chapter 394, as printed and published in Volume 22, Laws of Delaware, entitled "An Act Providing a General Corporation Law", be and the same is hereby amended by adding at the end of Section 105 of said Chapter the following words, to wit:

Telegraph and  
telephone cor-  
porations may  
erect, construct  
and maintain  
its lines or  
wires under or  
over canals,  
rivers or other  
waters in this  
State

"That any Telegraph Corporation, any Telephone Corporation or any Corporation using lines of wires for the transmitting of electrical current for heat, light or other purposes, organized under the provisions of this Act, may erect, construct and maintain its Telegraph or Telephone lines or its wires for transmitting electrical current for heat, light or other purposes and the necessary fixtures for the same through and across or under any of the canals and canal lands, rivers or other waters, within the limits of this State, subject to the right of the owners thereof to full compensation to the extent that the same is taken; and that whenever any such Corporation cannot agree with the owner or owners of any franchises, easements, canals, canal lands, rivers, or other



## GENERAL PROVISIONS RESPECTING CORPORATIONS.

waters necessary to be taken, occupied and used in the construction of the said telegraph lines, telephone lines or lines used for transmitting current for heat, light or other purposes and the fixtures thereof, for the purchase thereof, the said Corporation may proceed for the condemnation thereof in the manner provided for in Section 81 of this Act, as amended, in relation to railroads; and when the damages ascertained therefor, in the manner provided in said Section, shall have been paid or deposited in the proper Bank, as therein provided, said Corporation shall become entitled to have, hold, use and enjoy the said franchises, easements, lands, materials, canals, rivers or other water rights to the extent and for the purposes by them required forever."

Compensation  
to owners

If condemna-  
tion proceed-  
ings necessary  
to be under  
Sec. 81 of this  
Act as amend-  
ed in relations  
to railroads

Approved March 19, A. D. 1913.

## GENERAL PROVISIONS RESPECTING CORPORATIONS.

- Dividends** The full number and amount of dividends and when made and in what manner such dividends have been paid;
- Sinking fund** The entire amount appropriated to sinking fund and the manner in which the same has been applied, and the total amount then held by such sinking fund.
- Form of report if corporation owns and operates in this State** If it be a corporation owning and operating a railway line within this State, such reports shall state:
- Length** The entire length of the railway in operation, the length of single track and the length of double track;
- Capital stock** The full amount of the capital stock actually subscribed, and the full amount paid thereon;
- Actual cost** The entire amount of the actual cost of the railway, showing the amount expended for the right of way, bridging, grading, iron and building respectively, and for all other purposes incidental to the construction of such railway;
- Indebtedness** The nature and amount of its indebtedness, distinguishing the first, second and third mortgage bonds, and the unsecured indebtedness and the amount due the corporation;
- Money received and expended** The amount received from all sources whatever and the full amount expended for all purposes;
- Loss and damage** The entire amount paid for loss and damage to freight and injury to person and property;
- Dividends** The full number and amount of dividends and when made and in what manner such dividends have been paid;
- Sinking fund** The entire amount appropriated to sinking fund and the manner in which the same has been applied, and the total amount then held by such sinking fund.
- Secretary of corporation to mail report to every stockholder** The secretary of each and every corporation mentioned in the first paragraph of this section shall mail to

## GENERAL PROVISIONS RESPECTING CORPORATIONS.

every stockholder thereof, whose post office address is known, a copy of said annual report, and shall within fifteen days from the expiration of its fiscal year file a certified copy thereof with the Secretary of State.

To file certified copy of report with Secretary of State annually

Any corporation which shall fail to file a certified copy of such annual report with the Secretary of State within fifteen days from the expiration of its fiscal year shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined according to the discretion of the Court, but such fine shall not be less than the sum of One Thousand Dollars; and any corporation which shall fail to file a certified copy of such annual report with the Secretary of State for two successive years for fifteen days after the expiration of its fiscal year, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not less than Five Thousand Dollars.

Penalty for failure to file annual report with Secretary of State within fifteen days of expiration of fiscal year

Penalty for failure a second time

Approved March 31, A. D. 1913.

## GENERAL PROVISIONS RESPECTING CORPORATIONS.

## CHAPTER 191.

## GENERAL PROVISIONS RESPECTING CORPORATIONS.

AN ACT to amend an Act entitled, "An Act Providing a General Corporation Law", (being Chapter 273, Volume 21, Laws of Delaware, as amended).

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members elected to each House of the General Assembly concurring herein):*

Sec. 125, Chap.  
273, Vol. 21  
amended

Section 1. That Section 125, as amended, of the Act entitled, "An Act Providing a General Corporation Law", (being Chapter 273, Volume 21, Laws of Delaware, as amended) be and the same is hereby amended by striking out the words "Westerly curb line of Bridge Street" where they appear in the fourth and fifth lines of the second paragraph of said Section and substituting in lieu thereof the following words, to wit,—“wharf on the Christiana River at the foot of said East Fourth Street”; and by striking out the words “Westerly curb line of Bridge Street” where they appear in the eighth and ninth lines of the second paragraph of said Section and substituting in lieu thereof the following words, to wit,—“wharf on the Christiana River at the foot of said East Fourth Street”; and further by striking out the words and figures “said Chapter 394, Volume 22, Laws of Delaware” where they appear in the third and fourth lines of the third paragraph of said Section and substituting in lieu thereof the following words, to wit,—“this Act”; and by striking out the whole of the fourth paragraph of said Section.

Approved March 17, A. D. 1913.

GENERAL PROVISIONS RESPECTING CORPORATIONS.

CHAPTER 192.

GENERAL PROVISIONS RESPECTING CORPORATIONS.

**AN ACT to amend Chapter 395, Volume 22, Laws of Delaware, being An Act entitled "An Act in relation to Foreign Corporations doing business in this State."**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That Chapter 395, Volume 22, Laws of Delaware, being an Act entitled "An Act in Relation to Foreign Corporations doing business in this State," be amended by striking out the word "fifty" in the ninth line of Section one thereof and inserting in lieu thereof the word "ten."

Chap. 395,  
Vol. 22  
amended

Approved March 19, A. D. 1913.

## GENERAL PROVISIONS RESPECTING CORPORATIONS.

## CHAPTER 193.

## GENERAL PROVISIONS RESPECTING CORPORATIONS.

AN ACT to amend Chapter 70 of the Revised Code of 1852, as amended and published in 1893.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Amendment to  
Sec. 14, Chap.  
70, Revised  
Code of 1852,  
as amended

Section 1. That Chapter 70 of the Revised Code of 1852, as amended and published in 1893, be and the same is hereby amended by striking out, in the second line of Section 14 of said Chapter 70, the word "or", and by inserting after the word "Treasurer" and before the word "of", in the third line of said Section 14, the words "or any Director".

Approved March 31, A. D. 1913.

GENERAL PROVISIONS RESPECTING CORPORATIONS.

CHAPTER 194.

GENERAL PROVISIONS RESPECTING CORPORATIONS.

**AN ACT Vesting in the Receivers of Corporations Title to the Property of said Corporation.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. The Receiver or Receivers appointed by the Chancellor, of and for any corporation created by or existing under the Laws of the State of Delaware, and the successor or successors of any such Receiver or Receivers, shall upon his or their appointment and qualification, and the survivors or survivor of such receivers shall upon the death, resignation or discharge of any co-receiver or co-receivers, be vested by operation of Law, without any act or deed, with the title of such corporation to all its books, papers and documents; interests in patents, patent rights, copyrights and trademarks; rights of action arising upon contracts or from the unlawful taking or detention of or injury to property of such corporation; and other property, real, personal or mixed of whatsoever nature, kind, class or description, and wheresoever situate, except real estate situate outside the State of Delaware.

Receivers of corporations vested with title to property of said corporation

Section 2. The Receiver or Receivers appointed by the Chancellor as aforesaid shall within twenty days from the date of his or their qualification, file in the office of the Recorder of Deeds in each County in this State, in which any real estate belonging to such corporation may be situated, a certified copy of his or their appointment and qualification.

Receivers to file certified copy of their appointment and qualifications within twenty days

Section 3. The provisions of this act shall not apply to receivers appointed pendente lite.

Receivers appointed pendente lite excepted

Approved March 19, A. D. 1913.

## OF BANKS.

## CHAPTER 195.

## OF BANKS.

AN AOT in relation to, and in Amendment of, an Act entitled "An Act to establish a Bank, and Incorporate a Company, under the name of the Farmer's Bank of the State of Delaware," passed at Dover, February 4, 1807, being Chapter 39, Volume 4 of the Laws of Delaware, and to the various Supplements thereto, and in relation to the several Statutes of the State of Delaware, granting or vesting in the said corporation any right, power, franchise, privilege or immunity.

## Preamble

WHEREAS, The President, Directors and Company of the Farmers' Bank of the State of Delaware, a corporation created by an act of the General Assembly of the State of Delaware, passed at Dover, February 4, 1807, and in existence at the time of the adoption of the present Constitution of the State of Delaware, has heretofore filed in the office of the Secretary of State, under corporate seal of said corporation, and duly attested, its acceptance of the provisions of the present Constitution of the State of Delaware, which was adopted on the fourth day of June, 1897, and which went into effect and operation on the tenth day of June, 1897, therefore,

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (with the concurrence of two-thirds of all the members elected to each House in this General Assembly) as follows, to wit:*

Sec. 6, Chap  
39, Vol. 4  
amended

Section 1. That the Act entitled, "An Act to Establish a Bank, and Incorporate a Company, under the name of the Farmers' Bank of the State of Delaware," passed at Dover, February 4, 1807, being Chapter 39,



## OF BANKS.

Volume 4 of the Laws of Delaware, (reference to particular lines, by their number, of the said Chapter 39, being made in this Act to the said Chapter 39 as the same is printed in that edition of Volume 4, of the Laws of Delaware which was printed by M. Bradford and R. Porter in 1816), be and the same is hereby amended by striking out all of Section 6 thereof between the word "Delaware" at the end of the sixth line of said Section and the words "and by that name" in the eighth and ninth lines of said Section 6, and by inserting in lieu thereof the words, "and by that name shall have perpetual succession."

Section 2. That Section 6 of the Act aforesaid be further amended by striking out all of said Section between word "soever" in the thirteenth line of said Section and the words "and the same to sell" in the sixteenth line of said Section 6. Sec. 6, Chap. 39, Vol. 4 further amended

Section 3. That Section 6 of the Act aforesaid be further amended by striking out all of said Section after the words "United States" in the twenty-seventh line of said Section, and by inserting in lieu thereof the words "and also to discount bills, notes and other evidences of debt, to receive deposits of money or securities for money, to buy gold and silver bullion and foreign coin, to buy and sell bills of exchange, and all other kinds of securities and evidences of indebtedness, and generally to use, exercise and enjoy all the powers; rights, privileges and franchises, incident to a corporation, which are proper or necessary for the transaction of the business of the corporation aforesaid." Sec. 6, Chap. 39, Vol. 4 further amended

Section 4. That Section 12 of the Act aforesaid be further amended by striking out all of the paragraph of said Section numbered Seventh after the word "Seventh" and by inserting in lieu thereof, the following: Sec. 12, Chap. 39, Vol. 4 amended

## OF BANKS.

"Meetings of stockholders may be called as prescribed by the Ordinances or By-Laws or by Resolution of the Directors of the principal bank or of any of the branch banks."

Sec. 12, Chap.  
39, Vol. 4  
further  
amended

Section 5. That Section 12 of the Act aforesaid be further amended by striking out all of the paragraph of said Section numbered Eighth after the word "Eighth" and by inserting in lieu thereof the following: "Every cashier or treasurer, before he enters upon the duties of his office, shall be required to give bond, with one or more sureties; the amount of said bond, its condition and the satisfactoriness of the surety or sureties to be within the discretion of the Directors."

Paragraph 9,  
Sec. 12, Chap.  
39, Vol. 4  
repealed

Section 6. That Section 12 of the Act aforesaid be further amended by striking out all the paragraph numbered Ninth in said Section 12.

Sec. 12, Chap.  
39, Vol. 4  
further  
amended

Section 7. That Section 12 of the Act aforesaid be further amended by striking out all the paragraph of said Section numbered Thirteenth after the word "Thirteenth" and by inserting in lieu thereof the following: "Dividends shall be declared from time to time as the Directors shall deem advisable."

Paragraph 15,  
Sec. 12, Chap.  
39, Vol. 4  
repealed

Section 8. That Section 12 of the Act aforesaid be further amended by striking out all the paragraph of said Section numbered Fifteenth.

Sec. 13, Chap.  
39, Vol. 4  
amended

Section 9. That the Act aforesaid be amended by striking out all of Section 13 thereof.

Sec. 17, Chap.  
39, Vol. 4  
repealed

Section 10. That the Act aforesaid be further amended by striking out all of Section 17 thereof.

Sec. 18, Chap.  
39, Vol. 4  
repealed

Section 11. That the Act aforesaid be further amended by striking out all of Section 18 thereof.

## OF BANKS.

Section 12. That the Act aforesaid be further amended by striking out all of Section 19 thereof.

Sec. 19, Chap.  
39, Vol. 4  
repealed

Section 13. That the Act aforesaid be further amended by striking out all of Section 21 thereof and by adding after Section 20 thereof two new Sections, as follows:

Sec. 21, Chap.  
39, Vol. 4  
repealed

“Section 21. The corporation established or organized under this Act is hereby given the same powers, rights and privileges as may be conferred upon corporations organized under the Act entitled, “An Act Providing a General Corporation Law,” approved March 19, 1899, as amended. The stock of this corporation owned or held by the State may be voted for or against any amendment of the Charter or agreement for consolidation at any meeting of the stockholders held for the consideration of such amendment or such agreement under the provisions of the aforesaid Act entitled, “An Act Providing a General Corporation Law”; such voting of the State Stock to be in the manner prescribed by, and in accordance with the determination of, two-thirds of those Directors holding office as such by virtue of appointment by the General Assembly of the State of Delaware, and this Section shall be deemed and held to be a full and sufficient warrant therefor.”

New Section 21

Powers  
granted this  
corporation

Voting of stock  
owned by  
State

“Section 22. All the provisions of this Act and of the various supplements thereto, in force on the first day of June, nineteen hundred and thirteen, as also all and every the provisions of all and every the Acts of the General Assembly of the State of Delaware, in force on the first day of June, nineteen hundred and thirteen, whereby any right, power, franchise, privilege or immunity is granted to or vested in the said corporation, be and the same are hereby continued in force forever, and the said corporation shall perpetually have, hold, enjoy and pos-

New Section 22

Acts in force  
June 1, 1913 to  
continue in  
force forever

## OF BANKS.

Perpetual  
powers

sess all and every the franchises, powers, rights, privileges and immunities which are or may be vested in or enjoyed by said corporation by or under any law of the State of Delaware, on or before the said first day of June, nineteen hundred and thirteen; and this Charter shall be deemed and construed as if the provisions of every said law of the State of Delaware were expressly and specifically set forth and repeated in this Act."

Sec. 4, Chap.  
79, Vol. 6  
repealed

Section 14. That the Act entitled, "A Supplement to the Act entitled, 'An Act for the continuance of certain banks therein mentioned, and for securing payments in specie, by the said banks, to persons holding their notes,' " being Chapter 79, Volume 6 of the Laws of Delaware, be amended by striking out all of Section 4 thereof.

Approved February 28, A. D. 1913.

## OF BANKS.

## CHAPTER 196.

## OF BANKS.

**AN ACT Relating to Deposits by Minors in Banks, Savings Banks, Savings Institutions and Trust Companies.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, two-thirds of all the members of each House concurring therein:*

Section 1. It shall be lawful for any Bank, Savings Bank, Savings Institution or Trust Company to receive money on deposit from or in the name of any minor, and when any deposit of money shall be made by or in the name of any minor with any Bank, Savings Bank, Savings Institution or Trust Company in this State, the same shall be held for the benefit of such depositor, in the same way and to the same extent as if such depositor were an adult person, and it shall be lawful for such depositor to make drafts or withdrawals thereof, and such deposits shall be paid, together with the dividends and interest thereon to the person in whose name the deposit shall have been made, or upon his or her written order, and the receipt or acquittance of such minor shall be a valid and sufficient release and discharge to the Bank, Savings Bank, Savings Institution or Trust Company for such deposit, or any part thereof. Provided, however, that any such Bank, Savings Bank, Savings Institution or Trust Company shall have the right to refuse any deposit offered by or in the name of a minor.

Banks may open an account in the name of any minor

Minor may make drafts or withdrawals

Banks to have right of refusal

Section 2. Any minor depositing money with a Bank, Savings Bank, Savings Institution or Trust Company shall be subject in all transactions connected therewith,

Minors subject to all obligations of an adult in dealings with bank

## OF BANKS.

as between himself or herself and such Bank, Savings Bank, Savings Institution or Trust Company, to all the obligations, equities and defences to which an adult person would be subject in similar transactions.

Section 3. That all Acts or parts of Acts inconsistent herewith be and the same are hereby repealed, and this Act shall take effect immediately.

Approved February 19, A. D. 1913.

OF CANALS.

CHAPTER 197.

OF CANALS.

AN ACT to require the "Chesapeake and Delaware Canal Company" to erect and maintain a bridge across its canal at the place where said canal crosses the road for vehicular travel being constructed by "Coleman du Pont Road, Incorporated," and providing penalties for failure.

WHEREAS, a Boulevard Corporation called "Coleman <sup>Preamble</sup> duPont Road, Incorporated" has been organized under the General Corporation Law of the State of Delaware for the purpose of locating, building, constructing, maintaining and operating a Boulevard extending from or near the City of Wilmington in said State to or near the Town of Selbyville in said State; and

WHEREAS, said corporation is by law required to construct upon said Boulevard a well built road for vehicular travel and to convey the same to the State of Delaware; and

WHEREAS, the said Corporation has begun the locating, building and constructing of its said Boulevard and has begun the construction thereon of the said road for vehicular travel; and

WHEREAS, Section 16 of an Act entitled "An Act to incorporate a company for the purpose of cutting and making a canal between the Chesapeake Bay and Bay or River Delaware, or the waters thereof," being Chapter 78 of Volume 3, of the Laws of Delaware, provides as follows, to wit:

"Sect. 16. And be it enacted, That whenever said

## OF CANALS.

canal shall cross any public road, it shall be the duty of said company at the proper expense of the same, to make and keep good and sufficient bridges across the said canal, so as to prevent any inconvenience in the usage of said road or roads by reason of said canal crossing the same, and that it shall be lawful for the Legislature of this State, at all times hereafter, to enact laws for the erecting and maintaining bridges across the said canal, at the expense of the said company, and to subject the said company to forfeitures, pains and penalties for not complying with such laws."

## THEREFORE:—

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

Chesapeake  
and Delaware  
Canal Com-  
pany to erect  
and maintain  
bridge over  
canal for  
"Coleman du-  
Pont Road,  
Incorporated"

Section 1. That the said "Chesapeake and Delaware Canal Company" be, and the same is, hereby required to erect and maintain, at its own expense, a substantial bridge, including the approaches thereto, across its canal at the place where the said road for vehicular travel required to be built as aforesaid, by the said "Coleman duPont Road, Incorporated", is crossed, or shall be crossed by the said canal. The said bridge shall not be less than thirty feet wide, shall be sufficient to be safely crossed by vehicles of the greatest weight, and shall be completed within three months after the said road for vehicular travel, or some section or sections thereof within the meaning of the law authorizing the organization of Boulevard Corporations, shall have been completed up to both opposite banks of the said canal at the said place of crossing.

To forfeit fran-  
chise if Com-  
pany refuses to  
comply with  
Sec. 1

Section 2. If the said "Chesapeake and Delaware Canal Company" shall fail, neglect or refuse to comply with the provisions of Section 1 of this Act, it shall, by such failure, neglect or refusal, *ipso facto*, forfeit all its corporate franchises, and all other franchises, granted to



## OF CANALS.

it by the State of Delaware, including the right and franchise to collect, or receive tolls within the State of Delaware from any boat or vessel passing through or along its said canal, or tolls for any goods or commodities transported by any such boat or vessel, until it shall erect a bridge in compliance with the provisions of said Section 1 of this Act, or shall pay the costs and expense attending the erection of such bridge by the said "Coleman duPont Road, Incorporated", as hereinafter provided.

Upon the failure, neglect or refusal of the said "Chesapeake and Delaware Canal Company" to comply with the provisions of Section 1 of this Act, the said "Coleman duPont Road, Incorporated" shall be and it is hereby authorized at its election, to erect a bridge in compliance with the provisions of said Section 1 of this Act, or to finish any bridge which may have been commenced by the said "Chesapeake and Delaware Canal Company" but not completed within the time prescribed in said Section 1, and, after the completion of the same, the said "Coleman duPont Road, Incorporated," shall be and it is hereby authorized and empowered to collect from the said "Chesapeake and Delaware Canal Company" the sum of money expended by it, the said "Coleman duPont Road, Incorporated", in the erection or completion of such bridge, together with legal interest thereon, and to enforce such collection, and payment by the said Canal Company by an action of debt against the said Canal Company, and in any such action the said "Coleman duPont Road, Incorporated" shall be entitled to recover, in addition to the sum of money aforesaid, together with interest, as aforesaid, and costs of suit, a reasonable attorney's fee, to be fixed by the Court which shall try the case.

"Coleman duPont Road, Inc.," to erect bridge in case of failure of Canal Company to do so and to collect through an action of debt

Section 3. That all Acts or parts of Act inconsistent with this Act be, and the same are hereby repealed.

Approved May 7, A. D. 1913.

## OF CANALS.

## CHAPTER 198.

## OF CANALS.

**AN ACT in relation to the proposed Canal intended as a free inland water way connecting Rehoboth Bay with Delaware Bay.**

## Preamble

WHEREAS, a construction is contemplated of a canal to connect the waters of Rehoboth Bay with Delaware Bay which is to be constructed by the Government of the United States, and when completed is intended to be devoted to public use as a free inland water way; and

WHEREAS, the route of such canal lying between Rehoboth Bay and Delaware Bay in the County of Sussex in this State has been defined and located by a survey made under the authority of the United States, pursuant to the provisions of an Act of Congress in that behalf; and

WHEREAS, the said canal is to be constructed by and maintained as one of the public works of the United States; therefore,

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

U. S. Gov't  
may acquire  
title to land  
needed

Section 1. That the consent of the Legislature be, and the same is, hereby given to the acquisition by the Government of the United States of the title to such lands within this State on or contiguous to the route of the said proposed canal as may be necessary for the location and construction of the said canal and its appurtenances; and all deeds, conveyances and other papers relating to the title thereof shall be recorded as in other cases in the office of the Recorder of Deeds in and for Sussex

## OF CANALS.

County. The consent herein and hereby given being in accordance with the eighteenth clause of the eighth section of the first article of the Constitution of the United States and with the Acts of Congress in such cases made and provided. But notwithstanding such consent and concession the sovereignty and jurisdiction of this State shall extend over all lands acquired by the United States within the limits of this State so far as that all civil and criminal process issued by virtue of any law of this State may be executed in any part of the lands so acquired, or any buildings or structures which may be erected thereon.

Consent given in accordance with clause 18, Sec. 8, Art. 1 of the U. S. Constitution

State to hold civil and criminal jurisdiction over lands

Section 2. That in order to enable the United States to obtain title to land necessary for the location of the said canal not exceeding one hundred feet in width and also such additional lands as may be necessary, incident to the construction of work in every case where the owner or owners of such lands are unknown, non-residents, or minors, or from any other cause or incapable of making a perfect title to such lands, or where the said owners being residents and capable of conveying shall from disagreement in price or from any other cause whatever, refuse to convey said lands to the United States for the United States or its authorized agent in that behalf to apply by petition to the Commissioners named in Section 3 of this Act, setting forth in said petition by an accurate description of the land intended to be appropriated for the construction of said canal for the appraisement of its value and condemnation of the same, and when such condemnation shall have been made and the condemnation money paid or deposited as hereinafter provided, the title to the lands so condemned shall forthwith vest in the United States, subject only to the sovereignty and jurisdiction of this State as hereinbefore reserved.

In case of refusal to cede land or disagreement condemnation proceedings to be started by Commissioners provided in Sec. 3

## OF CANALS.

Section 3. That William C. Lofland, James T. Lank and Dr. Hiram R. Burton of Sussex County shall be and are hereby appointed Commissioners, whose duty it shall be, upon the application of the United States, or its authorized agent in that behalf, in accordance with the provisions of the preceding Section, to go upon and view any of the lands to be taken and appropriated for the location and construction of the said canal and to assess and determine the amount of damages which any owner of such land will sustain by reason of the construction through his land of such canal. In estimating the damages, the said Commissioners shall consider the advantages as well as disadvantages which will accrue to such owner by reason of the taking and appropriation of his said land and the construction of the said canal. The said Commissioners, or any two of them, shall have power to make an award, and such award shall be made in duplicate, one copy whereof shall be delivered to the United States, or its authorized agent, and the other copy shall be delivered to the owner, if such owner be known, and be a resident of the State and be also legally competent to make a deed. If, however, such owner be unknown, non-resident, a minor or otherwise legally incompetent to make a deed, then the copy which would otherwise have been delivered to the owner shall be deposited with the Recorder of Deeds in and for Sussex County, to be recorded in his office, and such record, or certified copy thereof, shall be competent evidence. The award made by such Commissioners, or any two of them, shall be final and conclusive, unless the owner shall, within five days after the making of the said award, apply by petition to the Associate Judge of this State, resident in the County of Sussex, for the appointment of a special commission of five freeholders of the said County; and upon such application it shall be and is hereby made the duty of such Judge to appoint such commission which shall be invested with the like powers as are by this Act

Commission named (this Section amended by Chap. 199, Vol. 27)

To go upon and view lands

Instructions to Commissioners in estimating damages

Any two Commissioners may make award

Copy of award to be forwarded to Gov't. or its agent

Petition for review

Associate Judge to appoint Commission

## OF CANALS.

conferred upon the Commissioners designated in this Section. And the award made by such second commission, of any three of them, shall be returned to the said Judge, and when by him approved shall be final and conclusive. The Commissioners, as well those designated by this Section as those who may be appointed by the Judge, shall be severally sworn or affirmed before entering upon their duties.

Section 4. The Commissioners designated by Section 3 shall receive such compensation for their services as the Legislative Committee at its session in January, A. D. 1915, shall allow and such allowance shall be paid by the Committee's draft on the State Treasurer. If the said Commissioners shall not have completed the services required by this Act before the session of the said Legislative Committee, they shall present to the General Assembly at its next session an account of the services rendered by them under this Act subsequently to the said session of the Legislative Committee for allowance, the compensation of said Commissioners not to exceed Three Dollars per day for actual service, and mileage at three cents per mile. The Commissioners appointed by the Judge shall receive for their services Two Dollars per day, which, together with all other expenses, connected with the application for such second commission, shall be paid by the land owner applying therefor. In case any one or more of the three Commissioners named and designated by Section 3, shall die, omit or refuse to serve, remove from the State, or shall be from any cause incapacitated from serving as such, then and in every such case or cases the Governor is authorized and empowered to appoint another or others in his or their stead who have like powers.

Compensation of Commissioners to be determined by General Assembly in 1915

Limit to per diem compensation

Compensation of Commission appointed by Judge

Governor to fill vacancy in Commission

Section 5. Whenever any award by the special commission of five freeholders provided for by Section 3 of

Award of second Commission to be filed

## OF CANALS.

this Act shall have been returned to and approved by the Associate Judge resident in the County of Sussex, the said award so returned and approved shall be filed in the Office of the Prothonotary in and for said County.

Appropriation  
to pay for dam-  
ages allowed

Awards, how  
and where paid

State not to  
contribute  
more than  
\$500

Section 6. That for the payment of the land damages on the route of the said proposed lands within said State between Rehoboth Bay and Delaware Bay the sum of Five Hundred Dollars, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, and such damages shall be paid by the State Treasurer either upon the draft of the owner accompanied by a certified copy of the award, or by a deposit of the amount awarded in the Farmer's Bank at Georgetown to the credit of the parties in whose favor such award shall be made; and in all cases when damages are paid by the State Treasurer by deposit to the credit of the owner, as in this Section authorized, it shall be the duty of the said State Treasurer to take from the Cashier of the said Bank a certificate of each sum so deposited, and such certificate shall constitute his vouchers for the money so disbursed. Nothing, however, in this Act contained shall be so construed as to create any obligation or assumption on the part of this State to make any other contribution toward the said work beyond the said sum of Five Hundred Dollars, or so much thereof as may be necessary to pay the land damages on the route of the said proposed canal within this State between Rehoboth Bay and Delaware Bay as aforesaid.

Section 7. This shall be a public Act, and whenever the said canal so to be constructed shall cross any public road or railroad a proper bridge with a suitable draw shall be erected and maintained at every such crossing and the concession made by this Act is so made subject to the exercise of this right and privilege.

Approved February 28, A. D. 1913.

## OF CANALS.

## CHAPTER 199.

## OF CANALS.

AN ACT amending an Act entitled "An Act in relation to the proposed Canal intended as a free inland waterway connecting Rehoboth Bay with Delaware Bay."

WHEREAS, House Bill No. 85 entitled "An Act in relation to the proposed Canal intended as a free inland waterway connecting Rehoboth Bay with Delaware Bay" which has passed both the Senate and House of Representatives of Delaware and is now in the hands of the Governor for his approval,

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. Amend Section 3 of said bill as follows:—  
Strike out the first sentence of said Section 3 and insert in lieu thereof the following: That the Governor is hereby authorized to appoint three commissioners, whose duty it shall be, upon the application of the United States, or its authorized agent in that behalf, in accordance with the provisions of the preceding Section, to go upon and view any of the lands to be taken and appropriated by the location and construction of the said Canal and to assess and determine the amount of damages which any owner of such land will sustain by reason of the construction through his land of such Canal.

Sec. 3, Chap.  
198, Vol. 27  
amended

Approved February 28, A. D. 1913.

## OF THE CITY OF WILMINGTON.

## CHAPTER 200.

## OF THE CITY OF WILMINGTON.

**AN ACT to provide for the erection and furnishing of a new Municipal Building for the City of Wilmington.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, two-thirds of all the members elected to each House concurring:*

State Judiciary  
to appoint a  
Wilmington  
Building  
Commission

City Council  
to nominate  
one member

Vacancies

Term of office

Four Judges  
must agree  
upon person  
selected

Section 1. As soon as practicable after the passing of this Act, the Chief Justice and the four Associate Judges shall appoint five suitable persons, resident in New Castle County, to be known as the "WILMINGTON BUILDING COMMISSION." The Council of The Mayor and Council of Wilmington shall have the right to nominate one member of the said Commission who shall be appointed by the said Judges unless they see good cause to the contrary, and The Council shall nominate another or other person until some one shall be found acceptable to the said Judges. In case of a vacancy in the said Commission by reason of death, resignation or otherwise, the said Judges shall appoint some person to fill the vacancy thus occasioned.

The term of office of the said Commissioners shall continue until the completion by them of the duties herein-after designated.

A majority of the said Commissioners shall constitute a quorum and may act in all matters. In appointing the members of the said Commission, and in filling any vacancy therein, it shall be necessary that at least four (4) of the said Judges shall agree upon the person or persons selected.



## OF THE CITY OF WILMINGTON.

Section 2. The said Wilmington Building Commission shall as soon as practicable after their appointment organize by electing a Chairman, Treasurer and Secretary, and shall have authority to elect such other officers and to employ such agents as from time to time may be desirable. Any officer or agent of the Commission shall hold his office or employment subject to the pleasure of the Commission which may at any time remove him and fill the vacancy thus occasioned.

Commission to  
organise by  
electing offi-  
cers and select-  
ing help

Agent or offi-  
cer may be  
removed

Section 3. The said Wilmington Building Commission shall acquire for The Mayor and Council of Wilmington some suitable place in the City of Wilmington for the erection of a municipal building, and the said Commission is hereby authorized and empowered to purchase, or otherwise acquire, such real estate as may be necessary, and to erect thereon, or on a portion thereof, equip and furnish a municipal building suitable for municipal purposes. And for this purpose, the said Commission shall have authority to purchase or acquire such materials and enter into such contracts as in its judgment may be necessary. The said Commission may use a portion of the said land so acquired, not exceeding twenty feet in width, for the purpose of widening any street abutting on the said land so acquired and used as in the judgment of the said Commission may be desirable.

To acquire  
land for a  
municipal  
building

To erect a  
municipal  
building

May use part  
of land for  
widening  
street

Section 4. In case the said Wilmington Building Commission shall for any cause be unable to agree with the owner or owners for the purchase of any lot or lots of land selected by the said Commission as aforesaid for the purpose aforesaid, any Judge of the Superior Court, upon application of the said Commission, shall issue a commission under his hand directed to five impartial freeholders of said County commanding them to view the premises and assess the damages which the said

Condemnation  
proceedings  
through com-  
mittee of free-  
holders, ap-  
pointed by  
any Judge

## OF THE CITY OF WILMINGTON.

owner or owners will sustain by reason of the taking of the said land for the purposes of this Act, taking into consideration all the circumstances of benefit and detriment to result to such owner or owners, and to make return in writing of their proceedings to said Judge at a time in said commission appointed. The said freeholders before entering on the premises shall be sworn or affirmed faithfully and impartially to perform the duty assigned them, and shall give not less than five days' notice in writing to the owner and occupier or agent in charge of the said premises and to the Chairman of the said Wilmington Building Commission of the time when they will meet on said premises for the purposes aforesaid, and they, or a majority of them, shall assess the damages as aforesaid and make return of their proceedings as directed by said commission. And if the owner of the said lands and premises so sought to be acquired as aforesaid be unknown or without the state, then such notice shall be published in some newspaper in the county at least five days prior to the time of the said meeting. Upon application of the said Wilmington Building Commission, or any owner or owners of such land to the Prothonotary of the Superior Court for New Castle County, he may issue out a writ of *ad quod damnum*, requiring the Sheriff in the usual form to inquire of twelve impartial men of his bailiwick of the damages as aforesaid and their report shall be final. And in case the owner or owners of said lands shall be incapable, unwilling or neglect or refuse for five days after tender made to receive said damages, the same shall be deposited to the credit of such owner or owners in the Farmers' Bank at Wilmington, and such deposit shall operate as a payment of said damages. And upon the confirmation of the said return or the return of the said writ of *ad quod damnum* and the payment or deposit of said damages as aforesaid, the said Wilmington Building Commission shall cause to be recorded in the Recorder's of-

Assessment of damages

To be sworn or affirmed

Notice given

If owner unknown

Upon refusal of owner to accept damages same to be deposited in a bank

OF THE CITY OF WILMINGTON.

fice at New Castle County the application, commission  
 and return under which said land may be condemned as To be recorded  
 aforesaid, together with the receipts and certificates for  
 the payment of said damages.

Section 5. For the sole purpose of paying for the land Mayor and Council au-  
thorized to  
borrow  
\$500,000  
 and for the erection, equipment and furnishing of the  
 building hereby provided for, The Mayor and Council of  
 Wilmington is hereby authorized and empowered to bor-  
 row upon the faith and credit of the City of Wilmington,  
 as hereinafter provided, a sum not exceeding Eight Hun-  
 dred Thousand Dollars, and for the purpose of securing  
 the payment of such sum to issue bonds in denomina-  
 tions of One Thousand Dollars each and bearing such  
 rate of interest, not exceeding Four and One-half Per Interest  
 Centum per annum, as the said The Mayor and Council  
 of Wilmington may deem expedient. The interest upon  
 said bonds shall be payable semi-annually in each and  
 every year from the date of the issue thereof. Payable  
semi-annually

Said bonds shall be divided into classes and  
 shall be paid at their face value as follows: Classes of  
bonds

Class	Amount	Year of Maturity
A	\$20,000.	1923
B	20,000.	1924
C	20,000.	1925
D	20,000.	1926
E	20,000.	1927
F	20,000.	1928
G	20,000.	1929
H	20,000.	1930
I	20,000.	1931
J	20,000.	1932
K	20,000.	1933
L	20,000.	1934
M	20,000.	1935

## OF THE CITY OF WILMINGTON.

N	20,000.	1936
O	20,000.	1937
P	20,000.	1938
Q	20,000.	1939
R	20,000.	1940
S	20,000.	1941
T	20,000.	1942
U	20,000.	1943
V	20,000.	1944
W	20,000.	1945
X	20,000.	1946
Y	20,000.	1947
Z	20,000.	1948
AA	20,000.	1949
BB	20,000.	1950
CC	20,000.	1951
DD	20,000.	1952
EE	20,000.	1953
FF	20,000.	1954
GG	20,000.	1955
HH	20,000.	1956
II	20,000.	1957
JJ	20,000.	1958
KK	20,000.	1959
LL	20,000.	1960
MM	20,000.	1961
NN	20,000.	1962

May be re-  
deemed at ex-  
piration of five  
years by May-  
or and Council  
of Wilmington

Said bonds may at the option of The Mayor and Council of Wilmington contain a provision for the redemption thereof by the said The Mayor and Council of Wilmington, at any time after the expiration of five years from the date thereof at a premium not to exceed Five Per Cent.

Said bonds shall be prepared under the supervision of The Council of The Mayor and Council of Wilmington,

## OF THE CITY OF WILMINGTON.

and shall be signed by the Mayor of the City of Wilmington under the seal of the said City and shall be countersigned by the City Treasurer and City Auditor of the said City in the same manner as other City bonds, and it shall be the duty of the said officers to execute said bonds when directed by The Council to do so, and it shall be the duty of the City Auditor and the City Treasurer to keep a record of the said bonds.

Preparation of bonds to be under supervision of Mayor and Council

Duty of City Auditor and Treasurer

Section 6. Said bonds shall be prepared and signed as soon after the passing of this Act as practicable, and until sold, as hereinafter provided, shall remain in the custody of the City Treasurer of the City of Wilmington.

Custody of bonds

Whenever in the judgment of the Wilmington Building Commission it shall be deemed desirable that any part or all of the said bonds shall be sold, The Council of The Mayor and Council of Wilmington shall sell and dispose of the same on the most advantageous terms possible, after having advertised the same in the public press at least once each week for at least two weeks. The request of the said Wilmington Building Commission for the sale of any or all of the said bonds shall be certified to the said The Council under the hand of the Chairman of the said Commission, and upon the receipt thereof the said The Council shall proceed forthwith to sell the bonds as therein requested. No commission nor other compensation shall be charged or paid to any member of the said The Council or to any member of the said Wilmington Building Commission for effecting the sale or negotiation of said bonds. Said bonds, principal and interest, shall be payable at the Farmers' Bank at Wilmington, Delaware, in gold coin of the United States of America equal in weight and fineness to the present standard, out of the money from time to time appropriated for that purpose by The Council as hereinafter provided; and the said The Council is hereby authorized and directed to pay the interest on said bonds

Mayor and Council to sell bonds when Building Commission deems desirable

To certify to the Council

No commission for sale of bonds to Councilor Commission

Place for payment of principal and interest

## OF THE CITY OF WILMINGTON.

Council au-  
thorised to pay  
interest and  
principal  
when due

Council to pro-  
vide for pay-  
ments on bonds  
when fixing  
tax rate

City Treasurer  
to keep a sep-  
arate account

Payments from  
fund to be paid  
only on orders  
signed by  
Chairman and  
Treasurer of  
Building  
Commission

Form of bond

to the said Farmers' Bank when and as the same shall become due and to pay said bonds when and as the respective classes mature in accordance with the foregoing schedule. The said The Council in fixing the rate of taxation shall annually until the first installment of said bonds shall become due and payable shall in like manner provide for a sum equal to the amount of said bonds in addition to the amount necessary to pay the interest on the unpaid bonds as before provided, which shall when collected and paid to the City Treasurer be set apart by him in a separate account to be opened for that purpose; and the said City Treasurer shall apply the said sum annually to the payment of such part of the said loan and interest thereon as may from time to time become due under the provisions of this Act. All of the said bonds shall bear the same date and shall be numbered from 1 to 800 (or to such number thereof as may be issued) inclusive. All money received from the sale of any or all of said bonds, after the payment of the charges and expense connected with the preparation and sale thereof, shall be deposited by the City Treasurer at the Farmers' Bank at Wilmington in a separate account, and payments therefrom shall be made only upon orders signed by the Chairman and Treasurer of the Said Wilmington Building Commission and none of the money received from the sale of the said bonds, or any of them, shall be applied to any purpose except as provided in this Act. The bonds to be issued shall be substantially in the following form, to-wit:

UNITED STATES OF AMERICA  
STATE OF DELAWARE

\$1,000.

No. ....

WILMINGTON BUILDING COMMISSION BOND.

CLASS

The Mayor and Council of Wilmington in the State of Delaware for value received hereby acknowledges its in-

OF THE CITY OF WILMINGTON.

debtedness and promises to pay to the holder of this bond at the Farmers' Bank at Wilmington, Delaware, on the            day of            A. D., 19    the sum of One Thousand Dollars (\$1,000.) with interest thereon at the rate of            Per Centum per annum, payable semi-annually on the            day of            and            in each year. This bond is one of the authorized issue of eight hundred bonds, aggregating Eight Hundred Thousand Dollars, by virtue of and in strict compliance with an Act of the General Assembly of the State of Delaware, approved            A. D., 1913, entitled, "An Act to provide for the erecting and furnishing of a new Municipal Building for the City of Wilmington."

It is hereby certified that this bond is one of the issue authorized by the above recited Act of the General Assembly, and that the faith and credit of the said The Mayor and Council of Wilmington are pledged for the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF, The Mayor of the said City of Wilmington, the City Treasurer and the City Auditor of the said City have hereunto set their hands and the seal of the said City at the City of Wilmington, Delaware, this            day of            A. D., 19    .

-----  
Mayor of the City of Wilmington.

-----  
City Treasurer of the City of Wilmington.

-----  
City Auditor of the City of Wilmington.

Said bonds shall contain such provisions, in addition to those herein set forth, and not inconsistent with the requirements of this Act, as the said The Council shall determine.

## OF THE CITY OF WILMINGTON.

When building  
is ready for use  
Building Com-  
mission to  
assign rooms  
and space to  
various muni-  
cipal officers &c

Section 7. That when said building shall be erected, equipped, furnished and ready for use, the said Wilmington Building Commission shall certify to The Council on allotment of the portion or portions of said building to be used and occupied by The Council, the Municipal Court and its officers, the Police Department, the City Treasurer, the City Auditor, the various City Boards, and such other rooms and offices as may be necessary for the use of the officers and employees of the said The Mayor and Council of Wilmington, and also a Jail for the detention of prisoners, and such certificate or certificates shall be recorded in the Recorder's office for New Castle County and shall be conclusive as to the matters therein contained. Upon the recording of the said certificate or certificates, the said The Council of The Mayor and Council of Wilmington shall forthwith cause to be removed the books, papers, records and other property belonging to or in anywise connected with the City offices hereinbefore enumerated, or with the Courts of the said City, to the said new building so erected and built, whereof public notice shall be immediately given in such manner as the said The Council shall direct, and from and after such removal the respective City Courts now held shall be held in such new building, and the said public offices mentioned shall be kept in said new building, and the said new building shall be deemed and taken to be used as and for a municipal building for the City of Wilmington, and all processes of the respective Courts of the said City shall be tested at and be returnable to the said new building in the City of Wilmington, and all laws of this state having reference to the general administration of justice or the public affairs of the said City shall be read and construed in accordance herewith.

To file certi-  
ficate of assign-  
ment of space

Removal of  
books and  
records

Same Commis-  
sioners may  
serve on Coun-  
ty Building  
Commission

Section 8. Nothing contained in this Act shall prevent the said Judges in appointing the said Commissioners from naming the same persons who may be appointed to



## OF THE CITY OF WILMINGTON.

serve for the erection and furnishing of a County building for New Castle County, nor shall anything herein contained be construed to prevent the construction of a joint municipal and county building, provided, however, that that portion of the said building constructed by municipal funds shall belong to and be the property of The Mayor and Council of Wilmington.

Part constructed by municipal funds to be city property

Section 9. The said Commissioners shall each receive in full for their services the sum of Two Hundred and Fifty Dollars a year, provided, however, that no Commissioner shall be entitled to receive in any event more than the sum of Five Hundred Dollars, and no Commissioner shall directly or indirectly receive any further compensation for his services in connection with the duties imposed upon him by the provisions of this Act.

Compensation of Commissioners

Section 10. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved February 26, A. D. 1913.

## OF THE CITY OF WILMINGTON.

## CHAPTER 201.

## OF THE CITY OF WILMINGTON.

**AN ACT to provide for the erection and furnishing of a new County Building for New Castle County.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

State Judiciary  
to appoint  
the New Castle  
County Building  
Commission

Levy Court  
may nominate  
one member

Vacancies

Term of office

Four Judges  
must agree on  
persons  
selected

Section 1. As soon as practicable after the passing of this Act, the Chief Justice and the four Associate Judges shall appoint five suitable persons, resident in New Castle County, to be known as "THE NEW CASTLE COUNTY BUILDING COMMISSION." The Levy Court of New Castle County shall have the right to nominate one member of the said Commission who shall be appointed by the said Judges unless they see good cause to the contrary, and the Levy Court shall nominate another or other person until some one shall be found acceptable to the said Judges. In case of a vacancy in the said Commission by reason of death, resignation or otherwise, the said Judges shall appoint some person to fill the vacancy thus occasioned.

The term of office of the said Commissioners shall continue until the completion by them of the duties herein after designated.

A majority of the said Commissioners shall constitute a quorum and may act in all matters. In appointing the members of the said Commission, and in filling any vacancy therein, it shall be necessary that at least four (4) of the said Judges shall agree upon the person or persons selected.

## OF THE CITY OF WILMINGTON.

Section 2. The said The New Castle County Building Commission shall, as soon as practicable after their appointment, organize by electing a Chairman, Treasurer and Secretary, and shall have authority to elect such other officers and employ such agents as from time to time may be desirable. Any officer or agent of the Commission shall hold his office or employment subject to the pleasure of the Commission which may at any time remove him and fill the vacancy thus occasioned.

Commission to  
organise by  
electing officers  
and selecting  
help

Agent or officer  
may be  
removed

Section 3. The said The New Castle County Building Commission shall acquire for New Castle County (the title to be taken in the name of "The State of Delaware for the use of New Castle County") some suitable place in the City of Wilmington for the erection of a County Building, and the said Commission is hereby authorized and empowered to purchase, or otherwise acquire, such real estate as may be necessary, and to erect thereon, equip and furnish a County Building suitable for a Court House and County Offices. And for this purpose the said Commission shall have authority to purchase or acquire such materials and enter into such contracts as in its judgment may be necessary. Should it be thought desirable by the said Commission to widen any street abutting upon the lands and premises to be used for the said County Building, they shall so certify to the Levy Court, and the said Levy Court is hereby authorized and directed to convey unto The Mayor and Council of Wilmington for the purpose aforesaid a strip of land not exceeding twenty feet in width, to be used by the said City as a street and public highway. The conveyance shall be made by a deed signed by the President of the said Levy Court and the Clerk of the Peace for New Castle County, and shall be under the seal used by the said Levy Court.

To acquire land  
for and erect  
County  
Building

Widening  
of streets

Section 4. In case the said The New Castle County

## OF THE CITY OF WILMINGTON.

Building Commission shall for any cause be unable to agree with the owner or owners for the purchase of any lot or lots of land selected by the said Commission as aforesaid for the purpose aforesaid, any Judge of the Superior Court, upon application of the said Commission, shall issue a commission under his hand directed to five impartial freeholders of said County commanding them to view the premises and assess the damages which the said owner or owners will sustain by reason of taking of the said land for the purposes of this Act, taking into consideration all the circumstances of benefit and detriment to result to such owner or owners, and to make return in writing of their proceedings to said Judge at a time in said commission appointed. The said freeholders before entering on the premises shall be sworn or affirmed faithfully and impartially to perform the duty assigned them, and shall give not less than five days' notice in writing to the owner and occupier or agent in charge of the said premises and to the Chairman of the said The New Castle County Building Commission of the time when they will meet on said premises for the purposes aforesaid, and they, or a majority of them, shall assess the damages as aforesaid and make return of their proceedings as directed by said commission. And if the owner of the said lands and premises so sought to be acquired as aforesaid be unknown or without the state, then such notice shall be published in some newspaper in the county at least five days prior to the time of the said meeting. Upon application of the said The New Castle County Building Commission or any owner or owners of such land to the Prothonotary of the Superior Court for New Castle County, he may issue out a writ of *ad quod damnum*, requiring the Sheriff in the usual form to inquire of twelve impartial men of his bailiwick of the damages as aforesaid and their report shall be final. And in case the owner or owners of said lands shall be incapable, unwilling or neglect or re-

Condemnation  
proceedings  
through Com-  
mittee of free-  
holders ap-  
pointed by  
any Judge

To be sworn  
or affirmed

Notice given

To assess  
damages

If owner is  
unknown

OF THE CITY OF WILMINGTON.

fuse for five days after tender made to receive such damages, the same shall be deposited to the credit of such owner or owners in the Farmers' Bank at Wilmington, and such deposit shall operate as a payment of said damages. And upon confirmation of the said return or the return of the said writ of *ad quod damnum* and the payment or deposit of said damages as aforesaid, the said The New Castle County Building Commission shall cause to be recorded in the Recorder's office at New Castle County the application, commission and return under which said land may be condemned as aforesaid, together with the receipts and certificates for the payment of said damages.

Upon refusal of owner to accept damages same to be deposited in bank

To be recorded

Section 5. For the sole purpose of paying for the land and for the erection, equipment and furnishing of the building hereby provided for, the Levy Court of New Castle County is hereby authorized and empowered to borrow upon the faith and credit of said County, as hereinafter provided, a sum not exceeding Six Hundred Thousand Dollars, and for the purpose of securing the payment of such sum to issue bonds in denominations of One Thousand Dollars each and bearing such rate of interest, not exceeding Four and One-half Per Centum per annum, as said Levy Court may deem expedient. The interest upon said bonds shall be payable semi-annually in each and every year from the date of the issue thereof.

Levy Court of New Castle county to borrow \$600,000

Interest

Payable semi-annually

Said bonds shall be divided into classes and shall be paid at their face value as follows:

Classes of bonds

Class	Amount	Year of Maturity.
A	\$15000	1923
B	15000	1924
C	15000	1925
D	15000	1926
E	15000	1927

## OF THE CITY OF WILMINGTON.

Condemnation  
proceedings  
through Com-  
mittee of free-  
holders ap-  
pointed by  
any Judge

To be sworn  
or affirmed

Notice given

To assess  
damages

If owner is  
unknown

Building Commission shall for any cause be unable to agree with the owner or owners for the purchase of any lot or lots of land selected by the said Commission as aforesaid for the purpose aforesaid, any Judge of the Superior Court, upon application of the said Commission, shall issue a commission under his hand directed to five impartial freeholders of said County commanding them to view the premises and assess the damages which the said owner or owners will sustain by reason of taking of the said land for the purposes of this Act, taking into consideration all the circumstances of benefit and detriment to result to such owner or owners, and to make return in writing of their proceedings to said Judge at a time in said commission appointed. The said freeholders before entering on the premises shall be sworn or affirmed faithfully and impartially to perform the duty assigned them, and shall give not less than five days' notice in writing to the owner and occupier or agent in charge of the said premises and to the Chairman of the said The New Castle County Building Commission of the time when they will meet on said premises for the purposes aforesaid, and they, or a majority of them, shall assess the damages as aforesaid and make return of their proceedings as directed by said commission. And if the owner of the said lands and premises so sought to be acquired as aforesaid be unknown or without the state, then such notice shall be published in some newspaper in the county at least five days prior to the time of the said meeting. Upon application of the said The New Castle County Building Commission or any owner or owners of such land to the Prothonotary of the Superior Court for New Castle County, he may issue out a writ of *ad quod damnum*, requiring the Sheriff in the usual form to inquire of twelve impartial men of his bailiwick of the damages as aforesaid and their report shall be final. And in case the owner or owners of said lands shall be incapable, unwilling or neglect or re-

OF THE CITY OF WILMINGTON.

fuse for five days after tender made to receive such damages, the same shall be deposited to the credit of such owner or owners in the Farmers' Bank at Wilmington, and such deposit shall operate as a payment of said damages. And upon confirmation of the said return or the return of the said writ of *ad quod damnum* and the payment or deposit of said damages as aforesaid, the said The New Castle County Building Commission shall cause to be recorded in the Recorder's office at New Castle County the application, commission and return under which said land may be condemned as aforesaid, together with the receipts and certificates for the payment of said damages.

Upon refusal of owner to accept damages same to be deposited in bank

To be recorded

Section 5. For the sole purpose of paying for the land and for the erection, equipment and furnishing of the building hereby provided for, the Levy Court of New Castle County is hereby authorized and empowered to borrow upon the faith and credit of said County, as hereinafter provided, a sum not exceeding Six Hundred Thousand Dollars, and for the purpose of securing the payment of such sum to issue bonds in denominations of One Thousand Dollars each and bearing such rate of interest, not exceeding Four and One-half Per Centum per annum, as said Levy Court may deem expedient. The interest upon said bonds shall be payable semi-annually in each and every year from the date of the issue thereof.

Levy Court of New Castle county to borrow \$600,000

Interest

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Said bonds shall be divided into classes and shall be paid at their face value as follows:

Classes of bonds

Class	Amount	Year of Maturity.
A	\$15000	1923
B	15000	1924
C	15000	1925
D	15000	1926
E	15000	1927

## OF THE CITY OF WILMINGTON.

and fineness to the present standard, out of the money from time to time appropriated for that purpose by the Levy Court of New Castle County as hereinafter provided; and the said Levy Court is hereby authorized and directed to pay the interest on said bonds to the said Farmers' Bank when and as the same become due, and to pay said bonds when and as respective classes mature in accordance with the foregoing schedule. The said Levy Court in fixing the rate of taxation shall annually until the first installment of said bonds shall become due and payable provide for a sum equal to the amount of interest due each year upon said bonds, and as and when said bonds shall become due and payable shall in like manner provide for a sum equal to the amount of said bonds in addition to the amount necessary to pay the interest on the unpaid bonds as before provided, which shall when collected and paid to the County Treasurer be set apart by him in a separate account to be opened for that purpose; and the said County Treasurer shall apply the said sum annually to the payment of such part of the said loan and interest thereon as may from time to time become due under the provisions of this Act. All of the said bonds shall bear the same date and shall be numbered from 1 to 600 (or to such number thereof as may be issued) inclusive. All money received from the sale of any or all of said bonds, after the payment of the charges and expenses connected with the preparation and sale thereof, shall be deposited by the County Treasurer at the Farmers' Bank at Wilmington in a separate account, and payments therefrom shall be made only upon orders signed by the Chairman and Treasurer of the said The New Castle County Building Commission and none of the money received from the sale of the said bonds, or any of them, shall be applied to any purpose except as provided in this Act. The bonds to be issued shall be substantially in the following form, to-wit:

Levy Court to provide for payments on bonds when fixing tax rate

County Treasurer to keep separate account

Payments from fund to be paid only on orders signed by Chairman and Treasurer of Building Commission



## OF THE CITY OF WILMINGTON.

UNITED STATES OF AMERICA  
STATE OF DELAWARE

Form of bond

\$1,000.

No.-----

NEW CASTLE COUNTY BUILDING COMMISSION  
BOND.  
CLASS.

New Castle County in the State of Delaware for value received, hereby acknowledges its indebtedness and promises to pay to the holder of this bond at the Farmers' Bank at Wilmington, Delaware, on the day of \_\_\_\_\_, A. D. 19\_\_\_\_ the sum of One Thousand Dollars (\$1,000) with interest thereon at the rate of

Per Centum per annum, payable semi-annually on the \_\_\_\_\_ day of \_\_\_\_\_ and

in each year. This bond is one of the authorized issue of six hundred bonds, aggregating Six Hundred Thousand Dollars, by virtue of and in strict compliance with an Act of the General Assembly of the State of Delaware, approved \_\_\_\_\_ A. D., 1913, entitled, "An Act to provide for the erection and furnishing of a new County Building for New Castle County."

It is hereby certified that this bond is one of the issue authorized by the above recited Act of the General Assembly, and that the faith and credit of said New Castle County are pledged for the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF, the County Treasurer, President of the Levy Court and Clerk of the Peace of New Castle County have hereunto set their hands and the seal used by the Levy Court of New Castle County at the City of Wilmington, Delaware, this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_.

-----  
County Treasurer of New Castle County.

## OF THE CITY OF WILMINGTON.

-----  
 President of the Levy Court of New Castle County.  
 -----

-----  
 Clerk of the Peace of New Castle County.  
 -----

Said bonds shall contain such provisions, in addition to those herein set forth, and not inconsistent with the requirements of this Act, as the said Levy Court shall determine.

Building Com-  
 mission to cer-  
 tify an allot-  
 ment of rooms  
 and space to  
 county officers

Section 7. That when said building shall be erected, equipment, furnished and ready for use, the said The New Castle County Building Commission shall certify to the said Levy Court an allotment of the portion or portions of said building to be used and occupied by the Courts, the Prothonotary, Clerk of the Peace, Register of Wills, Clerk of the Orphans' Court and Register in Chancery, Recorder of Deeds, Sheriff, Levy Court, County Treasurer, County Comptroller, Coroner, County Engineer, Jury Rooms and such other rooms and offices as may be necessary for the use of the Courts and County officers, and also a Jail for the Temporary detention of prisoners, and such certificate or certificates shall be recorded in the Recorder's Office for said County and shall be conclusive as to the matters therein contained. Upon the recording of the said certificate or certificates, the said Levy Court shall forthwith cause to be removed the books, papers, records and other property belonging to or in anywise connected with the County Offices hereinbefore enumerated, or with the Courts of the said County, to the said new building so erected and built, whereof public notice shall be immediately given in such manner as the said Levy Court shall direct, and from and after such removal the respective Courts now held shall be held in such new building, and the said public offices mentioned shall be kept in said new building, and the said new building shall be deemed and taken to be used

To record as-  
 signment of  
 rooms and  
 space

Removal of  
 books and  
 records

## OF THE CITY OF WILMINGTON.

as and for the Court house and seat of justice for New Castle County, and all processes of the respective Courts of said County shall be tested at and be returnable to the said new building in the City of Wilmington, and all laws of this state having reference to the general administration of justice or the public affairs of the said County shall be read and construed in accordance herewith.

Section 8. The said portion or portions of the new building which shall be designated as aforesaid for the use of the County as a Jail for the temporary detention of prisoners shall be in charge of The Board of Trustees of The New Castle County Workhouse which shall keep the same secure by a keeper or keepers to be by them appointed.

Trustees of New Castle county workhouse to have charge of jail portion

Section 9. Nothing contained in this Act shall prevent the said Judges in appointing the said Commissioners from naming the same persons who may be appointed to serve for the erection and furnishing of a municipal building for the City of Wilmington, nor shall anything herein contained be construed to prevent the construction of a joint county and municipal building, provided, however, that that portion of the said building constructed by County funds shall belong to and be the property of The State of Delaware for the use of New Castle County.

Same Commissioners may serve on municipal Building Commission

Portion constructed by County funds to be property of State of Del. for use of the county

Section 10. The said Commissioners shall each receive in full for their services the sum of Two Hundred and Fifty Dollars a year provided, however, that no Commissioner shall be entitled to receive in any event more than the sum of Five Hundred Dollars, and no Commissioner shall directly or indirectly receive any further compensation for his services in connection with the duties imposed upon him by the provisions of this Act.

Compensation of Commissioners

## OF THE CITY OF WILMINGTON.

Chap. 26, Vol.  
26, and other  
acts repealed

Section 11. All Acts or parts of Acts inconsistent herewith are hereby repealed and more particularly an Act entitled, "An Act to authorize the Levy Court of New Castle County to borrow money to build an annex to the New Castle County Court House," approved March 28, A. D., 1911.

Approved February 26, A. D. 1913.

OF THE CITY OF WILMINGTON.

CHAPTER 202.

OF THE CITY OF WILMINGTON.

**AN ACT** to provide for the purchase by The Mayor and Council of Wilmington and for the sale by the Levy Court of New Castle County of certain land situated in the City of Wilmington.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, two-thirds of all the members elected to each House concurring.*

Section 1. As soon as the new County Building shall be completed in conformity with an Act entitled, "An Act to provide for the erection and furnishing of a new County Building for New Castle County", the Levy Court of New Castle County is hereby authorized and directed to sell, and The Mayor and Council of Wilmington is hereby authorized and directed to buy ALL that certain piece or parcel of land, situate in the City of Wilmington, bounded on the North by Eleventh Street, on the East by King Street, on the South by Tenth Street, and on the West by Market Street for the sum of Seventy-five Thousand Dollars. The said sum of Seventy-five Thousand Dollars, when received by the said Levy Court shall be used for the sole purpose of discharging such part of the funded debt of New Castle County as to the said Levy Court may seem desirable.

Mayor and Council of Wilmington to purchase old Court House site in Wilmington

To be sold for \$75,000

Section 2. When the said The Mayor and Council of Wilmington shall have acquired title to the said real estate, the same shall be held as a public square or park forever. And for the purpose of demolishing the buildings, or other structures on the said lands and premises,

To be held as a public square or park

## OF THE CITY OF WILMINGTON.

To expend sum  
for improve-  
ment

and for improving the same, including the widening of both Tenth and Eleventh Street each twenty feet, the said The Mayor and Council of Wilmington is authorized to expend the further sum of Twenty-five Thousand Dollars.

Mayor and  
Council to bor-  
row \$100,000

Section 3. For the sole purpose of paying for the said land and improving the same, The Mayor and Council of Wilmington is hereby authorized and empowered to borrow upon the faith and credit of the City of Wilmington, as hereinafter provided, a sum not exceeding One Hundred Thousand Dollars, and for the purpose of securing the payment of such sum to issue bonds in denominations of One Thousand Dollars each and bearing such rate of interest, not exceeding Four and One-half Per Centum per annum, as the said The Mayor and Council of Wilmington may deem expedient. The interest upon said bonds shall be payable semi-annually in each and every year from the date of the issue thereof.

Interest

Payable semi-  
annually

Class of bonds

Said bonds shall be divided into classes and shall be paid at their face value as follows:

Class	Amount	Year of Maturity
A	\$5,000.	1933
B	5,000.	1934
C	5,000.	1935
D	5,000.	1936
E	5,000.	1937
F	5,000.	1938
G	5,000.	1939
H	5,000.	1940
I	5,000.	1941
J	5,000.	1942
K	5,000.	1943
L	5,000.	1944
M	5,000.	1945

## OF THE CITY OF WILMINGTON.

N	5,000.	1946
O	5,000.	1947
P	5,000.	1948
Q	5,000.	1949
R	5,000.	1950
S	5,000.	1951
T	5,000.	1952

Said bonds may at the option of The Mayor and Council of Wilmington contain a provision for the redemption thereof by the said The Mayor and Council of Wilmington at any time after the expiration of five years from the date thereof at a premium not to exceed Five Per Cent.

Said bonds shall be prepared under the supervision of The Council of The Mayor and Council of Wilmington, and shall be signed by the Mayor of the City of Wilmington under the seal of the said City, and shall be countersigned by the City Treasurer and City Auditor of the said City in the same manner as other City bonds, and it shall be the duty of the said officers to execute said bonds when directed by The Council to do so, and it shall be the duty of the City Auditor and the City Treasurer to keep a record of the said bonds.

Section 4. Said bonds shall be prepared and signed as soon after the passing of this Act as practicable, and until sold, as hereinafter provided, shall remain in the custody of the City Treasurer of the City of Wilmington. Whenever in the judgment of The Council it shall be deemed desirable that any part of all of the said bonds shall be sold, The Council of The Mayor and Council of Wilmington shall sell and dispose of the same on the most advantageous terms possible, after having advertised the same in the public press at least once each week for at least two weeks. No commission or other com-

## OF THE CITY OF WILMINGTON.

compensation shall be charged or paid to any member of the said The Council for effecting the sale or negotiation of said bonds. Said bonds, principal and interest, shall be payable at the Farmers' Bank at Wilmington, Delaware, in gold coin of the United States of America equal in weight and fineness to the present standard, out of the money from time to time appropriated for that purpose by The Council as hereinafter provided; and the said The Council is hereby authorized and directed to pay the interest on said bonds to the said Farmers' Bank when and as the same shall become due, and to pay said bonds when and as the respective classes mature in accordance with the foregoing schedule. The said The Council in fixing the rate of taxation shall annually until the first installment of said bonds shall become due and payable shall in like manner provide for a sum equal to the amount of said bonds in addition to the amount necessary to pay the interest on the unpaid bonds as before provided, which shall when collected and paid to the City Treasurer be set apart by him in a separate account to be opened for that purpose; and the said City Treasurer shall apply the said sum annually to the payment of such part of the said loan and interest thereon as may from time to time become due under the provisions of this Act. All of the said bonds shall bear the same date and shall be numbered from 1 to 100 (or to such number thereof as may be issued) inclusive. All money received from the sale of any or all of said bonds, after the payment of the charges and expenses connected with the preparation and sale thereof, shall be deposited by the City Treasurer at the Farmers' Bank at Wilmington in a separate account, and payments therefrom shall be made only for the purposes herein designated, and none of the money received from the sale of the said bonds, or any of them, shall be applied to any purpose except as provided in this Act. The bonds to be issued shall be substantially in the following form, to-wit:

No commission  
allowed to  
Council for sale

Place of pay-  
ment of princi-  
pal and interest

Council to pro-  
vide for pay-  
ments on bonds  
when fixing  
tax rate

Money from  
sale of bonds  
to be deposited  
in a separate  
account



## OF THE CITY OF WILMINGTON.

UNITED STATES OF AMERICA  
STATE OF DELAWARE

Form of bond

\$1,000.

No.----

Wilmington City Bonds  
Class

The Mayor and Council of Wilmington in the State of Delaware for Value received hereby acknowledges its indebtedness and promises to pay to the holder of this bond at the Farmers' Bank at Wilmington, Delaware, on the            day of            , A. D. 19    the sum of One Thousand Dollars (\$1,000.) with interest thereon at the rate of            Per Centum per annum, payable semi-annually on the            day of            and in each year. This bond is one of the authorized issue of one hundred bonds, aggregating One Hundred Thousand Dollars, by virtue of and in strict compliance with an Act of the General Assembly of the State of Delaware, approved            A. D., 1913, entitled, "An Act to provide for the purchase by The Mayor and Council of Wilmington and for the sale by the Levy Court of New Castle County of certain land situate in the City of Wilmington".

It is hereby certified that this bond is one of the issue authorized by the above recited Act of the General Assembly, and that the faith and credit of the said The Mayor and Council of Wilmington are pledged for the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF, The Mayor of the said City of Wilmington, the City Treasurer and the City Auditor of the said City have hereunto set their hands and the seal of the said City at the City of Wilmington, Delaware, this            day of            , A. D. 19    .

-----  
Mayor of the City of Wilmington.

## OF THE CITY OF WILMINGTON.

-----  
City Treasurer of the City of Wilmington.  
-----

-----  
City Auditor of the City of Wilmington.  
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Said bonds shall contain such provisions, in addition to those herein set forth, and not inconsistent with the requirements of this Act, as the said The Council shall determine.

Section 5. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved February 26, A. D. 1913.

OF THE CITY OF WILMINGTON.

CHAPTER 203.

OF THE CITY OF WILMINGTON.

AN ACT to Repeal Chapter 193, Volume 26, Laws of Delaware, entitled "An Act to amend Chapter 177, Volume 24, Laws of Delaware, entitled 'An Act to Alter and Re-establish the Statutes Relating to the City of Wilmington.' "

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (with the concurrence of two-thirds of all the members elected to each House):*

Section 1. That Chapter 193, Volume 26, Laws of Delaware, entitled "An Act to Amend Chapter 177, Volume 24, Laws of Delaware, entitled 'An Act to alter and Re-establish the Statutes Relating to the City of Wilmington' ", be and the same is hereby repealed.

Chap. 193,  
Vol. 26  
repealed

Approved March 28, A. D. 1913.

## OF THE CITY OF WILMINGTON.

## CHAPTER 204.

## OF THE CITY OF WILMINGTON.

AN ACT to amend Chapter 177, Volume 24, Laws of Delaware, entitled "An Act to Alter and Re-establish the Statutes Relating to the City of Wilmington."

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (with the concurrence of two-thirds of all the members elected to each House):*

Sec. 15, Chap.  
177, Vol. 24  
amended

Section 1. That Section 15, Chapter 177, Volume 24, Laws of Delaware, being an amendment to Section 31, Chapter 207, Volume 17, Laws of Delaware, be, and the same is, hereby amended by inserting between the word "annum" in the eighteenth and nineteenth lines thereof, and the word "such" in the nineteenth line thereof the following words, to wit:

Fixing amount  
of appropriation  
to Board  
of Water Com-  
missioners of  
City of Wil-  
mington

"Provided, however, that the amount which shall be appropriated to the Board of Water Commissioners on or before the first day of June A. D. 1913, for the next fiscal year, July 1st, 1913, to June 30, 1914, and on or before the first day of June, A. D. 1914, for the next fiscal year July 1st, 1914, to June 30, 1915, shall not be less than amount equivalent to sixty per centum of the aggregate of all the rents, incomes, receipts, revenues and moneys collected by the Board of Water Commissioners for the fiscal year immediately preceding the year when said appropriation is made, the object being to compel an appropriation to the Board of Water Commissioners of an amount based upon the amount collected by the said Board during the fiscal year immediately preceding the appropriation, and for a period of only two years from the date this Act becomes operative."

Approved March 26, A. D. 1913.

OF THE CITY OF WILMINGTON.

CHAPTER 205.

OF THE CITY OF WILMINGTON.

AN ACT to Alter and Re-establish the Statutes Relating to the City of Wilmington.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House thereof concurring herein) :*

Section 1. That Section 80, Chapter 207, Volume 17, Laws of Delaware, be and the same is hereby amended by inserting in said Section 80, between the word "companies" in the tenth line of said Section, and the word "Every" in the eighteenth line of said Section, the following, viz:

"All street railway lines, all gas mains, all electric light poles and wires, all telephone or telegraph poles and wires, all poles and wires used in transmitting heat, light or power, all pipes, conduits, wires or other underground construction, used as electric light, telephone or telegraph lines, or in transmitting electric light, heat or power, and all pipes or conduits used in carrying water, located on the public streets in the City of Wilmington or on private property not otherwise taxed, excepting those now exempted from taxation by law, shall be assessed in the following manner:

(a) All street railways shall be assessed per mile for each mile or fraction thereof of single track within the City of Wilmington, but such assessment shall not be less than Eighteen Thousand Dollars and not more than Twenty Thousand Dollars per mile.

Sec. 80, Chap. 207, Vol. 17 amended

Manner of assessing public service corporations in City of Wilmington

Assessment for each mile of track

## OF THE CITY OF WILMINGTON.

Assessment on  
gas mains

(b) All gas mains in actual use, located in the streets of the City of Wilmington shall be assessed per mile or fraction thereof, for each mile of the streets used, but such assessment shall not be less than Four Thousand Dollars and not more than Four Thousand and Five Hundred Dollars per mile.

Assessment on  
wires and poles  
overhead used  
for electric  
lights

(c) All electric light, telephone or telegraph poles and wires overhead, used as electric light, telephone or telegraph lines, located in the streets of the City of Wilmington shall be assessed per mile or fraction thereof, for each mile of the streets used, but such assessment shall not be less than Six Thousand and Six Hundred Dollars and not more than Seven Thousand Three Hundred Dollars per mile.

Assessment on  
poles &c. trans-  
mitting light,  
heat and power

(d) All poles, wires, or other overhead construction, used in transmitting heat, light or power, located in the streets of the City of Wilmington, shall be assessed per mile or fraction thereof for each mile of the streets used, but such assessment shall not be less than Four Thousand Dollars and not more than Four Thousand Four Hundred Dollars per mile.

Assessment on  
underground  
conduits

(e) All telephone, telegraph or electric light underground conduits, or wires, pipes, conduits or other underground construction used in transmitting heat, light or power, located in the streets of the City of Wilmington, shall be assessed per mile or fraction thereof, for each mile of the streets of the City used, but such assessment shall not be less than Four Thousand Dollars and not more than Four Thousand Four Hundred Dollars per mile.

Assessment on  
underground  
pipes or  
conduits

(f) All underground pipes or conduits used in carrying water, located in the streets of the City of Wilmington, shall be assessed per mile or fraction thereof, for

## OF THE CITY OF WILMINGTON.

each mile of the streets of the City used, but such assessment shall not be less than Four Thousand Dollars and not more than Four Thousand Four Hundred Dollars per mile.

Any light company which uses the same system or materials for furnishing heat, light and power shall not be doubly assessed on the same construction. No double assessment

The assessment shall not be made against both the owner and the operators of the street railways, gas mains, electric light, heat, light and power, telephone or telegraph lines and water pipes mentioned in this Section.

Every person, firm, association or corporation owning or operating any street railway, gas mains, electric light, heat and power, telephone or telegraph lines, and water pipes in the City of Wilmington, mentioned in this section, shall on or before the first day of April of each and every year, file with the Clerk of the Council of the said City of Wilmington a sworn statement which shall set out the following: Form of statement to be filed with Clerk of the Council

(1) In the case of every such person, firm, association or corporation owning or operating any street railway, setting forth the total mileage of single tracks of every such company within the limits of the City of Wilmington.

(2) In the case of every such person, firm, association or corporation owning or operating any telegraph, telephone, gas, water, electric light, or heat and power business, system, or plant, shall state the total number of miles of the streets of the City of Wilmington used by every such person, firm, association or corporation, overhead and underground, in its said business.

## OF THE CITY OF WILMINGTON.

(3) In case of an individual, firm or association transacting any such business, said statement shall be verified by the oath or affirmation of any one of the persons, owning or operating the same; and in the case of every corporation owning or operating any such business, said statement shall be verified by the oath or affirmation of the Treasurer of every such corporation. Said taxes shall be due and payable to The Mayor and Council of Wilmington annually at the same time that the city and school taxes due said city are payable, and shall be subject to the same rebates, deductions, discounts, allowances and penalties as are now or hereafter may be provided by law in reference to such city and school taxes.

Details of the  
assessment

The assessment of real estate shall be made according to a certain rate in and upon every hundred dollars of the estimated value of the property assessed, if sold for cash, and so prorata. All assessments upon real estate shall be so made as to show separately the valuation of the improvements upon and the total valuation of the property assessed, and such property shall be described with such particularity as will enable it to be clearly identified, and the name of the owner, or last owner or reputed owner shall be given, if known. Such name shall be regarded as an aid to identify such property, but a mistake in the name of the owner, last known owner or reputed owner, or the absence of name, shall not effect the validity of the assessment or any tax based thereon.

Tax maps to  
be prepared by  
Board of Assessment, Revision  
and Appeals to aid in  
assessing

The Board of Assessment, Revision and Appeals shall make or cause to be made, so soon as practicable, maps of all the real estate in the City, to be known as tax maps, and such other records as may be necessary, which shall be used as the basis of assessment of real estate. Said maps and records shall, so far as possible, show all things necessary to enable adequate assessments to be made.



## OF THE CITY OF WILMINGTON.

The Board of Assessment, Revision and Appeals may engage the services of experts and such other employees as it may deem necessary to carry into effect the provisions of this section, and shall fix their duties, compensation and terms of service. All necessary expenses of the said Board of Assessment, Revision and Appeals shall be paid by The Council upon bills presented to it, marked with the approval of the said Board and properly audited by the City Auditor in the same manner as other bills against said City of Wilmington are now passed.

Board may  
engage help

To better enable said Board of Assessment, Revision and Appeals, and the Assessors and Collectors to make said assessments they shall have the right to examine all records in the county office, kept at the Court House in the City of Wilmington in and for New Castle County, free of all costs and charges.

All records to  
be open to  
Board &c

Section 2. That the Board of Assessment, Revision and Appeals for the City of Wilmington, shall be and they are hereby authorized to make the first assessment on street railway lines, gas mains, electric light poles and wires, poles and wires used in transmitting heat, light or power, pipes, conduits and other underground construction, used as electric light, telephone or telegraph lines or in transmitting electric light, heat or power, and all pipes or conduits used in carrying water, as provided for in this Act at any time prior to the thirty-first day of May, A. D. 1913, for the next fiscal year, previous notice of such intended assessment, designating the time at which the same will be made, being given by the Board in writing to the owner, owners, operator or operators of said property.

First assess-  
ment to be  
made prior to  
May 31, 1913

Section 3. That Section 16 of Chapter 177, Volume 24, Laws of Delaware, approved March 25, A. D. 1907, in so

Sec. 16, Chap.  
177. Vol. 24  
repealed in  
part

## OF THE CITY OF WILMINGTON.

far as it is inconsistent herewith, as well as other Acts or parts of Acts inconsistent herewith, are hereby repealed.

Approved April 7, A. D. 1913.

OF THE CITY OF WILMINGTON.

CHAPTER 206.

OF THE CITY OF WILMINGTON.

AN ACT to allow the Street and Sewer Department of the City of Wilmington to retain receipts from Sewer Liens.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House thereof concurring herein).*

Section 1. That from and after the passage of this Act all moneys received by the Board of Directors of the Street and Sewer Department of the City of Wilmington from sewer liens dated subsequent to July 1, 1912, may be retained by the said Street and Sewer Department and The Council is hereby authorized to pay to the said Street and Sewer Department the sums transferred to The Council by the Street and Sewer Department for receipts from sewer liens dated subsequent to July 1, 1912.

Section 2. That all acts or parts of acts inconsistent herewith are hereby superseded and repealed.

Approved February 18, A. D. 1913.

Street and  
Sewer Dept. to  
retain money  
from sewer  
liens

## OF THE CITY OF WILMINGTON.

## CHAPTER 207.

## OF THE CITY OF WILMINGTON.

AN ACT to Amend an Act entitled, "An Act in Relation to Ninth Street West of Market Street in the City of Wilmington, Prohibiting Street Cars Thereon."

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of the members elected to each Branch thereof concurring herein):—*

Sec. 1, Chap.  
407, Vol. 22  
amended

Section 1. That Section 1 of an Act entitled, "An Act in relation to Ninth Street West of Market Street in the City of Wilmington, prohibiting Street Cars thereon," being Chapter 407, Volume 22, Laws of Delaware, be amended by adding at the end of Section 1 thereof the words:—

"Provided, however, that the provisions of this Act shall not apply to that portion of Ninth Street West of the Easterly boundary line of Union Street in said City of Wilmington; and provided further that no franchise hereafter granted for the laying of tracks or the operation of a railway on said Ninth Street West of the Easterly boundary of Union Street, shall be for a term in excess of fifteen years."

Approved March 26, A. D. 1913.

OF THE CITY OF WILMINGTON.

CHAPTER 208.

OF THE CITY OF WILMINGTON.

**AN ACT** relating to the Assessment and Collection of Taxes in and for the City of Wilmington, the same being an amendment to Section 80, Chapter 207, Volume 17, Laws of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of each branch thereof, concurring therein):*

Section 1. That Section 80, Chapter 207, Volume 17, Laws of Delaware, be and the same hereby is amended <sup>Sec. 80, Chap. 207, Vol. 17 amended</sup> by the striking out of the words "Every male citizen above the age of twenty-one years shall be rated for a capitation or poll-tax in addition to the assessments of his real estate, at a capital not exceeding three thousand dollars nor less than one hundred dollars;" contained in the said Section 80, Chapter 207, Volume 17, Laws of Delaware.

Section 2. This Act shall be effective immediately after it becomes a Public Act and all Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved March 28, A. D. 1913.

## OF THE CITY OF WILMINGTON.

## CHAPTER 209.

## OF THE CITY OF WILMINGTON.

**AN ACT requiring Journeymen Plumbers in the City of Wilmington to be Examined and Licensed.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Journeyman  
plumbers to  
obtain a license  
in City of  
Wilmington

Apprentices  
and master  
plumbers ex-  
empted when  
registered prior  
to passage of  
this act

Section 1. That on and after the first day of July, A. D. 1913, it shall not be lawful for any journeyman plumber to work at the business of plumbing or house drainage in the City of Wilmington in this State until a license to engage in work at such business shall have been granted said person by the Board of Health as hereinafter provided; provided, however, that nothing in this Act shall be construed to prevent the employment or working of apprentices under the directions of duly licensed journeymen plumbers; and provided further, that this Act shall not apply to the master or employing plumbers duly registered and licensed, and having a bona fide place of business in said City at the time of the passage of this Act.

Board of  
Health of City  
of Wilmington  
to appoint  
Board of  
Examiners

Terms

Membership  
of Board

Section 2. The Board of Health of the City of Wilmington immediately after the passage of this Act is hereby authorized and empowered to appoint a Board of Examiners of five members to consist of one member of said Board of Health, the Plumbing Inspector of said City of Wilmington, whose terms of office shall be co-extensive with the terms as member of the Board of Health and plumbing Inspector respectively, one master plumber, and two journeymen plumbers, the last two of whom shall be members of Local Union No. 26 in said

## OF THE CITY OF WILMINGTON.

City, to serve for the term of two years from the date of such appointment. When the terms of the member of the Board of Health and Plumbing Inspector shall have expired by limitation, said Board shall appoint their successors in the same manner whether they be the same persons or not. The appointments of master plumber and two journeymen plumbers shall be made biennially by said board. Said Board of Examiners shall examine from time to time all applicants that may apply for license under the provisions of this Act and shall report to the Board of Health of said City the names and addresses of all persons passing examinations and entitled to be registered and licensed to work at plumbing or house drainage in said City of Wilmington, whereupon it shall be the duty of said Board of Health to issue licenses in accordance with said report. Said Board of Health may issue licenses for a whole year or a fractional part thereof, in accordance with the report of said Board of Examiners. The said Board of Examiners shall serve without compensation.

Some members appointed biennially

To hold examinations

Licenses issued by Board of Health

Section 3. The Board of Examiners shall elect a President and Secretary and all other necessary officers, whose tenure of office shall be determined by said Board.

Officers

Section 4. The Board of Examiners shall fix stated times and places of meeting, which shall occur not less than once in every month, and special meetings may be called at any time upon the written request of the President of the Board.

Meetings

Section 5. Every journeyman plumber now working at the business of plumbing within the limits of the City of Wilmington shall within thirty days after the appointment of the Board of Examiners make written application to said Board for a license, which examination shall be made at the next meeting of the Board or as

Journeyman plumbers in Wilmington to take examination

## OF THE CITY OF WILMINGTON.

Form of  
examination

soon thereafter as practicable. Said examination shall relate to the practical knowledge of the applicant as to plumbing, house drainage, ventilation, and sanitation, and shall be practical as well as theoretical, and if the applicant shows himself competent and qualified to perform plumbing work, said Board of Examiners shall certify the same to the Board of Health who shall issue a license to such applicant, authorizing him to do plumbing work when his license fee has been paid, as herein provided.

License to  
continue in  
force one year  
or fraction  
thereof

Revoking of  
a license

Section 6. Such license shall continue for one year if issued during the month of July, otherwise for the fractional part of a year, subject, however, to revocation by the Board of Health for good cause shown upon written charges subscribed and sworn to, setting forth that the holder of such license is incompetent or guilty of wilful breach of the laws or ordinances relating to sanitary plumbing, or the rules and regulations adopted by said Board of Health, or for other causes satisfactory to said Board of Health, of which charges the holder of such license shall have written notice of the time and place where said Board of Health will proceed to hear evidence in regard thereto. All licenses may be renewed by said Board of Health at the dates of their expiration. Such renewal licenses shall be granted without a re-examination, upon a written application of the licensee filed with the Board of Health and showing that his purposes and conditions remain unchanged, unless it is made to appear by affidavit before the Board that the applicant is no longer competent or entitled to such renewal license, in which event the renewal license shall not be granted until the applicant has undergone the examination hereinbefore required.

No re-exami-  
nation for  
renewal of  
license

Apprentices to  
be registered

Section 7. All persons who wish to begin the work of plumbing and house drainage as apprentices must ap-



## OF THE CITY OF WILMINGTON.

pear before said Board of Health and be properly registered in a book kept for that purpose and shall give his name and address and the name and address of the person for whom he desires to work as an apprentice, and shall receive from said Board a certificate qualifying him to enter upon his duty as an apprentice. Every apprentice who has pursued his work diligently and persistently for a term of three years may appear before the said Board of Examiners for a preliminary examination as to his qualifications as a junior plumber, and at the expiration of his fourth year of apprentice work, he must take an examination in full before said Board and be registered and licensed as herein provided before becoming a journeyman plumber.

Preliminary  
examination  
of apprentice

Section 8. There shall be a fee of one dollar charged for examination for every applicant who applies to said Board of Examiners to be registered and licensed as a journeyman plumber and fifty cents shall be paid for every renewal of license for each succeeding year thereafter.

Fee for  
examination

Section 9. On and after the passage of this Act it shall be unlawful for a master plumber to employ or permit to be employed in his service any person other than a registered plumber to work at plumbing or house drainage or to alter, repair, or make any connection with any drain, soil, waste, or vent-pipe or any pipe connected therewith, provided this Section shall not apply to duly registered apprentices working under the direction of duly licensed journeymen plumbers.

Unlawful for a  
master plumber  
to employ  
other than a  
registered  
plumber

Section 10. On the first day of August of each year, all licenses issued to registered plumbers shall be null and void. A licensed journeymen plumber desiring to continue in or work at plumbing or house drainage for the ensuing year shall, between the first day of July and

Licenses to be  
null and void

A licensed  
journeymen  
plumber to  
re-register

## OF THE CITY OF WILMINGTON.

the first day of August of each year, surrender his license for the current year to the Board of Health and re-register his name and address upon such form or forms as may from time to time be furnished by said Board of Health. A re-examination will not be necessary for re-registration unless the licensed journeyman plumber shall have failed to make application for re-registration at the specified time. Re-registration shall entitle the applicant to a renewal of his license for another year. The sum of fifty cents shall be paid by journeymen plumbers for re-registration, and all sum or sums of money received from licenses and registration by said Board of Examiners shall be paid to the City Treasurer, of the City of Wilmington for the use of said City. A register of all such applicants and licenses issued shall be kept by said Board of Health, which said register shall be open to the inspection of all persons interested therein.

Re-examination waived

Fee

Money to be paid to city by Board of Examiners

Penalty for violation of this act

Section 11. Any person or persons who shall fail to comply with any of the provisions of this Act regarding the procuring of a license or certificate to work at plumbing or house drainage, either as journeyman plumber or as an apprentice shall be liable to a fine of not less than five dollars for each and every day he shall engage at said business without first having obtained said certificate or license.

Collection of fines

Section 12. All fines and penalties imposed by this Act shall be recoverable by summary proceedings, before any Justice of the Peace or Municipal Court in said City; and all suits or actions at law instituted for the recovery thereof shall be in the name and for the use of the city within or against which offense is committed; and upon recovery thereof, all such fines and penalties shall be paid to the city treasurer thereof. In default of the payment of any fine or penalty imposed by any Jus-

Default of fines

OF THE CITY OF WILMINGTON.

tice of the Peace or Judge of the Municipal Court in said City, under the provisions of this Act, the person or persons so offending may be committed to the New Castle County Workhouse for a period not exceeding thirty days.

Approved April 8, A. D. 1913.

## OF THE CITY OF WILMINGTON.

## CHAPTER 210.

## OF THE CITY OF WILMINGTON.

AN ACT to amend an Act entitled "An Act to establish a retirement fund for pensioning teachers of the Public Schools in the City of Wilmington, and to regulate the collection, management and disbursement thereof, being Chapter 208, Volume 26, Laws of Delaware."

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of each branch thereof concurring therein):*

Sec. 4, Chap.  
208, Vol. 26  
amended

Section 1. That the act entitled "An Act to establish a retirement fund for pensioning teachers of the Public Schools in the City of Wilmington and to regulate the collection, management and disbursement thereof," being Chapter 208, Volume 26, Laws of Delaware, be and the same is hereby amended by striking out all between the word "mentioned" in the thirteenth line of the Fourth Section, and the word "and" in the fifteenth line of said Fourth Section, and inserting in lieu thereof the following words, to wit:—"each month one per centum of one month's salary of each teacher, who has been teaching in said Public Schools ten years or under, two per centum of one month's salary of each teacher, who has been teaching more than ten years and not more than twenty years, three per centum of one month's salary of each teacher, who has been teaching more than twenty years, provided said teacher shall have taught some part of said month and provided that no teacher shall be required to pay more than Fifty Dollars (\$50.00) in any one year."

Approved February 12, A. D. 1913.

OF THE CITY OF WILMINGTON.

CHAPTER 211.

OF THE CITY OF WILMINGTON.

**AN ACT to give to the Municipal Court of Wilmington exclusive original jurisdiction to hear, try and determine certain offenses against the laws of this State alleged to have been committed within the corporate limits of the City of Wilmington.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members elected to each Branch thereof therein concurring) :*

Section 1. That from and after the approval of this Act the Municipal Court for the City of Wilmington shall have exclusive original jurisdiction to hear, try and determine all charges of carrying concealed a deadly weapon, and all violations of law with respect to sales without license of intoxicating liquors of every kind, whether malt, spirituous, vinous or mixed, alleged to have been committed within the corporate limits of the City of Wilmington, and to punish all persons convicted of said offenses, agreeably to the Laws of this State.

Municipal Court of City of Wilmington to have exclusive jurisdiction over certain offenses committed in corporate limits

Section 2. The proceedings in all such cases in the said Municipal Court shall be without indictment by Grand Jury or trial by petit jury, with the right of appeal as provided in Article IV, Section 30, of the Constitution of this State.

Right of appeal

Section 3. That all Acts or parts of Acts inconsistent herewith be and the same are hereby repealed.

Approved March 11, A. D., 1913.

## OF THE CITY OF WILMINGTON.

## CHAPTER 212.

## OF THE CITY OF WILMINGTON.

AN ACT Authorizing the Clerk of the Municipal Court of the City of Wilmington or in his absence the House Sergeant to accept Cash Bail.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House thereof concurring herein):*

Clerk of Municipal Court or House Sergeant to accept cash bail

Section 1. That from and after the approval of this Act the Clerk of the Municipal Court of the City of Wilmington or in his absence the House Sergeant, shall be and is hereby authorized to accept from persons who shall have been arrested for any Misdemeanor or the violation of any Ordinance of the City of Wilmington, cash bail for the appearance of the person so arrested.

Failure to appear

Section 2. That after the acceptance of the said cash bail if the said person depositing it fails to appear and answer the charge upon which he was arrested, the Judge of the said Municipal Court of the City of Wilmington shall declare the said money forfeited, and shall also order that after all witness fees are paid that the balance shall be deposited with other receipts of the said Municipal Court to the credit of the Mayor and Council of Wilmington.

Approved March 11, A. D. 1913.

OF THE CITY OF WILMINGTON.

CHAPTER 213.

OF THE CITY OF WILMINGTON.

**AN ACT Providing that There Shall Be No Night Sessions of the Municipal Court of the City of Wilmington, unless the Public Interests Shall Require the Same.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of the members elected to each House concurring therein):*

Section 1. That from and after the approval of this Act, there shall be no sessions of the Municipal Court of the City of Wilmington, at night, unless the public interests shall require the same. Concerning night session of Municipal Court

Section 2. That all Acts and parts of Acts inconsistent herewith be and the same are hereby repealed.

Approved February 28, A. D. 1913.

## OF THE CITY OF WILMINGTON.

## CHAPTER 214.

## OF THE CITY OF WILMINGTON.

**AN ACT to enable the Linemen of the Police Department of the City of Wilmington to Participate in the Benefits of the Police Pension Fund.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of each branch thereof concurring):*

Linemen of  
Wilmington  
police dept. to  
participate in  
benefits of  
police fund

Section 1. That the Linemen employed in the police department of the City of Wilmington shall, for the purpose of participating in the benefits of the Police Pension Fund, be deemed and taken to be members of the police force of the City of Wilmington, and shall be entitled to the benefits of said fund and liable for all assessments and bound by all the rules as any other member of the police force of the City of Wilmington.

Section 2. That all Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved March 7, A. D. 1913.



OF CITIES AND TOWNS.

CHAPTER 215.

OF CITIES AND TOWNS.

**AN ACT authorizing Municipal Corporations to Adopt Ordinances Prohibiting the sale of cider.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each branch of the Legislature concurring therein):*

Section 1. That Municipal Corporations be and they are hereby authorized to enact ordinances prohibiting the sale of cider within their respective corporate limits and to punish by fine not exceeding twenty-five Dollars, or by imprisonment not exceeding twenty days, or both, for violation thereof.

Section 2. The provisions of this act shall be applicable only to Kent and Sussex Counties.

Approved March 26, A. D. 1913.

Municipal  
Corporations  
authorised to  
enact ordinan-  
ces prohibiting  
sale of cider

Applicable  
only to Kent  
and Sussex  
counties

## OF CITIES AND TOWNS.

## CHAPTER 216.

## OF CITIES AND TOWNS.

**AN ACT amending, revising and consolidating the Charter of the City of New Castle.**

## Preamble

WHEREAS it is deemed desirable that the Charter of the City of New Castle, being Chapter 152, Volume 15, Laws of Delaware, entitled "An Act to incorporate the City of New Castle", together with the various amendments and supplements thereto, be amended and revised in certain respects and consolidated into one complete Act.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (with the concurrence of two-thirds of all the members elected to each house of the General Assembly):*

Boundaries of  
the City of  
New Castle

Section 1. The City of New Castle shall be bounded as follows: Beginning at a point in the center line of Delaware Street extended in a south-easterly direction, being four hundred and sixty-four feet from the center stone at the intersection of the center lines of Front and Delaware Streets; thence in a south-westerly direction in a straight line to a point in the center line of South Street extended nine hundred and five feet from the center stone at the intersection of the center lines of South and Pearl Streets; thence in a south-westerly direction in a straight line to a point in the center line of Johnson Street extended seven hundred and eighty-six feet from the center stone at the intersection of the center lines of Johnson and Fourth Streets; thence north-westerly along the line of Johnson Street to low water

## OF CITIES AND TOWNS.

mark; thence by the line of low water mark south-westerly to the north-easterly line of Hickman Street extended as laid out on the plot of the City of New Castle; thence north-westerly along said north-easterly line of Hickman Street to the easterly line of the Hamburg or River Road; thence northerly by the easterly line of the Hamburg Road to the north-easterly line of Taylor Street, as laid out on the plot of the City of New Castle; thence north-westerly by the north-easterly line of Taylor Street to the south-easterly line of Fourteenth Street as laid out on the plot of the City of New Castle; thence north-easterly along the south-easterly line of Fourteenth Street to the southerly line of the New Castle and Frenchtown Turnpike; thence easterly along the southerly line of said Turnpike to the south-easterly line of the continuation of Fourteenth Street extended as laid out on the plot of the City of New Castle; thence north-easterly by the said south-easterly line of Fourteenth Street to the intersection of said Fourteenth Street with the north-westerly line of the right of way of the Delaware Railroad Company; thence northerly along said north-westerly line of said railroad right of way to the intersection of the center line of the main canal or ditch known as the Narrow Dyke; thence easterly by the center line of said Narrow Dyke to the line between the farm of the heirs of Julian D. Janiver, and the farm of the heirs of Victor duPont; thence following said dividing line between said farms to the south-westerly side of the public road known as Moore Avenue; thence south-easterly by the south-westerly side of said Moore Avenue to the north-westerly line of the tract known as "Baldton"; thence north-easterly and crossing Moore Avenue by the line of the said tract "Baldton", to the corner of said tract; thence south-easterly by the north-easterly line of said tract "Baldton" and continuing the same and crossing the public road leading from New Castle to Wilmington to the easterly line of the said

## OF CITIES AND TOWNS.

public road; thence northerly by the easterly line of said public road leading from New Castle to Wilmington to the north-eastern line of School District number forty-six; thence south-easterly by the north-easterly line of School District number forty-six to low water mark on the Delaware River; thence south-westerly by the said line of low water mark to North Street extended as laid out on the plot of the City of New Castle; thence south-easterly along North Street extended to a point seven hundred and nine feet from the center stone at the intersection of the center lines of Market (or Second) and North Streets; thence south-westerly in a straight line to a point in the center line of Chestnut Street extended eight hundred and twelve feet six inches from the center stone at the intersection of the center lines of Chestnut and Market (or Second) Streets; thence south-westerly in a straight line to the east corner of the rectangular pier off Truss (or Harmony Street) wharf; thence along the outer face of said pier to the south-west corner of the same; thence south-westerly in a straight line to the south corner of Jefferson's (or Lea's) wharf; thence in a straight line to a point in the center line of Delaware Street, the place of beginning.

Name of the  
corporation

Section 2. The City of New Castle, and the inhabitants thereof, shall be and continue a municipal corporation by the style and name of "The Mayor and Council of New Castle", and by that style and name it shall have perpetual succession and is hereby made able and capable in law to have, take, purchase, receive, possess, enjoy and retain to it and its successors, lands, tenements, hereditaments, goods, chattels and effects of what kind, nature and quality soever, and the same to sell, grant, demise, alien or dispose of, to sue, be sued, plead, and be impleaded, defend, and to be defended in all courts of law and equity, or any other place whatsoever, and also to have, make and use a common seal, and the same to

## OF CITIES AND TOWNS.

break, alter or renew at its pleasure, and generally shall have all the privileges and franchises incident to a corporation or body politic.

Section 3. The officers of the said corporation shall consist of a Mayor, a Council to be composed of two Members from each ward or district of the City and a President of Council who shall be ex-officio a member and presiding officer of the Council, a Treasurer, and an Assessor. No person shall be eligible to any of the above offices who is not a citizen of the State and a resident of the City. The Mayor and the President and Members of Council must have resided in the City for two years next before their election and at the time of their election be qualified voters of the City, and Members of Council must be residents of the ward or district which they represent. The Council by ordinance may provide for such other officers as may be deemed necessary.

Officers of the  
corporation

Section 4. The mayor, the president of Council, the members of Council, the treasurer, the assessor, and an Inspector of Election in each ward or district, shall be elected bi-ennially by ballot on the second Tuesday of April in each year after the general election and shall continue in office for a term of two years or until their successors are legally qualified.

Elected  
biennially

Term

Section 5. For the purpose of holding such election, the City of New Castle shall be divided into four wards or districts, corresponding within the City to the present election districts as now laid out under the general election laws, with voting places as now provided for by said general election laws. The inspector elected in each district at the preceding election shall hold the election in such district. In case of his death, removal from the district, inability to serve, or absence on the day of election, the mayor shall appoint an inspector to hold the

City of New  
Castle to be  
divided in  
wards or  
districts

Inspectors of  
elections

## OF CITIES AND TOWNS.

Assistant  
Inspectors to  
be appointed

election. Two assistant inspectors shall be appointed in each district, one each by the City executive committees of the two leading political parties; and upon failure to so appoint, the inspectors respectively shall appoint said assistant inspectors, one of whom shall be of the opposite political party from the said inspector. Each assistant inspector shall appoint a clerk.

Notice of time  
and place of  
holding the  
election

Notice of the time and places of holding such election shall be given by advertisement made and signed by the mayor and posted in at least three of the most public places in each of the said districts at least a week before the day of said election. The election officers in each district shall open the polls on the day of election between the hours of twelve and one o'clock in the afternoon and close the same at seven o'clock in the afternoon. In case it is impossible to hold the election at the voting place designated by the advertisement, the inspectors shall procure some other suitable and convenient place in the district.

Hours when  
poles are open

Form of oath  
to be taken by  
election officers

The election officers before entering upon their duties shall swear and subscribe to the following oath before the mayor of the City or a Justice of the Peace, or, in their absence, to be administered by the inspector to the assistants and by one of the assistants to the inspector: "I do solemnly swear (or affirm) that I will this day in conducting the City election of New Castle, determine and act in every particular with impartiality and faithfulness, and that I will cause to the best of my ability a true return of the election to be made, so help me God. (or so I affirm)."

Officers to be  
voted for

There shall be voted for in each ward or district, a mayor, a president of Council, a treasurer, an assessor, who shall be residents of the City and qualified voters therein, and two members of council and an inspector of

## OF CITIES AND TOWNS.

election, who shall be residents of the ward or district and qualified voters therein. At every such election every male citizen of the age of twenty-one years and upwards having resided in the City of New Castle one year next before the election, and none others, shall be entitled to vote; provided however that no person shall vote whose name does not appear upon the last list of registered voters of the City of New Castle as hereinafter provided. The Clerk of the Peace of New Castle County shall furnish to the registration officers for the several districts of New Castle Hundred in the year of any general election, when he furnishes the registration books as now provided by law, two separate and similar books in which the said registration officers shall register all persons who are entitled to be registered who reside in the City of New Castle. One of these registration books for the City of New Castle shall be returned by the registration officers of New Castle Hundred to the Clerk of the Peace of New Castle County as the other registration books are returnable, and the other registration book shall be returned to the Council of the City of New Castle within thirty days after the last day of registration. The registration officers shall be under the same regulations and liabilities for the registration of the citizens of the City of New Castle as for the general registration for the Hundred. The Council of the City of New Castle shall sit as a Board of Registration on the third and fourth Tuesday and Wednesday evenings of March of each year in which a city election is to be held, between the hours of seven and nine o'clock, for the purpose of adding to the said list of registered voters any unregistered person who shall apply and who shall have, since such general registration, acquired a residence necessary to qualify him as a voter at the city election, and to transfer those registered voters who have moved from one district to another, and the clerk of Council shall place the names of voters so registered or transferred

Those qualified  
to vote

Clerk of the  
Peace to fur-  
nish registra-  
tion books

Return of reg-  
istration books

Regulations for  
election officers

Council to sit  
as a Board of  
Registration

## OF CITIES AND TOWNS.

Books to be  
turned over by  
Clerk of Council  
to election  
inspectors on  
election day

by the Council on the books of registered voters for the several districts. The said registration books so turned over to the Council of New Castle, with the additions and transfers made by the Council as above provided for, shall in every year of election under this act be turned over by the clerk of Council on the day of such election to the several inspectors who have been duly elected or appointed to hold such election in the several districts.

Counting of  
ballots.

When the election shall be closed, the inspector and his assistants in each district shall at once openly and publicly open the box containing the ballots and proceed publicly and openly to read and count the ballots in the presence of each other and in the presence of such electors as shall think proper to be present, and the reading and counting of such votes shall be continued without interruption or adjournment until completed, when the result shall be publicly announced by the inspector.

Certificates  
of election

In triplicate

Ballots to be  
kept six  
months by  
Mayor

Tie vote

The election officers in each district shall forthwith prepare certificates under their hands setting forth the persons voted for and the number of votes cast for each. Such certificates shall be in triplicate; one copy to be retained by the inspector, one copy to be delivered to the clerk of Council, and the other copy to be delivered to the mayor of the City. All ballots after being counted shall be placed in the ballot box and sealed by the election officers and delivered to the mayor who shall place the same in a good and safe place to be kept for six months. In case of a tie vote in any district for the office of member of Council or inspector, the inspector holding the election shall cast the deciding vote.

Those elected

At such election the persons receiving a plurality of votes cast throughout the said City for mayor, president of council, treasurer, and assessor, respectively, shall be deemed and declared elected, and the two persons in each



## OF CITIES AND TOWNS.

ward or district receiving the highest number of votes cast in such district for members of Council, and the person in each ward or district receiving the highest number of votes in such district for inspector of election, shall be deemed and declared elected.

At eight o'clock in the evening on the day following any election held under the provisions of this Act, the several inspectors shall meet at the mayor's office and canvass the returns from the several districts. After ascertaining which candidates have received the greatest number of votes and have been elected to the various offices, they shall make out three certificates of election for each office, furnish one to the candidate elected, one to the clerk of Council, and one to the mayor of the City. In case two or more persons receive the same number of votes for the office of mayor, president of council, treasurer, or assessor, they shall proceed to select one of said candidates for such office by a vote of said inspectors. Canvass of the vote

After each election the inspectors shall return to the clerk of Council the books of registered voters furnished them. Return books to Clerk of Council

In case of contest being made against seating any person in any office mentioned in this Act, the Council shall decide such contest by a majority vote of all the members of the Council. Contest

The pay for inspectors for holding the election shall be five dollars, for assistant inspectors three dollars, and for clerks two dollars, to be paid by the Council. Not more than five dollars shall be paid as rental for any one place to hold said election, such rental to be paid by the Council. Compensation for Inspectors

Section 6. As soon as conveniently may be after the Mayor to take oath

## OF CITIES AND TOWNS.

result of said election shall have been ascertained by the inspectors as aforesaid, it shall be the duty of the mayor elect, having received the certificate hereinbefore provided for, to take and subscribe, before some Justice of the Peace in the County of New Castle, an oath or affirmation that he will support the Constitution of the United States and the Constitution of the State of Delaware and that he will perform the duties of his office with fidelity, and thereupon he shall enter upon the duties of his office. The mayor shall administer a like oath or affirmation to each of the persons who shall have been elected as aforesaid, as president of Council, member of Council, treasurer and assessor, upon the taking of which oath or affirmation and the giving of such bond as is required by this Act, they shall enter upon the duties of their offices, respectively.

To administer  
oath to other  
officers elected

Tenure of  
office

Section 7. The mayor, president of Council, members of Council, treasurer and assessor shall hold their respective offices until their successors shall have been duly elected and qualified as hereinbefore provided, and the failure to hold an election on the day fixed or the omission to execute any authority conferred by this Act shall not dissolve the corporation, but the authority of each officer shall continue until a new election can be legally held.

Vacancies

Section 8. In case of the death, resignation, refusal to act, disability, removal, or failure to give bond under the provisions of this charter, of any person elected as aforesaid to the office of mayor, president of Council, member of Council, treasurer, or assessor, the vacancy thus occasioned shall be filled by the Council, who shall elect some suitable person, not of their own body, having the qualifications herein provided for, to fill said vacancy until the next election, or until a successor shall have been duly qualified.

## OF CITIES AND TOWNS.

Section 9. Any inspector or assistant inspector of election, at any election held under this charter, who shall knowingly and wilfully take and receive or advise and consent to the taking and receiving of the vote of any person not entitled to vote at any such election, or shall knowingly and wilfully reject or advise and concur in rejecting the vote of any person entitled to vote at such election, or shall use any fraud, falsehood, or deceit in doing or performing any of the duties, matters or things required of him, or shall refuse or wilfully neglect to perform any of the said duties, matters or things, shall, for every such offense, upon conviction thereof in the Court of General Sessions in and for New Castle County, forfeit and pay to the State a fine of two hundred dollars for the use of the City of New Castle; and any person not entitled to vote, who shall vote or offer to vote at any such election, shall, upon conviction as aforesaid, forfeit and pay to the State a fine of fifty dollars for the use of the City of New Castle.

Penalty for violation of law by election officers

Section 10. The mayor of the said City shall be the executive officer thereof, and is hereby constituted a conservator of the peace within the said City, and is authorized, empowered and required to exercise within said City, all the authority which justices of the peace in and for the County of New Castle may exercise under the laws of this State, and he shall further be invested with authority in all lawful cases of commitment to commit persons guilty of a breach of the peace to the New Castle County Workhouse. And it shall be the duty of the mayor to take care to have the laws and ordinances of said City faithfully executed, and for that purpose shall have the power and authority to arrest and hold to bail or fine and imprison, or either, all persons guilty of a breach of said ordinances. Such power and authority shall be exercised upon complaint duly made under oath and hearing of the party accused, and for that purpose, the mayor

Duties and powers of the Mayor

•  
OF CITIES AND TOWNS.

shall have power to issue the ordinary process for the arrest of parties and for the attendance of witnesses, and the power to punish for contempt, now possessed by justices of the peace. Provided, that he shall not have jurisdiction in any civil matter other than to carry out the provisions of this charter, or the regulations and ordinances adopted for the government of said City by the powers herein authorized to adopt the same, and provided further, that he shall not impose any fine exceeding twenty dollars, nor imprison for a longer term than thirty days, and that all fines thus imposed and collected, shall be paid to the treasurer of the City.

Authority to  
appoint acting  
mayor

Section 11. The mayor shall have authority to appoint the president of Council as acting mayor, to serve during the absence of the mayor from the City or while he shall be prevented by sickness from performing the duties of his office, and the said president of Council, upon receiving the appointment aforesaid in writing under the hand of the mayor, shall be invested with all the powers and authority hereby conferred upon the mayor, to exercise the same during such absence or sickness until notified by the mayor that he is ready to assume again the duties of his office.

Record of all  
judicial pro-  
ceedings to  
be kept

Section 12. The mayor shall keep a record of all judicial proceedings had before him, which record shall be the property of the City and subject to the control of the Council. Process issued by the mayor shall be similar in form to that prescribed in like cases before justices of the peace and shall run throughout New Castle County, and shall be directed to the Sheriff or to any constable of said County, or to any police constable of said City. The costs of any proceedings before the mayor shall be the same as are provided by law in like proceedings before justices of the peace, and shall be collected from the defendant in cases of conviction in addition to any fine im-

## OF CITIES AND TOWNS.

posed or shall be paid by him before his discharge from imprisonment, but the said costs may be remitted in the discretion of the mayor. In case the charge is for the violation of a City ordinance and the party so charged be acquitted, the costs shall be paid by the City.

Section 13. The mayor shall annually appoint a suitable number of police constables for said City, and shall have power to supply by new appointment all vacancies that may occur, and for good and sufficient cause may remove or suspend any police constable from office. Appointments made by the mayor under this section shall not take effect until approved by the Council, and for this purpose the mayor shall communicate such appointments in writing to the said Council. The mayor may, on his own motion, and at the request of the Council, shall appoint any number of special police constables to perform all the duties of police constables during any riot, breach of the peace, or other emergency for which the permanent police force is not adequate, and he shall have authority to call upon the sheriff of New Castle County at all times to assist in preserving the peace of the City.

Constables to  
be appointed

Special  
Constables

Section 14. The police constables and special police constables so appointed shall assist the mayor in carrying into effect the ordinances of the City and laws of the State, and shall be under the exclusive direction and control of said mayor. They shall have, within said City, the same powers as are possessed by the constables of the County of New Castle, and are hereby declared conservators of the peace within the limits of said City, and they may pursue and arrest beyond the limits of the City any violator of the laws or ordinances of the City.

Duties of  
Constables

Section 15. All the legislative powers of the corporation shall be vested in the Council, consisting of the pres-

Legislative  
powers vested  
in Council

## OF CITIES AND TOWNS.

Meetings  
of Council

Passage of  
ordinances

Yeas and nays  
to be taken

Vote on the  
borrowing  
of money

Veto power  
of Mayor

ident of Council and two members from each ward or district, the members of which shall assemble as soon as may be after their election, and organize by electing a clerk, who need not, but may, be one of their own number. They shall adopt rules for the government of their own body and the transaction of business. The president of Council shall be the presiding officer and a member of the Council. The Council shall meet for the transaction of business on the first Tuesday of every month and at such other times as the said Council may determine, and a majority of the whole number of members shall constitute a quorum to do business. All meetings of the Council shall be public, except meetings for the transaction of executive business. No ordinance shall pass the Council unless the same shall have the concurrence of a majority of all the members of the Council and have had at least two readings at a previous meeting thereof. No ordinance shall be repealed other than by an ordinance duly passed. On the final passage of an ordinance the vote shall be taken by yeas and nays and the names of the persons voting for and against the same shall be entered on the minutes. The yeas and nays on any question shall at the desire of any member be entered on the minutes. No ordinance authorizing the borrowing of money and the issuing of bonds therefor shall pass the Council without the concurrence of at least two-thirds of all the members. Every ordinance after it shall have passed the Council shall be signed by the president of Council and the clerk of Council in authentication of its passage, and on the next day thereafter presented to the mayor. If he approve it, he shall sign it; but if not, he shall return it with his objections to the Council who shall enter the objections on the minutes and proceed to reconsider it. If two-thirds of all the members of the Council shall then agree to pass the same, it shall become an ordinance of the City; otherwise it shall be inoperative. Every ordinance that shall not be returned to the Council by the

## OF CITIES AND TOWNS.

mayor within five days after having been received by him, shall become an ordinance of the City in like manner as if he had signed it. All ordinances of the City shall be preserved by the clerk of Council and recorded at length on the ordinance book. Record of ordinances

Section 16. The Council is invested with all the power and authority formerly invested by law in the Town Commissioners of New Castle, not inconsistent with the provisions of this charter, and especially with power to make and enforce sanitary regulations and to prevent the introduction of infectious or contagious diseases, for which purposes its jurisdiction shall extend to a distance of one mile beyond the limits of the City; to define, abate and remove nuisances; to lay out, open, regulate the use of, fix the grade of, alter, extend, pave, improve or vacate roads, streets, squares, parks, lanes and alleys; to grant franchises and privileges within the City and over the roads and streets thereof upon such terms and conditions as it may prescribe; to construct, regulate and maintain sewers, drains, gutters and other works for the drainage of said City and the disposition of sewage; to direct, and regulate the paving of footways and sidewalks and prescribe the width of the same and to direct and regulate the fixing or maintenance of curbs; to prescribe the extent of steps, porches, cellar doors and other inlets to buildings; to provide police protection and to make such regulations as may be necessary to protect persons and property and to maintain the public peace and prevent crime; to provide for the extinguishment of fires and to purchase, own or control all necessary apparatus therefor; to provide for supplying the City and its inhabitants with water and to provide for the acquisition or erection of such works and apparatus as may be necessary or convenient for the same; to provide for lighting the streets and public places and supplying the inhabitants with light, and to provide for the acquisition Council invested with power and authority of former Town Commissioners  
Sanitary regulations  
Other powers

## OF CITIES AND TOWNS.

or erection of such works and apparatus as may be necessary or convenient for the same; to regulate public amusements; to regulate party walls and the erection of buildings within the City and to require licenses to be taken out for the erection or repair of the same; to regulate the markets; to regulate the storage of gunpowder or other dangerous combustible matter; to prevent the running at large of any hog, dog or other animal; and in general to exercise all municipal powers necessary to the proper administration of the municipal government and for the well being of the said City and the inhabitants thereof, whether expressly enumerated herein or not, not inconsistent with the Constitution or laws of this State.

To levy and  
and collect  
taxes on public  
service  
corporations

The Council shall also have the power and authority to levy and collect reasonable taxes upon all telephone, telegraph, electric light and trolley poles and other erections of like character, erected within the City of New Castle, and may by ordinance prescribe the mode of levying and collecting the same. In case any of the owners or lessees of any such poles or erections within said City shall refuse or neglect to pay the taxes that may be levied upon such poles or erections, the Council shall have authority to cause the same to be removed and may cause to be instituted by the collector suit to recover the amount of taxes so levied and the expenses incident to the removal of such poles or erections.

Refusal to  
pay taxes

Ordinances or  
resolutions  
with respect to  
street railway  
companies

The Council shall also have power and authority to pass any and all reasonable ordinances or resolutions, to require all street railway companies, now or hereafter running their cars over or along any of the streets of New Castle, to pave the bed of the streets over and along which they pass, between the rails of their track and for a distance of not more than three feet on each side of said track, so as to conform at all times, as to material



## OF CITIES AND TOWNS.

and otherwise, to, and be on a level with, the other adjoining parts of said street, to keep the same in good repair, clean and clear and in a reasonably safe condition, and to keep in repair all culverts and drains constructed for their use across and along said streets. In the event of said railway companies or any of them neglecting or refusing to pave the bed of the street and for a distance of not more than three feet on each side of the track, or to keep the same on a level with the other part of said street, or to keep their tracks and right of way in good repair and condition, clean and clear, or to keep in repair all culverts and drains constructed for their use, then and in such case, after twenty days' notice so to do, the Council may proceed to have the contemplated work done and recover the expenses and all costs incurred thereby, by distress and sale of the goods and chattels of said railway company failing so to do found within said city; or the Council may bring suit against said railway Company in the name of "The Mayor and Council of New Castle", in an action of debt to recover said expenses, and upon recovery of judgment, issue execution and proceed thereon to sell in the usual way provided by law for the collection of judgments. In all cases of sale by distress, notice of the day, hour and place of sale and a description of the property to be sold shall be given by public advertisement posted in at least ten public places within said City. The proceeds of said sale shall be first applied towards paying the expenses and costs as contemplated by this Act, and all surplus money thereafter, if any, shall be paid or returned to the railway company so proceeded against. Notices as aforesaid served upon either the president, treasurer, secretary, manager, or other officer or agent of any railway company shall be sufficient. The Council shall also have the additional authority and power to enforce any and all the requirements of this Act and all reasonable ordinances passed by authority of this Act by imposing such fines and pen-

Neglect or refusal of street railway companies to comply

To bring suit

## OF CITIES AND TOWNS.

alties and prescribing for their recovery, as shall in the judgment of Council be deemed reasonable, necessary and proper.

Council  
authorized to  
borrow money

Bond issues

Section 17. Subject to the restrictions hereinafter provided, the Council is authorized and empowered to borrow on the faith and credit of the corporation at such time or times as it may deem proper and necessary, money for municipal purposes and to issue bonds of the corporation therefor, to an amount not exceeding, in the aggregate of all bonds issued and outstanding, ten per centum of the assessed value of the real estate in said City. Such bonds shall be issued at such times, in such amounts, of such denomination, bearing such rate of interest, in such form, and payable at such time and manner, as the Council by an ordinance passed by vote of two-thirds of all the members shall determine and prescribe. They shall be signed by the mayor, president of Council, and the treasurer, and sealed with the corporate seal. The Council is authorized and empowered to levy and collect annually, in the same manner as other taxes for municipal purposes are levied and collected, an amount of tax sufficient to pay all interest on such bonds as the same shall accrue, and to provide a fund for the payment of the bonds when due.

Special election  
to be held on  
bond issue

Who may vote  
at bond issue  
election

The Council shall not at any time have power to borrow money and issue bonds under the provisions of this section until a special election has been called by the Council and held by three persons to be appointed by it, and a majority of the legal votes cast at such election has been ascertained to be in favor of the borrowing money and issuing bonds. Due notice of the time and place of such election shall be given by the Council by advertisements posted in at least ten public places in said City at least ten days prior to any election. The voting at such election shall be by ballot. Every resident of the City

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of New Castle, both male and female, of the age of twenty-one years, shall on personally appearing before the election officers, be entitled to one vote for every one hundred dollars of assessment assessed as personal or poll tax against him or her or against property which he or she may own at the time of such election, provided the City tax for the preceding year on such assessment has been paid, no fraction of one hundred dollars to be considered. The election officers shall take the same oath and be subject to the same duties and penalties as are hereinbefore provided for the biennial City election. The Council shall furnish the election officers with the last City assessment or a certified copy of the same.

Election regulations for bond issue

The provisions of this section shall not apply to special bond issues now or hereafter authorized by special Act, except that such bonds issued thereunder shall be counted in computing the aggregate bonds issued and outstanding in estimating the bonds that may be issued under this section.

Special bond issues

Section 18. The Council shall have power and authority to appropriate out of the treasury by ordinance or resolution passed by a majority of all the members all sums of money necessary to carry on the government of the City and defray the expenses thereof, and the said Council shall fix and determine the salary or compensation to be paid to the mayor, treasurer, assessor, clerk of Council, collector of taxes, and police constables, and all other persons in the employ of the said city; but the president and members of Council shall receive no compensation or emolument for their services, and the compensation of any officer elected by the people shall not be changed during his continuance in office.

Council to appropriate money

Compensation of officers

Section 19. The assessor shall make the assessment for the City and shall each year make a true and impar-

Assessment to be made

## OF CITIES AND TOWNS.

Assessment  
rules &c

Rating of  
male residents

Assistance  
for Assessor

Council to sit  
as a Court  
of Appeals

tial list of all the persons, property and estates within the said City, and not by law exempt from taxation, together with the sum or sums of money in dollars at which it shall appear to him that said persons or property ought to be rated and valued. In making such assessment, the rules and exemptions now applicable by law to the making of the county assessment of persons and properties shall be applicable in so far as consistent with the provisions of this Act. Real estate shall be described with sufficient particularity to be identified, the principal improvements thereon to be specified. Real estate shall be assessed to the owner or owners if known; if the owner or owners cannot be found or ascertained, it may be assessed "Owner Unknown". A mistake in the name of the owner or owners, or a wrong name or the absence of a name, shall not affect the validity of the assessment or the City tax based thereon. Every male resident above the age of twenty-one years shall be rated at a capital not less than one hundred and not exceeding one thousand dollars. The said list of assessment shall be completed and a copy posted by the assessor in the mayor's office on or before the twentieth day of May in each year and kept there for a period of at least ten days for the information of and examination by all concerned, and public notice of the posting of the same shall be given.

The Council may annually appoint and employ two competent persons, at a reasonable compensation to be fixed by it, to aid the assessor in making the assessment and to assist the Council in the performance of its duties as a Court of Appeals, one of which such persons shall be selected from each of the two principal political parties. On the evenings of the first Wednesday, Thursday and Friday in June of each year, the Council shall sit as a Court of Appeals for the hearing of appeals from assessments, with power to alter and correct any assessment in accordance with right and justice, to assess such

## OF CITIES AND TOWNS.

persons, property and estates as may have been omitted from the list by the assessor, and to increase any assessment on said list which may have been placed at too low a value, provided however than in case of assessing persons, property and estates omitted and increasing assessments, notice shall first be given to the persons interested or some one of them, or their representatives or agents, so that he, she or they may have an opportunity to be heard before the final action. Such notice may be given personally, by mail, or by leaving a copy at the usual place of abode of any of the persons above designated.

After the Council shall have held a Court of Appeals as aforesaid, it shall estimate and determine, with the concurrence of two-thirds of all the members, the sum or sums of money necessary to be raised in the said City for the public use for the year ensuing, including the sums necessary to be raised for the salaries and other City expenses, the maintenance of roads and streets, the water, light and fire service, the payment of interest and principal of bonds that may become due, and all other reasonable and proper expenses for the said City. The Council shall then estimate and determine the rate or rates of taxes necessary to raise the sum or sums of money so estimated and determined, and also the sum necessary to be raised for the use of the public schools according to the computation laid before the Council by the Board of Education in accordance with law.

Estimate to be made of money to be raised

Rate of taxation to be estimated

The assessor in making the assessment, and the Council sitting as a court of appeals, shall assess the persons and property of colored persons separately, and the Council in laying the rates for and collecting the taxes shall not subject the persons or property of colored persons to payment of the school tax above provided for.

Colored persons to be assessed separately

## OF CITIES AND TOWNS.

Classification  
of real estate

It shall be the duty of the assessor when assessing the persons and estates in the City, and of the Council sitting as a court of appeals for assessments, to classify the real estate assessed in such manner as to discriminate between the farm land and rural and suburban land in the City and the other properties in the City; and for this purpose it shall be the duty of the assessor, and of the Council sitting as a court of appeals for assessments, to mark in the assessment book opposite the assessment of real estate used for farming, trucking or agricultural purposes the words "Farm Land", and opposite the assessment of suburban real estate lying apart from and outside of the built up and developed portions of the City, and being either unimproved lots or lots on which dwelling houses have been built, the words "Suburban Land". It shall be the duty of the Council in estimating and determining the rates of taxation in the City for each year to levy a rate of tax upon said "Farm Land" and upon said "Suburban Land" equal to one-half of the rates of tax levied upon the other real estate in the City; and the owners of said "Farm Land" and "Suburban Land" shall only be required to pay said half rate of taxes.

Council to  
elect a Collec-  
tor of Taxes

To give bond

Certify assess-  
ment list to  
Collector

At the stated meeting in June in each year, or within ten days thereafter, the Council shall elect a Collector of Taxes who shall before entering upon the duties of his office give bond to "The Mayor and Council of New Castle" with surety or sureties to be approved by the Council, to the amount of tax to be collected by him, to be conditioned for the faithful performance of all of his duties as such collector. Failure to give such bond within ten days from the date of his election shall render the election void, and the Council shall again proceed to elect a collector. The Council shall cause a true list of the assessment and the sums to be collected to be made out and shall certify the same to the collector of taxes elected

## OF CITIES AND TOWNS.

and qualified as aforesaid under the hands of the president and at least two members of the Council, with a precept or warrant requiring the said collector of taxes to collect and receive the several sums to be collected in accordance with the provisions of this Act; and it shall then be the duty of said collector of taxes to collect the several sums in the said list mentioned, according to the rates laid, in accordance with the provisions of this Act.

Section 20. All taxes shall be due and payable on the first day of July in the year in which they are assessed and laid. Taxes due and payable July 1st

All taxes assessed and laid upon real estate shall constitute a lien against all such real estate within the City for the period of two years from the date when such taxes were due and payable, but if such real estate remains the property of the person or persons who owned it at the time the tax was laid, then the lien shall continue until the tax is collected. In the case of a life estate, the interest of the tenant for life shall first be liable for the taxes. Taxes constitute a lien Life estate

The collector of Taxes may recover the amount thereof in an action of debt before any justice of the peace of New Castle County against the person or persons to whom the land is assessed, or in case the land is owned by any person to whom it is not assessed, then against the owner or owners of said land, provided that if personal service be had upon any one of several owners of land upon which taxes are so assessed service need not be had upon the other owner or owners of said land if a copy of the writ is left with the tenant in possession or posted upon the premises six days before the return of the said process, provided the amount of taxes due thereon be not more than two hundred dollars; and where the amount of taxes is more than Two hundred dollars, in Amount of tax to be recovered in an action of debt Service

## OF CITIES AND TOWNS.

Right of  
appeal

Judgment

Priority of  
tax lien

the Superior Court of New Castle County; it shall be sufficient to set forth that the action is to recover a specified sum of money, being a tax assessed against the land owned by the defendant or defendants, together with such a description of the land as will be sufficient to identify the same, and the year for which said taxes were assessed and laid. The right of appeal shall be the same as in other civil actions. In case any defendant is a non-resident, proceedings may be had in the Superior Court for New Castle County by attachment; said writ of attachment shall be framed, directed, executed and returned and like proceedings had as in other cases of attachment in this State except that the said collector of taxes shall only be required to make and file with the prothonotary an affidavit stating that the defendant resides out of the State and that he is justly indebted for taxes, stating the amount thereof. If judgment be rendered in favor of the collector of taxes, there shall be an allowance for his reasonable trouble in attending to the suit, including counsel fees, to be taxed by the court in the costs, and execution shall issue against the real estate or personal estate of the defendant; provided, no execution against the real estate shall issue except out of the Superior Court of New Castle County. Where such judgment is recovered before a justice of the peace, and it is the desire of the collector of taxes to proceed against the real estate of the defendant or defendants, the said collector of taxes shall take a transcript of the judgment from the justice of the peace and cause the same to be entered on the dockets of the Superior Court. When such transcript is entered, the subsequent proceedings shall be the same as upon other judgments. The lien of the judgment as aforesaid shall be deemed to relate back and take effect from the date when such taxes were first due and payable, and such lien shall have priority and preference over all other liens or encumbrances against such real estate created or suffered by the taxable, al-



## OF CITIES AND TOWNS.

though such other lien or liens may be of prior date to the tax lien.

In all cases where any real estate is liable for payment of taxes and the owner or owners of the same, are unknown or cannot be found or ascertained, such real estate or so much thereof as is necessary to pay the taxes, costs, and expenses, may be levied upon and sold by the collector of taxes at public auction to the highest bidder after notice has been given of the levy, of the amount of the taxes, and of the time and place of sale, in some newspaper published in New Castle County at least once a week for the space of three weeks, and copies of the said notice have been posted in at least five public places in said City for the same period. The collector of taxes shall, in addition to the foregoing, cause notice of the levy, of the amount of the taxes, and of the time and place of sale, to be given to such of the owners as can be found in the State at least twenty days previous to the day of sale, and the notice herein provided for shall be left with the tenant in possession, if there be one, or if there is none, then posted upon the premises. No entry upon the land or premises by the collector of taxes shall be deemed necessary, but the collector of taxes in all cases of the sales of real estate shall make a return of all his proceedings to the Council at the next regular meeting after such sale. Any surplus of money remaining shall be returned to the owner or person entitled to receive it. If no owner or person entitled to receive the same can be found by the collector of taxes, he shall deliver such surplus of money to the Council, who shall hold the same subject to the call of the owner thereof. The deed of any real estate, or any interest therein, sold for the payment of taxes shall be made and executed by said collector of taxes and shall vest in the purchaser, subject to the right of redemption hereinafter provided, all the estate, right and title the owner thereof had in

When owners  
are unknown

Disposition of  
money from  
sale if owners  
are unknown

Deed of real  
estate sold for  
taxes

## OF CITIES AND TOWNS.

Owner of real estate sold for taxes may redeem same within two years by additional judgment

and to such real estate at the time said taxes were assessed and laid, free from any interest or encumbrance thereon. The owner of any real estate sold for taxes, his heirs, assigns, or devises, or any person having an interest therein, may redeem the same upon repaying to the purchaser the amount paid therefor, with twenty-five per centum in addition, within two years after the sale, or within six months after final judgment has been rendered in any suit in which the validity of the sale is in question; provided, said suit be commenced within one year after said sale.

Collector of taxes may bring suit

The collector of taxes may bring suit to recover the amount of any personal or poll tax against the person taxed in an action of debt before any justice of the peace of New Castle County.

May levy and seize personal property

In all cases the collector of taxes may levy and seize personal property for the payment of taxes, and where personal property may be so levied upon and seized, he shall cause a notice thereof and of the time and place of sale to be left at the place of abode of the owner or personally to be given to him, at least five days previous to the appointed time of sale, if such owner have a place of abode in the State. The collector of taxes shall also, in all cases, advertise the same for three successive weeks in a newspaper published in New Castle County, and shall also post notices in five public places in said City at least twenty days previous to the appointed time of sale. If such owner do not pay the amount of tax, and all costs and charges by the time appointed for the sale, the collector of taxes shall sell the same, or enough to pay said tax, costs and charges, at public auction. Any property or surplus of money remaining shall be returned to the owner or person entitled to receive it. If no owner or person entitled to receive the same can be found by the collector of taxes, he shall deliver such

## OF CITIES AND TOWNS.

property or surplus of money to the Council, who shall hold the same subject to the call of the owner thereof. If any person or property taxed in said City removes or is removed into any part of the State before the taxes are collected, the collector of taxes may follow such person or property and seize, levy or collect the taxes with the same power as if not removed.

Any sale of real or personal estate or of any interest therein, liable for the payment of taxes, may be adjourned from time to time.

The Collector of taxes shall have the same right to require the aid or assistance of any person or persons, in the performance of his duty, which a sheriff now has by law.

Collector of taxes to have same assistance &c as a Sheriff

The collector of taxes may at any time notify the person or corporation by whom any taxable liable for a personal or poll tax is employed that the tax of such employee is due and unpaid and it shall be the duty of such employer to deduct from the wages of such employee the amount of the tax due from such employee and charge the same against him, and if such employer neglect or refuse to comply with such notice within three months from the time of receiving such notice, he shall be personally liable for the taxes of such person so employed by him and the same may be recovered as provided in this section for the recovery of taxes. When such taxes are held by such employer he shall pay the same to the collector of taxes within thirty days thereafter.

Personal or poll tax may be taken from wages

Employer may be liable

On all taxes paid before the first day of September in the year in which they are due, there shall be an abatement of five per cent.; on all taxes paid after the first day of September and before the first day of December, there shall be an abatement of three per cent.; on all taxes not paid by the first day of January and paid before the first

Abatement of taxes

## OF CITIES AND TOWNS.

Additional  
per cent added  
to unpaid  
taxes

day of February, one per cent. thereof shall be added thereto; on all taxes unpaid on the first day of February and paid before the first day of March, two per cent. thereof shall be added thereto; on all taxes unpaid on the first day of March and paid before the first day of April, three per cent. thereof shall be added thereto; on all taxes unpaid on the first day of April and paid before the first day of May, four per cent. thereof shall be added thereto; on all taxes unpaid on the first day of May and paid before the first day of June, five per cent. thereof shall be added thereto; on all taxes unpaid on the first day of June six per cent. thereof shall be added thereto.

Collector to  
pay over  
money col-  
lected monthly

Section 21. The collector of taxes shall pay over to the treasurer on the first Monday in every month, and oftener if required by the Council, all moneys collected by him, taking duplicate receipts therefor, one of which he shall forthwith deliver to the president of Council. He shall report to the Council every month at its stated meeting and at such other times as may be required, all payments made to him and by whom made, the amount of uncollected taxes, and such other information as the Council may require and need so as to at all times be fully informed as to the condition of the City tax collections. He shall keep a book of receipts with stubs attached and shall furnish every person paying any tax with a receipt showing the date of payment, the amount paid, and the subject matter of the tax. He shall enter every payment immediately in a book to be kept for the purpose so that at all times the Council and any person interested may be able to know what taxes have been paid and what taxes are unpaid, and in general he shall diligently attend to the collection of taxes and carry out all reasonable directions and orders of the Council, and he and his sureties shall be liable on his bond for the faithful performance of his duties in the collection of

Collector to  
issue receipts  
and enter  
payments

## OF CITIES AND TOWNS.

taxes. On the first Tuesday of May in the year following the year in which a tax has been assessed and laid, the Council shall ascertain from the collector of taxes the amount of uncollected taxes so assessed and laid and the persons and property liable for the same, and after a just allowance for errors and delinquencies or otherwise, shall direct the collector of taxes to proceed forthwith to the collection of the same by legal proceedings under the terms of this Act. It shall be the duty of the City solicitor to furnish at all times such legal advice and assistance to the collector of taxes in the collection of taxes as may be necessary. It shall be the duty of the collector of taxes to settle in full with the Council for all taxes required to be collected by him by the first day of July in the year following his election, and should he fail to then settle, the Council may proceed against him and his sureties for the balance due from him for taxes.

Council to  
ascertain un-  
collected taxes

City Solicitor  
services

To settle first  
day of July  
annually

The Council shall have power to adopt such measures and rules as it may deem necessary for carrying into effect the powers and duties herein granted, in relation to the assessment and collection of taxes.

Section 22. The treasurer shall, before entering upon the duties of his office, give bond to the corporation of the City in such amount as shall be determined by the Council, and with surety to be approved by it conditioned for the faithful performance of the duties of his office. It shall be his duty to receive and safely keep all moneys and securities belonging to the City, to receive from the collector of taxes all taxes collected by him, to pay upon the appropriation of the Council and orders drawn in pursuance thereof, and not otherwise, out of any moneys belonging to said City, the amounts of such appropriations and orders, to the parties in whose favor they are made. He shall keep an accurate account of all receipts and disbursements of the money of said City,

Duties of  
Treasurer

## OF CITIES AND TOWNS.

To keep account of receipts and expenditures

and of the other transactions of his office, and shall report the same each month at the stated meeting of Council, and shall annually at the stated meeting in the month of March, make and exhibit to the Council an accurate and true statement of the condition of the City finances, showing in detail all expenditures and on what account made, and the Council shall cause the same to be published for the information of the inhabitants of the City within ten days after its reception. And he shall at all other times, upon the requirement of the Council exhibit to it books of his office and an account of the condition of the finances of said City, and he shall pay over to his successor in office all moneys belonging to said City that may remain or be in his hands and deliver to him all securities, books of account and other property of the City.

Repairs to streets

Cost to abutting owners

Section 23. The Council is authorized and empowered to fix, reset, renew and repair curb stones and gutters where necessary and proper to be done agreeably to the true regulations of the streets and alleys of the City, and when the work is done shall present a bill of the costs and expenses to the abutting owner or owners according to their respective proportions, and it shall be the duty of such owner or owners to pay such cost and expense; if any of them shall not within thirty days after the presentation of the bill as aforesaid pay the amount of the same to the treasurer of the City, suit may be brought against such owner or owners in the name of the corporation for said costs and expenses and judgment recovered and execution issued in the usual way provided by law for the collection of debts. The lien of such judgment shall relate back to the date of the completion of the work and shall be prior to all liens created or suffered by the owner. A record of the work done as above and a list of the costs and expenses assessed for the same against the several owners shall be kept by the Council.

## OF CITIES AND TOWNS.

Whenever the Council shall have determined by resolution or ordinance, that any paving of a sidewalk is necessary and shall be done, or any gutters shall be made or cut or kept cleaned, they shall notify the owners of the land in front or abutting on whose premises the same is to be done, cut or kept clean, particularly designating the nature, extent and character of the work they deem necessary to be done; and thereupon it shall be the duty of such owner to cause said paving, cutting of gutters or keeping said gutters clean, to be done in conformity with said notice. In the event of any owner neglecting to comply with said notice for the space of thirty days, in respect to said paving or cutting of gutters, and for the space of ten days in respect to keeping said gutters clean, the Council may proceed to have the work done and to recover the costs and expenses thereof by distress and sale of the goods and chattels, within the City, of such owner so neglecting; or suit may be brought against said owner, in the name of "The Mayor and Council of New Castle" for said costs and expenses, judgment recovered and execution issued and proceeded upon in the usual way provided by law for the collection of debts. In all cases of sale however by distress, notice thereof of the day, hour and place of sale, and a description of the property to be sold, shall be given by public advertisements, posted in at least ten public places in the City. The proceeds of any such sale shall be first applied towards paying the costs and expenses as contemplated by this Act, and any and all surplus thereafter remaining shall be given or returned to the owner of the property so taken and sold. And the Council shall also have the additional authority to enforce all the requirements of this section by such fines and penalties as shall be necessary and proper, and prescribe the manner of enforcing the same. No person or persons shall be obliged to pave any footway to a greater breadth than four feet from the curbstone in front of any lot wherein a dwelling

Notice to  
abutting own-  
ers by Council  
concerning  
paving or  
gutters

Suit to be  
brought in case  
of neglect or  
refusal

Fines and pen-  
alties to enforce  
this section

## OF CITIES AND TOWNS.

house shall not be erected, nor to any breadth in the rural and suburban portion of said City.

Sewers

The Council shall also have the power to direct the owner or owners of any house, situate on any street where there is or may be a sewer main, to connect such property with such sewer main; and if such owner or owners refuse or neglect so to do for twenty days like proceedings may be taken against the owner or owners and remedy had by the City as in the case of the paving of sidewalks or laying of gutters.

If there be more than one owner of the premises affected by the paving, repaving, making, repairing or cleaning of gutters, or connecting with sewers, notice to one shall be deemed sufficient, and if there be no owner of the premises resident in the City, notice to the agent of said owner or to the tenant thereof shall be deemed sufficient, and if there be no agent or tenant then the posting of the notice on the premises shall be sufficient.

\* Post notice on premises when no owner

Paving of a roadway

Upon the petition of the property owners on any street for one or more squares, the Council may cause the roadway of that portion of the street within said square or squares to be paved at the expense of the said property owners, and shall proceed and have the same remedies in the manner provided in this section for the fixing of curbs.

Location or laying out of new streets

Section 24. The Council may at any time it may deem it necessary, locate and lay out any new street within the limits of the said City, whether the same be surveyed and embraced within any plot of said City or not, in such manner as it may deem necessary and proper, and when the said street is so located and laid out by Council and named, a plot thereof shall be made and recorded in the minutes of the Council, together with the proceedings relating to the same.



## OF CITIES AND TOWNS.

No street or road laid out or opened by any person or corporation shall become a public street or road of the City or a charge upon it, unless the same shall be accepted by formal ordinance or resolution of the Council.

Section 25. No new street shall be opened by the Council unless upon the application in writing of twenty resident freeholders of said City, with the concurring vote of said Council. Before any property or ground shall be taken or occupied for the purpose of extending, widening, or opening any street, square, lane or alley, the owner or owners of such property or ground shall be paid or tendered such damages as they shall respectively be entitled to receive, which damages shall be assessed, in case the City and the owner or owners cannot mutually agree upon the same, as follows, viz.: upon the written application of the mayor, under the direction of the Council, and reasonable notice to the persons interested, if residing in the City, any judge of the Superior Court of this State, resident in New Castle County, shall issue a commission under his hand, directed to five impartial freeholders of the said county, commanding them to assess the damages that may result from the extending, widening, laying out or opening of such street, square, lane or alley, to the owner or owners of property or ground necessary to be taken or occupied therefor, taking into consideration all the circumstances of benefit and convenience, as well as of detriment to result to such owner or owners, and to make a return of their proceedings to the said judge, at a time therein appointed. The freeholders named in such commission, being first sworn or affirmed as in said commission shall be directed, shall view the premises, and they, or a majority of them, shall assess the damages as aforesaid, and shall make return in writing of their proceedings in the premises to the said judge, who shall deliver the same to the mayor of the said City. The return upon one commission shall not

Application for  
opening of a  
new street

Assessment of  
damages for a  
new street

## OF CITIES AND TOWNS.

Commission  
of review

Second  
Commission

Compensation  
to Commis-  
sioners

be conclusive, but upon application by the mayor as aforesaid or of any person interested, within fifteen days after the delivery of such return, the said judge shall issue a commission of review, appointing five other freeholders as aforesaid, with like instructions as were contained in the first commission, provided that if a review be granted upon the application of a person or persons interested, the review shall extend only to the assessment of damages made in respect to the person or persons making such application. If the return to a commission of review vary in the damages assessed from the return to the original commission, the judge shall grant a second commission of review upon the application of the mayor as aforesaid, or of any person interested in the return to the commission of review, within ten days after the delivery of such return. If a review be not applied for in due time, the return to the original commission shall be conclusive as to the amount of damages. If the return to any two commissions correspond as to the amount of damages, such amount shall be conclusive. But if there be more than one return, and none conclusive under the foregoing provisions, the judge shall confirm such one of them as he shall deem most just, and the return so confirmed shall be conclusive. The judge may set aside a return to a commission for inequality, in which case he shall issue another commission in its place. The judge shall have power to fill any vacancy in a commission. There shall be allowed the commissioners for their services three dollars per diem, to be paid by the City. The amount of damages being so ascertained, the Council may pay or tender the same to the person or persons entitled thereto within two calendar months after the same shall be finally ascertained, or if the person or persons so entitled reside out of or are absent from the City during the said period of two months, then the same may be deposited to his, her or their credit in the Farmers Bank at Wilmington within

## OF CITIES AND TOWNS.

the said time; and thereupon the said property or ground may be taken or occupied for the uses aforesaid. If upon the application for a review by a person interested, the freeholders appointed to assess the damages shall not increase the damages of the person so applying, the costs of such review shall be paid by such person or persons so applying. The expenses of opening and grading streets shall be defrayed by the City.

Any road, street or lane within the limits of said City, Road may be vacated may be vacated provided notice of the intention to apply therefor be published for a period of two weeks in two newspapers published in New Castle County, and after such publication the proceedings shall be the same as hereinbefore provided for the condemnation of land, and the commissioners shall assess the damages to all persons damaged and shall also determine who shall fence the said road, street or lane or the various parts thereof so vacated. Allowance of damages

Section 26. All roads and streets within the limits of the City of New Castle shall be kept up, maintained and repaired by the City; provided however that the public causeway and bridges within the limits of said City shall be kept up and repaired by New Castle County as heretofore. The Levy Court of New Castle County shall not levy nor shall any receiver or collector of taxes collect any county or hundred road tax on or from any property within the limits of the City of New Castle, nor upon any personal or poll assessment of any person residing within the limits of said City. City to keep up roads within corporate limits  
Levy Court not to levy any tax for roads in city limits

Section 27. This Act shall operate to amend, revise, Chap. 152, Vol. 15 and consolidate "An Act to incorporate the City of New Castle", being Chapter 152, Volume 15, Laws of Delaware, and the various amendments and supplements thereto, and to repeal all such parts of said Act and its amendments and supplements as are not included and incorporated herein. But all ordinances of the City of

## OF CITIES AND TOWNS.

New Castle heretofore lawfully enacted or adopted and now in force in pursuance of any law of the State, shall continue in force until repealed, altered or amended by the Council of said City; all acts and doings of "The Mayor and Council of New Castle", or of the Council or any officer of said City, lawfully done and performed under the provisions of any law of the State or of any ordinances of said City, are hereby ratified and confirmed; all debts, fines, penalties and forfeitures due to the said City and all debts due from said City to any person or persons, or corporation are declared to be unaffected and unimpaired by this Act, and all laws for the collection and enforcement thereof shall continue in full force until the same shall be fully paid and discharged; all powers and remedies now conferred by law upon the several collectors of taxes heretofore appointed in said City for the collection and enforcement of all taxes in said City heretofore assessed and levied and uncollected, shall continue in full force and effect until all of said taxes shall be fully collected and paid; the official bonds of said collectors of taxes and of the treasurer heretofore given shall not be affected or the remedy thereon impaired by this Act, and they and each of them, and their surety or sureties shall be and continue liable for any default or breaches of any of the conditions of said respective bonds; all proceedings heretofore commenced for the collection of any penalty, fine, forfeiture or debt, to the said City upon any bond or obligation or under any law or ordinance, shall not be affected or impaired by this Act, but the same may be prosecuted to judgment and execution until the same be fully paid, liquidated and discharged; all valid laws heretofore passed relating to or concerning said City or authorizing the borrowing of money and the issuing of bonds on the credit of said City shall be and remain valid and good as heretofore, and be unaffected and unimpaired by this Act.

Approved February 28, A. D. 1913.

OF CITIES AND TOWNS.

CHAPTER 217.

OF CITIES AND TOWNS.

AN ACT Authorizing "The Mayor and Council of New Castle" to borrow money and issue bonds therefor, for the purpose of Street Improvement in the City of New Castle, appointing Commissioners to effect such Improvement, and providing for assessing part of the cost of the same against property affected.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (with the concurrence of two-thirds of all the members elected to each House of the General Assembly):*

Section 1. For the purpose of improving the streets and roads within the City of New Castle as hereinafter provided, "The Mayor and Council of New Castle", a municipal corporation of the State of Delaware, is authorized and empowered to borrow on the faith and credit of the said City a sum or sums of money not exceeding thirty thousand dollars, and for this purpose to issue bonds of the said municipal corporation.

Mayor and Council of New Castle authorized to borrow money to improve streets

The said money shall be borrowed and the bonds issued in such amounts and at such times as the Commissioners hereinafter appointed, or a majority of them, shall determine and shall certify to the Council of the said municipal corporation. The principal of said bonds shall be made payable at the expiration of thirty years from the date of the issue thereof, the said municipal corporation reserving the right to redeem said bonds, or any of them, at par and accrued interest, at any interest period after the expiration of five years from the date of issue, provided that if the said municipal corporation shall elect to redeem any of said bonds as aforesaid, such

Commissioners to issue bonds

May be redeemed after five years

## OF CITIES AND TOWNS.

Notice of  
redemption

redemption shall be made in pursuance of a notice to that effect published at least twice a week for at least three successive weeks in at least two newspapers of the City of Wilmington. In calling said bonds for redemption, they shall be called consecutively beginning with the lowest number, and the interest on all bonds so called shall cease from the date named in said calls for redemption.

Form and  
denomination  
of bonds

Interest

Signatures  
on bonds

The Council of the said municipal corporation shall prescribe the form of the said bonds and the denominations thereof, determine and fix the rate of interest thereon not exceeding five per centum per annum, and shall direct and effect the preparation and printing of and negotiate the sale and delivery of the said bonds. The said bonds shall bear date when issued and shall bear interest from date, payable semi-annually. They shall be signed by the Mayor, the President of Council and the Treasurer of said City of New Castle, and be sealed with the corporate seal of the said municipal corporation, and shall be exempt from State, County and Municipal taxation.

City Treasurer

The moneys received from the sale of the said bonds shall be paid over to the Treasurer of the City of New Castle, and held by him as a special fund to the credit of the Commissioners under this Act, and to be drawn out and used by them as hereinafter provided. The Treasurer shall furnish additional bond to cover such fund.

To allow for  
interest when  
fixing taxation

Section 2. The Council of the said City is authorized and required to levy and collect annually by taxation such sum of money as shall be sufficient to pay the interest accruing on said bonds; and it is further authorized and empowered to levy and collect by taxation from time to time such sum or sums as shall be necessary to provide a sinking fund adequate for the redemption of said bonds at or before their maturity. The taxes for such

## OF CITIES AND TOWNS.

interest and sinking fund shall be levied and collected in the same manner as are the other City taxes in said City. The sinking fund above provided for shall not be available for any other purpose. Sinking fund

Section 3. Lewis E. Eliason, Andrew Bryson, James E. White, James B. Brady and Robert H. Megginson, and their successors as herein provided, are hereby appointed and named Commissioners for the purposes of this Act, to do and perform all matters and things herein provided for them to do. All acts and things to be done and performed by them as such Commissioners shall be done and performed by them or a majority of them. They shall as soon as conveniently may be\* after the approval of this Act meet and organize by the election of one of their number as President and one of their number as Secretary, and they may elect such other officers and employ such other assistants as may be necessary and proper. Before entering upon the duties of their office, they shall each be sworn or affirmed to faithfully, impartially and honestly perform their duties as such Commissioners. Such oath or affirmation may be taken before the Mayor of the City of New Castle. Should any of the said Commissioners die, resign, become incapacitated or remove from the City, a majority of the remaining Commissioners shall have power to fill the vacancy so caused. Commissioners named To organize Oath Vacancies

Section 4. The said Commissioners shall have entire control, supervision and management of all work done and materials furnished and of all moneys expended within the contemplation and intent of this Act, and all moneys received for the purposes of this Act shall be paid out by the Treasurer of the City only on orders drawn upon him for the purpose and signed by the President and the Secretary of the Commissioners. They shall make all expenditures in a judicious and econom- Powers and duties of Commissioners under this act

\*Printed as in original bill.

## OF CITIES AND TOWNS.

ical manner. The Commissioners shall have the power, and it shall be their duty, to expend and apply the moneys received under the provisions of this Act, in and about the permanent improvement of the streets and roads within the City of New Castle, by building, paving, repairing, draining and curbing the same in such manner as a majority of the said Commissioners shall in their judgment and discretion determine and deem necessary, and they, or a majority of them, shall have power to determine in their judgment and discretion what streets or roads within said City shall be improved and the nature of and manner of affecting such improvement. They shall have the power to enter into all necessary contracts for carrying out the purposes of this Act.

**Additional  
powers**

Section 5. The said Commissioners shall have the power, when paving or otherwise permanently improving the bed of any street, to lay or repair gutters and drains along or under said street, and to fix, renew or reset curbs and curbstones.

**Assessment  
against abut-  
ting property  
owners**

The cost and expense of laying or repairing gutters and of fixing, renewing or resetting curbs and curbstones along any street, the bed of which has been paved or permanently improved by the said Commissioners, shall be assessed against the owner or owners of the property abutting thereon according to their respective frontage. The Commissioners shall prepare a list of the costs and expenses assessed against the several owners and shall present bills for the same to such owners for their respective proportions, and it shall be the duty of such owners to pay such costs and expenses. If any such owner shall not pay the same within thirty days after the presentation of the bill, the Commissioners shall certify the same to the Council of the City, and the Council shall cause suit to be brought in the name of the municipal corporation against such owner or owners for such costs and expenses, and judgment may be recovered and

**List of costs  
and expenses****Failure to pay**



## OF CITIES AND TOWNS.

execution issued in the usual way provided by law for the collection of debts. When such judgment is recovered before a justice of the peace, a transcript of the same may be taken and entered in the Superior Court. The lien of such judgment shall relate back to the date of the completion of the work and shall be prior to all liens created or suffered by the owner. All moneys so paid to the Commissioners or recovered by suit, less the necessary expenses in the same, shall be turned over to the Treasurer of the City to be held by him for the same purposes and uses as the moneys borrowed under this Act.

Section 6. Whenever the said Commissioners shall determine to pave any street or section thereof, they shall notify the Council of the said City of such determination, and it shall thereupon be the duty of the Council to see that any water main or sewer main in said street is connected with the curb line in front of each property abutting thereon, prior to the date when such paving is to be done; and the Council may make such rules, regulations and requirements as to the making of such connections as may be necessary and proper. In case such connections are not made by the person or persons whose duty it is so to do, after notice from the Council, the Council may cause such connections to be made and shall recover the costs thereof from such person or persons.

To notify  
Council of in-  
tention to pave

Water and  
sewer mains

Section 7. The said Commissioners shall, when requested by the Council, make a report to it of their proceedings and expenditures, not however oftener than once a month. They shall also at least once a year publish a detailed statement of their proceedings and expenditures. They shall carefully preserve all vouchers, accounts, receipts, contracts and other papers relating to the performance of their duty under this Act, and when their duties have been fully performed and completed,

Reports by  
Commissioners

## OF CITIES AND TOWNS.

they shall deliver the same to the Council to be safely kept among the public records of the City.

**Compensation**      Section 8. Each of the said Commissioners shall receive for his entire services, the sum of one hundred dollars, and they may make such allowance to the Treasurer of the City for his services under this Act as they may deem proper, not exceeding the sum of one hundred dollars. These sums shall be paid out of the moneys borrowed under this Act.

All necessary expenses in and about the preparation, printing and sale of said bonds authorized by this Act, shall be paid out of the moneys herein authorized to be borrowed.

**Surplus**              Should any surplus remain after the work contemplated by this Act has been accomplished, said surplus shall be held and applied toward the payment of the principal or interest of said bonds herein authorized.

Approved March 12, A. D. 1913.

## OF CITIES AND TOWNS.

## CHAPTER 218.

## OF CITIES AND TOWNS.

**AN ACT** Authorizing "The Mayor and Council of New Castle" to borrow money and issue Bonds to secure the payment thereof, for the purpose of liquidating the floating indebtedness of the City of New Castle.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met: (with the concurrence of two-thirds of all the members elected to each House.)*

Section 1. That "The Mayor and Council of New Castle", a municipal corporation of the State of Delaware, is hereby authorized and empowered to borrow on the faith and credit of the City of New Castle a sum of money not exceeding Twelve Thousand Dollars, for the purpose of liquidating the present floating indebtedness of the said City.

To borrow  
money to  
liquidate  
city debt

Section 2. For the purpose of carrying into effect the provisions of this Act, the said "The Mayor and Council of New Castle" is hereby authorized and empowered to issue bonds of the said municipal corporation for such amount, not exceeding the sum of Twelve Thousand Dollars, as the City Council may determine and deem necessary. Said bonds shall be of the denomination of Five Hundred Dollars each, shall bear date when issued and shall bear interest from date at a rate not exceeding five percentum per annum payable semi-annually. Said bonds shall be numbered from 1 to 24 consecutively, and the principal of the same shall be payable as follows: Bonds Numbers 1 and 2 shall be payable at the expiration

To issue bonds

Denomination

Interest

Number of  
bonds and pay-  
ments of  
principal

## OF CITIES AND TOWNS.

tion of two years from their date, Bonds Numbers 3 and 4 shall be payable at the expiration of three years from their date, Bonds Numbers 5 and 6 shall be payable at the expiration of four years from their date, Bonds Numbers 7 and 8 shall be payable at the expiration of five years from their date, Bonds Numbers 9 and 10 shall be payable at the expiration of six years from their date, Bonds Numbers 11 and 12 shall be payable at the expiration of seven years from their date, Bonds Numbers 13 and 14 shall be payable at the expiration of eight years from their date, Bonds Numbers 15 and 16 shall be payable at the expiration of nine years from their date, Bonds Numbers 17 and 18 shall be payable at the expiration of ten years from their date, Bonds Numbers 19 and 20 shall be payable at the expiration of eleven years from their date, Bonds Numbers 21 and 22 shall be payable at the expiration of twelve years from their date, Bonds Numbers 23 and 24 shall be payable at the expiration of thirteen years from their date.

Form of bond

Section 3. The City Council of "The Mayor and Council of New Castle" shall prescribe the form of the said bonds, determine the date of issue of the same and the rate of interest thereon, direct and effect the preparation and printing thereof, negotiate the sale and delivery of the bonds and receive and apply the proceeds of the sale for the purposes of this Act. Said bonds shall be signed by the Mayor of the City of New Castle, by the President of the City Council of said City and by the Treasurer of said City, and shall be sealed with the corporate seal of said City.

Sale and delivery

Signatures

To raise money  
for redemption  
by taxation

Section 4. For the purpose of raising the funds necessary for the redemption of said bonds and the payment of the interest thereon, the City Council of "The Mayor and Council of New Castle" is hereby further authorized, empowered and directed to levy and collect

OF CITIES AND TOWNS.

annually in the same manner as the other City Taxes in said City of New Castle are levied and collected, such further sum of money as shall be necessary and sufficient to meet the interest on said bonds as the same shall accrue, and to pay the principal of such of the said bonds as shall become due and payable during the ensuing fiscal year.

Section 5. The faith and credit of the said "The Mayor and Council of New Castle" is hereby pledged for the payment of the bonds authorized to be issued under this Act.

Approved February 24, A. D. 1913.

## OF CITIES AND TOWNS.

## CHAPTER 219.

## OF CITIES AND TOWNS.

**AN ACT to vest the title to the Market Square and Garden in New Castle to the commission having charge of the old state or Court House, Gaol, Gaol's House Yard, etc.**

## Preamble

WHEREAS, on June 13, 1772, an Act was passed by the General Assembly of the Counties of New Castle, Kent and Sussex upon Delaware, and Province of Pennsylvania, by and with the advice and consent of the Representatives of the freemen of the said counties in General Assembly met, and by the authority of the same, being Chapter CCXII. a., being printed in Volume 1, Laws of Delaware, as follows:—"An Act for vesting the State House, and other public buildings, with the lot of ground whereon the same are erected, together with other ground, situate in the Town of New-Castle, in Trustees for the uses therein particularly mentioned."

## Preamble

WHEREAS the lot of land, situate in the square, called the Market Square, in the center of the town of New-Castle, and contained within the bounds following, to wit, Beginning at a stone placed for a corner on the north-east side of the Market-street and at the north-west end of the state-house, and extending thence north fifty-one degrees east fifteen perches to a stone placed for a corner in the said square (the said line running two perches from the north-west end of the said state-house) thence south thirty-nine degrees east eight perches to another stone placed for a corner in the said square, thence south fifty-one degrees west fifteen perches to another stone placed for a corner on the north-east side of Market-street aforesaid, and from thence along the said street

## Location and boundaries

## OF CITIES AND TOWNS.

and bounded therewith north thirty-nine degrees west eight perches to the place of beginning, hath at all times been considered, taken and held, as ground dedicated to the use of the public, and accordingly a state-house, gaol, and other buildings, have been erected thereon at the charge of the county of New-Castle: Now, to the end and intent that the said state-house, gaol, buildings and lot of land described as aforesaid, may be effectually secured for the public, and that the legal estate and inheritance therein may be vested in Trustees to and for the uses and purposes hereinafter mentioned and specified:

Section 1. BE it enacted by the honorable Richard Penn, Esq. with his Majesty's royal approbation, Lieutenant Governor, and Commander in Chief, of the counties of New Castle, Kent and Sussex, upon Delaware, and Province of Pennsylvania, by and with the advice and consent of the Representatives of the freemen of the said counties in General Assembly met, and by the authority of the same, That the said state-house, buildings and lot of land, and all the immunities, improvements, advantages, hereditaments and appurtenances to the same belonging or in anywise appertaining, and the remainder and remainders, reversion and reversions thereof, shall, from and after the passing of this act, be settled upon, and vested in Thomas M'Kean, George Read, John M'Kinly, Alexander Porter, George Monro, John Evans and David Thompson, gentlemen, and the survivors and survivor of them, and the heirs and assigns of such survivor forever; upon the trusts nevertheless, and to and for the ends, intents and purposes, and subject to the uses hereinafter mentioned, expressed and declared, That is to say, As to the said state-house, That the same shall be to and for the use of the Representatives of the freemen of these counties, which now are, and from time to time hereafter shall be duly elected by the freemen aforesaid, at all times when in Assembly met, and to and

Richard Penn,  
Esq., to organize  
Commission

Commission

State House  
for use of the  
Representatives

## OF CITIES AND TOWNS.

For use of Supreme Court

For the use of other officials

for such other uses, intents and purposes, as the said Representatives, during the time they shall be so convened in Assembly, shall direct and appoint; and to and for the use of the Justices of the Supreme Court of this government, for the holding of said court as long as the said court shall from time to time be adjourned and continue; and at all other times, the said state-house, and the wings adjoining the same, for the use of the Justices of the County Court of Common Pleas and Justices of the Court of Quarter Sessions for the said county of New-Castle, for the holding Courts therein, and to and for such other uses, intents and purposes, as they the said Justices of the Court of Quarter Sessions at the General Sessions to be holden at New-Castle for the county of New-Castle on the third Tuesday in May (a) yearly and every year shall direct and appoint; and as to the Under Sheriff's and Gaoler's houses, the gaol, work-house and yards, with the appurtenances to the use of the Sheriff of the said county of New-Castle for the time being, for the residence of himself, his Under-Sheriff and Gaoler, and for the safe custody of all and every person and persons to him legally committed, and for such other purposes as the same have been usually applied to, for the service of the said county: And upon this further trust and confidence, and to this further end, intent and purpose, that the said Thomas M'Kean, George Read, John M'Kinly, Alexander Porter, George Monro, John Evans and David Thompson, and the survivors and survivor of them, and the heirs of such survivor, shall from time to time, and at all times hereafter, permit and suffer such suit and suits, action and actions, to be commenced and prosecuted in his or their names, and also make, seal, deliver, execute and acknowledge, such deed or deeds, conveyance or conveyances, fines, recoveries, or assurances in the law whatsoever for the said lot of land, buildings, tenements and hereditaments, settled and vested in the said Trustees as aforesaid, or any



## OF CITIES AND TOWNS.

part or parcel thereof, to such person or persons, and in such manner and form, but to the uses aforesaid, as the Justices of the Court of Quarter Sessions for the county of New-Castle aforesaid, shall at any time or times hereafter direct and appoint: So always, that the said Thomas M'Kean, George Read, John M'Kinly, Alexander Porter, George Monro, John Evans and David Thompson, and their heirs, executors and administrators and every of them, be well and truly indemnified, saved and kept harmless of and from any costs, charges, trouble or molestation whatsoever, which may arise for or by reason of such suits, deeds, conveyances, fines, recoveries or assurances, so to be commenced, prosecuted, made and executed.

Sect. 2. And whereas another lot of land situate in the Market-Square in the town of New-Castle aforesaid, and bounded as follows, to wit, Beginning at a stone placed for a corner on the south-west side of Mary-street, being also the north-west corner of the graveyard or burying ground belonging to Immanuel Church, and extending from thence north forty-six degrees thirty minutes West five perches and three tenths of a perch to the street or road leading from Wilmington, leaving the said street forty feet for width; thence along the same street or road south forty-five degrees west ten perches to a stone placed for a corner; thence extending south forty-six degrees, thirty minutes east five perches and three tenths of a perch to another stone placed for a corner; and from thence along the pale fence of the graveyard aforesaid north forty-five degrees east ten perches to the place of beginning, hath at all times been considered, taken and held, as ground dedicated and set apart for the use of the said town; And whereas the inhabitants of the said town intend to erect a school-house thereon, and are desirous of having the same appropriated and applied to that use; Be it enacted by the au-

Preamble

Second lot  
of landLocation and  
boundaries of  
second lot

## OF CITIES AND TOWNS.

thority aforesaid, That the said lot of land last described, and all the immunities, advantages, hereditaments and appurtenances to the same belonging, or in anywise appertaining, and the remainder and remainders, reversion and reversions thereof, shall, from and immediately after the passing of this act, be settled upon and vested in David Finney, John Thompson, George Read, Thomas M'Kean and George Monro, gentlemen, and the survivors and survivor of them, and the heirs and assigns of such survivor, in trust nevertheless for the erecting a school-house or school-houses thereon, and to be for that use forever.

School houses

Preamble

Third lot  
of landLocation and  
boundaries of  
third lot of land

Sect. 3. And whereas another lot of ground situate also in the Market-square, in the town of New-Castle, whereon Immanuel Church stands, and the grave yard or burying ground of the said church is laid out, bounded as follows, to wit, Beginning at a corner stake of the herein before described school-house lot, being also the north-west corner of the grave yard or burying ground belonging to Immanuel Church aforesaid, on the south-west side of Mary-street, and running thence south forty-five degrees west ten perches along the line of the said school-house lot to another stake set for a corner; thence south forty-six degrees east ten perches and eight tenths of a perch to a post in the Market-square; thence north forty-seven degrees east ten perches to Mary street aforesaid; and thence along said Mary-street north forty-six degrees thirty minutes west to the place of beginning, hath been and is now set apart and appropriated to and for the use of the members of the Episcopal Church of England, residing and dwelling in and about the said town of New-Castle, who being desirous that the same should be forever hereafter confirmed to and for the uses aforesaid.

Sect. 4. Be it enacted by the authority aforesaid, That

## OF CITIES AND TOWNS.

the legal estate and inheritance of and in the said church, burying ground and last described lot, with the appurtenances thereto belonging, shall be and is hereby declared to be from henceforth vested in the reverend Æneas Ross, Richard M'William and Joseph Tatlow, and the survivors and survivor of them, and the heirs of the survivor forever, in trust nevertheless, to and for the use, benefit and behoof of the members of the Episcopal Church of England, residing and hereafter to reside in and about the said town of New-Castle, as a place of worship and burial-ground forever, and to no other use, intent or purpose whatsoever.

Sect. 5. And whereas the remaining part of the aforesaid Market-square hath at all times been considered, taken and held as ground belonging to the inhabitants of the said town of New-Castle for holding of fairs, markets and other public uses, and a market house hath accordingly been erected thereon at the charge of the said inhabitants; be it enacted by the authority aforesaid, That from and after the passing of this act, the residue or remaining part of the said Market-square, not herein before settled on Trustees, and all the immunities, improvements, advantages, hereditaments and appurtenances to the same belonging or in anywise appertaining, and the remainder and remainders, reversion and reversions thereof, shall be settled upon and vested in David Finny, John Thompson, George Read, Thomas M'Kean and George Monro, gentlemen, and the survivors and survivor of them, and the heirs and assigns of such survivor, in trust nevertheless for the use of the inhabitants of the said town of New-Castle forever.

Sect. 6. And be it further enacted by the authority aforesaid, That this act shall be deemed, adjudged and taken to be a public act, and shall be judicially taken notice of as such by all judges, justices and other per-

## OF CITIES AND TOWNS.

sons whatsoever, without specially pleading the same.

And Whereas, That Thomas McKean, surviving Trustee, conveyed the said lot, etc. under the same trusts to James Rogers and others by Deed dated August 19, 1809, and recorded in the office for recording Deeds in New Castle County in Deed Record F, Volume 5, Page 108;

And Whereas, That James Rogers, surviving Trustee, conveyed the said lot, etc. to John Janvier and others in trust by Deed dated March 13, 1851, and recorded in the office for recording Deeds in New Castle County in Deed Record G, Vol. 6, Page 317;

And Whereas, That John Janvier, surviving Trustee, conveyed the said lot, etc. to George Gray, John H. Rodney, Richard G. Cooper, Joseph H. Rogers and Julian D. Janvier by Deed dated April 30, 1877, and recorded in the office for recording Deeds in and for New Castle County in Deed Record W, Vol. 10, Page 385;

And Whereas, That of these last named Trustees George Gray and John H. Rodney alone survive; therefore,

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

George Gray  
and John H.  
Rodney to ex-  
cute a Deed

Section 1. That George Gray and John H. Rodney, surviving Trustees, as recited in the preamble of this Act, be and they are hereby authorized and directed to execute a Deed for the lot recited in the preamble of this Act to certain Trustees and their successors elected under the provisions of Chapter 191, Volume 24, Laws of Delaware, the present Trustees being the following: John H. Rodney, William Deakyne, Harry G. Cavenaugh, William J. Ferris and James G. Shaw.

New  
Commission

Approved March 31, A. D. 1913.

## OF CITIES AND TOWNS.

## CHAPTER 220.

## OF CITIES AND TOWNS.

**\*AN ACT, entitled "An Act Authorizing the Construction of a System of Sewers and Disposal Works in and for the Town of Newark, Delaware."**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of each branch thereof concurring therein):*

Section 1. That the Council of "the Council of Newark" by and through the agency of the Sewer Commission hereby created, constituted and appointed, and their Successors in office, be, and it is hereby authorized and empowered to construct and operate a system of sewers for, and works for disposing of the sewage of, the Town of Newark, Delaware, under the following conditions:

To construct and operate a sewer system in Newark

Section 2. That Samuel J. Wright, Henry G. M. Kollock and Joseph H. Hossinger, all of the Town of Newark, New Castle County and State of Delaware, be, and they are hereby appointed and constituted a Sewer Commission for the Town of Newark, aforesaid, with full power and authority to do and perform any and all of the things herein provided, and such other things as are incident thereto, or necessary to carry out fully the purposes and intents of this Act. The members of said Sewer Commission shall hold office for five years from and after the passage of this Act, and shall serve without compensation, except that all reasonable bills incurred by any member of said Commission in connection with the work authorized by this Act, shall be paid to him from the sewer fund hereinafter created.

Sewer Commission named

Term of office

No compensation

\*Printed as in original bill.

## OF CITIES AND TOWNS.

Vacancies	<p>Section 3. In case of the resignation or death of any member of the Sewer Commission, the other two members shall as soon thereafter as convenient, elect a proper person to fill the unexpired term of such member. Said member shall be elected from the District of said Town in which said member so resigning or dying resided, and shall be the owner of real estate in said Town, having an assessed value of not less than Two Thousand Dollars.</p>
To own real estate	
To make affidavit	<p>Section 4. Each member of said Commission shall, before entering upon the duties of this office, make an affidavit or affirmation before the Alderman of said Town of Newark, and file the same with the Secretary of the Council of "the Council of Newark," that he will perform his duties as a member of the Sewer Commission with fidelity, and that he will not be concerned or interested either directly or indirectly in any contract entered into under the provisions of this Act. Within thirty days after the passage of this Act the members of said Sewer Commission hereby appointed shall meet and organize by electing one of its members as Chairman, and such member shall, when present, preside at all the meetings of such Commission. Two members shall comprise a quorum and all official acts of the Commission shall be performed at a regularly stated, or at a specially called meeting, and shall be sanctioned by a vote of at least two members thereof. The Secretary of Council of "the Council of Newark" shall act as Secretary of the Sewer Commission, and shall attend its meetings, keeping the minutes thereof and a full and complete statement of all its receipts and expenditures. The Treasurer of "the Council of Newark" shall act as Treasurer of said Commission, shall meet with it when requested, and shall be the custodian of all the funds received for or on account of the construction of the work authorized by this Act, or from the assessments received by reason of such construction, and no monies shall be paid out by authority</p>
Form of affidavit	
Organisation	
Quorum	
Secretary	
Treasurer	

## OF CITIES AND TOWNS.

of said Commission or by authority of the said Council, except by warrants or checks issued by "the Council of Newark," signed by the Treasurer of "the Council of Newark," and countersigned by the Chairman of said Commission during its existence, and thereafter by the President of the Council of "the Council of Newark." Issuance of checks or warrants

The Secretary and Treasurer, as aforesaid, may receive such compensation for their services rendered under the provisions of this Act as the Sewer Commission may determine, in addition to such salaries or compensation as allowed them by law for services performed for the Council of "the Council of Newark." Said Treasurer shall be required to give bond to the said Council in such amount as it may determine, to protect "the Council of Newark" against any loss suffered by any action of said Treasurer in handling the funds created under the provisions of this Act, or in the performance of any other official act hereunder. Compensation of Secretary and Treasurer

Section 5. The Sewer Commission so constituted is hereby vested with every power necessary or proper for the construction and operation of a system of sewers and disposal works in and for the Town of Newark. It shall employ such assistance as it determines necessary, and shall fix the remuneration therefor, and shall award contracts for work done and materials furnished in the execution of the work; shall determine whether such contracts have been faithfully performed, and shall have the authority to accept or reject the work done and materials furnished under such contracts. All contracts authorized by said Sewer Commission shall be executed, on behalf of the Town of Newark, by the President and Secretary of the Council of "the Council of Newark," who shall affix thereunto the corporate seal of said Town. All bills for services rendered by any employee or contractor of said Commission, for labor performed and Powers vested in Sewer Commission

Approval of bills

## OF CITIES AND TOWNS.

materials furnished, shall be approved by a majority of the members of said Commission, and such approval designated upon the face of the bills. All bills, so approved, shall be presented to the Treasurer of "the Council of Newark," who shall issue his warrants in payment therefor, and such warrants shall be signed by the Chairman of the Sewer Commission, as aforesaid.

Report of work  
done by  
Commission

Section 6. During the regular stated meetings of the Council of "the Council of Newark" held in February of each year during the existence of said Sewer Commission, and at such other times as said Council shall request, and upon the expiration of the term of said Sewer Commission there shall be presented to said Council by said Sewer Commission a full and complete report of all the work done under the authority of this Act, all expenditures made therefor, and all receipts accepted thereunder.

To employ  
assistance

Section 7. The Sewer Commission shall, as soon as practicable after its organization, as aforesaid, consider plans for the construction of sewers and works for disposing of sewage, in and for the Town of Newark, Delaware, authorized by this Act. It shall employ such assistance as it deems necessary and proper to prepare plans, specifications and estimates governing the construction of the work, and shall select such plans. After such selection, such plans, specifications and estimates shall be presented by said Sewer Commission to the Council of "the Council of Newark." It shall be the duty of the Council of "the Council of Newark" within two weeks after such plans, specifications and estimates are presented to it, as aforesaid, to fix by resolution the day and time of taking the vote of the owners of the property abutting upon any street or streets, highway or highways, lane or lanes, alley or alleys in which any sewer is to be built, as hereinafter provided, and said

Vote of abut-  
ting property  
owners



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Council shall cause to be exhibited said plans, specifications and estimates in some public place in the Town of Newark, and all persons interested shall be given notice in one or more newspaper or newspapers published in the said Town of Newark, in at least two issues of such newspaper or newspapers that such plans, specifications and estimates are thus exhibited for their inspection, and of the day and time of taking the vote of the owners of the property abutting upon any street or streets, highway or highways, lane or lanes, alley or alleys in which any sewer is to be built. The last of said advertisements shall be at least one week prior to the day fixed for holding said election to take the vote as herein and hereinafter provided.

To exhibit  
plans &c

Section 8. The Council of "the Council of Newark" shall submit the question of building a system of sewers in any street or streets, highway or highways, lane or lanes, alley or alleys, and the works for disposing of the said sewage, in and for the Town of Newark, aforesaid, according to the plans, specifications and estimates selected by the Sewer Commission and presented to said Council, and exhibited by it, as aforesaid, to the vote of the persons owning the property abutting upon any street or streets, highway or highways, lane or lanes, alley or alleys in which said sewer is to be built, as shown by the plans, specifications and estimates presented from time to time, to the Council, and exhibited, as aforesaid. Said vote shall be taken at an election to be held on the day and at the time fixed by Council as aforesaid. Said election shall be held, and said vote taken at the same place, and by the same officers as other Town elections are now, by law, held and conducted. Provided that not more than three elections to take the vote, as aforesaid, shall be held under the provisions of this Act, between the first day of January and the Thirty-first day of December, in any one year, and provided further,

To submit  
question of  
building sewers

Procedure of  
elections

Limit to num-  
ber of elections  
in each year

## OF CITIES AND TOWNS.

that no vote shall be taken under the provisions of this Act, after the First day of January, A. D. one thousand nine hundred and seventeen.

Those entitled  
to vote

One vote for  
each dollar of  
assessment .

Statement of  
all persons  
owning prop-  
erty to be  
prepared

Section 9. Each freeholder, male or female, owning taxable property abutting upon the street or streets, highway or highways, lane or lanes, alley or alleys in which sewers are to be built, according to the plans, specifications and estimates selected by the Sewer Commission, presented from time to time to the Council, and exhibited as aforesaid, shall have the right to cast one vote for or against the construction of the said sewer or sewers, and the disposal plant connected therewith, for every dollar or fractional part of a dollar paid by him or her under the last Town assessment of such property, provided that he or she shall have paid all taxes heretofore levied or assessed against him or her, and shall produce a tax receipt for the same when demanded by any person entitled to vote at such election, or by any election officer holding such election. The Council of "the Council of Newark" shall cause to be prepared, prior to the holding of such election to take the vote, as aforesaid, a true and correct statement of all persons owning property abutting upon any street or streets, highway or highways, lane or lanes, alley or alleys, in which said sewer is to be built, as aforesaid, who have paid the taxes assessed against them, and the amount of such payments, and such statement shall be furnished to the officers holding such elections, and such statement shall be prima facie evidence of the qualifications of those voting at such elections, and the number of votes each person is entitled to cast.

To proceed  
with construc-  
tion should  
majority be  
cast in favor

Section 10. Should the majority of votes cast at any election held as above stated, be in favor of building the sewer or sewers in any street or streets, highway or highways, lane or lanes, alley or alleys of said Town of New-

## OF CITIES AND TOWNS.

ark, as aforesaid, and the disposal works connected therewith, the Sewer Commission shall proceed, as soon as possible, after the date of such election, with the construction of the work authorized by this Act, and approved by the owners of the abutting properties. The said Commission shall have full power to determine in every case how the work shall be done, whether by contract, or by force account with the labor employed by said Commission, and shall have full and complete charge of the construction of the work, and the operation of the works so constructed during the existence of said Commission.

Section 11. Immediately upon the completion of the disposal works and that portion of the system of sewers as may be built to provide sewerage facilities to at least seventy-five per centum of the lineal feet of property abutting upon the street or streets, highway or highways, lane or lanes, alley or alleys within the Town of Newark, authorized to be constructed, as aforesaid, the Sewer Commission shall cause to be made a true and accurate measurement of all the lineal feet of the property abutting upon any street or streets, highway or highways, lane or lanes, alley or alleys in which sewers are thus built, and a true and accurate statement of the whole cost of building such disposal works and said sewers, and said cost thereof shall, by the Sewer Commission, be apportioned alike upon each lineal foot of frontage of said property abutting upon the portion of the street or streets, highway or highways, lane or lanes, alley or alleys in which any such sewers have been built.

Abutting owners to pay as per lineal foot

Section 12. The Sewer Commission shall, before levying any assessment for the cost of the work to be done as authorized by this Act, cause to be prepared a complete list of all the property to be thus assessed, showing the lineal feet of each property abutting upon the street or

To prepare list showing lineal feet abutting

## OF CITIES AND TOWNS.

streets, highway or highways, lane or lanes, alley or alleys in which the sewers are built, as aforesaid, the owners of such property, and the amount to be assessed against each. Upon the completion of such list a copy shall be exhibited in some public place within the Town of Newark for one week, and a notice of such exhibit shall be advertised in one or more newspapers published in the Town of Newark, in at least two successive issues thereof, said notice shall also state a time and place when and where the Sewer Commission shall sit with the Council of "the Council of Newark" to hear any and all objections which may be made against said assessments as set forth in aforesaid list. The time of such meeting shall not be less than one week, nor more than three weeks after the date of the last issue of such notice. The Council of "the Council of Newark" shall meet with the Sewer Commission in joint session on the evening of the day appointed in said notice, from eight o'clock P. M. to ten o'clock P. M., and may adjourn from night to night, and shall hear all objections which may there be made to such assessment list, and shall make such alterations and corrections in said list as the joint body, thus sitting, may deem proper, and in compliance with the provisions of this Act, and for this purpose each member of such joint body shall have an equal voice upon all matters concerned in the questions for which such joint session is called to consider: A copy of such assessment list, as thus altered and corrected shall, within one week after the date of the last session, held as above described, be exhibited for one week in the same place as the original list was exhibited, or in some other public and convenient place.

List to be  
exhibited

To hear  
objections

Sewer Com-  
mission to cer-  
tify assessment  
list to Secre-  
tary of Council

At the expiration of the one week aforesaid, the assessment list, as altered and corrected, as aforesaid, shall be certified by the said Sewer Commission to the Secretary of the Council of "the Council of Newark" for

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collection, and from the date of such certification, the several amounts shown upon such list as assessed against the properties shall be a lien upon the property upon which such assessment is made, and such lien shall have priority of any lien, encumbrance or conveyance except taxes and prior liens for public improvements. No error or mistake in regard to the name of an owner shall be held to invalidate any assessment so made, and it shall be sufficient if the name of the last owner, as shown by the record in the office of the Recorder of Deeds in and for New Castle County, appears upon such assessment list.

Section 13. Immediately after such assessments are certified to the Secretary of the Council of "the Council of Newark" for collection, said Secretary shall prepare statements of such assessments against each property so assessed, and shall mail or deliver, or have delivered, such statements to the party whose name appears as the owner of such property. If mailed to the last known address of such party, it shall be sufficient evidence that the Secretary has carried out the intent of this Act, and in connection with the proceedings already described for exhibiting the assessment lists, be full and sufficient notice of such assessment.

Secretary to  
mail statement  
to names  
on list

Section 14. All sums paid on account of such assessment shall be paid to the Treasurer of "the Council of Newark," who shall give his receipt therefor, and all such sums shall be by him deposited within forty-eight hours of their receipt, in some banking institution in the Town of Newark, as a "Sinking Fund for Sewers," and shall be kept entirely separate and distinct from any other funds handled by said Treasurer. All such amounts thus received shall form a sinking fund, and shall only be paid out for the purpose of paying the indebtedness incurred for building said sewers and disposal plant

Sinking Fund  
for sewers

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hereinafter authorized, and for paying the interest thereon, as it becomes due.

Assessment of  
corner  
properties

Section 15. All assessments shall be made upon the property abutting upon that portion of any street, highway, lane or alley in which any public sewer may be constructed under the provisions of this Act, and shall be based upon the lineal feet of such property, each lineal foot within the limits of the Town being assessed alike, provided, however, that where a property is situated at a corner of two such streets, highways, lanes or alleys, or otherwise so situated as to be assessed for the cost of building a sewer in one of such streets, highways, lanes or alleys, only the front (as determined by the joint session of said Council and Commission as described in Section 12 of this Act) of such property shall be liable for such assessment; and further provided that said joint session shall, in all cases, decide what portion of a corner property shall be considered frontage, and what portion side frontage, and in all corner properties the side frontage shall not exceed one hundred and twenty-five (125) feet, and such side frontage, thus determined, shall be exempt from the payment of any sewer assessment, unless the owner or owners thereof should, after the side frontage is fixed, as aforesaid, decide to make such side frontage the front of said property, in such case he, she or they shall pay such additional assessments as the joint session may determine upon in accordance with the provision of this Act; and provided further that no property, or portion of property shall be assessed for the cost of constructing the system of sewers and disposal works, unless such property, or some portion thereof, shall abut and be bounded upon that portion of the street, highway, lane or alley in which a sewer has been built, or unless such property or a portion thereof has a right of access to said street, highway, lane or alley, or desires to use said sewer before a sewer is

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constructed upon the street, highway, lane or alley upon which said property abuts, in either of which case the said property shall be liable for the same assessment as though the sewer was constructed in the portion of the street, highway, lane or alley upon which such property abuts, and the said property shall not be liable for any further assessment for sewer purposes.

Section 16. Where any such assessment shall be made upon any land for the cost of constructing a sewer, or a system of sewers and disposal works, the property so assessed shall have the right to be connected with such sewer under and subject to such rules and regulations as may be prescribed by the Sewer Commission during its life, and by the Council of "the Council of Newark" thereafter.

Sewer connections for assessed property

Section 17. All assessments, so made, shall be due upon the date of the certifying of the same to the Secretary of the Council of "the Council of Newark" for collection, and if paid in full within thirty (30) days after the date of such certifying, a discount of five per centum shall be allowed from the amount of such assessment, and shall be accepted by the Treasurer of "the Council of Newark" as a full payment and release of the lien made on account of such assessment. Upon all payments made after thirty days after the date of certifying, as aforesaid, the full amount of the assessment shall be paid, with interest, at the rate of six per centum per annum, computed from the date of certifying, as aforesaid, and said interest, so computed, shall be added to the amount of said assessment. Any property owner, at his, her or its discretion, to be expressed in writing to the Sewer Commission, within thirty days after the certifying of the assessment, as aforesaid, pay the said assessments in five equal annual installments, together with interest, from the date of certifying said assess-

Payments of assessments

Annual installments of assessments

## OF CITIES AND TOWNS.

ment, as aforesaid, payable annually; the first installment to be due and payable within thirty days from the date of certifying, as aforesaid, and each subsequent installment, with accrued interest, to be due and payable, on the first day of October in each year thereafter. Any property owner may have the right at any installment period to pay the balance due on his, her, or its assessment, in full. All assessments shall be due and payable to the Treasurer of "the Council of Newark."

Assessment becomes due in thirty days when installment is not adopted or if adopted not lived up to

Failure to pay assessment

Collection to be made under Chap. 175, Vol. 18 and Chap. 419, Vol. 22

Section 18. In all cases where the property owner does not elect to pay in installments, or, having elected to pay in installments, fails to pay the first installment in thirty days after the date of certifying, as aforesaid, he, she or it shall be held to have waived the right to pay in installments, and the entire assessment, together with accrued interest from the date of certifying, as aforesaid, shall immediately thereafter become due and payable. If the property owner who has not elected to pay in installments, fails to pay his, her or its full assessment within thirty days after the date of certifying of such assessment, as aforesaid, or, having elected to pay in installments, fails to pay the first installment within thirty days after the date of the certifying, as aforesaid, or makes default in the payment of any annual installment, or the accrued interest thereon, the whole of such assessment shall immediately become due and payable, and in any such case it shall be the duty of and the Council of "the Council of Newark" is hereby directed, to proceed forthwith to collect all of such assessment, and the accrued interest thereon in the manner now provided for the collection of delinquent taxes due for town purposes in an Act entitled "An Act to re-incorporate the Town of Newark," being Chapter 175, Volume 18, Laws of Delaware, and all Acts amendatory thereof and supplementary thereto, and under an Act entitled "An Act to Provide for the Collection of Taxes Levied and As-



## OF CITIES AND TOWNS.

sessed on Real property and persons within the Town of Newark, Delaware," being Chapter 419, Volume 22, Laws of Delaware.

Section 19. The right to assess and collect the cost of constructing the system of sewers and disposal works from the property abutting upon the streets, highways, lanes or alleys in the Town of Newark, in which any sewer is built under the provisions hereof, and all other the provisions of this Act shall bind and apply to all property within the limits of the Town of Newark, whether owned by and used for churches, schools, college, fraternities of\* any other purpose, and whether exempted by any special or general law of the State of Delaware from assessment for Town Taxes or other town assessments.

Right of assessment on all property within town of Newark

Section 20. The Treasurer of "the Council of Newark" shall set apart all money received from the assessments as aforesaid, and accrued interest thereon, as a sinking fund for the purpose of paying the interest upon and the principal of the notes, bonds, or other evidence of indebtedness issued under the authority of this Act, and the money so received shall not be expended or used for any other purpose whatsoever. It shall be deposited in such banking institution in the Town of Newark as the Council of "the Council of Newark" shall designate, and together with any increment earned thereon shall be applied to the redemption of the notes issued under the authority of this Act, and the payment of the interest thereon.

To set apart money received from assessments

Section 21. Whenever the Sewer Commission shall deem it necessary or expedient to obtain or acquire private property or lands for the purpose of building the system of sewers, or disposal works, either within the limits of the Town of Newark, or without such limits to a distance not exceeding two miles as authorized in this

Commission may acquire land

\*or

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Failure to  
reach  
agreement

Act, they are hereby empowered to acquire such property or land by agreement with the owner or owners thereof. If the said Commission fails to reach an agreement with the owner or owners of such property as it may believe necessary to carry out the purpose of this Act, it shall notify, in writing, the council of "the Council of Newark" of such failure, and shall in such notice describe the property or lands necessary to be acquired. It shall thereupon be the duty of the said Council, as soon thereafter as possible, to proceed to acquire such property or lands in the same manner and subject to the same conditions and proceedings as are prescribed and fully set forth in Act entitled "An Act to re-incorporate the Town of Newark" passed at Dover, April, 21st, 1887, and all Acts amendatory thereof and supplemental thereto, for condemning and taking land for the purpose of laying out, opening, extending or widening of any street, road, lane or alley in the said Town of Newark. All costs incident to the acquirement of such property or lands, as aforesaid, shall be paid from the funds received by the issue, sale and negotiation of promissory notes, as hereinafter provided.

To issue prom-  
sory note to  
meet cost of  
construction

Section 22. For the purpose of meeting the cost of the construction of the sewer or sewers and disposal works authorized under the authority of this Act, the Council of "the Council of Newark" shall be, and it is hereby authorized, empowered and directed to issue promissory notes of, and in the name of "the Council of Newark," said promissory notes shall be of such form and for such sum or sums as the said the Council of "the Council of Newark" may prescribe, and to such amount as the said Council may deem necessary to carry out the purposes of this Act, provided that the aggregate of such promissory notes does not exceed the sum of Fifty Thousand Dollars (\$50,000.00). The promissory notes so issued shall bear upon their face the title "Newark Sewer

Limit to notes

## LAWS OF DELAWARE.

### OF CITIES AND TOWNS.

Notes" and shall bear such interest, not exceeding six per centum, per annum, as the said Council shall, by resolution, determine, such interest to be payable at such time or times as the said Council shall determine, as aforesaid, said promissory notes shall be signed by the President of the Council of "the Council of Newark", and by the Treasurer of "the Council of Newark," and shall have affixed thereto the corporate seal of "the Council of Newark." All promissory notes thus issued shall be due and payable at any Bank or Trust Company in the Town of Newark, at such time or times as the said the Council of "the Council of Newark" shall, by resolution, determine. The said Council of "the Council of Newark" shall have, and it is hereby given full power and authority to issue and to sell, negotiate or discount said promissory notes, with the full power and authority to renew, re-issue, re-discount and continue said promissory notes, or any of them, for such time and upon such terms as it may, by resolution, determine. It being intended hereby to give and grant to the said the Council of "the Council of Newark" full power and authority to do any and all things necessary or required to make and constitute said promissory notes, in the form, for the amounts and for the time the same are issued, re-issued, negotiated, discounted, renewed or continued by the said the Council of "the Council of Newark" under the provisions of this Act, in every respect, good and valid obligations of "the Council of Newark" subject only to the lien of such bonds as may have been heretofore issued by the said "The Council of Newark" as hereinafter provided.

Interest

To become due  
at any bank &c  
in Newark

Powers of  
Council of  
Newark in con-  
nection with  
notes

Section 23. The proceeds from the sale of such promissory notes shall be deposited by the Treasurer of "the Council of Newark" in such banking institution as the Council of "the Council of Newark" may prescribe, and shall be known as the "Sewer Fund", and shall be kept

## OF CITIES AND TOWNS.

separate and distinct from all other monies or accounts kept by said Treasurer. Such monies shall be used and applied exclusively by the Sewer Commission to meet the cost of installing, from time to time, the sewers and disposal works authorized by this Act, and the notes issued under the authority of this Act are hereby declared to be a lien upon the taxable property situate within the corporate limits of the Town of Newark, subject only to the lien of any other issue of bonds heretofore issued and made by "the Council of Newark."

Treasurer to  
use money  
from sewer  
assessments in  
paying off  
notes &c

To collect ad-  
ditional money  
by taxation

Section 24. All funds received by the Treasurer of "the Council of Newark" in payment for sewer assessments levied under the authority of this Act, shall be by him used in paying off and redeeming the notes issued under the provisions of this Act, and for paying the interest thereon, and should sufficient funds not be in his hands at any period to redeem said notes when they become due, or to pay the interest accrued thereon, the Council of "the Council of Newark" shall, and it is hereby directed to levy upon and collect by special taxation from all taxable property and persons within the Town of Newark, such sums as may be necessary, in addition to the sums in the hands of the Treasurer, and received from the payment of assessments, as aforesaid, to redeem and pay said notes, and to pay the interest thereon. Said special taxes to be levied and collected as other taxes are now by law levied and collected for town purposes, and all sums thus received are hereby inviolably dedicated to the payment of said notes, and the interest thereon.

In case sewer  
proposals  
meets with an  
unfavorable  
vote the Com-  
mission to pre-  
pare new plans

Section 25. Should the majority of the persons owning property abutting upon any street or streets, highway or highways, lane or lanes, alley or alleys, in the Town of Newark, aforesaid, in which it is proposed to build any sewer or sewers and the disposal works con-

## OF CITIES AND TOWNS.

nected therewith, in accordance with the plans, specifications and estimates presented, from time to time, to the Council of "the Council of Newark" by the Sewer Commission, and exhibited, as aforesaid, be opposed to the construction of said sewer or sewers and disposal works as evidenced by their votes cast at an election held under the provisions of this Act, and the said Sewer Commission is hereby authorized and directed to cause to be prepared other plans, specifications and estimates for sewers and disposal works, which said new plans may or may not include the same streets, highways, lanes and alleys, or any of them, as any former plans, specifications and estimates, said new plans, specifications and estimates shall be presented by the said Sewer Commission to the said Council of "the Council of Newark", as required in the first instance, and the said Council shall take the same action in relation thereto as directed and required by the provisions of this Act, and the question of building said sewer or sewers and disposal works according to the new plans, specifications and estimates shall be submitted by the said the Council of "the Council of Newark," as required in the first instance by the provisions of this Act, to the vote of the persons owning property abutting on the street or streets, highway or highways, lane or lanes, alley or alleys in which it is proposed by said new plans, specifications and estimates to build said sewer or sewers, and in all other respects qualified to vote at such election under the provisions of this Act, and this procedure may be continued from time to time until the First day of January, A. D. one thousand nine hundred and seventeen, as in this Act provided. At each succeeding election which the said the Council of "the Council of Newark" is required to call and hold, under the provisions of this Act, said Council and the officers holding said election shall do and perform all of the things required of it or them, and shall have all of the powers and authority given to it or them by this Act,

New plans to  
be submitted  
as before

## OF CITIES AND TOWNS.

or by the Act entitled "An Act to re-incorporate the Town of Newark," being Chapter 175, Volume 18, Laws of Delaware, and all Acts amendatory thereof and supplementary thereto.

**Extensions  
of sewers**

Section 26. Wherever and whenever the system of sewers built under the authority of this Act is extended to any point within the limits of the Town of Newark, the property abutting upon that portion of the streets, highways, lanes or alleys in which such extensions are built, shall pay to the Treasurer of "the Council of Newark" the same rates per front foot of property abutting upon said extensions, as the Sewer Commission and the Council of "the Council of Newark", in joint session, decide to assess against the front foot of property abutting upon the streets, highways, lanes or alleys in which the system of sewers is first built, as described in Section 12 of this Act, that is, each front foot of property situated within the Town of Newark and having access to a sewer built under the provisions of this Act, shall be assessed alike, and the assessments therefor shall be made and collected, in all respects, as already provided for herein.

**Extension of  
sewers outside  
of corporate  
limits**

Section 27. The Council of "the Council of Newark" is hereby authorized and empowered to build sewers, through the agency of the Sewer Commission, if the same be in existence, and under its own direction if said Commission has ceased to exist, as provided for in this Act, in the roads or highways, lanes or alleys leading into, or within a distance of two miles from the limits of the Town of Newark, and to maintain the same, when a petition, signed by the owners of three-fourths of the property abutting on that portion of said public road, highway, lane or alley is presented to said Council, setting forth that the signers of said petition desire such sewer or sewers to be built, and agree to pay to said Council all the costs thereof, within such period as said Council may prescribe. Should said Council or Commission

**Petition of  
abutting  
owners**

## OF CITIES AND TOWNS.

build such sewer or sewers as authorized in this section, and the signers to said petition fail to pay the sums fixed by the Council of "the Council of Newark" within the period prescribed, said Council is hereby authorized and empowered to proceed to collect such sums in the manner now prescribed by law for the collection of delinquent taxes for town purposes, within the Town of Newark, as herein and therein provided. After such sewer or sewers are built outside the limits of the Town of Newark, the Council thereof shall forever maintain the same, upon such terms as may be prescribed by said Council, and complied with by the owners of the properties abutting thereon, for which payments have been made for the construction thereof.

Failure to pay

Section 28. The Sewer Commission shall prepare and present to the Council of "the Council of Newark" for its approval, rules and regulations governing the use of the system of sewers and disposal works authorized under this Act, and the making connections therewith, and after such rules and regulations are approved by said Council, they shall become a law in as full force as any other law or ordinance passed by said Council, and shall be subject to such amendment from time to time as said Council shall prescribe.

Sewer Commission to prepare rules and regulations for approval of Council

To become a law

Section 29. The Sewer Commission created under the authority of this Act shall have charge of the construction and operation of all sewers and disposal works built during its existence, as fixed in this Act, and upon the termination of the life of such Commission the Council of "the Council of Newark" shall assume and have all the powers and duties herein granted to and imposed upon said Commission.

Commission to have full charge operation &amp;c

Section 30. Upon the written notice from the Board of Health of the Town of Newark of the existence of a nuisance detrimental to the public health of the inhabitants of said Town, and stating that such nuisance can

Board of Health of Newark may determine whether a nuisance can be abated by constructing a sewer

## OF CITIES AND TOWNS.

be eliminated by connecting the property upon which said nuisance exists with the system of sewers built under this Act, the Council of "the Council of Newark" shall, and it is hereby directed to serve a written notice upon the owner of the property upon which such nuisance is alleged to exist, to connect such property with the system of sewers within thirty (30) days after the date of such notice. Should such property not be thus connected within the period fixed in such notice, the owner thereof, upon conviction before the Alderman of the Town of Newark, of his failure to obey the instructions of said Council as contained in such notice, be subject to a fine of not less than five (5), nor more than ten (10) dollars for each and every day beyond the expiration of the period named in such notice for connecting with the system of sewers which said connection remains unmade, and such nuisance is allowed to remain, said fine is to be collected as other fines for offences against the laws and ordinances of the Town of Newark are now, by law, collected.

To connect  
with a sewer

Penalty for  
failure to obey

Section 31. Should the majority of the persons owning property abutting upon any street or streets, highway or highways, lane or lanes, alley or alleys in the Town of Newark, aforesaid, in which it is proposed to build any sewer or sewers, and the disposal works connected therewith, be opposed to the building of said sewer or sewers and disposal works, as evidenced by their votes cast at an election held under the provisions of this Act, the Council of "the Council of Newark" is hereby authorized and directed to pay all sums of money paid or contracted to be paid by the Sewer Commission in the preparation of the plans, specifications and estimates for such proposed sewer or sewers and disposal plant, out of any monies belonging to "the Council of Newark," or borrowed upon notes as herein provided.

Council to pay  
for prepara-  
tions of plans  
and speci-  
fications



## OF CITIES AND TOWNS.

Section 32. Nothing in this Act shall be taken or construed to prevent any member of the Sewer Commission hereby appointed or hereafter elected, from occupying the office of President of the Council of "the Council of Newark," or a member of said Council, or from being a candidate, at any election held in said Town, for and elected to the office of President of said Council, or a member thereof.

A Sewer Commissioner may be a candidate for other town offices

Section 33. All Acts, or parts of same, inconsistent herewith be, and the same are hereby repealed.

Section 34. This Act shall take effect from the date of its passage.

Approved March 14, A. D. 1913.

## OF CITIES AND TOWNS.

## CHAPTER 221.

## OF CITIES AND TOWNS.

**AN ACT to amend Section 1, Chapter 199, Volume 24, Laws of Delaware, entitled "An Act to re-incorporate the Town of Delaware City," by changing the boundary line of said Town of Delaware City.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met (two-thirds of all the members elected to each branch of the Legislature concurring therein):*

Sec. 1, Chap.  
199, Vol. 24  
amended

Section 1. That Section 1 of Chapter 199, Volume 24, Laws of Delaware, entitled "An Act to re-incorporate the Town of Delaware City," be, and the same is hereby amended by striking out all of that part of said Section beginning with the word "the" in the first line of said Section, down to the word "provided" in the sixteenth line of said Section, and inserting in lieu thereof the following:—

Boundaries of  
Delaware City

"The Town of Delaware City shall be bounded as follows:—Beginning at low water mark in the Delaware River, at the entrance of the Delaware and Chesapeake Canal; thence along the Southeast side of said Canal to the main drain passing under said Canal; thence with the Northeast side of said drain to the Dragon Creek; thence with the said Northeast side of said Dragon Creek to the South Side of the road leading from Delaware City to St. Georges; thence along said South side of said road to the intersection of said South side of said road with the Southeast side of Clinton Street, extended; thence along the said Southeast side of said

## OF CITIES AND TOWNS.

Clinton Street, extended, Northeasterly to a point two hundred feet Southwesterly from the intersection of the Southeasterly side of Clinton Street with the Southwesterly side of Fifth Street; thence along a line at right angles to said Southeast side of Clinton Street, extended, to the Southeast side of the North drain; thence with the Southeast side of said North drain to the bridge on the public road leading from Delaware City to Clark's Corner; thence by and with the Northeast side of said Public road, to its intersection with the Northwest boundary of the land of William D. Clarke's estate; thence with the Northwest boundary of said land to low water mark in the Delaware River, and thence by and with the low water mark in said River to the place of Beginning."

Approved February 25, A. D. 1913.

## OF CITIES AND TOWNS.

## CHAPTER 223.

## OF CITIES AND TOWNS.

AN ACT to exempt from taxation certain property in the City of Delaware City.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met; (two-thirds of all the members of each branch concurring therein):*

Exemption of  
certain prop-  
erty in Dela-  
ware City used  
for industrial  
purposes

Section 1. That the real estate of any person or persons or body corporate within the limits of the City of Delaware City, not exceeding five acres, upon which any manufacturing or other industrial improvements for the employment of labor shall be erected after the passage of this act, or any real estate upon which any buildings are already erected and which after the passage of this act shall be used for any manufacturing or any industrial pursuit as aforesaid not before prosecuted or carried on these shall be exempt for a period of ten years after the same shall be first assessable from assessment or taxation for municipal purposes.

Exemption  
period

Approved March 12, A. D. 1913.

OF CITIES AND TOWNS.

CHAPTER 224.

OF CITIES AND TOWNS.

AN ACT to Authorize, "The Commissioners of the Town of Middletown", to borrow money and issue bonds therefor for the purpose of paying certain bonds of the said town.

WHEREAS, "The Town Commissioners of the Town of Middletown" were authorized and empowered by an Act of the General Assembly passed at Dover, May 14th, 1891, to issue bonds on the faith and credit of the Town of Middletown to an amount not exceeding Ten Thousand Dollars of such denomination as they should deem best, bearing interest at a rate not exceeding Five per centum per annum, payable in not less than ten years and not more than twenty years from the date of their issue, and

Preamble

WHEREAS, "The Town Commissioners of the Town of Middletown", were authorized and empowered by an Act of the General Assembly passed at Dover, March 10th, 1893, under and by virtue of an ordinance to be passed by the said Commissioners to borrow on the faith and credit of said Town the sum of Three Thousand Dollars, and

WHEREAS, bonds were issued under the authority of said acts and the amounts of bonds outstanding and falling due March 1, 1913 is Nine Thousand Dollars and the amount of bonds outstanding and falling due April 1, 1913 is Three Thousand Dollars and it is necessary to borrow the sum of Twelve Thousand Dollars for the purpose of paying off said bonds at maturity,

## OF CITIES AND TOWNS.

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met, (two-thirds of all the members elected to each branch of the Legislature concurring therein):*

Commissioners  
of town of  
Middletown  
empowered to  
issue bonds up  
to amount of  
\$12,000

Section 1. That, "The Commissioners of the Town of Middletown" be and they are hereby authorized and empowered for the purpose of redeeming and paying off the bonds heretofore issued by "The Town Commissioners of the Town of Middletown", by virtue of an Act of the General Assembly of the State of Delaware, passed at Dover, May 14th, 1891, and by virtue of an Act of the General Assembly of the State of Delaware passed at Dover, March 10th, 1893 to issue the bonds of the said "The Commissioners of the Town of Middletown", to the amount of Twelve Thousand Dollars. The bonds shall be of such denomination as the said "The Commissioners of the Town of Middletown" may deem best and shall bear interest at a rate not exceeding six per centum per annum payable semi-annually at any bank or trust company in the Town of Middletown. The principal of said bonds shall be made payable in twenty years from the date of the issue thereof, the said "The Commissioners of the Town of Middletown" reserving the power and authority of redeeming said bonds or any part of them after the expiration of ten years from the date of the issue of the same, provided that if the said "The Commissioners of the Town of Middletown" elect to redeem any of said bonds after the expiration of ten years from the issue thereof such election shall be effected on any day on which the semi-annual interest is due, and in pursuance of the notice to that effect published by the said "The Commissioners of the Town of Middletown" in at least four issues of two newspapers, one published in the City of Wilmington and one in the Town of Middletown. In calling said bonds for redemption and payments, they shall be called consecutively, commencing

Interest

May redeem  
after ten years

Advertisement

## OF CITIES AND TOWNS.

with the lowest number of the issue, the interest on said bonds so called shall cease from the date fixed in the said notice for the redemption thereof, and the said bonds when paid shall be cancelled. If at any time after the issue of said bonds and before they are payable or called in any holder or holders of any such bond or bonds shall offer the same for redemption, the said "The Commissioners of the Town of Middletown", if they deem it expedient, may redeem or pay the bond or bonds so offered and cancel the same, the interest thereon ceasing from the date of such redemption.

Cancellation  
of bonds

Section 2. That the said "The Commissioners of the Town of Middletown" shall direct and effect the preparation and printing of the bonds authorized by this Act, and shall also prescribe the form of said bonds, which shall be signed by the President of the said "The Commissioners of the Town of Middletown" and countersigned by its Treasurer and shall be sealed with the corporate seal of the Corporation and be exempt from all State, County and Municipal Taxation. As the said bonds and coupons thereon are paid the same shall be cancelled in such manner as the said "The Commissioners of the Town of Middletown" shall direct, and the said "The Commissioners of the Town of Middletown" shall negotiate the sale and delivery of the same, and the moneys, the proceeds of the sale of said bonds shall be deposited with its Treasurer for the purpose of paying off the bonds aforesaid. Provided, however, that in the sale of said bonds the said "The Commissioners of the Town of Middletown" are required and directed to advertise said bonds for sale in at least four issues of two newspapers, one published in the City of Wilmington and one in the Town of Middletown, inviting bids for the same, and in which said advertisements shall be stated the denomination of said bonds, rate of interest, the place and date of opening said bids and the conditions

Form of bonds

Advertisement  
for sale of  
bonds

## OF CITIES AND TOWNS.

of said bonds. The said "The Commissioners of the Town of Middletown" shall have the power to require each bid for said bonds to be accompanied by a certified check for an amount which they may deem proper, and after the bonds are awarded, the said "The Commissioners of the Town of Middletown" shall return to the unsuccessful bidder or bidders the certified check or checks so filed by said unsuccessful bidders with their bids. The said "The Commissioners of the Town of Middletown" shall have the right to reject any or all bids, but in awarding the sale of the bonds, they shall be sold to the person or persons, firm or corporation offering the most advantageous terms.

Certified check  
from bidders

Section 3. That the said "The Commissioners of the Town of Middletown" are authorized and required to assess and collect annually in the same manner as now provided by law for assessing and collecting other taxes for municipal purposes, a special tax sufficient to pay all the interest accruing on said bonds. The said "The Commissioners of the Town of Middletown" are further authorized and empowered to assess and collect annually in the same manner as now provided by law for assessing and collecting other taxes for municipal purposes, a further special tax for the purpose of establishing a fund adequate to the redemption at or before maturity as prescribed in this Act of the bonds issued under the provisions of this Act; provided, that the amount to be raised for the purpose of establishing said sinking fund for the redemption of said bonds shall not exceed the sum of Five Hundred Dollars in any one year. The sinking fund provided by this Act shall be deposited in any bank or trust company in the State of Delaware until such time as it may be needed for the redemption of any or all of said bonds.

Special tax to  
be assessed to  
pay interest

Further special  
tax for redemption  
of bonds

Sinking fund  
to be deposited  
in bank in  
Delaware

Approved February 20, A. D. 1913.



## OF CITIES AND TOWNS.

## CHAPTER 225.

## OF CITIES AND TOWNS.

AN ACT to amend Section 4, Chapter 36, Volume 12, Laws of Delaware, entitled, "An Act to Incorporate the Town of Middletown."

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each Branch of the Legislature concurring therein):*

Section 1. That Section 4 of Chapter 36, Volume 12, Laws of Delaware, entitled, "An Act to Incorporate the Town of Middletown" as the same has since been amended and re-enacted, be and the same is hereby amended by striking out all of said Section 4 of said Act as amended and inserting in lieu thereof the following:

"Section 4. That the commissioners for the time being, or a majority of them, shall have the superintendence and oversight of all roads and streets now opened or hereafter to be opened within the limits of said town, and no overseer for any of said roads or streets shall be appointed by any other authority than the said commissioners. For each day's actual service on said roads and streets the said commissioners shall severally receive and be allowed one dollar; and for each half day's service fifty cents; but no compensation shall be allowed for any fraction less than a half day. The commissioners annually in ascertaining the sum necessary to be raised in the said town by taxes shall estimate and determine what sum of money will be necessary to be raised for the maintenance and repair of the roads, streets and bridges of the said town and shall lay a tax accord-

Sec. 4, Chap.  
36, Vol. 12  
amended

Commissioners  
to have over-  
sight of all  
roads &c in  
corporate lim-  
its of Mid-  
dletown

To have  
appointment  
of overseers

Compensation  
of Commis-  
sioners

To determine  
amount of  
money to be  
raised

## OF CITIES AND TOWNS.

Levy Court  
not to levy  
road tax in  
Middletown

ingly, which shall be collected in the same manner as the other town taxes now are. The Levy Court of New Castle County shall not levy nor shall any receiver or collector of County taxes collect any road tax on or from any property situated within the limits of the Town of Middletown. Provided, That nothing in this Section shall impair the right of any receiver or collector of County taxes to collect any tax which may have been levied, but uncollected, from any property within the limits of said town prior to the First day of January A. D. 1913."

Uncollected  
road tax prior  
to Jan. 1, 1913

Chap. 219,  
Vol. 26  
repealed

Section 2. That all Acts or parts of Acts in so far as they are inconsistent with this Act are hereby repealed, and especially Chapter 219, Volume 26, Laws of Delaware, entitled "An Act relating to the Incorporated Towns in St. Georges Hundred," in so far as it relates or applies to the Town of Middletown.

Approved March 11, A. D. 1913.

## OF CITIES AND TOWNS.

## CHAPTER 226.

## OF CITIES AND TOWNS.

AN ACT to Amend an Act Entitled, "An Act amending the act incorporating the Town of Middletown, passed at Dover, February 12, 1861."

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members elected to each branch of the Legislature concurring therein).*

Section 1. That Section 2, of Chapter 216, Volume 12, <sup>Sec. 2, Chap. 216, Vol. 12</sup> Laws of Delaware, entitled, "An Act amending the act <sup>amended</sup> incorporating the Town of Middletown," be and the same is hereby amended by adding at the end of Section 2, of said Act the following words.

"And it is further provided, that in case of the death <sup>Filling a vacancy of</sup> or resignation of the said Alderman, or in case he should <sup>Aldermen of</sup> become unable to perform the duties of the said Office of <sup>town of</sup> Alderman; then "The Commissioners of the Town of Middletown," or a majority of them, shall appoint some person an Alderman for said town, who is a resident of the said town and a freeholder therein; and who shall act as Alderman for said town, until his successor is duly elected and qualified."

Approved March 19, A. D. 1913.

## OF CITIES AND TOWNS.

## CHAPTER 227.

## OF CITIES AND TOWNS.

**AN ACT to Re-incorporate the Town of St. Georges, in New Castle County.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met, (two-thirds of the members elected to each House concurring therein):*

Limits and  
boundaries of  
St. Georges

Section 1. That the limits and boundaries of said town of St. Georges, in New Castle County shall be as the said town is now bounded, as shown by the description and boundaries as recorded in Recorder's Office at Wilmington, in Deed Record B. Volume 11, page 106 &c.,\* excepting out of the said bounds and limits so described, all that part of the road in said town which extends from the trunk or culvert under said road, at the junction of the Red Lion and Kirkwood Road, leading from said culvert at said junction, toward Kirkwood.

Town Council

Section 2. That from and after the passage of this Act, William G. Janvier, Frank Cleaver, Charles H. Jamison, James Roberts, and Calvin Staats, who now compose the Town Council of said town under its former Acts of incorporation, shall continue to compose such Town Council until the expiration of the term for which they were each elected, with full power and authority to exercise all the rights and duties conferred upon them by said former Acts of incorporation, which are not inconsistent herewith, until the expiration of the term for which they were so elected or until their successors are elected under this Act.

\*setting (printed as in original bill)

## OF CITIES AND TOWNS.

Section 3. That on the first Monday in the month of April in the year Nineteen Hundred and Thirteen, and annually thereafter, the qualified voters of said town shall hold an election, at which said election in the year 1913, One Alderman and Two Town Councilmen shall be elected, the said Town Councilmen to succeed in office the said Frank Cleaver and James R. Roberts.

Annual election  
of Alderman  
and Coun-  
cilmen

The Town Councilmen and Alderman so elected in the year 1913, shall hold their respective offices for the term of two years, and at the end of said two years and bi-ennially thereafter, their successors shall be elected; and in the year 1914, at such election, there shall be three Town Councilmen elected to succeed in office the said William G. Janvier and Charles H. Jamison and Calvin H. Staats.

Term of office

And the said three Councilmen so elected shall hold the office to which they shall be elected for the term of two years, at which time, and bi-ennially thereafter, their successors shall be elected. And the said Town Councilmen when elected and qualified as hereinafter provided shall compose the "Town Council", of the said Town.

The term of office of the said Alderman and Town Councilmen shall begin on the first Monday of the month of May next following their election and shall continue until the first Monday in the Month of May two years thereafter, or until their successors are duly elected and qualified.

Beginning  
of term

In case of death, removal from said Town, or refusal or inability to serve, of any of the said officers during the term to which they have been elected, then, the remaining officers may, after declaring such office vacant, fill such vacant office by appointment of some person qualified to hold such office.

Vacancies

## OF CITIES AND TOWNS.

Three must be  
freeholders

At least three of the said Councilmen shall be freeholders within said Town. And where the election of a non-free-holder at any election, would make a less number than three free-holders in said "Town Council", a free-holder having the greater number of votes than any other free-holder, shall have preference over a non-free-holder having a greater number of votes than such free-holder. And no person shall be elected to any of the foregoing offices within said Town, unless he is at the time of such election a qualified voter at such Town election.

Qualification  
for office

Election  
officers

Section 4. The "Town Council", shall annually appoint three persons from among the qualified voters of said Town, two judges and one inspector, to hold the said annual election.

Posting of  
notice by  
election officers

The said judges and inspector shall post five notices within said Town, five days before the day herein specified for the said election, giving notice of the day and place of holding such election.

Failure to  
hold election

In case of failure to hold said election through inadvertence or neglect of said "Town Council", or said judges and inspector, the said "Town Council", may appoint two judges and one inspector to hold such election on the third Monday in April of the year in which the failure to hold such election occurred.

Elections

The judges and inspector appointed shall hold such elections in the afternoon of the day herein specified for such election, and the voting shall be done between the hours of two and five o'clock. The said judges and inspector shall keep a full and complete record of all votes cast for such candidates and shall transmit to "Town Council", then in office, the records of the votes cast for each candidate, kept by them as aforesaid, and a copy of

## OF CITIES AND TOWNS.

said record to each of the candidates elected at such election. In all cases of a tie vote at such elections, the Alderman then in office shall cast the deciding vote, but in case such tie vote shall be on the election of the person who is holding the office of Alderman, then the President of the "Town Council", shall cast the deciding vote.

The judges and inspector of the election when appointed, shall have like control of the election as the judges and inspector of State and County elections have.

No person shall be qualified to vote at such election unless he shall have been qualified to vote at the State and County election, immediately preceding such Town election, and shall have been a resident in the said Town of St. Georges, three months immediately preceding such Town election, and shall have paid all taxes assessed against him or against any property owned by him in said Town. All votes at said elections shall be by ballot with the name of the person for whom the voter intends to vote, written plainly thereon.

Section 5. The Alderman and the Councilmen elected at such elections shall be sworn or affirmed at the first meeting of the "Town Council", after their election, by the newly elected Alderman, he being first duly sworn or affirmed by a Justice of the Peace or Notary Public, to support the Constitution of the United States and the Constitution of the State of Delaware, and to faithfully fulfil and perform all the duties and obligations imposed upon him by virtue of his election under this act of incorporation. None of these aforesaid officers shall be qualified to enter upon the duties of said office until such oath or affirmation shall be so administered.

Section 6. The persons elected as Town Councilmen

## OF CITIES AND TOWNS.

**Organisation** after being duly qualified as aforesaid, shall meet on the first Monday in the month of May, or at some other time soon thereafter, upon notice given by any one of said Councilmen, and at such meeting, shall elect one of their number to be President of the "Town Council", and one of their number to be Secretary of the "Town Council", after which they may proceed to administer the affairs and conduct the business of the said Town.

**Regular meetings** The said "Town Council", shall hold its regular meetings on the first Monday in each and every month, unless they shall by ordinance set another day in each month for said meetings.

**Quorum** All questions and matters coming before said "Town Council", shall be decided by a majority of three of the members of said "Town Council". Three of the members of said "Town Council", shall constitute a quorum to do business.

The President shall preside at the meetings of said "Town Council", but in his absence the other members of said "Town Council", may appoint one of their number to act as President pro tem.

**Special meetings** The President of the said "Town Council", shall have power to call special meetings of said "Town Council", or any two of said Councilmen shall have power to call special meetings of said Council. All special meetings shall be called by written notices, given to each of said Councilmen personally, at least, one day before the meeting.

The President shall appoint all committees from among the said Councilmen.

The Secretary of said "Town Council", shall keep a permanent record of all meetings, proceedings and business of said "Town Council", in a minute book provided for that purpose.



## OF CITIES AND TOWNS.

All meetings of the said "Town Council", shall be open to the public, unless they in their discretion think best that any meeting shall be private. It shall be the duty of the Alderman to attend any and all meetings upon the request of any two of the said Councilmen. Meetings public

The Alderman shall have the right to vote on questions and matters before the said "Town Council", where there is for any reason whatever, a tie vote among the said Councilmen, and his vote may constitute one of the three votes to decide questions and matters before said "Town Council", where for any reason all of the members of said "Town Council" are not present. Alderman to have vote when a tie

Section 7. At the first meeting of said "Town Council", after each election, or at a meeting soon thereafter, the said Councilmen and Alderman shall choose from among their number, one member to be Treasurer of said "Town of St. Georges". The said Treasurer shall, before entering upon his duties as such Treasurer, give ample bond to be approved by the others of said Councilmen and Alderman, in the sum sufficient to indemnify the said Town of St. Georges against any possible loss on account of any moneys or other valuable thing that may come into his hands belonging to said Town. To choose a Treasurer from among Council

And after such Treasurer has given approved bond as aforesaid, the said Alderman shall notify the Treasurer of said "Town Council", holding the funds of said Town by virtue of a preceding election or appointment, and upon the receipt of said notice, the said preceding Treasurer shall turn over to the newly appointed Treasurer at the first meeting of said "Town Council", after being so notified, all moneys, books, papers, records and things of value in his hands belonging to the said Town, which shall be fully receipted for by the Treasurer receiving same, and upon the failure of the preceding Treasurer

## OF CITIES AND TOWNS.

so to do, he shall forfeit and be liable on his bond to pay the sum of fifty dollars in addition to any other loss or damage on his said bond incurred by said Town, because of any default or miscarriage as Treasurer of said Town of St. Georges.

Alderman may  
hold office  
in town

The Alderman or any of the members of "Town Council", may upon appointment as aforesaid, hold the office of Treasurer, Assessor, or Collector of taxes, but shall not hold more than one of said offices at one time.

None of the said Councilmen or Alderman shall vote upon his own appointment to the office of Treasurer, Assessor, or Collector.

Council to pass  
upon all  
claims and  
bills

Section 8. The "Town Council", shall pass upon all bills and claims presented to the said "Town Council", for payment and shall have the power to reject or pass and order payment of bills which they shall deem just and correct. All warrants for the payments of claims and bills passed by said "Town Council", shall be paid by the Treasurer of said Town when signed by a majority of the "Town Council."

The said Treasurer shall pay out no moneys belonging to the said Town during his term of office except upon warrants duly signed as aforesaid. He shall pay no bills or claims upon warrants or otherwise after the expiration of his term of office.

Treasurer may  
vote but not  
sign warrants

The said Treasurer may vote upon passing any claim or bill, but he shall in no case sign warrants for the payment of moneys.

"Town of"  
"St. Georges"

Section 9. The inhabitants, residents and free-holders of the said Town of St. Georges, shall be and continue to be, and are hereby created, a body politic and corporate in law and equity, and they shall, in the name of the said

## OF CITIES AND TOWNS.

“Town Council”, of the “Town of St. Georges”, be able to sue, and may be sued, plead and be impleaded, answer, answered, and defended in all courts of judicature whatsoever.

And may have and use a common seal with proper device or devices which shall be kept in charge of the President of said “Town Council”, and shall be by him affixed to such papers and documents necessary in the judgment of the said “Town Council”.

They may, and are hereby empowered, to purchase, take, hold, receive and enjoy and messuage, land, tenement or hereditaments, in fee simple or otherwise. The same to be held in the name of the “Town Council”, of the Town of St. Georges, for the use of said Town; And also in said name to buy, purchase, hold, own, and possess for the use of the said Town, goods, chattels, rights, credits, and to alien, grant, demise, sell and convey and dispose of by deed or otherwise and in such manner and form as they deem expedient, any or all lands, tenements, houses, goods, chattels, wares or merchandise belonging to said Town.

Section 10. That the person elected as Alderman, shall have within the limits of said Town of St. Georges, jurisdiction and cognizance of a Justice of the Peace, over all cases of breach of the peace, assault and battery, profane abusive language, or riotous, turbulent or disorderly conduct of any person or persons within said Town, or noisy assemblage or gatherings of persons, in the streets, roads, lanes, alleys or squares and public places in said Town, or in any house situated therein. And all other offenses against the provisions of this act or against any ordinances of the said Town.

And the said Alderman shall have the full and like power and authority of a Justice of the Peace, in all

Powers of  
Town Council

Alderman to  
have jurisdiction  
etc of a  
Justice of the  
Peace

Alderman to  
have power  
and authority  
of a Justice of  
the Peace

## OF CITIES AND TOWNS.

such offenses committed within said Town, and shall proceed in like manner as a Justice of the Peace of the said County of New Castle, to bring the offender against this act of incorporation and said ordinances before him and punish by fine; and to commit to jail in default of the payment of fines so imposed by him, and may issue to the Town Bailiff or any Constable of said County, writs, subpoenas and warrants, to be served by said Bailiff or Constable and when so issued; said Bailiff or Constable shall have full and ample authority to serve such writs, warrants and subpoenas. But in no case shall said Alderman have jurisdiction over Civil matters, and no fine imposed by him shall exceed the sum of ten dollars (\$10).

**Town Bailiffs**

The said "Town Council", may appoint a Town Bailiff or Bailiffs for the purpose of preserving order within said Town, and may determine the compensation to be allowed and paid to such Town Bailiff or Bailiffs. And said Bailiff shall have full and ample authority to arrest and take before the said Alderman, for a hearing, or to hold for a hearing, any person or persons whom he shall see committing any act against the provisions of this act or against any ordinance of said Town, and said Bailiff or Bailiffs shall have like authority as any Constable of said County within the limits of said Town.

**Authority of Bailiff****Bailiff's jurisdiction concurrent with a Justice of the Peace**

His jurisdiction within the limits of said Town, shall be concurrent with the Justice of the Peace of said County of New Castle.

**Proceedings in name of the "State of Del."**

All proceedings and processes by and before said Alderman shall be in the name of the "State of Delaware".

**Signature**

And all warrants, proceedings, dockets &c., shall be signed by him as "Alderman of the Town of St. Georges".

**Record to be kept by Alderman**

The said Alderman shall keep a record of all his proceedings in a docket called the "Alderman's Docket", of

## OF CITIES AND TOWNS.

“Town of St. Georges”. The said docket and such other legal papers as are necessary shall be provided at the expense of the said Town of St. Georges. The said Alderman, shall make a report to said “Town Council”, of all fines collected by him, at least, once a month, and shall with such report turn over to said “Town Council, all fines so collected, for the use of said Town, and upon the failure of said Alderman to make such report and turn over to “Town Council”, all fines so collected by him as aforesaid, after due notice, given said Alderman, the said “Town Council” may declare his office vacant, and appoint some person duly qualified to hold said office to fill such vacancy.

To report to  
Council

And the said Alderman shall upon the expiration of his term of office, deliver to his successor in office, all dockets, books and papers, pertaining to his office within ten days after his said successor shall be elected and qualified, and in default of so doing, after he is requested so to do, he shall forfeit and pay to the said Town the sum of Fifty Dollars (\$50) for the use of said Town, which may be collected before any Justice of the Peace in said County of New Castle, in the same manner as any debt is now collected before such Justice of the Peace.

Alderman to  
deliver papers  
to his successor

Section 11. And at the said first meeting or at a meeting of said “Town Council”, soon thereafter, the said “Town Council”, shall appoint one of its members to be Assessor for the said Town. And they shall, on, or before, the first Monday in the month of July in each year, appoint some suitable person, a resident of the said County of New Castle to be Collector of taxes for the said Town, and they shall require such Collector to give bond in the sum sufficient to indemnify the said Town against any loss or damages on account of any taxes collected by him for said Town.

An Assessor to  
be appointed

Collector of  
taxes

The Assessor, so appointed, shall be sworn or affirmed

To be sworn

## OF CITIES AND TOWNS.

by the President of the said "Town Council", or a Justice of the Peace, to make a true, just and impartial assessment, of all real estate and personal property, at its true value in money within said Town, and shall make such assessment in the month of June of the year in which he shall be appointed, and shall also assess each male resident of said Town, above the age of twenty-one years, the sum of One Dollar (\$1.00) each. The said Assessor shall assess each and every dog within said Town the sum of One Dollar (\$1.00) for each male dog, and Two Dollars (\$2.00) for each female dog, to be collected from the owner of such dog in the same manner as other taxes of said Town are collected. And any owner of a dog so taxed, refusing or neglecting to pay such taxes on any dog owned by him, shall be liable to forfeit and pay a fine of One Dollar (\$1.00) which said fine may be imposed by said Alderman or any Justice of the Peace within said County. And further the said "Town Council" may direct the Town Bailiff to take up and impound any dog or dogs within the said Town, upon which the taxes have not been paid within three months after being assessed, or any dog or dogs in and about said Town without an owner and after keeping such dog or dogs impounded for the space of three days, the said Bailiff shall dispose of said dog or dogs in what ever manner the said "Town Council" shall direct.

To make an  
assessment of  
real estate and  
personal  
property

Assessment  
of males

Assessment  
of dogs

Refusal to  
pay dog tax

Dogs

Assessment  
list

The said Assessor, after making such assessment, shall deliver to the President of said "Town Council", a true and correct list of all names of the property holders both real and personal together with a sufficient designation of the property assessed, and the valuation placed on said property and also a list of the male residents over the age of twenty-one years, to the President of said "Town Council", at a regular meeting of said "Town Council", on or before the first Monday in the month of July next after making such assessment.

OF CITIES AND TOWNS.

The President of the "Town Council", shall cause a full and complete transcript of said assessment list to be hung up in a public place in the said Town for at least ten days in the month of July, for public inspection, and the said President shall attach to said transcript, a notice of the time and places fixed by said "Town Council", at which time and place the said "Town Council", shall sit to hear appeals from said assessment, but no Town Councilman shall sit upon his own appeal, and the said Town Councilmen shall hear complaints regarding said assessments, and shall adjust and fix the valuation placed on properties if, in their opinion, they shall deem such assessment to be excessive, or inequitable or unfair to the owner of the property assessed or to other tax payers of said Town.

Public inspection of list

Council to sit and hear appeals

Section 12. The "Town Council", shall fix and determine the amount or sum of money to be raised as taxes for the use of the said Town each year, and shall apportion the said sum of money so fixed and determined in just and equal proportions and rates among the persons whose property has been so assessed.

Council to determine amount to be raised by tax

After the "Town Council", have ascertained and determined the sum of money to be raised and have fixed the rate of taxation, they shall make a list of the amount of taxes each person, whose property has been assessed, and the sum of money each shall be required to pay, together with a list of the names of all male residents of said Town over twenty-one years of age.

Section 13. A duplicate of the assessment, rate and amount found and determined to be paid by each taxable, signed by the President of said "Town Council", shall be turned over to the Treasurer, who shall be qualified to receive such taxes during the month of July and August.

Treasurer to have duplicate assessment list

## OF CITIES AND TOWNS.

**Discount** And shall allow a discount to all persons who shall pay such taxes within the said month of July and August, the rate of discount to be determined by said "Town Council".

**Notice of receiving place for taxes** The Treasurer shall post three notices in Public places in said Town, to notify the taxables of said Town, of the time and place where said Treasurer may be found, for the purpose of receiving said taxes.

**Duty of Treasurer at first meeting in September** At the first meeting of said "Town Council", in the month of September the said Treasurer shall return the said duplicate to the "Town Council", with an account showing the taxes collected by him. And the "Town Council", shall then place the said duplicate in the hands of a collector appointed by them as aforesaid, and after such collector has given bond as aforesaid, the said duplicate shall be full and ample warrant and authority for collecting the taxes therein specified and unpaid.

**Powers of Collector of taxes** The said Collector of taxes so appointed shall have, when he has given to said Town the bond as herein provided, like power and authority, for the purpose of collecting said taxes, as the Collector or taxes, appointed by the Levy Court of said County, have, and they may proceed in the same manner and use any and all means for the purpose of collecting such taxes as is now provided by law for the collection of County taxes in the said County of New Castle.

**Settlement with Treasurer** The Collector of taxes, so appointed shall, make settlement with, and pay over to the Treasurer of said Town, on the first day of October, and quarterly thereafter, all moneys collected by him, during his term of office as Collector, and the said Treasurer shall give the said Collector a receipt therefor.



## OF CITIES AND TOWNS.

Section 14. The "Town Council" shall have sole superintendence, supervision and authority over all the public streets, roads, lanes, alleys, squares, gutters and ditches in the said Town, except as is now provided by the laws of this State for the maintenance and repair of roads within said Town, known as the Road over St. Georges Mill-dam, the maintenance and repair of which is now maintained and kept up by the Chesapeake and Delaware Canal Company. And shall have the power to repair, fill in, grade, pave and macadamize said streets, roads, lanes, alleys, gutters, ditches and side walks, in the said Town, to mark lines and boundaries of said streets, roads, and side walks and to set stones or other land marks, and to provide ordinances for the purpose of preventing the same from being removed or disturbed; to limit and define the building line of properties for the erection of buildings and structures, and to prevent of building and structures on said side-walks, streets, roads, lanes, alleys and to provide ordinances against the same and also for the removal of such building and structure, and to use any kind of material for the improvement of street roads, lanes, alleys as in their judgment seems best, and to make and give out contracts for doing the same.

Town Council  
to have super-  
vision over  
streets &c

The said "Town Council", shall have full and ample authority to grant franchise and give rights to persons, companies and corporations to open and place under or to suspend from poles over said streets, roads, lanes, alleys, of said Town, wires, pipes and other conduits for conducting water, electricity and such other things and substances as in their discretion they shall think best.

Town Council  
to grant  
franchises &c

They shall also have the right to grant franchise, and give rights as aforesaid for placing tracks and stringing wires in the said streets, roads, lanes and alleys of the said Town, to be used for public conveyance.

## OF CITIES AND TOWNS.

Town Council  
to have power  
of renewal &c

They shall have ample power and authority to remove from said streets, roads, lanes and alleys of said Town, all obstructions, impediments, now existing or which may hereafter occur, which have not been, or which shall hereafter be placed in said streets, roads, lanes and alleys, without the proper and legal authority of said "Town Council", or their predecessors in office.

Town Council  
may cause an  
obstruction or  
a nuisance to  
be removed

Section 15. The "Town Council", may by a majority, either upon information or upon view, determine that an obstruction of any of said streets, roads, lanes and alleys exists or nuisance exists and ought to be removed, and upon such determination, they shall give written notice to the person causing such obstruction or nuisance, or who is responsible for its existence or continuance thereof, to remove or abate the same, and if such person shall refuse or neglect so to do, for the space of one day, or a longer time, if in the discretion of said "Town Council", if they shall think best, after receiving such notice to remove or abate such obstruction or nuisance, he shall be liable to a fine of not less than five dollars (\$5.00) nor more than ten dollars (\$10.) for every day he shall allow such obstruction or nuisance to exist, after the limited time in such notice as aforesaid.

Penalty

Building, wall,  
fence &c. that  
Council deter-  
mines unsafe  
may be torn  
down

And any building, wall, fence or embankment that the said "Town Council", shall determine to be dangerous shall come under the provision of this section and be removed, torn down or abated in the same manner as other obstructions or nuisances.

Penalty

Any person or persons offending against the provisions of this section, shall be brought before the said Alderman, and may upon a hearing be subject to a fine of not less than five dollars (\$5.00) nor more than ten dollars (\$10.00), for each and every day he shall allow such obstruction or nuisance, building, wall, fence or

## OF CITIES AND TOWNS.

embankment to remain after the time limited in the notice given as aforesaid. And upon failure to pay such fine, the offender shall be committed to the County Work House for the period of ten days.

The "Town Council", shall also have the power to remove such obstruction, nuisance, building, fence, wall or embankment, after the failure to remove the same by the person or persons responsible for the existence of the same, and shall collect, by action of debt before any Justice of the Peace in said County, from the person or persons responsible for the existence of the same, the cost of removing such obstruction, nuisance, building, wall, fence or embankment.

The "Town Council", shall have ample power and authority to make, provide, use and contract for, anything, means, material or substance, as they may deem best, for the purpose of lighting the streets, roads, lanes and alleys of said Town, and shall have power to install and maintain the same in said streets, roads, lanes and alley, and to make or give out contract for the installing the same in said streets, roads and lanes, or for the maintenance and use of same.

Town Council  
to contract  
for lighting

Section 16. The said "Town Council", may make, pass and adopt such ordinances as, from time to time, may, in their discretion as seems best, for the regulation of shows, theatres and places of amusement within the said Town, and stop and prevent by arrest of offenders and show or performance which may be immoral or indecent or be detrimental to the peace and good order of said Town, and may provide by ordinance for the prevention of public speeches or congregations in the streets of said Town, for stray animals running at large in said town, for keeping the streets, roads, lanes, alleys and pavements, clear and free of dirt, rubbish, ice and snow by the occupants of property adjoining such

Council may  
pass ordinances  
and regulations

Police  
regulations

## OF CITIES AND TOWNS.

street, road, lane or sidewalk, for depositing dirt or rubbish on lots or in public places within said Town, to prevent the production of and prevention of any thing which may be obnoxious or detrimental to the health of the inhabitants of said Town, to prevent the use of fire-arms, fire-works, fire-crackers and bon-fires within said Town, to prevent drunkenness and profane or abusive language, to prevent persons from throwing missiles of any description, sticks, stones, dirt, rolling hoops or other thing in said streets, roads, lanes, alleys or side-walks, playing ball or other games in said streets, roads, lanes, alleys or side-walks, to prevent persons from appearing in or about said Town in a nude or partially nude state, to prevent gates opening or standing open over said streets, roads, lanes, alleys side-walks, to prevent shooting matches within said Town, to prevent persons congregating in side streets, roads, lanes, alleys, side-walks or corners, bridges or other public places within said Town, to prevent dogs running at large at such times as the said "Town Council" may deem unsafe, to prevent persons riding bicycles and motorcycles or running motor-cars through, in and about the said Town without using lights thereon as prescribed by ordinance, to regulate and provide a speed limit for carts, wagons, motor-cars, motor-cycles, and other vehicles, teams and animals ridden or driven through, in and about said Town, also for leaving animals hitched to wagons, carriages or other vehicles, standing in said Town, without being securely hitched or without some one attending to same. And the said "Town Council" shall have power to quarantine houses in said Town, in cases of contagious or infectious diseases, and their jurisdiction for this purpose shall extend one mile beyond said Town limits.

Quarantine

Health  
regulations

And to pass any and all ordinances for the regulation of the health, welfare, happiness and promotion of the

## OF CITIES AND TOWNS.

inhabitants of said Town, which shall not be contrary to the laws of the State of Delaware or against public policy.

They may in their discretion pass ordinances for the regulation of paving and repairing the side-walks of said Town, they may regulate, by ordinance, the construction of buildings, party walls and line fences. And under such ordinances may by a majority give notice to and order direct any property owner within said Town, to repair, pave or repave the side-walk in front of or along his property, and upon failure of such owner to comply with such order and ordinance, such owner shall forfeit and pay a fine of five dollars (\$5.00) for every day he shall neglect so to do after the time limit in such order or notice. And the said "Town Council", in case of the failure of such owner to repair, pave or repave as aforesaid, after due notice as aforesaid, may proceed to repair, pave or repave as aforesaid, and shall have authority and power in the name of the "Town Council", of the "Town of St. Georges", to collect the costs incurred for doing the same, before any Justice of the Peace within said County in an action of debt against such said owner.

All ordinances of the said Town now in existence under previous acts of incorporation, may in the discretion of the "Town Council", continue and remain in force under this act of incorporation.

All ordinances hereafter adopted shall be posted with- in said Town five days before the time of the meeting at which they shall be adopted. The said "Town Council", may prescribe all, fines for violation of any and all its ordinances now in force or which the said "Town Council", may hereafter pass and adopt, but no fine shall exceed the sum of ten dollars (\$10.00).

Paving  
regulations

Penalty

Posting of  
Ordinances  
hereafter  
adopted

Limit of fine

## OF CITIES AND TOWNS.

All complaints against any ordinance or ordinances, of said Town shall be made to the Alderman of said Town, who shall take cognizance thereof, and shall have the power to issue process and warrants for the apprehension of offenders against the same, and impose fines upon a hearing as in all other matters of which they shall have jurisdiction.

Compensation  
of town officers

Section 17. The "Town Council" shall by ordinance determine and set the salary or compensation which shall be paid to the said Town Councilmen, Assessor, Collector.

Alderman  
entitled only  
to fees

The Alderman of said Town shall not be entitled to any salary or compensation other than the fees of his office, which shall in all cases be the same as now provided by law for Justice of the Peace for said County.

No salary or compensation allowed for any officer shall be reduced or increased during the term of such officer.

Laying out or  
opening of  
new streets

Section 18. That the "Town Council", by a majority vote, shall have the power, upon application of five free holders of said Town by petition to said "Town Council", for that purpose, to locate, lay out, and open any new street or streets, or repair any old street or streets within said Town which such free holders may desire to locate, and lay out, and open, or re-open, allowing to the persons respectively, through or over whose land such new street or old street may run, any compensation or damages therefor as the "Town Council", shall deem just and reasonable under all circumstances; which compensation when allowed shall be paid by the Treasurer of said Town out of the moneys of said Town, on a warrant drawn for that purpose and signed by the President of said "Town Council", and countersigned by the Secretary of said "Town Council", or on a warrant signed by a majority of said "Town Council", in like manner as other warrants provided herein.

Damage

## OF CITIES AND TOWNS.

Section 19. That whenever the "Town Council", shall have proceeded to locate and lay out any new street or re-open old street, and shall have fixed the compensation therefor, it shall be their duty, immediately after the survey and location of said street, or re-opening old street, to notify, in writing, the owner or owners of the real estate through or over which such new or old street may run of their determination to open the same, and to furnish a general description of the location thereof, and also the amount of such damages or compensation allowed to each, and if such owner be not a resident within the said Town to notify the holder of said real estate, but if there be no holder of said real estate, but if there be no holder or tenant resident in said Town the said notice may be affixed to any part of the premises.

Notice to  
owner of real  
estate by  
Council

If any owner be dissatisfied with the determination to lay out and open the said street, or with the amount of the compensation or damage, he may, within ten days after receiving notice from the "Town Council" as aforesaid, appeal from the said determination or assessment, or both, by serving written notice to that effect on the said "Town Council", or any one of them. And upon receiving such notice the said "Town Council" shall appoint nine free holders, only four of whom shall be free holders within said Town, as Commissioners to proceed to locate, lay out, open or re-open the street as applied for in said petition in the same manner as herein before provided in this section. The determination and findings and assessment of damages of the last mentioned Commissioners shall be final.

Appeal from  
assessment

Nine free-  
holders to be  
appointed

The act of a majority of said free holders or Commissioners shall be as good as the act of the whole, in making any such award or laying out, locating, opening or re-open any street.

## OF CITIES AND TOWNS.

All acts &c of  
Town Council  
heretofore in  
force un-  
impaired

Section 20. All the Acts and doings of the Town Council of the said Town of St. Georges, or acts done by the authority of said Town Council, heretofore under its present acts of incorporation or ordinances of the said town, are hereby ratified and confirmed; that all debts, fines, penalties, forfeitures and taxes due said town, are hereby declared to be unaffected and unimpaired by the provisions of this Act. And any and all laws of this State for the collection and enforcement thereof shall continue in full force and effect until the same shall be fully paid and discharged. All bonds for the faithful performance of any duty or obligation to the said town shall remain and continue in full force and effect under this Act of incorporation.

Bonds to con-  
tinue in force

Exemptions  
from taxation

Section 21. The said Town Council shall have power, if in their discretion they shall think best, to exempt from taxation for town purposes any new manufacturing plant or establishment in said town which shall employ laborers and mechanics from in and about said town, for a term not to exceed seven years.

Levy Court to  
pay \$300  
yearly

Section 22. The Levy Court of New Castle County shall, and are hereby directed to make an appropriation out of the Road Taxes of Red Lion Hundred of Three Hundred Dollars, and pay the same to the Town Council of said town each and every year to be used by the said Town Council in the maintenance of the Streets, Roads of the said town.

Sec. 5, Chap.  
108, Vol. 16  
still in force

Section 23. That Section 5, of Chapter 108, Volume 16 of the Laws of Delaware, relating to the maintenance and repair of the road in the said town of St. Georges, known as the Road over St. Georges Mill-Dam, shall remain and continue in full force and effect. And all other Acts of the General Assembly of the State of Delaware, relating to the maintenance and repair of the aforesaid



OF CITIES AND TOWNS.

Road over St. Georges Mill-Dam shall remain and continue in full force and effect.

Section 24. That the Road which was heretofore within the limits of the said Town, but not lying within the limits of said Town under this Act of Re-incorporation, known as the Kirkwood Road, shall be hereafter under control and supervision of the Levy Court of said County of New Castle, in the same manner and to the same extent as any other Roads in said County.

Kirkwood road  
under Levy  
Court

Section 25. That all acts or parts of Acts of the General Assembly of the State of Delaware, inconsistent herewith, are hereby repealed.

Section 26. This Act shall be deemed and taken to be a public Act.

Approved March 12, A. D. 1913.

## OF CITIES AND TOWNS.

## CHAPTER 228.

## OF CITIES AND TOWNS

AN ACT to amend an act entitled "An act to reincorporate the town of Smyrna" passed at Dover, April 7, 1897, by increasing the amount that may be levied and collected by taxation.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of each branch of the Legislature concurring):*

Sec. 24, Chap.  
537, Vol. 20  
amended

Section 1. That an Act entitled "An Act to re-incorporate the town of Smyrna" passed at Dover, April 7, 1897, be and the same is hereby amended by striking out the word "four" between the words "exceed" and "thousand" in line five of Section 24, of said Act and inserting in lieu thereof the word "five".

Approved March 7, A. D. 1913.

## OF CITIES AND TOWNS.

## CHAPTER 229.

## OF CITIES AND TOWNS.

AN ACT authorizing The Town of Clayton to borrow Money and issue Bonds to secure the payment thereof, for the purpose of providing a supply of Water and a Sewerage System for said Town, and to control and regulate the same.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of the members of each branch concurring therein):*

Section 1. That the Town of Clayton, a municipal corporation of the State of Delaware, is hereby authorized and empowered to borrow on the faith and credit of the said The Town of Clayton a sum of money not exceeding Fifteen Thousand Dollars (\$15,000.00), which shall be applied, appropriated and expended to build, construct, maintain and operate, under such rules and regulations as the Town Council of the said The Town of Clayton may deem necessary and proper, a water plant, water supply or water works, and a sewer system, for the use and benefit of the said The Town of Clayton and its inhabitants.

Town of Clayton to borrow \$15,000

To build a water plant and sewer system

Section 2. That the said The Town of Clayton, for the purpose of carrying into effect the provisions of this Act, is hereby authorized and empowered to issue bonds of said municipal corporation of such denominations as the Town Council of the said The Town of Clayton may deem best. Said bonds shall be known as Clayton Water and Sewer Bonds, and shall bear interest at a rate not exceeding six per centum per annum, payable semi-annually.

To issue bonds

Interest

## OF CITIES AND TOWNS.

<b>When and where payable</b>	nually on the first days of February and August of each year, at such bank or trust company in Kent County, Delaware, as said Town Council shall designate. The
<b>Principal</b>	principal of said bonds shall be made payable at the expiration of thirty-five years from the date of the issue thereof, at the bank or trust company designated as
<b>Redemption</b>	aforesaid, the said The Town of Clayton reserving the power and authority of redeeming said bonds or any of them at the expiration of two years from the date of issuing of said bonds, or at any time thereafter, at par with interest to the date of redemption, provided that if the said The Town of Clayton elect to redeem said bonds, or any of them, at the expiration of two years from the date of issue of said bonds, or at any time thereafter, such election or elections shall be effected on the first day of February or the first day of August in the year of such election, and in pursuance of a notice to that effect published by the said The Town of Clayton in at least three issues of two newspapers, one of which shall be published in the City of Wilmington, Delaware, and the other published in Kent County, Delaware. In calling said bonds for redemption and payment, they shall be called consecutively, commencing with the lowest number. The interest on all said bonds so called shall cease from the date of the redemption thereof, and said bonds when paid shall be cancelled. If at any time after the issue of said bonds and before they are payable or called in, any holder or holders of any such bond or bonds shall offer the same for redemption the said The Town of Clayton, if it deem it expedient, may redeem or pay the bond or bonds so offered, and cancel the same, the interest thereon ceasing from the date of such redemption.
<b>Notice of redemption</b>	
<b>Form of bond</b>	Section 3. That the Town Council of the said The Town of Clayton shall prescribe the form of said bonds, determining the date of issue of the same, and shall ef-

OF CITIES AND TOWNS.

fect the preparation and printing thereof. Said bonds shall be signed by the President and the Treasurer of the Town Council of the said The Town of Clayton, and sealed with the corporate seal of said The Town of Clayton. Said bonds shall be exempt from all State, County and Municipal taxation.

Signatures

Section 4. That the Town Council of the said The Town of Clayton shall negotiate the sale and delivery of said bonds, and shall apply and use all the money, the proceeds of the sale of said bonds for the purpose of carrying into effect the provisions of this Act.

Town Council to negotiate for sale and delivery of bonds

Section 5. That the said The Town of Clayton is hereby authorized and required to assess and collect annually, in the same manner as now provided by law for assessing and collecting other taxes for municipal purposes, an amount of tax sufficient to pay all the interest accruing on said bonds.

To assess and collect annually taxes to pay accrued interest

Section 6. That the said The Town of Clayton is hereby authorized and empowered to do all things necessary for the location, erection, construction, equipment and operation of said water plant, water supply or water works, and sewer system, for furnishing the said town with an ample supply of water and providing a sewer system for the same, as aforesaid, and to provide for the care and maintenance of the same, and to purchase engines, boilers, pipes, and all such instruments, machines, appliances and supplies as may be necessary for the purpose of establishing said water plant, water supply or water works, and sewer system, in said town, and for furnishing the citizens and inhabitants thereof with a supply of water and sewerage for private use, and to effect the same the said The Town of Clayton shall have power to lay pipes and conduits under or along any of the streets, lanes or highways of said town, or any road

Construction, equipment and operation of water plant &c

Powers granted the town of Clayton incident to construction of plant

## OF CITIES AND TOWNS.

Supervision of  
public mains  
&c

Tapping of  
sewers by  
abutting land  
owners

To employ  
assistance

To pass ordi-  
nances regula-  
ting operation  
and distribu-  
tion of water  
&c

adjacent thereto, and also to contract and agree with the owner or owners for the occupation or purchase of any land or lands which may be necessary for the purpose of carrying into effect the provisions of this Act. The Town Council of the said The Town of Clayton shall have the supervision and control of all public mains, pipes, sewers and drains within the corporate limits of the said The Town of Clayton, and may alter, repair or remove the same, and may cause new mains and sewers to be made and opened. The said Town Council may cause such mains, pipes, sewers and drains to be laid in any of the said streets, lanes or highways of the said town in such manner and of such material as they, the said Town Council, may deem proper. The said Town Council shall make rules regulating the tapping of public sewers by the owners of abutting lands and shall provide for the granting of permits for the same and for the payment of such tapping fees as the said Town Council shall deem proper, and they shall prescribe the material of all private drains or sewers which shall hereafter enter into any public sewer, and shall direct the manner in which they shall be laid.

Section 7. That the said The Town of Clayton is authorized to engage the services of a practical engineer and such agent and servants as the Town Council of the said The Town of Clayton may deem necessary for the work herein devolved upon said town or said Town Council.

Section 8. That the Town Council of the said The Town of Clayton are hereby authorized and empowered to pass such ordinances as they may deem necessary for the operation, management and control of said water plant, water supply or water works, and sewer system, the distribution of said water through the streets, lanes and highways of the said The Town of Clayton, the reg-

## OF CITIES AND TOWNS.

ulation of its use in case of fire, and shall grant to all persons and corporations in said town whomsoever the privilege of using the said water in such manner, and on such terms and conditions as to them, the said Town Council, may seem just and proper.

Section 9. That the said The Town of Clayton shall not, at any time, have authority or power to issue any of said bonds until a special election has been called by the Town Council of the said The Town of Clayton, and held by the officers provided for in this Act, and a majority of the legal votes cast at such election has been ascertained to be "For issuing Bonds for a Municipal Water and Sewer System." The said Town Council is hereby authorized to call and provide for such special election whenever it shall deem it expedient to do so, provided that such special election shall not be held within thirty days after the approval of this Act by the Governor. If the issuing of said bonds should not be approved by a majority of the said votes cast at said special election, the said Town Council are authorized and directed to call a special election or elections at any time thereafter, in like manner and for the same purpose, provided that not more than one such election may be held in any one year, and every such election shall be at least six months apart. Such special election or elections shall be held by the Alderman, and two Councilmen, of said The Town of Clayton, who shall be selected and appointed for that purpose by said Town Council. The said Alderman shall be the presiding officer at any such special election. If for any cause said Alderman shall not perform the duties of presiding officer at any such special election, the said Town Council shall select and appoint some other male qualified voter of the said The Town of Clayton to be the presiding officer at such special election. The voting at such special election or elections shall be by ballot. Except as otherwise provided by this Act,

To hold a special election before issuing bonds

Not more than one election per year

Method of holding the election

## OF CITIES AND TOWNS.

such special election or elections shall be held according to the laws governing the annual town elections of the said The Town of Clayton. Due notice of the time and place of such special election shall be given by said Town Council by advertisements posted in at least ten public places in said town of Clayton, at least ten days prior to any such special election. Every citizen of the said The Town of Clayton, both male and female, of the age of twenty-one years or over who shall have been a resident of said town for four months or longer next preceding such special election and who shall owe no town tax to the said The Town of Clayton other than the tax assessed against him or her by the said The Town of Clayton for the year in which such special election shall be held, on personally appearing before the election officers provided for in this Act, shall be entitled to one vote for every one hundred dollars of assessment for town tax which shall be assessed against him or her by the said The Town of Clayton for the year in which such special election shall be held. No fraction of one hundred dollars of assessment shall be considered.

**Penalty for illegal voting**      Section 10. Any person who shall wilfully vote or attempt to vote illegally at such special election, or any person acting as an election officer at such special election, who shall wilfully receive or consent to receiving an illegal vote, or who shall wilfully refuse or consent in refusing to receive a legal vote, or who shall in any way act in a fraudulent or illegal manner at such special election, shall be guilty of a misdemeanor and upon conviction thereof, shall be fined or imprisoned, or both, in the discretion of the Court. Should a voter be challenged on the ground of non-payment of tax, the presiding officer of the election or person receiving the votes shall cause the person so challenged to swear that he or she has paid all the town tax assessed against him

**When challenged for non-payment of taxes**



OF CITIES AND TOWNS.

or her for the year next preceding the year in which such special election is held, otherwise his or her vote shall not be received. Should such person wilfully and falsely so swear, he or she shall be deemed guilty of perjury and suffer all its penalties.

Section 11. That the faith of the said The Town of Clayton is hereby pledged for the payment of the bonds authorized to be issued under this Act.

Section 12. This Act shall be deemed and taken to be a public Act.

Approved March 12, A. D. 1913.

## OF CITIES AND TOWNS.

## CHAPTER 230.

## OF CITIES AND TOWNS.

**AN ACT to amend an Act to incorporate the Town of Kenton, being Chapter 176, Volume 18, Laws of Delaware and the Amendments thereto.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of each branch of the General Assembly concurring therein):*

Sec. 4, Chap.  
176, Vol. 18  
amended

Section 1. That Chapter 176, Volume 18, Laws of Delaware be and the same is hereby amended by striking out the words "One Hundred Dollars", as they appear in the fourth line of the Fourth Section of said Act, and inserting in lieu thereof the words "Five Hundred Dollars".

Chap. 176, Vol.  
18 further  
amended

Section 2. That Chapter 176, Volume 18, Laws of Delaware, is hereby further amended by adding thereto three new Sections to be known as Section 14, Section 15 and Section 16, respectively, of said Act, as follows:—

Town Commis-  
sioners author-  
ized to borrow  
money

"Section 14. That the Commissioners of the Town of Kenton are hereby authorized and empowered to borrow a sum of money not exceeding Five Thousand Dollars and issue Bonds therefor for the improvement of said Town and the said Commissioners for the purpose of carrying into effect the provisions of this Act, shall have power and authority, and are hereby directed to issue Bonds of said Town of such denomination as they shall deem best, bearing interest at a rate not exceeding five per centum per annum, payable semi-annually on the first days of July and January, respectively, in each

To issue bonds

Interest

## OF CITIES AND TOWNS.

year, at such Bank or Trust Company as the Commissioners shall designate. Such Bonds shall be issued from time to time in such amounts as may be determined by the Commissioners, each issue being designated on the Bonds. In calling said Bonds for redemption and payment they shall be called consecutively, commencing with the lowest number, the interest on all said Bonds so called shall cease from the date of the redemption thereof and said Bonds when paid shall be cancelled.

If at any time after the issue of said Bonds and before they are payable or called in, any holder or holders of any such Bond or Bonds shall offer the same for redemption, the said Commissioners may, if they deem it expedient, redeem and pay the Bond or Bonds so offered and cancel the same, the interest thereon ceasing from the date of such redemption.

Section 15. The said Commissioners shall direct and effect the preparation, printing and issue of the Bonds authorized by this Act, and shall also prescribe the form and time of payment of said Bonds. Such Bonds shall be signed by the President and countersigned by the Secretary of said Commissioners, and shall be sealed with the corporate seal of said Commissioners, and be exempt from all State, County and Municipal taxation. As the said Bonds and coupons are paid the same shall be cancelled in such manner as the same Commissioners may direct.

Section 16. The faith and credit of the Town of Kenton is hereby pledged for the payment of the Bonds authorized to be issued under this Act, provided that the amount of Bonds outstanding shall at no time exceed the sum of Five Thousand Dollars; and provided that the Commissioners of the Town of Kenton shall not issue any Bonds authorized under the provisions of this Act,

## OF CITIES AND TOWNS.

Bond issue to  
be approved at  
annual town  
election

until the proposition to issue Bonds shall have been approved by a majority vote of the voters of said Town at an annual election held in said Town, or at a special election called for the purpose and regularly advertised for at least ten days previous to the time of holding the election."

Approved March 26, A. D. 1913.

OF CITIES AND TOWNS.

CHAPTER 231.

OF CITIES AND TOWNS.

AN ACT to amend Chapter 176, Volume 18, Laws of Delaware entitled "An Act to incorporate the Town of Kenton" passed April 22, 1887 by increasing the annual appropriation of the Levy Court.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House of the General Assembly concurring therein) :*

Section 1. That Section 7 of Chapter 176, Volume 18 Laws of Delaware entitled "An Act to incorporate the Town of Kenton" be and the same is hereby amended by striking out the word "Fifty" in the eighth line thereof, and inserting the words "Two hundred" in lieu thereof. Provided, however, that the increase provided for in this Act shall be for two years only, and after the expiration of said two years, said appropriation shall be as now provided for by law.

Sec. 7, Chap.  
176, Vol. 18  
amended

Approved March 12, A. D. 1913.

## OF CITIES AND TOWNS.

## CHAPTER 232.

## OF CITIES AND TOWNS.

AN ACT to amend an act entitled "An Act to reincorporate the Town of Cheswold", being Chapter 421, Volume 22, Laws of Delaware, by increasing the annual appropriation of the Levy Court.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of the members of each branch thereof concurring therein):*

Sec. 8, Chap.  
421, Vol. 22  
amended

Section 1. That Section 8 of Chapter 421, Volume 22, Laws of Delaware, entitled "An Act to reincorporate the Town of Cheswold" be and the same hereby is amended by striking out the words "One Hundred and Twenty-Five" in the seventh and eighth lines thereof, and inserting the words "Two Hundred" in lieu thereof. Provided, however, that the increase provided for in this Act shall be for two years only, and after the expiration of said two years, said appropriation shall be as now provided for by law.

Approved March 12, A. D. 1913.

OF CITIES AND TOWNS.

CHAPTER 233.

OF CITIES AND TOWNS.

**AN ACT to Amend an Act entitled, "An Act to Re-incorporate the town of Leipsic," being Chapter 282, Volume 21, Laws of Delaware.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members elected to each House concurring therein):*

Section 1. That Chapter 282, Volume 21, Laws of Delaware entitled, "An Act to Re-incorporate the Town of Leipsic," be, and the same is, hereby amended by striking out the word "one" in the ninth line of the fourteenth Section thereof, and inserting "two" before the word "hundred" in said line. <sup>Sec. 14, Chap-  
282, Vol. 21  
amended</sup>

Approved March 19, A. D. 1913.

## OF CITIES AND TOWNS.

## CHAPTER 234.

## OF CITIES AND TOWNS.

**AN ACT to Amend an Act Entitled "An Act to Reincorporate The Town of Dover" being Chapter 746 of Volume 19 of the Laws of Delaware as amended.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in general assembly met (two-thirds of each branch of the Legislature concurring) as follows:*

Sec. 34, Chap.  
746, Vol. 19  
amended

Section 1. That Chapter 746 of Volume 19 of the Laws of Delaware, being an act entitled "An Act to Reincorporate The Town of Dover" passed at Dover, March 2, A. D. 1893, as the same has been heretofore amended, be and the same is hereby amended by adding at the end of Section 34 of the Act aforesaid a new paragraph, as follows: "Upon any of the streets or a portion of any of the streets of The Town of Dover the Town Council of The Town of Dover shall have authority to cause the curbs to be constructed of stone or concrete and the cost of the construction of such curbs shall be borne in the following manner, to wit: One-half of the expense to be paid by the property owners along the street or portion of the streets so curbed, and the remaining one-half part to be paid by The Town of Dover; provided, however, that where concrete or stone curbs now exist and conform to the ordinances of The Town of Dover now enacted, or hereafter to be enacted, a reasonable allowance shall be made the property owner therefor, not exceeding one-half the cost thereof. The cost of the construction of such curbing shall be assessed in the same manner as is provided for the assessment of the cost of paving, ma-

Construction  
of curbs in  
Dover

Expense of  
work to be paid  
by town of  
Dover and  
abutting prop-  
erty owners



OF CITIES AND TOWNS.

cadamising or shelling of streets under and by virtue of Section 33 of said Chapter 746 of Volume 19 Laws of Delaware, and the assessments so made shall be a lien upon the property and shall be collected as the costs of paving of side walks and curbing is now collected by the said Town Council under and by virtue of Section 10 of said Chapter 746 Volume 19, Laws of Delaware."

Approved March 12, A. D. 1913.

## OF CITIES AND TOWNS.

## CHAPTER 235.

## OF CITIES AND TOWNS.

**AN ACT to amend Chapter 182, Volume 23, Laws of Delaware, entitled, "An Act to re-incorporate the Town of Wyoming by increasing the appropriation by the Levy Court for repairs of roads and streets."**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members elected to each House of the General Assembly concurring therein):*

Sec. 4, Chap.  
182, Vol. 23  
amended

Section 1. That Chapter 182, of Volume 23, Laws of Delaware, entitled, "An Act to re-incorporate the Town of Wyoming," be and the same is hereby amended by striking out the word "two" between the word "than" in the third line and the word "hundred" in the fourth line of the fourth section of said Chapter and inserting in lieu thereof the word "four." Provided however, that said increase of appropriation from two hundred dollars to four hundred dollars shall continue in force for a period of two years from the date of this Act and that thereafter the appropriation to said Town of Wyoming shall be the sum of two hundred dollars annually.

Section 2. All Acts and parts of Acts inconsistent with this Act be and the same are hereby repealed.

Approved March 17, A. D. 1913.

OF CITIES AND TOWNS.

CHAPTER 236.

OF CITIES AND TOWNS.

AN ACT to Amend an Act entitled "An Act to Amend Section 2, Chapter 642, Volume 18, Laws of Delaware, entitled 'An Act to Re-Incorporate the Town of Camden', passed at Dover, March 6, 1889, by Increasing the Amount of Taxes which may be raised by the Town Commissioners", being Chapter 175, Volume 23, Laws of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met, (two-thirds of all the members elected to each House of the General Assembly concurring therein):*

Section 1. That Chapter 175, Volume 23, Laws of Delaware, be, and it is hereby amended by striking out the words "one thousand" in the sixth line of section one, and inserting in lieu thereof the words "twelve hundred".

Sec. 1, Chap.  
175, Vol. 23  
amended

Approved February 25, A. D. 1913.

## OF CITIES AND TOWNS.

## CHAPTER 237.

## OF CITIES AND TOWNS.

**AN ACT to amend an Act entitled, "An Act to Re-incorporate the Town of Camden", being Chapter 642, Volume 18, Laws of Delaware, by increasing the Annual Appropriation of the Levy Court.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met, (two-thirds of all the members elected to each House concurring therein):*

Sec. 6, Chap.  
642, Vol. 18  
amended

**Section 1.** That Chapter 642, Volume 18, Laws of Delaware, entitled, "An Act to re-incorporate the Town of Camden", be, and the same is hereby amended by striking out all of section six, and inserting in lieu thereof, the following:

Town Commis-  
sioners to have  
supervision  
over streets &c

"That the said Commissioners and their successors in office, or a majority of them, shall have the superintendence, oversight, management and care of all the streets and roads, alleys, lanes, sidewalks, and passes now made and constructed, or opened, or hereafter to be made, constructed or opened, within the limits of said Town, and no overseer of any of the said roads or streets shall be appointed by the Levy Court of Kent County, but the said Levy Court shall annually appropriate a sum of money, not less than five hundred dollars, and shall make an order for the payment thereof to the said Commissioners, which sum so appropriated shall be expended by said Commissioners upon the roads and streets aforesaid; and the said Commissioners shall annually account to the Levy Court for the money so appropriated, in the same manner as overseers of roads in said Coun-

No overseer to  
be appointed  
by Levy Court

Annual appro-  
priation by  
Levy Court

## OF CITIES AND TOWNS.

ty. Any one of said Commissioners, or the Assessor, if so required to act, shall be allowed, and receive for each day of actual service, or superintendence of said roads or streets, the sum of one dollar and a half, and for each half day, the sum of seventy-five cents; but no compensation shall be allowed for any fractions less than half a day; provided, that such superintendent while rendering such service shall be allowed and receive one-half the above fees or compensation if there be fewer than five employees or workmen at a time under his care or charge.

Compensation  
of Commission-  
ers or the Ass-  
essor for super-  
intending road  
work

Section 2. The increased appropriation from two hundred dollars to five hundred dollars herein provided for shall continue in force for a period of two years from the date of this Act and thereafter said appropriation to said Town of Camden shall be the sum of two hundred dollars annually.

Increased ap-  
propriation in  
force for two  
years

Approved March 17, A. D. 1913.

## OF CITIES AND TOWNS.

## CHAPTER 238.

## OF CITIES AND TOWNS.

**AN ACT to amend an Act entitled "An Act to incorporate the Town of Magnolia", being Chapter 568, Volume 17, Laws of Delaware, and all acts amendatory thereof and supplementary thereto, by increasing the annual appropriation of The Levy Court.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members of each branch concurring therein) :*

Sec. 6, Chap.  
568, Vol. 17  
amended

Section 1. That Section 6 of Chapter 568, Volume 17, Laws of Delaware, entitled "An Act to incorporate the Town of Magnolia", and all Acts amendatory thereof and supplementary thereto, be and the same hereby is amended by striking out the word "fifty" in the twenty first line of said Section 6, and inserting the words "two hundred" in lieu thereof.

Approved March 17, A. D. 1913.

OF CITIES AND TOWNS.

CHAPTER 239.

OF CITIES AND TOWNS.

AN ACT to Incorporate the Town of Viola.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of each branch of the Legislature concurring):*

Section 1. That the inhabitants of the village of Viola, Kent County, Delaware are hereby constituted a municipal corporation and body politic. The name and style of said corporation shall be "The Commissioners of Viola," by which name the said corporation may sue and be sued, plead and be impleaded, complain, answer and defend in all courts of this State, and the said corporation shall have and use a common seal of its own devising with power to alter and renew the same.

The Commissioners of "Viola" to be corporate name

Section 2. The boundaries of said corporation hereinafter designated as the town of Viola, shall be as follows; viz:

Beginning at a point in the County Road leading from Canterbury to Willow Grove, about nine hundred and ninety-five feet (995 ft.) West of the center of the Delaware Railroad tracks; thence running in a northerly direction a line parallel with said Railroad about nine hundred and seventy-four feet (974 ft.) to a point in lands of Reuben Friedel; thence running in an easterly direction a line parallel with Munson Avenue in said town, across the tracks of the Delaware Railroad about two thousand four hundred and sixty-eight feet (2468 ft.) to

Boundaries of town of Viola

## OF CITIES AND TOWNS.

a point in lands of Edd Todd; thence running in a southerly direction a line parallel with said Delaware Railroad about one thousand nine hundred and eighty-seven feet (1987 ft.) to a point near Martin Ellwanger's house; thence running in a westerly direction a line parallel with said Munson Avenue across the said Railroad about two thousand four hundred and sixty-eight feet (2468 ft.) to a point near Daniel B. Murray's house; thence running in a northerly direction about one thousand and thirteen feet (1013 ft.) to the place of beginning.

**To be governed by a Board of Commissioners**      Section 3. The said corporation shall be governed by a Board of Commissioners. They shall elect a President from their own number and shall elect a Treasurer and a clerk from among the citizens of the said corporation. Until the last Saturday in March A. D. 1914, Daniel B. Murray, Daniel H. Peter, William A. Dill, Dallas C. Moore and Harry E. Frasher shall be the Commissioners of said Corporation.

**Commissioners named**

**Annual town election**      Section 4. A town election shall be held on the last Saturday in March, A. D. 1914 and on the same date in each and every year thereafter in the said town of Viola at the schoolhouse therein, between the hours of two o'clock P. M. and four o'clock P. M. Such election may be held by the President of the Commissioners, or any other voter in his absence, and two citizens chosen by the legally qualified voters present at the opening of the poles, who shall be judges of said election, and shall decide the legality of the votes offered. They shall receive the ballots, ascertain the result and certify the same on the book of the commissioners. At every such election every male resident of said town above the age of twenty-one years, and who shall have paid the town tax last assessed to him, shall be entitled to vote. There shall be chosen at the first election held under this Act three commissioners to serve for the term of one year, or until

**President of Commission to hold election**

**Judges of election**

**Those who may vote**



## OF CITIES AND TOWNS.

their successors shall be duly chosen and qualified, and two commissioners to serve for a term of two years, or until their successors have been duly chosen and qualified. At every subsequent annual election the successors to the commissioners whose terms shall have expired shall be chosen to serve for the term of two years, or until their successors have been duly chosen and qualified, and if any vacancy or vacancies shall occur among them by death, resignation, refusal to serve or otherwise, the remaining commissioners, shall have the power to fill such vacancy or vacancies until the ensuing annual election, at which time such vacancy or vacancies shall be filled by election of commissioners to fill out the whole of the unexpired term of the commissioner or commissioners in whose stead they shall be elected. No one shall be eligible to the office of commissioner unless he has been a resident of said town for a period of at least one year.

Terms of Commissioners chosen at first election under this act

Vacancies

Those eligible to hold office of Commissioners

Section 5. That there shall be four stated meetings in every year of the said Commissioners, viz: on the last Saturday in March, June, September and December, at which meetings they may pass ordinances and rules for the good government of said town, the lighting and improvement of the streets, the paving or other improving of the sidewalks, the planting and protection of ornamental trees, the repairs and making of public pumps, and for all other matters relating to the general welfare of said town provided the same be not repugnant to the constitution and the laws of the State and of the United States. By such ordinances they may impose fines, penalties and forfeitures and provide for their collection. Also the President shall, at the request of two or more commissioners, call a special meeting of the commissioners whenever they may deem such meeting necessary, and at such meeting they shall have the right to transact any business they may have power to transact at regular

Regular meetings

May pass ordinances and rules of certain character

May impose fines and penalties

Special meetings

## . OF CITIES AND TOWNS.

**Organisation of Board** meetings. The said Commissioners shall, at their first meeting after the election, elect one of their number as President whose duty it shall be to preside at the meetings of the said Commissioners, have the general supervision of all streets in said town, and of the persons who may be employed by the town commissioners, receive complaints of nuisances and other complaints of citizens of violation of the laws and ordinances, and present the same to the commissioners at the first stated meeting for action, and such violation or infraction of the laws or ordinances as require immediate action to cause the same to be proceeded on before the Alderman. He shall sign all warrants on the treasurer for the payment of money and shall perform such other duties as may be prescribed by ordinances.

**Duties of President**

**To sign warrants**

**To determine amount of tax to be raised** Section 6. That the commissioners herein named and their successors in office shall, at their first stated meeting in every year, determine the amount of tax to be raised in said town for that year, not exceeding three hundred dollars including tax on real and personal property and poll tax; and they shall appoint an assessor, who may or may not be one of their number, to make an assessment of persons and property in said town; and shall also appoint a collector and treasurer, who may or may not be one of their number.

**To appoint a Collector and Treasurer**

**Duties of the Assessor** The Collector and Treasurer may be the same person. It shall be the duty of the assessor of said town, within two weeks from his appointment, to make a true, just and impartial valuation and assessment of all the real estate not now exempt from taxation for municipal purposes and assessable personal property within said town, and also an assessment of all the male citizens residing in said town above the age of twenty-one years, as well those owning real estate as those not owning real estate, at least seventy-five cents per head as tax provided that

**Persons and property to be assessed**

## OF CITIES AND TOWNS.

all vacant lots, pieces and parcels of land within the limits of the town, as the limits may be determined and designated, exceeding five acres in quantity, shall be exempt from taxation for the uses and purposes of said town of Viola, but all such lots and pieces and parcels of land exceeding five acres as aforesaid, having a dwelling thereon shall be assessed and taxed as and for one town lot, and the said assessor shall forthwith, after making such assessment, deliver to the commissioners for the time being a duplicate containing the names of all persons assessed and the amount of assessment, distinguishing the real and personal assessment of each. When the assessment is returned, the commissioners shall give five days' public notice of the fact, and that they will sit together at a certain place, on a certain day, from two to four o'clock in the afternoon, to hear appeals from said assessment; they shall have power on such day to add to or decrease any assessment. When the appeal day is passed, they shall without delay cause the assessment list to be transcribed and the transcript to be delivered to the collector, who shall thereupon collect from each taxable his proportion of the tax laid, and pay over the whole amount, deducting commission and delinquencies which shall be allowed by the commissioners to the treasurer by the first day of June next after the receipt of his duplicate. The collector shall have the same power for the collection of said taxes, as are conferred by law, upon collectors of county taxes, provided, however, that in making said assessment for the town of Viola all machinery in any factory now in said town or that hereafter may be erected shall be exempt from taxation for town purposes, and that only the real estate and buildings, belonging to said factory shall be taxed.

To deliver  
duplicate list  
to Commis-  
sioners

Assessment  
appeals

To deliver list  
to Collector

Powers of  
Collector

Factory  
machinery  
exempt

Section 7. That the commissioners, or a majority of them, shall have authority to employ and use the money in the treasury of the town for the general improve-

To use money  
for general  
improvement  
of town

## OF CITIES AND TOWNS.

ment, benefit and ornament of the said town, as they may deem advisable, and all money paid out by the treasurer shall be paid upon order of the commissioners, or a majority of them provided that said commissioners shall have no authority to create debts on said town to a greater amount than they are authorized to raise by said taxation and receive from the county.

Limit to  
amount of  
debt created

Abutting prop-  
erty owners to  
pay for improv-  
ing of sidewalks

Section 8. That any ordinance for the paving or improving the sidewalks shall apply only to those persons owning property fronting upon them, who, and who alone, shall bear the expenses of making pavements or such other improvements where the same shall be ordered. Provided, that said Board of Commissioners shall not be authorized to order any pavements laid within two years from the approval of this Act; And Further, that no person shall be required to pave more than seventy-five feet in any year. If such ordinance be not complied with within three months the commissioners may procure the materials and have the work done and collect the expense of the same from the owner of said property in an action at law.

Limit to pay-  
ing per year

Non com-  
pliance

Supervision  
over roads &c

No Overseer to  
be appointed  
by Levy Court

Annual appro-  
priation by  
Levy Court

Section 9. That the president and Commissioners for the time being shall have the superintendence and oversight of all roads and streets now opened, or hereafter to be opened, within the limits of said town, and no overseer of such road or street shall be appointed by the Levy Court of Kent County but the said Levy Court shall annually appropriate for the repair of said roads a sum of money not less than two hundred dollars, and shall make an order for the payment thereof to the treasurer of the town of Viola for the use of said town.

Oath of Treas-  
urer and  
Collector

Section 10. That the treasurer and collector shall be severally sworn or affirmed to discharge their respective duties with fidelity; such oath or affirmation may

OF CITIES AND TOWNS.

be administered by any person authorized by the laws of this State to administer oaths, or by the President of the Commissioners. They shall also, before entering upon the duties of their office, give bond to the town of Viola, with sufficient surety to be approved by the commissioners of said town, in the penal sum double the amount of what may be likely to come into their hands, conditioned for the faithful discharge of the duties of their said offices and for the payment to their successors in office of all sums of money belonging to said town which may remain in their hands upon the settlement of their accounts, to which said bonds and conditions there shall be annexed a warrant of attorney for the confession of judgment for said penalty. The said Treasurer shall pay all orders drawn on him by order of said commissioners and signed by the president thereof, out of any moneys in his hands belonging to said town. He shall settle his accounts with the said commissioners annually in the month of March and at such other times as the said commissioners may require.

To give bond

Annual settlement of Treasurer

The treasurer, clerk and assessor of said town shall receive each a reasonable compensation for their services, to be determined by the commissioners of said town; provided the compensation of said treasurer, as such, shall not exceed two per cent., on all moneys received by him belonging to said town, and of the treasurer acting as collector shall not exceed eight per centum on the taxes collected by him.

Compensation of town officials

Section 11. That the town commissioners at their first meeting or as soon thereafter as convenient, shall annually proceed, to elect, by ballot some suitable person, resident in said town to be alderman of the town of Viola who may or may not be a Justice of the Peace resident of said town, to serve as such for the term of one year or until his successor shall be duly elected, subject,

To elect an Alderman

## OF CITIES AND TOWNS.

however, to be removed from office at any time by vote of two-thirds of all the commissioners. Before entering upon the duties of his office he shall be sworn or affirmed by the president of the commissioners, or by any one of the commissioners, to perform the duties of his office honestly, faithfully and diligently.

Town Clerk to  
be appointed

Section 12. That the commissioners shall appoint a town clerk, who may or may not be one of their number, who shall keep a record of the proceedings of the commissioners, and the same shall be evidence.

Constable

Section 13. That the Commissioners shall appoint a town constable.

Duties of  
Constables and  
Alderman

Section 14. That it shall be the duty of the Alderman of said Town, and of the town constable, to suppress all riotous, turbulent, disorderly or noisy assemblages or gatherings of persons in or at any building used for any fair, festival, concert or any other social, literary or religious meeting or any entertainment whatsoever, or on the streets, lanes or alleys of said town at any time or season whatever; to prevent all gatherings whatever which may obstruct or interfere with the free use of the streets, lanes, alleys or sidewalks; and for this purpose it shall be the duty of said constable to seize and arrest any such persons so offending and take him or them before the Alderman of said town, whose duty it shall be to hear and determine the case, and upon conviction before him, the Alderman shall sentence any such person so convicted to pay a fine not exceeding ten dollars, and may commit the party or parties to the County prison for a period not exceeding thirty days, or until said fines and cost shall be paid. It shall be the duty of the Alderman of said town, upon complaint, made before him of any such riotous, turbulent or noisy assemblages, or gatherings as aforesaid to issue his warrant to the constable aforesaid commanding him to arrest and bring

To suppress  
disorder &c

Penalty for  
various disorders &c

## OF CITIES AND TOWNS.

any such person so offending as aforesaid before him for trial. It shall be the duty of the constable aforesaid to arrest any drunken or disorderly person who may be seen on the streets of said town, and take him or them before the Alderman of said town who shall proceed forthwith to hear and determine the case, and upon conviction before him, he shall sentence such person in the same manner and to the same punishment provided in this section for the punishment of persons brought before him for the offenses in this section first enumerated. If upon view of the person or persons who may be brought before the Alderman of said town for violation of this section it shall appear to the Alderman that in his judgment such person or persons are not in a condition to be heard and tried, he may use his own discretion in fixing or appointing a time for trial of all such person or persons brought before him for violating this section. The fee to the Alderman of said town for the trial of any cause under this section shall be fifty cents, and to the constable making the arrest fifty cents, and in all cases if fees for the Alderman and constable are not herein provided for they shall be entitled to receive the same fees as are specified by law to be paid to justices of the peace and constables in like cases.

Fees of Alderman and Constable

Section 15. The said corporation shall have power to lay out, improve, control and police streets, lanes, alleys and sidewalks in the said town, to regulate, abate and pass ordinances prohibiting and fixing penalties for all kinds of nuisances, disorders and practices and performances which shall be deemed by the commissioners obnoxious, unhealthy, unsafe or detrimental to persons and property within the corporate limits. And to own such property and make such contracts and engage in such business as shall be deemed proper for the improving of the town, for the advantage of its citizens, or for the promotion of the general peace and welfare.

Several powers given to the town corporation

## OF CITIES AND TOWNS.

Location and  
laying out of  
new streets

Section 16. The Board of Commissioners shall have power, upon the application of ten or more citizens of the town, by petition for the purpose, to locate, lay out, and open any new street, lane or lanes, or alley or alleys, or widen any street, lane or alley heretofore laid out in said town, or reopen any old street or streets, lane or lanes, or alley or alleys, now closed or which may hereafter be closed, which ten or more citizens may desire to be located, laid out and opened, or widened, or reopened, allowing to the persons respectively, through and over whose lands such street or streets, lane or lanes, or alley or alleys may pass, such compensation therefor as they shall deem just and reasonable under all circumstances, which compensation, if any be allowed, shall be paid by the treasurer of the town out of the moneys of said town upon warrants drawn upon him by order of the Board aforesaid. Whenever the Board of Commissioners shall have determined to locate and lay out, or widen any street, lane or alley, and shall have fixed the compensation therefor, it shall be their duty immediately after the survey and location of the said street, lane or alley, to notify in writing the owner or owners of the real estate through or over which such street, lane or alley may run, of their determination to open or widen the same, and to furnish a general description of the location thereof, and also the amount of the damages or compensation allowed to each, and if such owner be not resident within the said town to notify the holder or tenant of said real estate, but if there be no holder or tenant resident in said town the said notice may be affixed to any part of the premises. If any owner be dissatisfied with the amount of the compensation or damages allowed by the Board of Commissioners, as aforesaid, he or she may, within ten days after such notice as aforesaid, appeal from the said assessment of compensation or damages by serving a written notice to that effect on the president of said Board of Commissioners, or the person per-

Damages

Notice to  
owners

Appeal from  
damages



OF CITIES AND TOWNS.

forming the duties of president of said Board for the time being. In order to prosecute said Appeal, such owner or owners shall within fifteen days after the expiration of the ten days allowed for appeals, and upon ten days' notice to said president of Board, or the person performing the duties of president of said Board for the time being, make written application to the Associate Judge of the Superior Court of this State, resident in Kent County, for the appointment of a commission to hear and determine the matter of damages or compensation, and thereupon the said Associate Judge shall issue a commission under his hand directed to five freeholders of the said County, three of whom shall be residents of said town of Viola, and two of whom shall be non-residents of said town, commanding them to assess the damages which the owner of the real estate through or over whose lands said street, lane or alley shall pass, who shall have notified the said Board of their intention to appeal, may incur by reason thereof, and to make return of their proceedings to the said associate judge at a time therein appointed. The freeholders named in such commission being first sworn or affirmed, as in said commission shall be directed, shall view the premises and they, or a majority of them shall assess the damages as aforesaid, and shall make return, in writing, of their proceedings in the premises to the said associate judge, who shall deliver said return to said Board of Commissioners, which shall be final and conclusive. The said associate judge shall have power to fill any vacancy in the commission. The amount of damages being so ascertained, the Board of Commissioners may pay or tender the same to the person or persons entitled thereto, within one month after the same shall be finally ascertained, or if the person or persons so entitled reside out of, or are absent from town, during said period of one month, or are minors, then the same may be deposited to his or her credit in the Farmers' Bank

Resident Judge  
of Kent county  
to appoint a  
Commission to  
assess damages

Make up of the  
Commission

Tender of  
damages de-  
termined by  
Commission

## OF CITIES AND TOWNS.

Cost of the  
appealFee to  
CommissionOption to pay  
damages

of the State of Delaware, at Dover, within said time, and thereupon the said property or land may be taken or occupied for the uses aforesaid. In the ascertainment and assessment of damages by the freeholders appointed by the associate judge aforesaid, if the damages shall be increased, the costs of the appeal shall be paid by the treasurer of the town out of any money in his hands belonging to the town, but if said damages shall not be increased the costs of the appeal shall be paid by the party appealing. The fees of the freeholder shall be two dollars per day to each, which shall be taxed as part of the costs. After the damages shall be fixed and ascertained by the freeholders as aforesaid, the Board of Commissioners shall have the option to pay damages assessed, within the time aforesaid and proceed with the said improvements, or, upon the payment of the costs only, may abandon the proposed improvements.

Section 17. That this act shall be deemed and taken to be a public act.

Approved March 17, A. D. 1913.

## OF CITIES AND TOWNS.

## CHAPTER 240.

## OF CITIES AND TOWNS.

## AN ACT to Incorporate the Town of Houston.

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met, (with the concurrence of two-thirds of the General Assembly):*

Section 1. That the inhabitants of the Town of Houston, Kent County, Delaware, are hereby constituted a municipal corporation and body politic. The name and style of said corporation shall be "The Commissioners of Houston", by which name the said corporation may sue and be sued, plead and be impleaded, complain, answer and defend in all courts of this State, and the said corporation shall have and use a common seal of its own devising with power to alter and renew the same.

Section 2. The Boundaries of said Corporation hereinafter designated as the Town of Houston, shall be as follows: Beginning at a point one hundred and thirty seven rods East and eighty rods North of the Station and tracks of the Philadelphia, Baltimore, and Washington Railroad Company, thence West two hundred and forty seven rods to another corner, thence South one hundred and sixty rods to another corner, thence East two hundred and forty seven rods to another corner, thence North one hundred and sixty rods to the place of beginning.

Section 3. The said Corporation shall be governed by a Board of Commissioners. They shall elect a Presi-

"The Commissioners of Houston" to be corporate name

Boundaries of town of Houston

To be governed by a Board of Commissioners

## OF CITIES AND TOWNS.

**Commission named**      dent from their own number and shall elect a Treasurer and a Clerk from among the citizens of the said corporation. Until the last Saturday in March, A. D. 1914, Zack Johnson, Sr., Randolph Graham, Ross E. Counselman, Charles P. Armour, John C. Wharton, Wilbur H. Jump, Elias Townsend, and G. Almond Wilson shall be the Commissioners of said Corporation.

**Annual town election**

Section 4. A town election shall be held on the last Saturday in March, A. D. 1914, and on the same date in each and every year thereafter in the said town of Houston at the schoolhouse therein between the hours of two o'clock P. M. and four o'clock P. M. Such election may be held by the president of the Commissioners, or any other voter in his absence, and two citizens chosen by the legally qualified voters present at the opening of the polls, who shall be judges of said election, and shall decide the legality of the votes offered.

**President of Board to hold election**

**Judges of election**

**Those who may vote**

They shall receive the ballots, ascertain the result and certify the same on the book of the commissioners. At every such election every male resident of said town above the age of twenty-one years, and who shall have paid the town tax last assessed to him, shall be entitled to a vote. There shall be chosen at the first election held under this Act three commissioners to serve for the term of one year, or until their successors shall be duly chosen and qualified, and two commissioners to serve for a term of two years, or until their successors have been duly chosen and qualified. At every subsequent annual election the successors to the commissioners whose terms shall have expired shall be chosen to serve for the term of two years, or until their successors have been duly chosen and qualified, and if any vacancy or vacancies shall occur among them by death, resignation, refusal to serve or otherwise, the remaining commissioners, shall have the power to fill such vacancy or vacancies until

**Terms of Commissioners chosen at first election under this act**

## OF CITIES AND TOWNS.

the ensuing annual election, at which time such vacancy or vacancies shall be filled by election of commissioners to fill out the whole of the unexpired term of the commissioner or commissioners in whose stead they shall be elected. No one shall be eligible to the office of commissioner unless he has been a resident of said town for a period of at least one year.

Section 5. That there shall be four stated meetings in every year of the said Commissioners, viz: on the last Saturday in March, June, September and December, at which meetings they may pass ordinances and rules for the good government of said town, the lighting and improvement of the streets, the paving or other improving of the sidewalks, the planting and protection of ornamental trees, the repairs and making of public pumps, and for all other matters relating to the general welfare of said town provided the same be not repugnant to the constitution and the laws of the State and of the United States. By such ordinances they may impose fines, penalties and forfeitures and provide for their collection. Also the President shall, at the request of two or more commissioners, call a special meeting of the commissioners whenever they may deem such meeting necessary, and at such meeting they shall have the right to transact any business they may have power to transact at regular meetings. The said Commissioners shall, at their first meeting after the election, elect one of their number as President whose duty it shall be to preside at the meetings of the said Commissioners, have the general supervision of all streets in said town, and of the persons who may be employed by the town commissioners, receive complaints of nuisances and other complaints of citizens of violation of the laws and ordinances, and present the same to the commissioners at the first stated meeting for action, and such violation or infraction of the laws or ordinances as require immediate action to

Eligibility

Regular meetings

May pass ordinances and rules of a certain character

May impose fines and penalties

Special meetings

Organisation of the Board

Duties of the President

## OF CITIES AND TOWNS.

cause the same to be proceeded on before the Alderman. He shall sign all warrants on the treasurer for the payment of money and shall perform such other duties as may be prescribed by ordinances.

To sign  
warrants

To determine  
amount of tax  
to be raised

Section 6. That the commissioners herein named and their successors in office shall, at their first stated meeting in every year, determine the amount of tax to be raised in said town for that year, not exceeding three hundred dollars including tax on real and personal property and poll tax; and they shall appoint an assessor, who may or may not be one of their number, to make an assessment of persons and property in said town; and shall also appoint a collector and treasurer, who may or may not be one of their number.

To appoint a  
Collector and  
Treasurer

The Collector and Treasurer may be the same person. It shall be the duty of the assessor of said town, within two weeks from his appointment, to make a true, just and impartial valuation and assessment of all the real estate and assessable personal property within said town, and also an assessment of all the male citizens residing in said town above the age of twenty-one years, as well as those owning real estate as those not owning real estate, at least seventy-five cents per head as tax provided that all vacant lots, pieces and parcels of land within the limits of the town, as the limits may be determined and designated, exceeding five acres in quantity, shall be exempt from taxation for the uses and purposes of said town of Houston, but all such lots and pieces and parcels of land exceeding five acres as aforesaid, having a dwelling thereon shall be assessed and taxed as and for one town lot, and the said assessor shall forthwith, after making such assessment, deliver to the commissioners for the time being a duplicate containing the names of all persons assessed and the amount of assessment, distinguishing the real and personal as-

Duties of the  
Assessor

Persons and  
property to  
be assessed

To deliver  
duplicate list  
to Commis-  
sioners

## OF CITIES AND TOWNS.

assessment of each. When the assessment is returned, the commissioners shall give five days' public notice of the fact, and that they will sit together at a certain place, on a certain day, from two to four o'clock in the afternoon, to hear appeals from said assessment; they shall have power on such day to add to or decrease any assessment. When the appeal day is passed, they shall without delay cause the assessment list to be transcribed and the transcript to be delivered to the collector, who shall thereupon collect from each taxable his proportion of the tax laid, and pay over the whole amount, deducting commission and delinquencies which shall be allowed by the commissioners to the treasurer by the first day of June next after the receipt of his duplicate. The collector shall have the same power for the collection of said taxes, as are conferred by law, upon collectors of county taxes, provided, however, that in making said assessment for the town of Houston all machinery in any factory now in said town or that hereafter may be erected shall be exempt from taxation for town purposes, and that only the real estate and buildings, belonging to said factory shall be taxed.

Assessment  
appealsDeliver list  
to CollectorPowers of  
CollectorsFactory ma-  
chinery exempt

Section 7. That the commissioners, or a majority of them, shall have authority to employ and use the money in the treasury of the town for the general improvement, benefit and ornament of the said town, as they may deem advisable, and all money paid out by the treasurer shall be paid upon order of the commissioners, or a majority of them, provided that said commissioners shall have no authority to create debts on said town to a greater amount than they are authorized to raise by said taxation and receive from the county.

To use money  
for general  
improvement  
of townLimit to  
amount of debt  
created

Section 8. That any ordinance for the paving or improving the sidewalks shall apply only to those persons owning property fronting upon them, who, and who

Abutting prop-  
erty owners to  
pay for improv-  
ing of sidewalks

## OF CITIES AND TOWNS.

alone, shall bear the expenses of making pavements or such other improvements where the same shall be ordered. Provided, that said Board of Commissioners shall not be authorized to order any pavements laid within two years from the approval of this Act; And Further, that no person shall be required to pave more than seventy-five feet in any year. If such ordinance be not complied with within three months the commissioners may procure the materials and have the work done and collect the expense of the same from the owner of said property in an action at law.

Limit to paving  
per year

Non-compli-  
ance

Supervision  
over roads &c

No overseer to  
be appointed  
by Levy Court

Annual appro-  
priation by  
Levy Court

Section 9. That the president and Commissioners for the time being shall have the superintendence and oversight of all roads and streets now opened, or hereafter to be opened, within the limits of said town, and no overseer of such road or street shall be appointed by the Levy Court of Kent County but the said Levy Court shall annually appropriate for the repair of said roads a sum of money not less than two hundred dollars, and shall make an order for the payment thereof to the treasurer of the town of Houston for the use of said town.

Oath of treas-  
urer and  
collector

To give bond

Section 10. That the treasurer and collector shall be severally sworn or affirmed to discharge their respective duties with fidelity; such oath or affirmation may be administered by any person authorized by the laws of this State to administer oaths, or by the President of the Commissioners. They shall also, before entering upon the duties of their office, give bond to the town of Houston, with sufficient surety to be approved by the commissioners of said town, in the penal sum double the amount of what may be likely to come into their hands, conditioned for the faithful discharge of the duties of their said offices and for the payment to their successors in office of all sums of money belonging to said town



## OF CITIES AND TOWNS.

which may remain in their hands upon the settlement of their accounts, to which said bonds and conditions there shall be annexed a warrant of attorney for the confession of judgment for said penalty. The said Treasurer shall pay all orders drawn on him by order of said commissioners and signed by the president thereof, out of any moneys in his hands belonging to said town. He shall settle his accounts with the said commissioners annually in the month of March and at such other times as the said commissioners may require.

Annual settlement of Treasurer

The treasurer, clerk and assessor of said town shall receive each a reasonable compensation for their services, to be determined by the commissioners of said town; provided the compensation of said treasurer, as such, shall not exceed two per cent., on all moneys received by him belonging to said town, and of the treasurer acting as collector shall not exceed eight per centum on the taxes collected by him.

Compensation of town officials

Section 11. That the town commissioners at their first meeting or as soon thereafter as convenient, shall annually proceed, to elect, by ballot some suitable person, resident in said town to be alderman of the town of Houston who may or may not be a Justice of the Peace resident of said town, to serve as such for the term of one year, or until his successor shall be duly elected, subject, however, to be removed from office at any time by vote of two-thirds of all the commissioners. Before entering upon the duties of his office he shall be sworn or affirmed by the president of the commissioners, or by any one of the commissioners, to perform the duties of his office honestly, faithfully, and diligently.

To elect an Alderman

Section 12. That the commissioners shall appoint a town clerk, who may or may not be one of their number, who shall keep a record of the proceedings of the commissioners, and the same shall be evidence.

Town Clerk to be appointed

## OF CITIES AND TOWNS.

**Constable**      Section 13. That the Commissioners shall appoint a town constable.

**Duties of Constable and Alderman**      Section 14. That it shall be the duty of the Alderman of said town, and of the town constable, to suppress all riotous, turbulent, disorderly or noisy assemblages or gatherings of persons in or at any building used for any fair, festival, concert or any other social, literary or religious meeting or any entertainment whatsoever, or on the streets, lanes, or alleys of said town at any time or season whatever; to prevent all gatherings whatever which may obstruct or interfere with the free use of the streets, lanes, alleys or sidewalks; and for this purpose it shall be the duty of said constable to seize and arrest any such persons so offending and take him or them before the Alderman of said town, whose duty it shall be to hear and determine the case, and upon conviction before him, the Alderman shall sentence any such person so convicted to pay a fine not exceeding ten dollars, and may commit the party or parties to the County prison for a period not exceeding thirty days, or until said fines and cost shall be paid. It shall be the duty of the Alderman of said town, upon complaint, made before him of any such riotous, turbulent or noisy assemblages, or gatherings as aforesaid to issue his warrant to the constable aforesaid commanding him to arrest and bring any such person so offending as aforesaid before him for trial. It shall be the duty of the constable aforesaid to arrest any drunken or disorderly person who may be seen on the streets of said town, and take him or them before the Alderman of said town who shall proceed forthwith to hear and determine the case, and upon conviction before him, he shall sentence such person in the same manner and to the same punishment provided in this section for the punishment of persons brought before him for the offenses in this section first enumerated. If upon view of the person or persons who may be

**To suppress disorder &c**

**Penalty for various disorders &c**

## OF CITIES AND TOWNS.

brought before the Alderman of said town for violation of this section it shall appear to the Alderman that in his judgment such person or persons are not in a condition to be heard and tried, he may use his own discretion in fixing or appointing a time for trial of all such person or persons brought before him for violating this section. The fee to the Alderman of said town for the trial of any cause under this section shall be fifty cents, and to the constable making the arrest fifty cents, and in all cases if fees for the Alderman and constable are not herein provided for they shall be entitled to receive the same fees as are specified by law to be paid to justices of the peace and constables in like cases.

Fee of Alderman and Constable

Section 15. The said corporation shall have power to lay out, improve, control and police, streets, lanes, alleys, and sidewalks in the said town, to regulate, abate, and pass ordinances prohibiting and fixing penalties for, all kinds of nuisances, disorders, and practices, and performances which shall be deemed by the commissioners obnoxious, unhealthy, unsafe, or detrimental to persons and property within the corporate limits. And to own such property and make such contracts and engage in such business as shall be deemed proper for the improving of the town, for the advantage of its citizens, or for the promotion of the general peace and welfare.

General powers given to the town corporation

Section 16. The Board of Commissioners shall have power, upon the application of ten or more citizens of the town, by petition for the purpose, to locate, lay out, and open any new street, lane or lanes, or alley or alleys, or widen any street, lane or alley heretofore laid out in said town, or reopen any old street or streets, lane or lanes, or alley or alleys, now closed or which may hereafter be closed, which ten or more citizens may desire to be located, laid out and opened, or widened or reopened, allowing to the persons respectively, through and over

Location and laying out of new streets

## OF CITIES AND TOWNS.

**Damages** whose lands such street or streets, lane or lanes, or alley or alleys may pass, such compensation therefor as they shall deem just and reasonable under all circumstances, which compensation, if any be allowed, shall be paid by the treasurer of the town out of the moneys of said town upon warrants drawn upon him by order of the Board aforesaid. Whenever the Board of Commissioners shall have determined to locate and lay out, or widen any street, lane or alley, and shall have fixed the compensation therefor, it shall be their duty immediately after the survey and location of the said street, lane or alley, to notify, in writing, the owner or owners of the real estate through or over which such street, lane or alley may run, of their determination to open or widen the same, and to furnish a general description of the location thereof, and also the amount of the damages or compensation allowed to each, and if such owner be not resident within the said town to notify the holder or tenant of said real estate, but if there be no holder or tenant resident in said town the said notice may be affixed to any part of the premises. If any owner be dissatisfied with the amount of the compensation or damages allowed by the Board of Commissioners, as aforesaid, he or she may, within ten days after such notice, as aforesaid, appeal from the said assessment of compensation or damages by serving a written notice to that effect on the president of said Board of Commissioners, or the person performing the duties of president of said Board for the time being. In order to prosecute said Appeal, such owner or owners shall within fifteen days after the expiration of the ten days allowed for appeals, and upon ten days' notice to said president of Board, or the person performing the duties of president of said Board for the time being, make written application to the Associate Judge of the Superior Court of this State, resident in Kent County, for the appointment of a commission to hear and determine the matter of damages or compensation, and thereupon

**Notice to owners**

**Appeals from damages**

**Resident Judge in Kent county to appoint a Commission to assess damages**

## OF CITIES AND TOWNS.

the said associate judge shall issue a commission under his hand directed to five freeholders of the said County, three of whom shall be residents of said town of Hous-  
ton, and two of whom shall be non-residents of said town, commanding them to assess the damages which the owner of the real estate through or over whose lands said street, lane or alley shall pass, who shall have notified the said Board of their intention to appeal, may incur by reason thereof, and to make return of their proceedings to the said associate judge at a time therein appointed. The freeholders named in such commission being first sworn or affirmed, as in said commission shall be directed, shall view the premises and they, or a majority of them shall assess the damages as aforesaid, and shall make return, in writing, of their proceedings in the premises to the said associate judge, who shall deliver said return to said Board of Commissioners, which shall be final and conclusive. The said associate judge shall have power to fill any vacancy in the commission. The amount of damages being so ascertained, the Board of Commissioners may pay or tender the same to the person or persons entitled thereto, within one month after the same shall be finally ascertained, or if the person or persons so entitled reside out of, or are absent from town, during said period of one month, or are minors, then the same may be deposited to his or her credit in the Farmers' Bank of the State of Delaware, at Dover, within said time, and thereupon the said property or land may be taken or occupied for the uses aforesaid. In the ascertainment and assessment of damages by the freeholders appointed by the associate judge aforesaid, if the damages shall be increased, the costs of the appeal shall be paid by the treasurer of the town out of any money in his hands belonging to the town, but if said damages shall not be increased the costs of the appeal shall be paid by the party appealing. The fees to the freeholder shall be two dollars per day to each, which

Makeup of the Commission

Tender of damages determined by the commission

Costs of the appeal

Fees to Commission

## OF CITIES AND TOWNS. .

Option to pay  
damages

shall be taxed as part of the costs. After the damages shall be fixed and ascertained by the freeholders as aforesaid, the Board of Commissioners shall have the option to pay damages assessed, within the time aforesaid and proceed with the said improvements, or, upon the payment of the costs only, may abandon the proposed improvements.

Section 17. That this act shall be deemed and taken to be a public act.

Approved March 26, A. D. 1913.

## OF CITIES AND TOWNS.

## CHAPTER 241.

## OF CITIES AND TOWNS.

AN ACT to amend an Act entitled "An Act to Re-Incorporate the Town of Milford", approved March 9, A. D. 1907, being Chapter 210, Volume 24 of the Laws of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members elected to each House concurring therein):*

Section 1. That the Act entitled "An Act to Reincorporate the Town of Milford," approved March 9, A. D. 1907, being Chapter 210, Volume 24 of the Laws of Delaware, be and the same is hereby amended as provided in the subsequent Sections of this Act. Chap. 210,  
Vol. 24  
amended

Section 2. That Section 2 of the Act aforesaid be amended by striking out the word "Three" in the fifth line of said Section, and by inserting in lieu thereof the word "four". Sec. 2, Chap.  
210, Vol. 24  
amended

Section 3. That Section 2 of the Act aforesaid be further amended by striking out the words "an alderman" in the thirty-fourth line of said Section. Sec. 2, Chap.  
210, Vol. 24  
further  
amended

Section 4. That Section 2 of the Act aforesaid be further amended by adding at the end of said Section the following: "The said Town Council shall, at its first regular meeting, held after the town election in the month of January, 1914, elect an alderman for the term of one year, or until his successor shall be duly elected and Sec. 2, Chap.  
210, Vol. 24  
further  
amended  
  
Town Council  
to elect an  
Alderman

## OF CITIES AND TOWNS.

qualified, and at the first regular meeting in every year thereafter held after the town election in such year, the said Town Council shall elect an alderman for the term aforesaid. The said Council shall have the right to remove the alderman for cause at any time during the term."

Right of  
removal

Sec. 3, Chap.  
210, Vol. 24  
amended

Section 5. That Section 3 of the Act aforesaid be amended by striking out the word "Alderman" in the twelfth line of said Section.

Sec. 3, Chap.  
210, Vol. 24  
further  
amended

Section 6. That Section 3 of the Act aforesaid be further amended by striking out all of said Section between the word "thereof" in the nineteenth line of said Section and the words "The Justice of the Peace" in the twenty-third line of said Section, and by inserting in lieu thereof the following: "and shall have paid all town taxes of the said town of Milford assessed against him, or her, for the year next preceding said election, shall have a right to vote."

Sec. 3, Chap.  
210, Vol. 24  
further  
amended

Section 7. That Section 3 of the Act aforesaid be further amended by striking out the word "alderman" in the thirty-fourth line of said Section, and by further striking out the word "alderman" in the thirty-sixth line of said Section.

Sec. 4, Chap.  
210, Vol. 24  
amended

Section 8. That Section 4 of the Act aforesaid be amended by inserting between the words "Council of Milford" in the tenth line of said Section and the words "and may have" in the said tenth line, and the words "and by that name shall have perpetual succession."

Sec. 4, Chap.  
210, Vol. 24  
further  
amended

Section 9. That Section 4 of the Act aforesaid be further amended by adding at the end of said Section, the following: "The said Council shall also have the right, power and authority to provide a Municipal Building for the said town, and to that end may lease or purchase



## OF CITIES AND TOWNS.

a lot or piece of ground within the limits of said town, and alter, repair or reconstruct any building or buildings thereon being, or may erect a new building on said lot or piece of ground, provided the total cost of the said municipal building and its site shall not exceed the sum of Four Thousand Dollars.” To provide a municipal building

Section 10. That Section 5 of the Act aforesaid be amended by striking out the words “twenty-five” in the fifteenth line of said Section, and by inserting in lieu thereof the words “one hundred.” Sec. 5, Chap. 210, Vol. 24 amended

Section 11. That Section 5 of the Act aforesaid be further amended by adding at the end of said Section the following: “All suits for fines and all other proceedings instituted under the provisions of this Act or under the provisions of any Ordinance adopted by the Council aforesaid may be brought in the name of the ‘Town Council of Milford’.” Sec. 5 further amended

Section 12. That Section 6 of the Act aforesaid be amended by striking out all of said Section between the word “offices” in the seventeenth line of said Section and the words “All the members” in the nineteenth line thereof. Sec. 6, Chap. 210, Vol. 24 amended

Section 13. That Section 7 of the Act aforesaid be amended by striking out all of said Section between the words “said town” in the tenth line of said Section and the words “That the Levy Courts” in the thirty-first line of said Section, and by inserting in lieu thereof the following:—“and shall cause a fund to be raised by taxation to discharge the expenses of repairing said streets, lanes, alleys, bridges and gutters as aforesaid. The said Council shall also have the power to fix the grade or grades of any or all of the streets, lanes, alleys, bridges and gutters within the limits of said town and to change To raise a fund by taxation for repairing streets &c To fix grades &c”

## OF CITIES AND TOWNS.

the grade or grades thereof from time to time as they shall deem expedient."

Sec. 7 further  
amended

Section 14. That Section 7 of the Act aforesaid be further amended by striking out the word "creek" in the forty-sixth line of said Section, and by inserting in lieu thereof the word "River."

Sec. 8, Chap.  
210, Vol. 24  
amended

Section 15. That Section 8 of the Act aforesaid be amended by striking out all of the first two lines of said Section and by inserting in lieu thereof the following: "And be it further enacted as aforesaid, that the said Council or a majority of them, shall have the power, upon the petition of five or more citizens of said town, being seized of estates of freehold situated in said town, to locate, lay out and open any new street or streets, which said five or more freeholders of said town may desire to be located, laid out and opened, allowing to the persons respectively, through or over whose grounds each new street or streets may run, such compensation or damages therefor as the said Council shall deem just and reasonable under all circumstances, which compensation, if any be allowed, shall be paid by the Treasurer of the Town of Milford out of moneys of said Town, on warrant drawn on him by authority of the Town Council aforesaid. That whenever the said Town Council shall have proceeded to."

Location and  
laying of new  
streets &c

Damages

Section 8 fur-  
ther amended

That Section 8 of the Act aforesaid be further amended by striking out the word "holder" and the word "holders" wherever the same appears in said Section, and by inserting in lieu of the word "holder" the word "occupier" and in lieu of the word "holders" the word "occupiers."

Sec. 8 further  
amended

Section 16. That Section 8 of the Act aforesaid be further amended by adding at the end of said Section

## OF CITIES AND TOWNS.

the following: "All notices referred to in this Section may be served by mailing the same to the usual address of the party for whom such notices are intended, or by posting the same upon the premises affected."

Notices to be  
mailed

Section 17. That Section 10 of the Act aforesaid be amended by striking out the words "proprietor or proprietors" wherever the same appear in said Section and by inserting in lieu thereof the words "owner or owners."

Sec. 10, Chap.  
210, Vol. 24  
amended

And that Section 10 be further amended by striking out all of said Section between the word "empowered" in the third line of said Section and the words "to direct" in the fourth line thereof.

Sec. 10 further  
amended

Section 18. That Section 10 of the Act aforesaid be further amended by striking out all of said Section between the word "prescribed" in the twentieth line of said Section and the words "If any pavements" in the twenty-third line of said Section, and by inserting in lieu the following: "in an action of debt brought in the name of the 'Town Council of Milford'; and a judgment recovered in favor of said corporation, upon entry in the office of the Prothonotary of the State of Delaware, in and for Kent County or Sussex County (according as the property shall be situated in either of said Counties) shall be a lien on any real estate of the defendant or defendants in such County for ten years, and may be executed and collected as in the case of any other judgment of like character. If the owner or owners be non-residents of the State of Delaware, the proceedings aforesaid may be by foreign attachment. If the amount claimed does not exceed Two Hundred Dollars (\$200.00), an action of debt to recover the same may be instituted before a Justice of the Peace in the corporate name of said corporation."

Sec. 10 further  
amended

Judgments to  
be a lien on  
real estate

Action of debt  
to recover

## OF CITIES AND TOWNS.

Sec. 10 further  
amended

Section 19. That Section 10 of the Act aforesaid be further amended by inserting between the words "sufficient one" in the twenty-eighth line of said Section and the words "and upon" in said line, the following: "and for that purpose to use such material as the said Council shall direct."

Sec. 10 further  
amended

Section 20. That Section 10 of the Act aforesaid be further amended by adding after the word "town" in the fifty-first line of said Section the words 'and to change or alter such grade from time to time as the said Council shall deem advisable; provided, however, that no grade which has been established by the engineer or surveyor employed by the Town Council of Milford, on which a permanent pavement of concrete shall have been laid or constructed, shall be changed unless the said Council shall resolve to re-lay substantially an equal number of square feet of paving upon the new grade at the expense of the town, or to re-imburse the property owners for the cost of re-laying an equal number of square feet of paving upon the new grade' "

Sec. 11, Chap.  
210 Vol. 24  
amended

Section 21. That Section 11 of the Act aforesaid be amended by striking out all of said Section after the word "abated" in the tenth line of said Section, and by inserting in lieu thereof the following: "The said Town Council, or a majority of them, shall have full power and authority to pass Ordinances, defining nuisances, providing for their removal or abatement, and prescribing the fines and penalties for causing or continuing the same. Also, they may upon their own view or upon information, determine that a nuisance does in fact exist; upon which determination they shall have the right to remove or abate the same and to enforce any fines or penalties prescribed therefor. The said Town Council may, in general, provide by Ordinance that building permits shall be required in said town and may prescribe

Ordinances  
Town Council  
may pass

Nuisances

Building  
permits

## OF CITIES AND TOWNS.

the rules and requirements under which the same shall be issued; and may, in particular, declare that no building, house or structure shall be erected, re-built, remodelde or added to on Walnut Street between Second Street north and Second Street south in the town of Milford, and within two hundred feet of the curb line of said Walnut Street between the Streets aforesaid, except said building, house or structure, or such part or parts thereof as said Council shall determine, shall be constructed of brick, stone or concrete as the said Council shall designate. The said Council may prescribe fines and penalties for the violation of any Ordinance adopted by them under any of the provisions of this Act, and may provide that in default of the payment of any such fine or penalty, the party violating the Ordinance shall be confined to the town lock-up for any number of days, not exceeding twenty; but no fine or penalty for a single violation of any Ordinance shall exceed the sum of One Hundred Dollars. All fines and penalties imposed under any Ordinance of the said Council shall be for the use of the town of Milford. All suits, actions or proceedings for any fine or penalty prescribed by any Ordinance may be instituted in the name of the 'Town of Milford'."

Fire proof  
construction

Fine and  
penalties

Section 22. That Section 13 of the Act aforesaid be amended by striking out all of said Section between the words "hung up" in the forty-third line of said Section and the words "in the said town" in the forty-fourth line thereof and by inserting in lieu thereof the following: "in two public places."

Sec. 13, Chap.  
210, Vol. 24  
amended

Section 23. That Section 13 of the Act aforesaid be further amended by inserting after the word "rates" in the sixtieth line of said Section the following:—"The said town Council shall also have the right to levy and collect taxes upon all telephone, telegraph or trolley poles, or other erections of like character erected within

Sec. 13 further  
amended

To collect  
taxes on tele-  
phone, tele-  
graph and  
trolley poles

## OF CITIES AND TOWNS.

the limits of said town, together with the wires thereon strung, and to this end may at any time direct the same to be included in or added to the town assessment. In case the owners or lessees of such poles or erections shall refuse or neglect to pay the taxes that may be levied thereon, said Town Council shall have authority to cause the same to be removed and may institute suit to recover the amount of taxes so levied."

Sec. 14, Chap.  
210, Vol. 24  
amended

Section 24. That Section 14 of the Act aforesaid be amended by striking out all of said Section between the word "with" in the twentieth line of said Section and the words "in a sum" in the twenty-first line thereof, and by inserting in lieu thereof, the following: "surety or sureties, corporate or individual, to the satisfaction of the said Council."

Sec. 15, Chap.  
210, Vol. 24  
amended

Section 25. That Section 15 of the Act aforesaid be amended by striking out the word "twenty" in the twenty-seventh line of said Section and by inserting in lieu thereof the words "one hundred."

Sec. 15 further  
amended

Section 26. That Section 15 of the Act aforesaid be further amended by inserting between the word "purpose" in the fortieth line of said Section and the words "They shall also have" in the said fortieth line the following: "If any constable shall neglect or refuse to perform any of the duties imposed upon him by virtue of this Act, he shall be deemed guilty of a misdemeanor in office, and it shall be the duty of the said Council to present him to the grand jury, and upon conviction, he shall, in addition to the punishment imposed by the Court, forfeit his office."

Neglect of  
duty by  
Constable

Sec. 16, Chap.  
210, Vol. 24  
amended

Section 27. That the Act aforesaid be amended by striking out all of Section 16, and by inserting in lieu thereof, the following:

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"Section 16. And be it further enacted as aforesaid, that it shall be the duty, among others, of the President, councilmen, alderman, police and Justice of the Peace, to suppress, extinguish and prevent all bonfires in any of the streets, lanes or alleys of the said town, and to suppress or prevent the firing of guns, pistols, or the letting off of fire works or making or throwing of fire balls within the limits of said town; and the said Council may in addition to and not in limitation of their general power to pass all needful Ordinances, enact and publish Ordinances, with reasonable penalties for preventing the Acts aforesaid, or any of them and punishing the persons guilty of their violation."

To suppress bonfires and firing of guns &c

Section 28. That Section 17 of the Act aforesaid be amended by striking out the word "eight" in the sixteenth line of said Section and by inserting in lieu thereof the word "ten".

Sec. 17, Chap. 210, Vol. 24 amended

Section 29. That Section 19 of the Act aforesaid be amended by striking out the words "twenty-five" in the next to the last line of said Section, and by inserting in lieu thereof the words "one hundred."

Sec. 19, Chap. 210, Vol. 24 amended

That said Section 19 be further amended by adding to the end thereof the following: "The said Council shall also have the right to pass Ordinances prohibiting and punishing the sale or vending of any article, the selling or vending of which the said Council shall deem to be against the peace, health or morals of the said Town of Milford."

Sec. 19 further amended

Sale or vending of any article

Section 30. That Section 22 of the Act aforesaid be amended by striking out the word "three" in the third line of said Section, and by inserting in lieu thereof the word "five."

Sec. 22, Chap. 210, Vol. 24 amended

Approved March 26, A. D. 1913.

## OF CITIES AND TOWNS.

## CHAPTER 242.

## OF CITIES AND TOWNS.

AN ACT authorizing the "Town Council of Milford" to borrow thirty thousand dollars, and to issue bonds therefor.

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met, (two-thirds of all the members elected to each House of the General Assembly concurring therein):*

Section 1. That the "Town Council of Milford" be and is hereby authorized and empowered to borrow upon the faith and credit of the said Town of Milford, a sum not exceeding Thirty Thousand Dollars, to be expended as hereinafter provided, and to issue bonds of the said Town of Milford for the payment thereof.

"Town Council of Milford" to borrow \$30,000

Section 2. The denomination of said bonds shall be the sum of One Thousand Dollars each, and they shall be numbered consecutively, beginning with number one. The said bonds shall bear such rate of interest, not exceeding five per centum per annum, as the said Town Council may determine, and the said rate so determined shall be stated in the terms of the said bonds. The interest upon said bonds shall be payable semi-annually in each and every year from the date of issue thereof.

Denomination of bonds

Interest

Section 3. The said bonds shall bear date as of the date of their issue and the principal thereof shall be payable at The First National Bank of Milford, at Milford, at the expiration of thirty years from such date, but the said bonds, or any of them, may, if the said Town

Place of payment of principal and interest



## OF CITIES AND TOWNS.

Council shall deem expedient, contain a provision for the redemption of such bonds at the option of the said Town Council at such period prior to the expiration of thirty years from their date as the said Town Council shall fix and designate in said bonds; provided, however, that if the Town Council of Milford, shall elect to redeem any of said bonds within the period of thirty years from their date, the said Town Council shall give notice, signed by the President of said Town Council and by the Secretary thereof, advertised for the space of thirty days in one newspaper published in the City of Wilmington in this State, and in one newspaper published in the City of Philadelphia, in the State of Pennsylvania, such notice shall indicate the bonds called, and in making such calls, the Town Council shall call the bonds according to their number, beginning with the lowest number, and the interest on said bonds shall cease from the date set for redemption in any of said calls.

Section 4. The Town Council of Milford shall direct and effect the preparation, printing and sale of said bonds authorized by this Act at such time or times and on such terms as they may deem expedient.

The said bonds shall be signed by the President of said Town Council and by the Treasurer of said Town, and sealed with the corporate seal of the said corporation, and shall be exempt from State, county or municipal taxation.

As said bonds shall be paid, the same shall be cancelled as the said Town Council shall direct.

Section 5. Said bonds, principal and interest, shall be payable at The First National Bank of Milford, at Milford, Delaware, in gold coin of the United States of America, equal in weight and fineness to the present

## OF CITIES AND TOWNS.

standard. The said Town Council is hereby authorized and directed to pay the interest on said bonds at the said Bank when and as the same shall become due, and to pay said bonds at said Bank when and as the same shall mature.

To provide for interest in annual tax estimates as well as redemption of bonds falling due

The said Town Council in fixing the rate of taxation in the said Town of Milford, shall annually, until the redemption of said bonds, provide for a sum equal to the amount of interest due each year upon said bonds, and as and when said bonds shall become due and payable, shall, in like manner, provide for a sum sufficient for the redemption of said bonds, both principal and unpaid interest. All of such sums provided as aforesaid shall, when collected and paid to the Treasurer of the said Town of Milford, be set apart by him in a separate account to be opened for that purpose, and the moneys so set apart shall be applied by the said Treasurer, to the payment of the interest on said bonds and to the redemption of said bonds as the said interest and as the said principal shall become and be due and payable.

Sinking fund

The said Town Council is fully authorized and empowered to establish a sinking fund for the payment of said bonds at their maturity and for this purpose to levy and raise by taxation from time to time, such sum or sums as shall be necessary for the redemption of said bonds at or before the maturity thereof. The taxes authorized in this Section shall be levied and collected as other taxes in the said Town of Milford are levied and collected, and shall be assessed on the head and on property and shall be in excess of and in addition to the sum or amount which the said Town Council is authorized by any other law to raise by taxation.

Sinking fund depository

The sinking fund provided for by this Act shall be deposited in The First National Bank of Milford, and

## OF CITIES AND TOWNS.

shall not be available for any other purpose; but if the said Town Council shall elect to invest said fund, or any part thereof, in some safe security or securities until such times as it may be needed for the redemption of the bonds authorized by this Act, or any of them, said Town Council is hereby authorized to do so by a three-fourths vote of the members of said Council.

Investing of  
sinking fund

Section 6. All the money received from the sale of any or all of said bonds after the payment of all charges and expenses connected with the preparation and sale thereof, shall be deposited by the Treasurer of the said Town of Milford in The First National Bank of Milford to the credit of the Town of Milford in a separate account. The net proceeds of the sale of said bonds shall be used for the redemption of the floating indebtedness of the said Town of Milford incurred in the improvement of the street and sewer system of said Town (being so much of the indebtedness of said Town created for the purpose aforesaid as is now unsecured by bond) and any residue remaining from the said proceeds shall be expended for the further improvement of the streets and sewers of said Town.

Proceeds of  
sale of bonds

Neither the purchasers nor the holders of said bonds shall be bound to see to, or be affected by, the application of said money realized from the sale of said bonds or any part thereof.

Section 7. The faith and credit of the Town of Milford are hereby pledged for the payment of all the bonds that may be issued under the provisions of this Act.

Section 8. The bonds authorized by this Act may be issued at one time and in one series, or at different times and in different series as the Town Council of Milford shall determine and the authority to issue and sell any

Issuance of  
bonds

## OF CITIES AND TOWNS.

bond or number of bonds under this Act, shall not be deemed to be exhausted until the aggregate of the amount of the bonds issued under this Act shall be Thirty Thousand Dollars (\$30,000).

Form of bond

Section 9. The bonds to be issued shall be in the following form, to wit:—

UNITED STATES OF AMERICA  
STATE OF DELAWARE

Number----

MILFORD STREET AND SEWER IMPROVEMENT  
BONDS.

\$1,000.

\$1,000.

The "Town Council of Milford," for value received hereby acknowledges its indebtedness and promises to pay to the holder of this bond at The First National Bank of Milford, Milford, Delaware, on the day of A. D. nineteen hundred and , the sum of One Thousand Dollars, with interest thereon at the rate of per centum per annum, payable semi-annually, on the day of and of in each year. This bond is one of the authorized issue of bonds, aggregating Thousand Dollars, by virtue of and in strict compliance with an Act of the General Assembly of the State of Delaware, approved the day of A. D. nineteen hundred and thirteen, entitled "An Act authorizing the "Town Council of Milford" to borrow Thirty Thousand Dollars, and to Issue Bonds therefor," and in pursuance of a resolution of the Town Council of Milford, adopted A. D. nineteen hundred and .

It is hereby certified that this bond is one of the issue authorized by the above recited Act of the General As-

## OF CITIES AND TOWNS.

sembly and that the faith and credit of the Town of Milford are pledged for the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF, the President of the Town Council of Milford and the Treasurer of the Town of Milford have hereunto respectively set their hands and the corporate seal of the said Town Council at Milford, at Milford, in the State of Delaware, this day of A. D. nineteen hundred and .

Section 10. If the Town Council of Milford shall so desire, the said bonds may contain a provision giving said Council the option to redeem said bonds at some stated date prior to their maturity as set forth in Section 3 of this Act. The said Council may also provide for the registering of said bonds either as to the principal thereof or as to both principal and interest as the said Council shall prefer. The said bonds shall further contain such provisions in addition to those set forth in Section 9 of this Act and not inconsistent with the requirements of this Act as the said Town Council shall determine, and may be with or without coupons as said Council shall prefer.

Redemption  
prior to  
maturity

Additional  
provisions  
in bond

Section 11. That before the provisions of this Act shall go into effect, the sum or sums of money proposed to be borrowed or raised under this Act shall be submitted by the said Town Council of Milford to a vote of the resident taxables of the said Town of Milford at a regular town election, and be approved by a majority of the votes cast upon such question. In case the proposal to borrow the money aforesaid shall not be approved by a majority of the votes cast upon the question submitted as aforesaid, the Town Council shall on the application of twenty resident taxables of said town, re-submit the question aforesaid at a regular town election. Every person having a right to vote at the election at which the

Election to be  
held before  
bond issue

Those who  
may vote

Re-submission

## OF CITIES AND TOWNS.

One vote for  
every dollar  
assessed

Females may  
vote by proxy

Notice of  
submission

question aforesaid is submitted, shall have a right to express his or her opinion on said question, by casting one vote for every dollar and fractional part of a dollar of tax assessed upon his head, and upon all real and personal property owned by him or her; and any female having a right to vote, may vote personally or by proxy, as she may elect. Notice that the question aforesaid is to be submitted at the regular town election shall be given by the Secretary of the said Town Council of Milford by advertisement published in each newspaper printed in the Town of Milford, and by notices posted in at least ten public places in the said Town of Milford, at least ten days before the time for such election.

Approved March 26, A. D. 1913.

OF CITIES AND TOWNS.

CHAPTER 243.

OF CITIES AND TOWNS.

AN ACT to amend Chapter 238, Volume 26, Laws of Delaware, entitled "An Act to Reincorporate the Town of Georgetown," by Increasing the amount which may be raised annually by taxation in the Town of Georgetown.

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met (two-thirds of all the members elected to each house concurring therein):*

Section 1. That Section 6, Chapter 238, Volume 26, Laws of Delaware, entitled "An Act to Reincorporate the Town of Georgetown," be, and the same is hereby amended by striking out of said section the figures "\$2500.00," and inserting in lieu thereof the figures "\$3500.00."

Sec. 6, Chap.  
238, Vol. 26  
amended

Approved February 25, A. D. 1913.

## OF CITIES AND TOWNS.

## CHAPTER 244.

## OF CITIES AND TOWNS.

**AN ACT Authorizing the Town Council of Georgetown to Borrow Money and Issue Bonds to Secure the Payment Thereof, for the Purpose of Acquiring the Water Works of the Georgetown Water Company, and to Provide for the Regulation and Control Thereof.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of the members of each branch concurring therein):*

To borrow  
\$35,000 to  
purchase  
Georgetown  
Water Co.

Section 1. That Town Council of Georgetown be and it is hereby authorized and empowered to borrow, on the credit of the Town of Georgetown, a sum of money not exceeding thirty-five thousand dollars which shall be applied, appropriated and expended for the purpose of purchasing and acquiring the property, real and personal, machinery, pumps, wells, pipes and fixtures, comprising the plant or water works of Georgetown Water Company, a corporation of the State of Delaware.

To issue bonds

Interest

Principal  
payable in  
thirty years

That said Town Council of Georgetown, for the purpose of carrying into effect the provisions of this Act, shall have power and authority, and are hereby directed to issue bonds of the Town of Georgetown of such denomination as it shall deem best, bearing interest at a rate not exceeding five per centum per annum, payable semi-annually on the first days of July and January, respectively, in each year, at such bank or trust company as Town Council of Georgetown shall designate. The principal of such bonds shall be payable in thirty years from the date of the issue thereof, the said Town Council of Georgetown reserving the power and authority of



## OF CITIES AND TOWNS.

redeeming said bonds, or any part of them, at the expiration of fifteen years from the date of the issue of the same; provided, however, that if the said Town Council of Georgetown elect to redeem any of said bonds at the expiration of fifteen years as aforesaid, such election shall be effected on the first day of July and January and in pursuance of a notice to that effect published by said Town Council of Georgetown in at least four issues of two newspapers, one published in the city of Wilmington, and one in Sussex County. In calling said bonds for redemption and payment they shall be called consecutively, commencing with the lowest number. The interest on said bonds so called shall cease from the date of redemption thereof and said bonds when paid shall be cancelled.

Redemption  
provision

Notice

If at any time after the issue of said bonds and before they are payable or called in, any holder or holders of any such bond or bonds shall offer the same for redemption, Town Council of Georgetown may, if it deem it expedient, redeem and pay the bond or bonds so offered and cancel the same, the interest thereon ceasing from the date of such redemption.

Section 2. Town Council of Georgetown shall direct and effect the preparation and printing of the bonds authorized by this Act, and shall also prescribe the form of said bonds which shall be signed by the President of Town Council of Georgetown and countersigned by the Secretary of Town Council of Georgetown, and shall be sealed with the corporate seal thereof, and be exempt from all state, county and municipal taxation. As the said bonds and coupons thereon are paid the same shall be cancelled in such manner as Town Council of Georgetown shall direct, and said Town Council of Georgetown shall negotiate the sale and delivery of the same, and the moneys, the proceeds of the sale of said bonds, shall be deposited

Council to  
direct prepara-  
tion of bonds

Form of bond

Signatures on  
bonds

## OF CITIES AND TOWNS.

Specific use of  
money raised

with the Treasurer of the Town of Georgetown and shall be drawn out and appropriated by said Town Council of Georgetown by warrant, the form of which shall be as Town Council of Georgetown shall deem expedient. The Treasurer of the Town of Georgetown shall make a special deposit of said moneys so arising from the sale of said bonds and none of said moneys shall be used or appropriated for any other purpose or object than to carry out the provisions of this Act.

Special tax  
to be levied

Section 3. Town Council of Georgetown is authorized and required to levy upon the persons and property of persons now subject to assessment by the charter of the Town of Georgetown, annually, a special tax sufficient to pay all the interest accruing on said bonds, which the rents and revenues derived from said water works may be inadequate to meet, provided that this special tax shall not exceed two thousand dollars in any one year.

Limit to  
special tax

Further special  
tax for a sink-  
ing fund

Town Council of Georgetown is further authorized and empowered at its discretion, to levy a further special tax upon the persons and property of persons now subject to assessment by the charter of the Town of Georgetown, annually, for the purpose of establishing a sinking fund adequate to the redemption, at or before maturity, as prescribed in this Act, of all the bonds which may be issued under the provisions of this Act; provided that the amount to be raised for the purpose shall not exceed the sum of one thousand dollars in any one year. The special taxes provided for in this section shall be levied and collected in the same manner as other taxes are levied and collected by Town Council of Georgetown. The sinking fund provided for by this Act shall be deposited in a bank or trust company in Sussex County, or may be invested by Town Council of Georgetown until such time as it may be needed for the redemption of the bonds, on such surety as Town Council of Georgetown by resolu-

Limit to tax

Depository for  
sinking fund

## OF CITIES AND TOWNS.

tion may approve. The Treasurer of the Town of Georgetown shall give additional bond, with sufficient surety, for such sum as Town Council of Georgetown may determine.

Additional  
bond by  
Treasurer

Section 4. That before the provisions of this Act shall go into effect, the borrowing of a sum of money not exceeding thirty-five thousand dollars as aforesaid, shall be submitted to the voters of the Town of Georgetown, and shall be approved by a majority of the votes cast at a special election which said Town Council of Georgetown is hereby authorized and directed to call within thirty days after the approval of this Act by the Governor. All persons who are now qualified to vote at the annual town elections of the Town of Georgetown shall, at such special election, be entitled to one vote for every dollar or fractional part of a dollar of town taxes assessed to him, either as capitation tax or upon real estate owned by him; and all female freeholders, within the limits of the Town of Georgetown, who shall have paid her taxes upon real estate owned by her for two years next preceding such election, shall be entitled to one vote for each dollar or fractional part of a dollar of town taxes assessed upon her said real estate; and all corporations owning real estate within the limits of the said town of Georgetown shall be entitled to one vote for every dollar or fractional part of a dollar of town taxes assessed upon the real estate of such corporation. The right of said corporations to vote may be exercised by any duly constituted officer or agent of said corporation, and the written authority of said officer or agent to cast the vote of any such corporation shall be exhibited to the officers of such special election. The said election shall be called by Town Council of Georgetown and shall be held, certified to and recorded in the same manner as the election of the alderman of the Town of Georgetown. Town Council of Georgetown is hereby authorized to ap-

Submission to  
voters before  
money is bor-  
rowed at spe-  
cial election

Those who  
may vote

Corporations  
owning real  
estate may  
vote

Vote to be cast  
by officer of  
the corporation

Provisions for  
holding election

## OF CITIES AND TOWNS.

Additional  
special election

point judges, clerks and other officers necessary for the holding of such special election. If the borrowing of the said sum of money shall not be approved by a majority of the said votes cast at such special election, Town Council of Georgetown is authorized and directed to call another special election not less than ninety days nor more than four months thereafter to be held in like manner and for the same purpose, and with like qualifications for voters thereat.

Section 5. The faith of the Town of Georgetown is hereby pledged for the payment of the bonds authorized to be issued under this Act.

To pass ordi-  
nances for the  
operation, con-  
trol and man-  
agement of the  
water plant

Section 6. Town Council of Georgetown is hereby authorized and empowered to pass such ordinances as they may deem necessary and proper for the operation, management and control of such water works, and the distribution of said water through the streets, lanes and alleys of the Town of Georgetown, and the regulation of its use in case of fire; and shall grant to all persons in said town whomsoever the privilege of using the said water in such manner and on such terms and conditions as may be deemed just and proper. Said Town Council of Georgetown shall, by ordinance, regulate the connection of pipes with said water mains and the charges therefor; shall employ such necessary officers and servants for the proper management and control of said water works; and said Town Council of Georgetown shall keep an accurate record of all the business transacted by said Town Council of Georgetown in relation to the operation and management of said water works.

Regulation of  
pipes and  
mains

Fines and  
penalties

Said Town Council of Georgetown shall have power to impose fines and penalties for the violation of any ordinance passed by them touching the operation, management and control of such water works.

## OF CITIES AND TOWNS.

Section 7. That any person or persons designedly or negligently injuring the said water works, or any part thereof, or obstructing the passage of water, or in any manner polluting the water required for said water works at its source or any point below such source, shall, for every such offense forfeit and pay to Town Council of Georgetown a fine not exceeding one hundred dollars to be recovered by said Town Council of Georgetown before the alderman of said town or any Justice of the Peace residing in Sussex County.

Approved February 28, A. D. 1913.

## OF CITIES AND TOWNS.

## CHAPTER 245.

## OF CITIES AND TOWNS.

**AN ACT to Authorize Town Council of Georgetown to Borrow Five Thousand Dollars to Fund the Indebtedness of the Town of Georgetown, and to Provide for the Improvement of the Streets and Crossings in Said Town.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of the members of each branch concurring therein):*

To borrow  
\$5,000 to fund  
indebtedness  
and improve  
streets

Interest

Section 1. Town Council of Georgetown is hereby authorized and empowered to borrow upon the credit of the Town of Georgetown, a sum of money not to exceed five thousand dollars, and for that purpose may issue certificates of indebtedness of such denominations or amounts, in such form, and bearing such rate of interest not exceeding the legal rate as the said Town Council of Georgetown may deem expedient and proper. The interest upon said sum so borrowed may be paid annually or semi-annually as Town Council of Georgetown may deem proper and expedient.

Principal to be  
paid off in part  
each year pro-  
portionately

The said certificates of indebtedness shall all bear the same date, and should the whole sum of five thousand dollars be necessary to be borrowed as aforesaid, it shall be due and payable in the following proportion and manner, that is to say, one thousand dollars on or before the expiration of one year from the dates thereof; one thousand dollars on or before the expiration of two years from the dates thereof; one thousand dollars on or before the

## OF CITIES AND TOWNS.

expiration of three years from the dates thereof; one thousand dollars on or before the expiration of four years from the dates thereof; one thousand dollars on or before the expiration of five years from the dates thereof.

If a less sum than five thousand dollars shall be borrowed under the provisions hereof, it shall be due and payable as follows: one-fifth of the whole sum each and every year as aforesaid, so that the entire sum so borrowed may be paid in five year from the dates of said certificates of indebtedness.

Section 2. All moneys so borrowed shall be paid over to the treasurer of the Town of Georgetown to be drawn out and used by Town Council of Georgetown for the purpose of paying the existing indebtedness of the Town of Georgetown; and, if any sum of money should remain unexpended, after the existing indebtedness of the Town of Georgetown shall have been paid, Town Council of Georgetown is hereby authorized and empowered to expend the balance of said money to provide for the improvement of the streets and crossings in said Town of Georgetown.

Section 3. To provide for the payment of the principal and interest of said certificates of indebtedness on the times when the same shall become due and payable, Town Council of Georgetown is hereby authorized and empowered to levy additional taxes upon the persons and property of persons within the limits of the Town of Georgetown according to the provisions of the charter of said Town of Georgetown, so that the additional amount to be raised by taxation as aforesaid shall be sufficient to pay and satisfy said certificates of indebtedness as the same shall be due and payable.

## OF CITIES AND TOWNS.

Additional  
security from  
Treasurer and  
Collector

Section 4. Town Council of Georgetown shall be authorized and empowered to demand and receive from the treasurer and Collector of Taxes of said Town such additional security as it shall be deemed necessary and proper to secure the Town of Georgetown against any loss which may arise or occur under the provisions hereof, and upon the failure of such treasurer and collector of taxes to give such additional security, to appoint others in their places.

Approved February 28, A. D. 1913.



## OF CITIES AND TOWNS.

## CHAPTER 246.

## OF CITIES AND TOWNS.

AN ACT to Amend Chapter 238, Volume 26, Laws of Delaware, entitled "An Act to Reincorporate the Town of Georgetown", by Providing for the Taxation of the Corporation of Georgetown by Ditch Companies.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of the members of each branch concurring therein):*

Section 1. That Chapter 238, Volume 26, Laws of Delaware, entitled "An Act to Reincorporate the Town of Georgetown" be, and the same is hereby amended by striking out all of Section 21 of said Chapter, and inserting in lieu thereof the following:

"Section 21. That Town Council of Georgetown shall have full power and control over all ditches and gutters in said town, and all ditch companies, however created, are hereby prohibited from taxing any individual within the corporate limits of the Town of Georgetown, but shall tax the corporation of Georgetown only, for the privilege of venting water from said town into said ditch companies, ditches or canals, and where the order of any ditch now existing shall have laid a tax on any individual or individuals in said Town of Georgetown, the Town Council of Georgetown shall be liable for the aggregate amount of the taxes levied on its citizens for property within the limits of said Town of Georgetown, provided that nothing in this Act shall affect any tax on any individual which shall have been levied at the time of the approval of this Act.

Sec. 21, Chap. 238, Vol. 26 amended

Council of Georgetown to have control over ditches

Ditch Companies not to tax individual but may tax corporation

Town Council liable for tax laid on citizens in Georgetown by ditch companies

Approved March 12, A. D. 1913.

## OF CITIES AND TOWNS.

## CHAPTER 247.

## OF CITIES AND TOWNS.

**AN ACT Creating a Board of Public Works for the Town of Rehoboth, which shall establish, control and regulate a Water Works System for said Town; Prescribing the powers and duties of said Board and providing for the election of their successors.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of the members of each branch thereof concurring therein.):*

Board of Public Works named for Rehoboth

Terms of members named

Annual election of members of the Board of Public Works

Vacancies

Section 1. That Walter Burton, John A. Lingo, Benjamin F. Shaw, Frederick A. Ross, and Charles S. Horn, freeholders of the Town of Rehoboth, be and they are hereby constituted a Board of Public Works for the Town of Rehoboth, whose duty it shall be to establish, control and regulate a Water Works System for the Town of Rehoboth. Walter Burton and John A. Lingo shall serve until the first Saturday in April 1914 or until their successors are duly elected; Benjamin F. Shaw, Frederick A. Ross and Charles S. Horn shall serve until the first Saturday in April 1915 or until their successors are duly elected. On the first Saturday in April 1914 and on the first Saturday in April annually thereafter successors to the members of the Board of Public Works, whose terms shall then expire shall be chosen by the voters of said Town, qualified as hereinafter provided, to serve for the term of two years; that is to say, until the annual election two years thereafter, and until their successors shall be elected. At each of said annual elections the voters of the town, qualified as aforesaid, shall in like manner elect a member or members of the said Board of Public Works to serve for the unexpired term

## OF CITIES AND TOWNS.

or terms of any member or members whose office shall have been rendered vacant in any manner whatsoever. No person shall be elected or act as a member of the said Board of Public Works who is not a substantial freeholder of the Town. At the election of members of the said Board of Public Works every male citizen of the town who has paid his town taxes for the two years preceding such election shall be entitled to one vote; and each freeholder, male and female, resident and non-resident, shall be entitled to one vote for every dollar and fractional part of a dollar of town tax assessed upon his or her real estate or other property now subject to assessment by law.

Those eligible  
for Board

Who may vote

The said election shall be called by the said The Commissioners of Rehoboth and shall be held, certified to and recorded in the same manner as the annual town elections and shall be held by the officers now authorized by law to hold elections in the Town of Rehoboth.

Holding of  
election

All persons entitled to vote at said election shall have a right to vote either in person or by proxy; provided that no proxy shall be voted upon unless the same shall be in writing or printing, duly signed and sealed and witnessed, and acknowledged by the person so executing it before a Notary Public duly authorized by the laws of the State in which he resides to take acknowledgment of deeds; and the person acting under such proxy shall file the same with the election officers at the time he or she casts the vote or votes of his or her principal; and the election officers shall after the close of the election and the ascertainment of the result of the election deliver said proxies, together with their certificate of the result of the election, to The Commissioners of Rehoboth, and the said proxies shall be filed by the said The Commissioners of Rehoboth with the other papers and records of the said corporation.

Voting by  
proxy

## OF CITIES AND TOWNS.

**Penalty for  
forging a proxy**

Any person voting or attempting to vote upon a fraudulent or forged proxy shall forfeit and pay to The Commissioners of Rehoboth a fine not exceeding Fifty Dollars to be recovered by the said The Commissioners of Rehoboth before the Mayor of Rehoboth or any Justice of the Peace residing in Sussex County.

**Plurality of  
votes to elect**

A plurality of votes shall elect, in the event of a vacancy in the office of a member of the Board of Public Works, the Commissioners of Rehoboth shall appoint some substantial freeholder of the town to fill such vacancy until the next annual election of members of the Board of Public Works.

**Vacancies****Organisation  
of Board and  
officers**

Section 2. The said Board of Public Works shall within one week after their appointment and annually thereafter within one week after their election, organize by the election of a President, Secretary and Treasurer, to serve for one year and until their successors are chosen. The President shall be chosen from among the members of said Board, but the Secretary and Treasurer may or may not be members of said Board. No member of the Board shall receive any pay or emolument, or be allowed any compensation for his services, except the Secretary and Treasurer, who, whether they be chosen from among the members of the Board or otherwise, shall receive such compensation as the said Board may allow. It shall be the duty of the President of the Board of Public Works to sign all orders on the Treasurer for all bills and expenses contracted for and approved by said Board for the construction, management and operating said Water Works System; and to sign all contracts and notices. It shall be the duty of the Secretary to keep an accurate record of all the business transacted by the said Board, and to attest all orders on the Treasurer and other papers signed by the President. It shall be the duty of the Treasurer to have the custody of all money aris-

**No compensa-  
tion to mem-  
bers except  
Secretary and  
Treasurer****Duties of the  
President****Duties of  
Secretary****Duties of  
Treasurer**

## OF CITIES AND TOWNS.

ing from the sale of bonds which The Commissioners of Rehoboth are or may hereafter be authorized to issue, and the sale of which the said The Commissioners of Rehoboth may negotiate. He shall also have the custody of all money derived from water rents and all other revenues of the said Board.

He shall keep an accurate account of all money received and disbursed by him, and annually make a full report of the same to The Commissioners of Rehoboth, which report shall be audited by the same auditors as are appointed to audit the accounts of the town. The said auditors shall have free access to all the books, papers and vouchers of said Treasurer, for the purpose of auditing the said report, and shall publish the said report, together with their report thereon, in a newspaper printed in the County. Each of the auditors shall receive as compensation for his services the sum of Two dollars, which, together with the costs of publishing the report, shall be paid out of the funds of the town.

Annual report

Auditing of accounts

At the expiration of his term, the Treasurer shall turn over all money, books and papers belonging to his office to his successor. He shall give bond to The Commissioners of Rehoboth for the faithful performance of his duty in such sum and with such surety as the said Board of Public Works may require and as the said Commissioners may approve.

Bond of Treasurer

Section 3. The said Board of Public Works is hereby authorized and empowered to do all things necessary for the location, erection, construction, equipment and operation of said Water Works System, for furnishing the said Town of Rehoboth with an ample supply of water, as aforesaid, and to purchase hose and hose carriages, and such other instruments and machines for use in the suppression of fires as to the said Board of Public

Board authorized to do all things necessary for the location and construction of water works system

Fire fighting apparatus

## OF CITIES AND TOWNS.

Powers granted to carry act into effect

Works may seem expedient, and to provide for the care and maintenance of the same, and to purchase engines, boilers, pipes, and all such instruments, machines, appliances and supplies as may be necessary for the purpose of establishing said Water Works System in the said Town of Rehoboth and for furnishing the citizens and inhabitants of said town with a supply of water for private use, and to effect this object shall have power to lay pipes under or along any of the avenues, streets, lanes or alleys of said town and in or upon the beach or beach strand, or any road adjacent thereto; and also to contract and agree with the owner or owners for the occupation or purchase of any land or lands, either within or without the corporate limits of Rehoboth, which may be necessary for the purpose of carrying into effect the provisions of this Act.

Commissioners of Rehoboth to view lands to assess damages

If the owner or owners of said land or lands, or any of them, refuse to permit the Board of Public Works to enter upon and occupy said land or lands for the purpose aforesaid, and if such owner or owners be unable or unwilling to contract and agree with the said Board of Public Works upon the compensation to be made for any real or supposed injury that may be done to said lands by such entry and occupation, then The Board of Public Works shall direct its Secretary to notify The Commissioners of Rehoboth and thereupon the said The Commissioners of Rehoboth shall have power and authority to go upon said lands or land, and they or a majority of them after viewing the same may assess the damages of said owner or owners fairly and impartially under all the circumstances, and certify their finding and award to the said owner or owners of said land or lands, and if such owner or owners be not resident within the County of Sussex, to certify their finding and award to the holder or tenant of said land or lands, but if there be no holder or tenant resident in said town or within Sussex

## OF CITIES AND TOWNS.

County, the said notice shall be affixed to the most conspicuous part of the premises, which shall be as effectual as personal service of the same. If any owner be dissatisfied with the amount of the compensation or damages allowed by the said The Commissioners of Rehoboth as aforesaid, he, she or they may, within five days after such notice as aforesaid, appeal from the said assessment of compensation or damages by serving written notice to that effect on the President of The Commissioners of Rehoboth. In order to prosecute said appeal, such owner or owners shall, within five days after the expiration of the five days allowed for the appeal, and upon five days notice to the said President of the said The Commissioners of Rehoboth, make written application to the Associate Judge of the Superior Court of the State of Delaware resident in Sussex County, for the appointment of a commission to hear and determine the matter in controversy, and thereupon the said Associate Judge shall issue a commission under his hand directed to five freeholders of the said county, commanding them to assess the damages which the owner or owners of the said land or lands intended to be taken, occupied or used for the purpose of this Act as aforesaid (and who shall have notified said Commissioners of their intention to appeal) may sustain or incur by reason of such use or occupancy and to make return of their proceedings to the said Associate Judge at the time therein appointed. The freeholders named in such commission being first sworn or affirmed, as in said commission shall be directed, shall view the premises and hear evidence relative to the matter, and they or a majority of them shall determine and assess the damages as aforesaid, and shall make return in writing of their proceedings, in the premises to the said Associate Judge, who shall deliver said return to the said The Commissioners of Rehoboth, who shall certify the same to the Board of Public Works, which shall be final and conclusive. The said Associate Judge shall

Appeal from  
assessment of  
damages

Resident Judge  
in Sussex county  
to appoint a  
Commission to  
assess damages

Award to be  
final

## OF CITIES AND TOWNS.

have power to fill any vacancy or vacancies in the commission.

Tender of  
awards

The amount of damages being so ascertained, the said Board of Public Works may pay or tender the same to the person or persons entitled thereto within one month after the same shall be finally ascertained, or if the person or persons so entitled reside out of or are absent from the said town during the said period of one month, then the same may be deposited to his, her or their credit in any responsible bank or trust company in Sussex County, Delaware, within said time and thereupon said property or land may be taken or occupied for the use aforesaid. In the ascertainment of damages by the freeholders aforesaid, if the damages shall be increased the costs of the appeal shall be paid by the Treasurer of The Board of Public Works upon direction of the Board of Public Works, out of the moneys in his hands arising from the sale of said bonds, but if said damages shall not be increased the cost of the appeal shall be paid by the appellant. The fees of the freeholders shall be two dollars (\$2.00) per diem, each, which shall be taxed as part of the costs. After the damages shall be fixed and ascertained by the freeholders aforesaid the said Board of Public Works shall have the option to pay the damages assessed within the time aforesaid, and to proceed with the said improvements, or upon the payment of costs only may abandon their intention of taking and occupying said land or lands for the purpose aforesaid.

Fees

Option to pay  
damages

Supervision  
and control  
exercised by  
Board of Pub-  
lic Works

Section 4. The said Board of Public Works shall have the supervision and control of all public mains, pipes and drains within the limits of the Town of Rehoboth, and may alter, repair or remove the same, and may cause new mains and drains to be made and opened. The said Board of Public Works may cause such mains, pipes and drains to be laid in any of the said avenues, streets,



## OF CITIES AND TOWNS.

lanes or alleys of the said town or on the beach or beach strand, in such manner and of such material as they, the said Board may deem proper. The said Board of Public Works shall make rules regulating the tapping of public mains or drains by the owners of abutting lands and shall provide for the granting of permits for the same and for the payment of such tapping fees as the said Board shall deem proper, and they shall prescribe the material of all private pipes or drains which shall hereafter enter into any public main, pipe or drain, and shall direct the manner in which they shall be laid.

The said Board of Public Works shall grant to all persons whomsoever the privilege of using the water conveyed and distributed by said Board in said town in such a manner and on such terms and conditions as to the said Board may seem just and proper, and shall pass and adopt such rules and regulations touching the said water, its distribution through the said town and the streets thereof, the regulations of the use of water in case of fire, and the general management and control of the water supply as to the said Board shall at any time seem most expedient.

Section 5. That the said Board of Public Works is authorized to engage the services of a practical engineer and such agents and servants as the said Board of Public Works may deem necessary for the work herein devolved upon them.

To engage an  
engineer and  
other assist-  
ants

Section 6. It shall be the duty of the President of the Board of Public Works to sign all orders on the Treasurer of the Board for all bills and expenses contracted for and approved by said Board for the construction of said waterworks, and to sign all contracts and notices. It shall be the duty of the Secretary to keep an accurate record of all the business transacted by the said Board

Duties of the  
President of  
the Board

## OF CITIES AND TOWNS.

in relation to and during the construction of said Water Works System, and to attest all orders signed by the President on the Treasurer and other papers signed by the President.

Revenue to be  
expended on  
water works

Disposal of any  
surplus

When revenues  
are insufficient  
to draw draft  
on Commis-  
sioners

Section 7. That the said Board of Public Works shall apply all the water rents and other revenues which may be derived from the water works, provided for by this Act, to paying the expenses of properly keeping up and operating said Water Works System, and shall pay over the surplus, if any remains, to The Commissioners of Rehoboth, semi-annually on or before the twentieth day of June and the twentieth day of December in each and every year to be used for the payment of interest and for the redemption of any bonds, which the Commissioners may be authorized by law to issue for the purpose of establishing the said Water Works System; and if at any time the revenues shall be insufficient for conducting and operating the said Water Works System, before the same shall become self-sustaining, then the said Board of Public Works shall have authority and are hereby empowered to draft upon the said Commissioners of Rehoboth to meet such deficiency, and the said Commissioners shall honor the same out of any special fund authorized by law to be collected by taxation for that purpose.

Fire protection

The Commissioners of Rehoboth shall pay monthly out of the general fund of the town to the said Board of Public Works for the purpose of protection against fire such sum as the said Board of Public Works may prescribe, provided that the amount so paid for protection against fire shall not exceed in any one year the sum of two thousand dollars.

Injury to the  
water to be  
punished by  
fine

Section 8. That any person or persons designedly or negligently injuring the said Water Works, or any part

## OF CITIES AND TOWNS.

thereof, or obstructing the passage of water to or from the same, or in any manner polluting the water required for said Water Works, at its source or at any point below such source, shall, for every such offense forfeit and pay to The Commissioners of Rehoboth a fine not exceeding one hundred dollars, to be recovered by said Commissioners of Rehoboth before the Mayor of said town, or any Justice of the Peace residing in Sussex County. The Commissioners of Rehoboth shall have power to impose fines and penalties for the violation of the rules and regulations of the Board of Public Works, or any ordinances made by The Commissioners of Rehoboth touching the protection of the said Water Works System. Power to impose fines &c

Approved February 18, A. D. 1913.

## OF CITIES AND TOWNS.

## CHAPTER 248.

## OF CITIES AND TOWNS.

**AN ACT Authorizing the Commissioners of Rehoboth to borrow Money and issue Bonds to secure the payment thereof for the the purpose of providing a supply of Water for and the construction of Drainage, and Repairing of Streets, Crossings and Boardwalks in the Town of Rehoboth.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of the members of each branch thereof concurring therein):*

Commissioners  
of Rehoboth to  
borrow \$30,000

To erect  
water works

Other purposes

To issue bonds

Interest

Section 1. That The Commissioners of Rehoboth be and are hereby authorized, empowered, and directed to borrow, on the credit of the Town of Rehoboth, a sum of money not exceeding Thirty Thousand Dollars (\$30,000.00), which shall be applied, appropriated and expended for the purpose of erecting water works, and furnishing the said town with an ample supply of pure water for domestic purposes and for the protection of said town against fire and for private use and the construction of Drainage and Repairing of Streets, Crossings and Boardwalks of said town. That the said The Commissioners of Rehoboth, for the purpose of carrying into effect the provisions of this Act, shall have power and authority, and are hereby directed to issue bonds of the Town of Rehoboth of such denominations as they shall deem best, bearing interest at a rate not exceeding five per centum per annum, payable semi-annually on the first days of July and January, respectively, in each year at such bank or trust company in the State of Delaware as the said The Commissioners of Rehoboth shall design-

## OF CITIES AND TOWNS.

nate. The principal of said bonds shall be payable in thirty years from the date of the issue thereof, the said The Commissioners of Rehoboth reserving the power and authority of redeeming said bonds or any part of them at any time or from time to time after the expiration of five years from the date of the issue of the same; provided, however, that if the said The Commissioners of Rehoboth elect to redeem any of said bonds after the expiration of five years, as aforesaid, such election shall be effective on the first days of July and January in the year of such election, and in pursuance of a notice to that effect published by the said The Commissioners of Rehoboth in at least four issues of two newspapers, one published in the City of Wilmington and one in the town of Georgetown. In calling in said bonds for redemption and payment they shall be called consecutively, commencing with the lowest number; the interest on all said bonds so called shall cease from the date of the redemption thereof and said bonds when paid shall be cancelled.

Payment of principal

Redemption proviso

Notice of redemption

If at any time after the issue of said bonds and before they are payable or called in, any holder or holders of any such bond or bonds shall offer the same for redemption, The Commissioners of Rehoboth may, if they deem it expedient, redeem and pay the bond or bonds so offered and cancel the same, the interest thereon ceasing from the date of such redemption.

Offer of redemption by holders

Section 2. That The Commissioners of Rehoboth shall direct and effect the preparation and printing of the bonds authorized by this Act, and also prescribe the form of said bonds, which shall be signed by the President of The Commissioners of Rehoboth and countersigned by the Secretary of The Commissioners of Rehoboth, and shall be sealed with the corporate seal of the said The Commissioners of Rehoboth, and be exempt from all state, county and municipal taxation. As the said bonds

Preparation and form of bond

Signatures

Exempt from taxation

## OF CITIES AND TOWNS.

and coupons thereon are paid the same shall be cancelled in such manner as the said The Commissioners of Rehoboth shall direct, and it is further provided that the said The Commissioners of Rehoboth shall negotiate the sale and delivery of said bonds, and the money, the proceeds of the sale of said bonds, shall be deposited with the Treasurer of the Town of Rehoboth. Of the money, the proceeds of the sale of said bonds, the Treasurer of the Town of Rehoboth shall, within five days after receiving the same, pay over to The Treasurer of the Board of Public Works the sum of Twenty-five Thousand Dollars (\$25,000.00) or so much thereof as shall be found necessary to be used and expended by the Board of Public Works for the purpose of erecting, constructing, and establishing a Water Works System for the Town of Rehoboth as herein provided; and the remaining Five Thousand Dollars (\$5,000.00,) or so much thereof as shall be found necessary, to be used and expended by The Commissioners of Rehoboth for the construction of drainage, and repairing of streets, crossings and boardwalks in the Town of Rehoboth.

Deposit money  
with Treasurer

Treasurer to  
pay part of  
money to  
Board of  
Public Works

Expenditure of  
residue

Bonding of  
Treasurer

The Commissioners of Rehoboth may, if they deem it advisable, require the Treasurer of said Town of Rehoboth to enter into bond with sufficient surety, for such a sum as they shall name, said bond to continue in force as long as said money arising from the sale of said bonds, or any portion thereof is in his or its control.

To levy a spe-  
cial tax to pay  
interest

Limit of spe-  
cial tax

Section 3. That The Commissioners of Rehoboth are authorized and required to levy upon all the assessable real estate and other property now subject to assessment by law in the Town of Rehoboth, annually, a special tax sufficient to pay all the interest accruing on said bonds, which the rents and revenues derived from said water works may be inadequate to meet; provided that this special tax shall not exceed One Thousand Dollars, (\$1,000.00) in any one year.

## OF CITIES AND TOWNS.

The said The Commissioners of Rehoboth are further authorized and empowered at their discretion to levy a further special tax upon all the assessable real estate and other property now subject to assessment by law in the Town of Rehoboth, annually, for the purpose of establishing a sinking fund adequate to the redemption, at or before maturity, as prescribed in this Act of all the bonds which may be issued under the provisions of this Act; provided that the amount to be raised for this purpose shall not exceed the sum of One Thousand Dollars (\$1,000.00) in any one year. The special taxes provided for in this Section shall be collected from the owners of real estate and other property now subject to assessment by law in the Town of Rehoboth, in the same manner as the other taxes levied by the said The Commissioners of Rehoboth are collected; to be levied on the regular annual assessment of said town. The sinking fund provided for by this Act shall be deposited in any bank or trust company in the State of Delaware, or may be invested by The Commissioners of Rehoboth, until such time as it may be needed for the redemption of the bonds, on such security as The Commissioners of Rehoboth may approve. The Treasurer of the town shall give additional bond, with sufficient surety, for such sum as The Commissioners of Rehoboth may determine and approve.

Further special tax to be levied for a sinking fund

Method of collecting special taxes

Depository for sinking fund

Additional bond by Treasurer

Section 4. That before the provisions of this Act shall go into effect the borrowing of a sum of money not to exceed Thirty Thousand Dollars (\$30,000.00) as aforesaid shall be submitted to the voters of the said Town of Rehoboth and be approved by a majority of the votes cast at a special election which the said The Commissioners of Rehoboth are hereby authorized and directed to call within sixty days after the approval of this Act by the Governor. At such special election every male citizen of the town who has paid his town taxes for the two

Submission to voters of question as to borrowing

Who may vote

## OF CITIES AND TOWNS.

Corporations  
may vote

Procedure of  
the election

Voting by  
proxy

Penalty for  
fraudulent or  
forged proxy

years preceding such election shall be entitled to one vote; and each freeholder, male and female, resident and nonresident, shall be entitled to one vote for every dollar and fractional part of a dollar of town tax assessed upon his or her real estate or other property now subject to assessment by law. At such election corporations owning real estate in said town shall have one vote for every dollar or fractional part of a dollar of town tax levied and assessed on their real estate and other property now subject to assessment by law; the President of a corporation or his duly authorized proxy as hereinafter provided, casting the vote of said corporation. The said election shall be called by the said The Commissioners of Rehoboth and shall be held, certified to and recorded in the same manner as the annual town elections and shall be held by the officers now authorized by law to hold elections in the Town of Rehoboth. All persons entitled to vote at said election shall have a right to vote either in person or by proxy; provided that no proxy shall be voted upon unless the same shall be in writing or printing, duly signed and sealed and witnessed, and acknowledged by the person so executing it before a Notary Public duly authorized by the laws of the State in which he resides to take acknowledgment of deeds; and the person acting under such proxy shall file the same with the election officers at the time he or she casts the vote or votes of his or her principal; and the election officers shall after the close of the election and the ascertainment of the result of the election deliver said proxies, together with their certificate of the result of the election, to The Commissioners of Rehoboth, and the said proxies shall be filed by the said The Commissioners of Rehoboth with the other papers and records of the said corporation. Any person voting or attempting to vote upon a fraudulent or forged proxy shall forfeit and pay to The Commissioners of Rehoboth a fine not exceeding Fifty Dollars to be recovered by the said The Commis-



## OF CITIES AND TOWNS.

sioners of Rehoboth before the Mayor of Rehoboth or any Justice of the Peace residing in Sussex County. If the borrowing of the said money shall not be approved by a majority of the said votes at said special election, the said The Commissioners of Rehoboth are authorized and directed to call another special election not less than ninety days nor more than six months thereafter to be held in like manner and for the same purpose. If at the second special election the borrowing of said sum of money shall not be approved by a majority of the said vote, then the said The Commissioners of Rehoboth are authorized and directed to submit the question to the voters, qualified as aforesaid, at the annual election to be held in the year 1914.

Second special election if borrowing is not approved at first one

Other elections

The ballots to be used at said election shall be in the form prescribed by The Commissioners of Rehoboth, who shall prepare and have them printed. On the day of election the Secretary, or one of the Commissioners designated by the President of The Commissioners for that purpose, shall sit at the usual place of meeting of The Commissioners in the Town of Rehoboth from ten o'clock in the morning until twelve o'clock noon, and deliver, upon application, said ballots to those entitled to vote at said election. At twelve o'clock noon all ballots remaining in the Secretary's hands shall be delivered to the election officers to be by them placed in a convenient, public place in or near the election room for use of the voters. The Collector of Taxes of Rehoboth shall, and he is hereby required to attend and be present at said election from the time it is opened until it is closed and to have with him his tax duplicate; and as each person offers to vote shall certify orally to the election officers the number of votes to which such person is entitled on the basis hereinbefore provided. The election officers shall plainly mark on the back of the ballot, before being deposited in the ballot box, the number of votes to which

Form of ballots

Distribution of ballots

Collector of taxes to be present at election

Duties of election officers

## OF CITIES AND TOWNS.

the person voting such ballot is entitled, and in counting said ballots and in ascertaining the result of the election the number marked on the back of the ballot shall be the number of votes counted as cast by said ballot.

Section 5. That the faith of the said Town of Rehoboth is hereby pledged for the payment of the bonds authorized to be issued under the provisions of this Act.

Approved February 18, A. D. 1913.

OF CITIES AND TOWNS.

CHAPTER 249.

OF CITIES AND TOWNS.

**AN ACT Authorizing the Commissioners of Rehoboth to Levy a special Tax for the Support of the Water Works System in the Town of Rehoboth.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of the members of each branch thereof concurring therein):*

Section 1. That the Commissioners of Rehoboth are authorized and required to levy upon all the assessable real estate and the improvements upon public lands within the limits of the town of Rehoboth or vested in said town, annually, a special tax sufficient to pay all the expenses of properly keeping up and operating the Water Works System of said town which the rents and revenues derived from said Water Works System may be inadequate to meet; provided that this special tax shall not exceed the sum of one thousand dollars in any one year.

Commissioners of Rehoboth authorized to levy special tax for upkeep of water works

Section 2. The special tax provided for in this Act shall be collected from the owners of real estate and improvements on public lands in the same manner as the other taxes levied by the said Commissioners of Rehoboth are collected.

Method of collection

Approved February 18, A. D. 1913.

## OF CITIES AND TOWNS.

Boundaries of  
wards

cast. In the month of January 1916, or as soon as practicable thereafter and at intervals of five years from that time, the Council may, by ordinance, subject as in other cases to the approval of the Mayor to readjust the boundary lines of the several Wards so that as nearly as may be feasible each of said Wards shall contain an equal number of inhabitants."

Approved March 10, A. D. 1913.

## OF CITIES AND TOWNS.

## CHAPTER 252.

## OF CITIES AND TOWNS.

AN ACT to amend an act entitled, "An Act to reincorporate the town of Laurel" being Chapter 214, Volume 24, Laws of Delaware, as amended, prescribing the residence and terms of Council providing for election of certain officers and confirming the election of certain officers.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each house thereof concurring therein):*

Section 1. That an act entitled, "An Act to re-incorporate the town of Laurel", being Chapter 214, Volume 24, Laws of Delaware, as the same has been amended, be and the same s hereby amended as follows:

By striking out all of Section 7 thereof and inserting in lieu thereof the following:—"Section 7; The Legislative power of the corporation shall be vested in the council subject to the power of approval or veto by the Mayor as hereinafter provided. On and after the first day of April, A. D. 1913, the said council shall consist of five members, three of whom shall be residents of and substantial freeholders of the several wards from which they are elected respectively, the other two of whom shall be residents of and substantial freeholders of the town of Laurel".

And by inserting before the words "Members of the Council" where the same occur in the second paragraph of Section 1 of the amendment to the said act approved March 10th, 1913, the word and figure "Section 8".

## OF CITIES AND TOWNS.

Sec. 1, Chap.  
251, Vol. 27  
further  
amended

And also by inserting in said act as so amended between the words "Act" and "There" in that part of said act, which reads as follows: "At the first town election to be held under the provisions of this act, there shall be elected five members of council" the words "and \*bi-annually thereafter".

Sec. 1, Chap.  
251, Vol. 27  
further  
amended

And also by striking out all of that part of the said act approved March 10th, 1913, reading as follows: "The two to be chosen at large at the next election shall be chosen for one year only and at the expiration of their terms, their successors shall be chosen \*bi-annually and one person shall be chosen as a member of the council by the qualified voters in each of the three wards described and defined in Section 3, of this act for the term of two years".

And also by striking out the word "All" where the same occurs between the words "for" and "municipal" in the first line of Section 57 of the said Act as amended and inserting in lieu thereof the following, "Mayor, Council and other".

Section 2. That the Mayor and the five members of the Council of the said town of Laurel, elected at the election held on the second Tuesday of March, A. D. 1913, shall be deemed and taken to be the Mayor and Council of the town of Laurel for all purposes and shall have the powers and be charged with all the duties of the Mayor and Council of the said town during the term of office ending April 1st, A. D. 1915.

Approved March 31, A. D. 1913.

\*biennially (printed as original bill) •

## OF CITIES AND TOWNS.

## CHAPTER 253.

## OF CITIES AND TOWNS.

AN ACT Authorizing the Mayor and Council of the Town of Delmar to Borrow money and issue bonds to secure the payment thereof for the purpose of providing a sewer system in the town of Delmar and of improving the streets of said town.

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met, (two-thirds of all the members of each branch concurring therein):*

Section 1. That the Mayor and Council of the town of Delmar be, and is hereby empowered and directed to borrow on the credit of the town of Delmar a sum of money not exceeding Thirty Thousand Dollars (\$30,000.00), which shall be applied, appropriated and expended for the purpose of constructing a proper sewer system for the drainage of said town and for private use as well as the improvement of the streets of said town. That the Mayor and Council of the town of Delmar, for the purpose of carrying into effect the provisions of this Act, shall have power and authority, and is hereby directed to issue bonds of the town of Delmar of such denominations as they shall deem best, bearing interest at a rate not exceeding five (5) percent per annum, payable semi-annually on the first days of July and January, respectively in each year at such Bank or Trust Company in Sussex County, Delaware as The Mayor and Council of Delmar shall designate. The principal of said bonds shall be payable in thirty (30) years from the date of the issue thereof, the said The Mayor and Council of the

Mayor and Council of Delmar to borrow \$30,000 for sewer system and streets

To issue bonds

Interest

Payment of principal

## OF CITIES AND TOWNS.

Retiring of  
bonds after  
five yearsNotice of  
redemption

town of Delmar reserving the power and authority of retiring said bonds or any part of them at any time or from time to time after the expiration of five (5) years from the date of issue of the same; provided, however, that if the said The Mayor and Council of the town of Delmar elects to redeem any of said bonds after the expiration of five (5) years as aforesaid, such election shall be effected on the first days of July or January in the year of such election, and in pursuance of a notice to that effect published by the said the Mayor and Council of the town of Delmar in at least four (4) issues of two (2) newspapers published in Sussex County. In calling said bonds for redemption and payment they shall be called consecutively, commencing with the lowest number; the interest on all said bonds so called shall cease from the date of the redemption thereof and said bond when paid shall be cancelled.

Offer of re-  
demption by  
holders of  
bonds

If at any time after the issue of said bond or before they are payable or called in, any holder or holders of any such bond or bonds shall offer the same for redemption The Mayor and Council of the town of Delmar may if it deems it expedient redeem and pay the bond or bonds so offered and cancel the same, the interest thereon ceasing from the date of such redemption.

Form of bond

Signatures

Section 2. That The Mayor and Council of the town of Delmar shall direct and effect the preparation and printing of the bonds authorized by this Act and shall also prescribe the form of said bonds, which shall be signed by The Mayor and countersigned by the Secretary of said Council, and shall be sealed with the corporate seal of said The Mayor and Council of the town of Delmar, and be exempt from all State, County and Municipal taxation. As the said bonds and coupons thereon are paid the same shall be cancelled in such manner as the said The Mayor and Council of the town of Delmar



## OF CITIES AND TOWNS.

shall direct, and it is further provided that the said The Mayor and Council of the town of Delmar shall negotiate the sale and delivery of said bonds, and the money and proceeds of the sale of said bonds, shall be deposited with the Treasurer of said Corporation or with some one of the members of said Council whom The Mayor and Council of the town of Delmar shall designate to act as Treasurer to be used for the purpose of carrying into effect the provisions of this Act. The Mayor and Council of the town of Delmar, may if it shall deem it advisable, compel the Treasurer of said town or the member designated to act as such Treasurer, to enter into the bond with sufficient surety for such a sum as it shall name, said bond to continue in force as long as said money arising from the sale of said bonds or any portion thereof is in his control.

Mayor and Council to designate a Treasurer to handle money under this act

To bond

Section 3. That the Mayor and Council of the town of Delmar is hereby authorized and required to levy upon all assessable real estate and other property now subject to assessment by law in the town of Delmar, annually, a special tax sufficient to pay all the interest accruing on said bonds, and all the expenses of properly keeping up and operating the said sewer system which the rents and revenues derived from the sewer system may be inadequate to meet; provided that this special tax shall not exceed One Thousand Five Hundred Dollars (\$1,500.00) in any one year.

To levy a special tax to pay interest

Limit to special tax

The said the Mayor and Council of the town of Delmar is further authorized and empowered at its discretion to levy a further special tax upon all the assessable real estate and other property now subject to assessment by law in the town of Delmar, annually, for the purpose of establishing a sinking fund adequate to the redemption, at or before maturity, as prescribed in this Act of all the bonds which may be issued under the provisions

Further special tax for sinking fund to pay principal

## OF CITIES AND TOWNS.

Method of collecting special tax

Depository for sinking fund

Mayor and Council to construct and operate a sewer system

of this Act; provided that the amount to be raised for this purpose shall not exceed the sum of One Thousand Dollars (\$1,000.00) in any one year. The special taxes provided for in this Section shall be collected from the owners of real estate and other property now subject to assessment by law in the town of Delmar, in the same manner as the other taxes levied by the said the Mayor and Council of the town of Delmar are collected; to be levied on the regular annual assessment of said town. The sinking fund provided for by this Act shall be deposited in any bank or trust company in Sussex County, or may be invested by the Mayor and Council of the town of Delmar, until such time as it may be needed for the redemption of the bonds, on such security as the Mayor and Council of the town of Delmar may approve of. The Treasurer of the town shall give additional bond, with sufficient surety, for such sum as the Mayor and Council of the town of Delmar may determine and approve.

Section 4. The said the Mayor and Council of the town of Delmar are hereby authorized and empowered to do all things necessary for the location, construction, equipment and operation of said sewer system, for furnishing the said town of Delmar with an ample sewer system in the said town of Delmar and for furnishing the citizens of said town with a sewerage system for private use, and to effect this object shall have power to lay pipes under or along any of the streets, lanes or alleys of said town, or any road adjacent thereto as well as to improve said streets with said moneys; and also to contract and agree with the owner or owners for the occupation or purchase of any land or lands which may be necessary for the purpose of carrying into effect the provisions of this Act.

If the owner or owners of said land or lands or any of them, refuses to permit the Mayor and Council of the town of Delmar to enter upon and occupy said land or

OF CITIES AND TOWNS.

lands for the purpose aforesaid and if such owner or owners be unable or unwilling to contract and agree with the said Corporation upon the compensation to be made for any real or supposed injury that may be done to said lands by such entry and occupation, then the Mayor and Council of the town of Delmar shall have power and authority to go upon said land or lands, and they or a majority of them after viewing the same may assess the damages of said owner or owners fairly and impartially under all the circumstances, and certify their finding and award in writing to the said owner or owners of said land or lands, and if such owner or owners, be not resident within the said town to certify their finding and award to the holder or tenant of said real estate, but if there be no holder or tenant resident in said town, the said notice shall be affixed to the most conspicuous part of the premises, which shall be as effectual as personal service of the same. If any owner be dissatisfied with the amount of the compensation or damages allowed by the said the Mayor and Council of the town of Delmar as aforesaid, he or she may, within five days after such notice as aforesaid, appeal from the said assessment of compensation or damages by serving written notice to that effect on the Mayor or other presiding officer of the Council of Delmar. In order to prosecute said appeal, such owner or owners shall, within five days after the expiration of the five days allowed for the appeal, and upon five days' notice to the said president or presiding officer of the said Council of Delmar, make written application to the Associate Judge of the Superior Court of this State, resident in Sussex County, for the appointment of a commission to hear and determine the matter in controversy, and thereupon the said Associate Judge shall issue a commission under his hand directed to five free-holders of the said County, three of whom shall be residents of the said town of Delmar and two of whom shall be non-residents of the said town, commanding them to assess

Assessment of  
damages by  
Mayor and  
Council

Notice of  
damages

Appeal from  
damages  
assessed

Resident Judge  
in Sussex coun-  
ty to appoint a  
Commission to  
assess damages

Membership of  
Commission

## OF CITIES AND TOWNS.

the damages which the owner or owners of the said land or lands intended to be taken, occupied or used for the purpose of this Act as aforesaid, and who shall have notified said Council of their intention to appeal may sustain or incur by reason of such use or occupancy and to make return of their proceedings to the said Associate Judge at the time therein appointed. The freeholders named in such commission being first sworn or affirmed, as in said commission shall be directed, shall view the premises, and they or a majority of them shall assess the damages as aforesaid, and shall make return in writing of their proceedings, in the premises to the Associate Judge, who shall deliver said return to the said the Mayor and Council of the town of Delmar which shall be final and conclusive. The said Associate Judge shall have power to fill any vacancy in the commission.

Findings of  
Commission  
final

Tender of  
damages

The amount of damages being so ascertained, the said the Mayor and Council of the town of Delmar may pay or tender the same to the person or persons entitled thereto within one month after the same shall be finally ascertained, or if the person or persons so entitled reside out of or are absent from the said town during the said period of one month, then the same may be deposited to his or her credit in any responsible bank or trust company in Sussex County within said time and thereupon said property or land may be taken or occupied for the use aforesaid. In the ascertainment of damages by the freeholders aforesaid, if the damages shall be increased the costs of the appeal shall be paid by the Treasurer of Delmar or by the Treasurer designated by the said The Mayor and Council of the town of Delmar, out of the money in his hands arising from the sale of said bonds, but if said damages shall not be increased the cost of the appeal shall be paid by the appellant. The fees of the freeholders shall be Two Dollars per day each, which shall be taxed as part of the costs. After the damages

Damages when  
allotted to non-  
residents &c to  
be deposited

Costs of the  
appeal

Fee

## OF CITIES AND TOWNS.

shall be fixed and ascertained by the freeholders aforesaid the said The Mayor and Council of the town of Delmar shall have the option to pay the damages assessed within the time aforesaid, and to proceed with the said improvements, or upon the payment of costs only may abandon their intention of taking and occupying said land or lands for the purpose aforesaid.

Town to have  
option of pay-  
ing damages

Section 5. The said Mayor and Council of the town of Delmar shall have the supervision and control of all public mains, pipes, sewers and drains within the limits of the town of Delmar and may alter, repair or remove the same, and may cause new mains and sewers to be made and opened. The said The Mayor and Council of the town of Delmar may cause such mains, pipes, sewers and drains to be laid in any of the said streets, lanes or alleys of the said town in such manner and of such material as they the said The Mayor and Council of the town of Delmar may deem proper. The said The Mayor and Council of the town of Delmar may, if it deems it advisable, make proper outlets for any of the sewer pipes to be laid in any of the streets, lanes or alleys, of the said town of Delmar and any outlets which they may deem advisable. The said the Mayor and Council of the town of Delmar shall make rules, regulating the tapping of public sewers by the owners of abutting lands and shall provide for the granting of permits for the same and for the payment of such tapping fees as the said Corporation shall deem proper, and they shall prescribe the material of all private drains or sewers which shall hereafter enter into any public sewer, and shall direct the manner in which they shall be laid.

Supervision  
and control  
exercised by  
Mayor and  
Council of  
Delmar over  
mains, sewers  
&c

Section 6. The said The Mayor and Council of the town of Delmar is hereby authorized to engage the services of a practical engineer and such agents and servants as it shall deem necessary for the work herein devolved upon them.

To engage an  
engineer &c

## OF CITIES AND TOWNS.

Duty of Mayor  
under this act

Section 7. It shall be the duty of the Mayor of said town of Delmar to sign all orders on the Treasurer of the town or member designated to act as Treasurer of the fund arising from the sale of such bonds for all bills and expenses contracted for and approved by said The Mayor and Council of the town of Delmar for the construction of said sewer system and to sign all contracts and notices as well as all orders, notices, contracts with relation to the improvements of said town. It shall be the duty of the Secretary to keep an accurate record of all the business transacted by the said The Council in relation to and during the construction of said sewer system, and to attest all orders signed by the Mayor of the town on the Treasurer or person designated to act as treasurer, and other papers signed by the Mayor.

Duty of  
Secretary

Ordinances

Section 8. The said The Mayor and Council of the town of Delmar is hereby authorized and empowered to pass such ordinances as it may deem necessary for the operation, management and control of said sewer system, through the streets, lanes and alleys of the town of Delmar and shall grant the use of said sewer system to all persons in said town on such terms and conditions as it shall seem just and proper.

Penalty for  
injury to sewer  
system

Section 9. That any person or persons designedly or negligently injuring the said sewer system, or any part thereof, or in any manner obstructing any of the pipes of said sewer system shall, for every such offense forfeit and pay to the Mayor and Council of the town of Delmar a fine not exceeding One Hundred Dollars (\$100.00), to be recovered by the said The Mayor and Council of the town of Delmar before the Alderman of the said town of Delmar or any Justice of the Peace in Sussex County. The said The Mayor and Council of the town of Delmar shall have power to impose fines and penalties for the violation of any ordinances passed by them touching the protection of said sewer system.

Power to im-  
pose fines &c

## OF CITIES AND TOWNS.

Section 10. That before the provisions of this Act shall go into effect the borrowing of a sum of money not to exceed Thirty Thousand Dollars (\$30,000.00) as afore-said shall be submitted to and approved by a majority of the votes cast at a special election which the said the Mayor and Council of the town of Delmar is hereby authorized and directed to call within sixty days after the approval of this Act by the Governor. At such special election every male or female taxable of the town who is eligible to vote at town elections in said town, who has no unpaid taxes in said town shall be entitled to one vote, for every Ten Dollars (\$10.00) or fractional part thereof of taxes paid for the last year preceding such election. The said election shall be called by the Mayor and Council of the town of Delmar and shall be held, certified to, and recorded in the same manner as the election of a Mayor of said town. If the borrowing of the said money shall not be approved by the majority of said voters at said special election, the said the Mayor and Council of the town of Delmar is authorized and directed to call another special election in less than ninety days thereafter to be held in like manner and for the same purpose. If at the second special election the borrowing of the said money shall not be approved by a majority of said vote, then the said the Mayor and Council of the town of Delmar is hereby authorized and directed to submit the question to the voters at any annual election in the said town of Delmar.

Special election  
on bond issue

Who may vote

In case of  
rejection to  
call another  
special  
election

Other elections

Section 11. That the faith of the said town of Delmar is hereby pledged for the payment of the bonds authorized to be issued under this Act.

Approved March 12, A. D. 1913.

## OF CITIES AND TOWNS.

## CHAPTER 254.

## OF CITIES AND TOWNS.

AN ACT to amend Chapter 216, Volume 24, Laws of Delaware, entitled, "An Act to Incorporate the town of Bethel."

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members of each branch of the Legislature concurring therein):*

Sec. 9, Chap.  
216, Vol. 24  
amended

Section 1. That Chapter 216, Volume 24, Laws of Delaware entitled, "An Act to Incorporate the town of Bethel", be and the same is hereby amended by inserting after the words "collected by him" in the last line of Section 9, the following to wit:

Town Commis-  
sioners to an-  
nually publish  
their receipts  
and expen-  
ditures

It shall be the duty of the town Commissioners herein provided for to annually, at least two weeks before their meeting in March, be published in some newspaper in the city of Laurel, a statement of the receipts and expenditures of the said Commissioners showing the balance, if any, which remains in their hands or in the hands of the town Treasurer at the time said statement is made. The said Commission shall also have, or cause to have published in five of the most prominent places in the said town of Bethel, a copy of the said statement.

Penalty for  
violation by  
Commissioners

And if the said Commissioners shall neglect, fail, or refuse to make and publish, and post such statements as aforesaid, the said Commissioners shall be subject to a fine of Ten Dollars (\$10.00) per diem for each day they neglect to make, publish, and post such statements as aforesaid, said sum to be recovered before any Justice of the Peace appointed in and for Sussex County.

Approved February 24, A. D. 1913.



OF CITIES AND TOWNS.

CHAPTER 255.

OF CITIES AND TOWNS.

AN ACT to Amend an Act entitled, "An Act to Re-incorporate the Town of Milton," being Chapter 193, Volume 23, Laws of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members elected to each House concurring herein):*

Section 1. That Chapter 193, Volume 23, Laws of Delaware, be, and the same is hereby amended by inserting in the fourth paragraph of Section 2 of said Act after the word "vote" in the fifth line of said paragraph and before the word "immediately" which follows it, the following:

"and every female citizen residing in said Town who shall be of the age of twenty-one years, and shall have paid the town tax last assessed to her, shall have the right to vote by paying to the Treasurer of said Town the sum of One Dollar."

Section 2. That all Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved March 22, A. D. 1913.

## OF CITIES AND TOWNS.

**Form of bonds**      ident of the Council, and countersigned by the Treasurer of the said "The Town of Milton" and shall be sealed with the corporate seal of the said "The Town of Milton" and be exempt from all State, County and Municipal taxes. That the Council of "The Town of Milton" shall negotiate the sale and delivery of the said Bonds and the moneys arising from the sale of said Bonds shall be placed in the hands of the Treasurer of the said "The Town of Milton" to be used for the purpose of carrying into effect the provisions of this Act.

**Exemption from taxation**

**To levy a special tax annually to pay interest**      Section 3. That the Council of "The Town of Milton" are hereby authorized and required to levy upon all the assessable property within the limits of the said Town annually a special tax sufficient to pay all the interest accruing on said Bonds, which the rents and revenues derived from said water works may be inadequate to meet, provided that this special tax shall not exceed Twelve Hundred Dollars (\$1200.) in any one year. The said Council of "The Town of Milton" are further authorized and empowered at their discretion to levy a further special tax upon the assessable property within the limits of said Town for the purpose of establishing a sinking fund adequate to the redemption, at or before maturity, as prescribed in this Act of all the Bonds which may be issued under the provisions of this Act, provided that the amount to be raised for this purpose shall not exceed the sum of Three Hundred Dollars (\$300.) in any one year. The special tax provided for in this section shall be collected from the assessable property within the limits of said Town in the same manner as other taxes levied by the said Council of "The Town of Milton" are collected. The sinking fund provided for by this Act shall be deposited in a Bank or Trust Company in Sussex County, or may be invested by the Council of "The Town of Milton" until such time as it may be needed for the redemption of the Bonds on such

**Limit to special tax**

**Further special tax to provide sinking fund**

**Limit to tax**

**Depository for sinking fund**

## OF CITIES AND TOWNS.

surety as the said Council may approve. The Treasurer of the said Town shall give additional Bond with surety for such sums as the said Council may determine and approve. Bond of Treasurer

Section 4. The Council of the said "The Town of Milton" is hereby authorized and empowered to do all things necessary for the location, erection, construction, equipment and operation of said water works and sewerage system, for furnishing the said Town of Milton with an ample supply of water and providing a sewerage system for the same, as aforesaid, and to purchase hose and hose carriages, and such other instruments and machines for use in the suppression of fires, as to said Council may seem expedient and to provide for the care and maintenance of the same, and to purchase engines, boilers, pipes, and all such instruments, machines, appliances and supplies as may be necessary for the purpose of establishing said water works and sewerage system in the said Town of Milton and for furnishing the citizens and inhabitants of said Town and a supply of water and a sewerage system for private and public use, and to affect this option shall have power to lay pipes under or along any of the roads, lanes or alleys of said Town, or any road adjacent thereto; and also to contract and agree with the owner,\* owners for the operation or purpose of any and all taxes which may be necessary for the purpose of carrying into effect the provisions of this Act. Construction and operation of water works and sewerage system by the Council

If the owner or owners of said land or lands, or any of them shall refuse to permit the Council of "The Town of Milton" to enter upon and occupy said land or lands for the purposes aforesaid, and if such owner or owners be unable or unwilling to contract and agree with the said Commissioners upon the compensation to be made for any real or supposed injury that may be done to said

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\*Printed as in original bill.

## OF CITIES AND TOWNS.

may abandon their intention of taking and occupying said land or lands for the purposes aforesaid.

Supervision  
and control  
exercised by  
Council of  
town of Milton

Section 5. That the Council of "The Town of Milton" shall have the supervision and control of all public mains, pipes, sewers and drains within the limits of "The Town of Milton" and alter, repair or remove the same and may cause new mains and sewers to be made and opened. The said Council may cause such mains, pipes, sewers and drains to be laid in any of the said streets, lanes or alleys of the said Town in such manner and of such material as the said Council may deem proper. The Council may if it shall deem it advisable make proper outlets for any of the sewer pipes to be laid in any of the streets, lanes or alleys of the said Town of Milton. The said Council shall make rules regulating the tapping of public sewers by the owners of abutting lands and shall provide for the creating of permits for the same and for the payment of such tapping fees as the said Council shall deem proper, and they shall prescribe the material of all private drains or sewers which shall hereafter enter into any public sewer and shall direct the manner in which they shall be laid.

To pass  
ordinances

Section 6. The said Council of "The Town of Milton" is hereby authorized and empowered to pass such ordinances as they shall deem necessary for the operation, maintenance and control of said water works and sewerage system. The protection of the same, the distribution of said water through the streets, lanes and alleys of "The Town of Milton", the regulation of its use in case of fire and shall grant to all persons, in said town whomsoever the privilege of using the said water in such manner and on such terms and conditions as to them may seem just and proper.

Penalty for  
injuring works

Section 7. That any person or persons designedly or negligently injuring the said water works or sewerage

## OF CITIES AND TOWNS.

system, or any part thereof, or obstructing the passage of water to or from the same, or in any manner polluting the water required for said waterworks, and its source or at any point below such source, shall, for every such offense forfeit and pay to the Council of "The Town of Milton" the fine not exceeding One Hundred Dollars (\$100.) to be recovered by the said "The Town of Milton" before any Justice of the Peace residing in Sussex County. The said Council of "The Town of Milton" shall have power to impose fines and penalties for the violation of any ordinances passed by them touching the protection of the said water works and sewerage system.

Section 8. That before the provisions of this Act with reference to the issuance of Ten Thousand Dollars (\$10,000.) worth of Bonds for the sewerage system shall go into effect, the borrowing of said sum of money not to exceed Ten Thousand Dollars (\$10,000.) for said sewerage system shall be submitted to and approved by a majority of the votes at a special election which the said Council of "The Town of Milton" is hereby authorized and directed to call within sixty days after the approval of this Act by the Governor. At such election each person now entitled to a vote in Town Elections in said Town shall be entitled to the same rights of voting as at other Town elections. If the borrowing of the said money shall not be approved by a majority of the said votes at said special election the said Council is hereby authorized and directed to call other special elections at intervals of not less than six months thereafter to be held in like manner and for the same purpose.

To submit question of borrowing at a special election

Who may vote

Other special elections

Section 9. That the faith of the said "The Town of Milton" is hereby pledged for the payment of the Bonds authorized to be issued under this Act.

Approved March 12, A. D. 1913.

## OF CITIES AND TOWNS.

lands by such entry and occupancy then the Council of "The Town of Milton" shall have power and authority to go upon said land or lands, and they, or a majority of them after viewing the same may assess the damages of said owner or owners fairly or impartially under all the circumstances, and certify their finding and award in writing to the said owner or owners of said land or lands, and if such owner or owners be not resident within the said Town to certify their finding and award to the owner or tenant of said real estate, but if there be no owner or tenant resident in said Town, the said notice shall be affixed to the most conspicuous part of the premises, which shall be as effectual as personal service of the same. If any owner be dissatisfied with the amount of the compensation or damages allowed by the said Council of "The Town of Milton", as aforesaid he or she may, within five days after such notice as aforesaid, appeal from the said assessment of compensation or damages by serving written notice to that effect on the President or other presiding officer of the Council of "The Town of Milton". In order to prosecute said appeal, such owner or owners shall, within five days after the expiration of the five days allowed for the appeal, and upon five days notice to the said President or presiding officer of the Council of "The Town of Milton", make written application to the Associate Judge of the Superior Court of this State, resident in Sussex County, for the appointment of a Commission to hear and determine the matter in controversy, and thereupon the said Associate Judge shall issue a commission, under his hand directed to five freeholders of the said County, three of whom shall be residents of the said Town of Milton, and two of whom shall be non-residents of the said Town, commanding them to assess the damages which the owner or owners of the said lands intended to be taken, occupied or used for the purpose of this Act, as aforesaid, (and who shall have notified said Commis-

Assessment of damages

To certify findings and award

Appeal from damages allowed

Resident Judge in Sussex county to appoint a Commission to assess damages

## OF CITIES AND TOWNS.

sioners of their intention to appeal) may sustain or incur by reason of such use or occupancy, and make return of their proceedings to the said Associate Judge at the time therein appealed. The freeholders named in such Commission being first sworn or affirmed as in said commission shall be directed, shall view the premises, and they or a majority of shall assess the damages as aforesaid, and shall make return in writing of their proceedings, in the premises to the Associate Judge, who shall deliver said return to the said Council of "The Town of Milton" which shall be final and conclusive. The said Associate Judge shall have power to fill any vacancies in the Commission. The amount of damages being so ascertained, the said Council of "The Town of Milton" may pay or tender the same to the person or persons entitled thereto within one month after the same shall be finally ascertained, or if the person or persons so entitled reside out of or are absent from the said Town during the said period of one month, then the same may be deposited to his or her credit in any responsible Bank or Trust Company in Sussex County within said time and thereupon said property or land may be taken or occupied for the use aforesaid. In the ascertainment of damages by the freeholders aforesaid, if the damages shall be increased the costs of the appeal shall be paid by the Treasurer of the Town of Milton, or by the Treasurer designated by the said Council of "The Town of Milton", out of the money in his hands arising from the sale of certain Bonds, but if said damages shall not be increased the cost of the appeal shall be paid by the Appellant. The fees of the freeholders shall be Two Dollars per day each, which shall be entered as part of the costs. If the damages shall be fixed and ascertained by the freeholders aforesaid the said Council of "The Town of Milton" shall have the option to pay the damages assessed within the time aforesaid, and to proceed with the said improvements, or upon the payment of costs only

Commission's  
award final

Tender of  
award

To deposit  
award when  
owner is not  
to be found &c

Costs of the  
appeal

Fees

Town to have  
option of ac-  
cepting award

## OF CITIES AND TOWNS.

## CHAPTER 259.

## OF CITIES AND TOWNS.

AN ACT to amend Chapter 212, Volume 25, Laws of Delaware, being an Act entitled, "An Act to Incorporate the Town of Bethany Beach, and giving it authority to issue bonds," as amended, by fixing the qualification of voters and by changing the time for assessing taxes.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of each House concurring therein):*

Sec. 5, Chap.  
212, Vol. 25  
amended

Section 1. That Section five of Chapter 212, Volume 25, Laws of Delaware, entitled "An Act to Incorporate the Town of Bethany Beach, and giving it authority to issue bonds," as amended, be and the same is hereby amended by striking out the word "against" where it occurs in the twentieth line of said section and by inserting after the word "property" where it occurs in the twenty-first line of said section and before the word "there", the following, "has been assessed in the year of such election and against which".

Sec. 13, Chap.  
212, Vol. 25  
amended

Section 2. That Section thirteen of said Chapter 212, Volume 25, Laws of Delaware, be and the same is hereby further amended by striking out the word "June" in the third line of said section thirteen and inserting in lieu thereof the word "May".

To be approved  
by majority  
vote at general  
election

Section 3. That before any of the provisions of this act shall go into effect, the same shall be approved by a majority vote at the general election to be held in the said town of Bethany Beach on the first Tuesday after the first Saturday of August, A. D. 1913. The Commis-



## OF CITIES AND TOWNS.

sioners of the said town shall give notice of the vote to <sup>Notice</sup> be taken on the provisions of this act in the notice to be given for holding such general election under the provisions of Section 4, of said Chapter 212, Volume 25, Laws of Delaware.

If a majority of the voters at the said general election shall vote in favor of the provisions of this act, the same shall immediately, on the ascertaining of the result of such vote, become operative and of full force and effect.

Approved March 20, A. D. 1913.

## OF CITIES AND TOWNS.

## CHAPTER 260.

## OF CITIES AND TOWNS.

**AN ACT to Amend Chapter 438, Volume 22, Laws of Delaware, entitled, "An Act to Incorporate the Town of Frankford," and the renewals and amendments thereto.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met, (two-thirds of all the members elected to each House concurring therein):*

Sec. 2, Chap.  
438, Vol. 22  
amended

Section 1. That Chapter 438, Volume 22, Laws of Delaware, being entitled "An Act to Incorporate the Town of Frankford," be, and the same is, hereby amended by striking out all between the word "vote" in the twenty-ninth line of Section 2 and the word "and" in the thirty-fifth line of said Section, and inserting in lieu thereof, the following:—"That at such election each person entitled to vote shall be entitled to vote but one vote."

Approved April 7, A. D. 1913.

# TITLE ELEVENTH.

## Of the Domestic Relations.

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### CHAPTER 261.

#### OF MARRIAGE.

##### AN ACT Concerning Marriages and Marriage Licenses.

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Section 1. A man shall not marry his mother, grand-mother, sister, daughter, grand-daughter, father's sister, mother's sister, brother's daughter or sister's daughter. A woman shall not marry her father, grandfather, brother, son, grandson, father's brother, mother's brother, brother's son or sister's son. <sup>Prohibited degrees</sup> Marriage between a white person and a negro or mulatto, between paupers or between a person of sound mind and an insane or idiotic person shall be unlawful. If a marriage <sup>Races</sup> prohibited by this section be solemnized, it shall be void and the parties thereto shall each be deemed guilty of a <sup>Insane person</sup> misdemeanor and shall be fined one hundred dollars, and in default of the payment of such fine shall be imprisoned not exceeding thirty days, and if any person authorized to issue a marriage license shall knowingly or wilfully issue a license for such marriage, and if any person authorized to solemnize marriage shall knowingly or wilfully solemnize such marriage, or if any person <sup>Penalties</sup>

## OF MARRIAGE.

Such marriage  
contracted out-  
side the State

shall knowingly or wilfully assist in the contracting or solemnizing of such marriage, he shall be deemed guilty of a misdemeanor and shall be fined one hundred dollars and in default of the payment of such fine, shall be imprisoned not exceeding thirty days. If a marriage prohibited by this section shall be contracted or solemnized outside of the State and the parties thereto shall afterwards live and cohabit as husband and wife within the State, they shall each be deemed guilty of a misdemeanor and shall be punished in the same manner as though the marriage had been contracted within this State.

Marriages;  
how solemn-  
ized

Section 2. Any ordained minister of the gospel and every minister in charge of a recognized church, and the Mayor of the City of Wilmington are hereby authorized to solemnize marriages between such persons as may lawfully enter into the matrimonial relation. Marriages may also be solemnized or contracted according to the forms and usages of any religious society where either of the parties belongs to such religious society, but no marriage shall be solemnized or contracted without the production of a license regularly issued as hereinafter provided authorizing such marriage. If any person, not authorized by this section, shall falsely solemnize a marriage, he shall be deemed guilty of a misdemeanor and shall be fined one hundred dollars, and in default of the payment of such fine shall be imprisoned not exceeding thirty days, and such marriage shall be void unless it be in other respects lawful and be consummated with the full belief of either of the parties in its validity.

Falsely solemn-  
izing a  
marriage

Penalty

Licenses to  
non-residents

Section 3. From and after the passage of this Act, it shall be necessary for persons intending to be married within this State, if both are non-residents of the State, to first obtain a marriage license at least ninety-six (96) hours prior to the time the ceremony is to be performed, and if one or both of the parties be residents of this

When one or  
both are resi-  
dents of Del.

## OF MARRIAGE.

State, to first obtain the said license at least twenty-four (24) hours prior to the time the ceremony is to be performed and deliver the same to the person who is to officiate, before the proposed marriage can be lawfully performed; provided that if the marriage is to be performed by or before any religious society, institution or organization, the license shall be delivered to the said religious society, institution or organization or any officer thereof.

Delivery of  
license to per-  
son officiating

Section 4. From and after the passage of this Act, all marriage licenses shall be furnished to the Clerks of the Peace of the several Counties of this State by the Secretary of State upon the receipt of the sum of Two Dollars for each license so furnished. That Justices of the Peace shall have the privilege to procure from the Clerk of the Peace in the County in which said Justice of the Peace is resident, marriage licenses at a cost of Two Dollars and Fifty Cents each and the said Justices of the Peace shall sell the same for not more than Three Dollars each; provided, however, that no Justice of the Peace in the State of Delaware shall sell a marriage license to applicants when both parties to the proposed marriage are non-residents of the State of Delaware, but said non-residents shall make application to the Clerks of the Peace of the several Counties of this State, or to the deputies of such Clerks of the Peace, regularly appointed and qualified. No marriage license shall be issued by a Clerk of the Peace of the several Counties of this State, or by a Justice of the Peace when either of the contracting parties, at the time of making the application, is under the influence of intoxicating liquor, or a narcotic drug, or is an imbecile, epileptic or of unsound mind, nor shall any such license be issued to any person who is or has been an inmate of any insane asylum, unless it appears that such person has been satisfactorily discharged from such asylum. Any Clerk of the Peace,

Clerks of the  
Peace to obtain  
licenses from  
Secretary of  
State

Justices of the  
Peace to ob-  
tain licenses  
from Clerk of  
the Peace

Justices of the  
Peace prohib-  
ited from sell-  
ing to non-  
residents

Non-residents  
to apply to  
Clerks of the  
Peace

No license to  
intoxicated  
person

Insane person

## OF MARRIAGE.

Penalty

or any Deputy of such, or Justice of the Peace, who shall knowingly or wilfully act in violation of the provisions of this Act, shall be deemed guilty of a misdemeanor and shall be fined one hundred dollars, and in default of the payment of such fine, shall be imprisoned not exceeding thirty days.

Form of license

Section 5. A marriage license under this Act shall be in the following form:

State of Delaware, ss.

To any minister of the gospel or other person authorized by the laws of the State of Delaware to solemnize marriage. You are hereby authorized to join in the holy bonds of matrimony, according to the laws of the State of Delaware:

\_\_\_\_\_ of \_\_\_\_\_ and \_\_\_\_\_  
of \_\_\_\_\_

Witness \_\_\_\_\_ Esquire, Governor, of the said  
State, at Dover, the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
By the Governor.

\_\_\_\_\_  
\_\_\_\_\_  
*Secretary of State.*

On the back of each license, shall be the following:

This license issued at \_\_\_\_\_ in the  
County of \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_,  
A. D. 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
\_\_\_\_\_ of the Peace.

Certificates

There shall be attached to said license two certificates in the following form:

I hereby certify that on this \_\_\_\_\_ day of  
\_\_\_\_\_ A. D., 19\_\_\_\_, at \_\_\_\_\_ in the County of  
\_\_\_\_\_ at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
\_\_\_\_\_ of \_\_\_\_\_ and \_\_\_\_\_  
of \_\_\_\_\_ were by me united in the holy bonds of

## OF MARRIAGE.

matrimony in accordance with the laws of the State of Delaware.

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-----

One of said certificates shall be given to the parties at the time of their marriage and the other shall within four days be returned to the Clerk of the Peace of the County in which the license was issued by the person officiating at said marriage and the said Clerk of the Peace shall thereupon enter in the Marriage Record Book the date of said marriage and the name of the person performing said ceremony and the said Marriage Record Book so kept shall be a public record, and shall be open for inspection to the public, and shall be admitted as evidence of the facts therein contained in any court of record. The Clerk of the Peace of New Castle County shall, within the first three days of each month, prepare and send to the Registrar of Vital Statistics of the City of Wilmington, a list of the marriages performed in the said City of Wilmington, during the preceding month, with the entries concerning each marriage as they appear in the said Marriage Record Book. Where a marriage is contracted according to the forms and usages of any religious society, the wording of the certificates may be altered, in accordance with the facts of the case and the forms and usages of such religious society. If any person officiating at said marriage shall fail to return to the office of the Clerk of the Peace the certificate within four days as hereinbefore provided, he shall be deemed guilty of a misdemeanor and shall be fined twenty-five dollars.

Duties of  
Clerks of the  
Peace and  
Justices of the  
Peace

Marriage  
Record Book

Registrar of  
Vital Statistics  
in Wilmington

Change in  
wording of  
certificate per-  
mitted under  
certain  
conditions

Penalty for  
failure to re-  
turn certificate

Section 6. Any marriage license issued shall be immediately noted by the person issuing the same in a book called the Marriage License Book, to be kept by him in his office, the said book to contain the names and address-

Further duty  
of Clerk of the  
Peace

## OF MARRIAGE.

es of the parties to whom the license has been issued, the ages of the said parties, and the time when the said license was issued. The said Marriage License Book so kept shall be a public record and open for inspection to the public.

Examination  
of and ques-  
tions asked of  
non-residents  
under oath

Before any marriage license shall be issued by any person authorized to issue the same, as herein provided, in the case where both of the contracting parties are non-residents of this State, he shall examine both parties in person upon oath, and shall inquire the full names of the parties desiring the license, their places of residence, the names of their parents and the parents' residences, their occupation, age, color, whether previously married, and their relationship, if any, the answers to which inquiries shall be set down in the Marriage Record Book and the parties applying for the said license shall subscribe their names thereto, and the said license shall be issued only after it has thus been made to appear that no legal impediment to be\* proposed marriage exists.

Examination  
of and ques-  
tions asked  
when one or  
both are  
residents

In the case where one or both of the contracting parties are residents of this State, the procedure shall be the same as in the case where both are non-residents, except that the application in person, the answers and the signature on the Marriage Record Book of one of the contracting parties shall be sufficient, and such answers need not be made under oath; provided that the person issuing the license may require the applicant to answer his inquiries on oath or affirmation, if in his judgment, such oath or affirmation is necessary to satisfy himself of the legality of the proposed marriage. If neither of the parties be personally known to the person issuing the license as a resident of the State, at least one of them must be identified as such, to his satisfaction. In every case, the person issuing the license shall mark on the back of the license, in the blanks for that purpose, the

Identification

Time of issue  
and signature  
on back of  
license

\*the (printed as in original bill).



## OF MARRIAGE.

place and precise time of issue, and shall sign his name below.

Section 7. If any male applicant for a license to marry Minors shall be a minor under the age of twenty-one years, or any such female applicant under the age of eighteen years, such license shall not be issued unless the parents or guardian of said minor, if there be any, shall first certify under their hands and seals in the presence of two reputable witnesses, their consent thereto, which consent shall be delivered to the person issuing the license.

Section 8. If any person applying for a license under Perjury this Act, shall knowingly make false answer to any of the inquiries of the person issuing the license applied to for a license, after having been sworn or affirmed to answer truly, he or she shall be deemed guilty of perjury and shall upon conviction thereof, be subject to the penalties imposed therefor by the laws of this State. Every person authorized by this Act to issue marriage licenses, is hereby empowered to administer oaths or affirmations to the parties applying for the license.

Section 9. If any person or persons, or any religious society, institution or organization, having authority to solemnize marriages, shall perform any marriage ceremony between parties without the presentation of a license therefor, obtained in accordance with the provisions of this Act, or shall perform the same prior to the expiration of ninety-six (96) hours from the time of the issuance of the license, when both parties are non-residents of the State, or prior to the expiration of twenty-four (24) hours from the time of the issuance of the license when one or both parties are residents of the State, he or they shall be deemed guilty of a misdemeanor, and shall, upon conviction, be sentenced to imprisonment for a term not exceeding six months, or to a fine not exceed-

Penalty for performing a marriage before expiration of required number of hours after issuance of license

## OF MARRIAGE.

ing five hundred dollars, or both, at the discretion of the Court. Any person, religious society, institution or organization authorized to perform the ceremony of marriage, who shall make any false certificate of marriage, shall be deemed guilty of a misdemeanor and shall be fined one hundred dollars. Nothing in this Act contained shall be deemed or taken to render any common law or other marriage, otherwise lawful, invalid by reason of the failure to take out a license as is herein provided.

To make valid  
certain  
marriages

Section 10. All marriages heretofore performed by a minister of any religion, other than a stated and ordained minister of the gospel, if otherwise valid, shall be as valid as if the same had been performed by a stated and ordained minister of the gospel.

Section 11. In the event that any section of this Act, or part thereof, shall be held to be invalid by a court of competent jurisdiction, such adjudication shall not affect the other portions of this Act.

In effect May  
1, 1913

Section 12. All Acts and parts of Acts inconsistent herewith are hereby repealed, and this Act shall take effect May first, 1913.

Approved March 20, A. D. 1913.

## OF PARENTS AND CHILDREN.

## CHAPTER 262.

## OF PARENTS AND CHILDREN.

**AN ACT Relating to Desertion and Non-Support of Wife by Husband, or of Children by Either Father or Mother and Providing Punishment Therefor.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all the members elected to each House concurring therein):*

Section 1. That any husband who shall, without just cause, desert or wilfully neglect or refuse to provide for the support and maintenance of his wife in destitute or necessitous circumstances, or any parent who shall, without lawful excuse, desert or wilfully neglect or refuse to provide for the support and maintenance of his or her legitimate or illegitimate child or children, under the age of sixteen years, in destitute or necessitous circumstances, shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine, not exceeding five hundred dollars, or by imprisonment with hard labor in such penal or reformatory institution of this State as may be determined upon by the Court, for a period not exceeding one year, or both. And it is hereby made the duty of the parent of any illegitimate child or children, under the age of sixteen years, to provide for the support and maintenance of such illegitimate child or children.

Penalty for desertion or neglect to provide for wife by husband

Support of children

Misdemeanor

Illegitimate children

Section 2. Proceedings under this Act may be instituted upon complaint made under oath or affirmation by the wife or child or children, or by any other person,

Institution of proceedings under this act

## OF PARENTS AND CHILDREN.

**Jurisdiction** against any person guilty of either of the above named offenses. The Court of General Sessions, and, the Municipal Court for the City of Wilmington shall have original and concurrent jurisdiction in all cases arising under this Act, and unless the accused shall demand a trial by jury the trial shall in each case be by the Court without a jury, subject to the right of the accused to appeal as provided by law in other cases: Provided, however, that the proceedings, under this Act, in the Municipal Court for the City of Wilmington shall be without indictment by grand jury or trial by petit jury.

**Trial without jury unless accused demands same**

**Temporary order for support may be entered by Judge before trial** Section 3. At any time before trial, upon petition of the complainant, and upon notice to the defendant, the Court of General Sessions or a Judge thereof in vacation, or the City Judge of the Municipal Court for the City of Wilmington, may enter such temporary order as may seem just, providing for the support of the deserted wife or children, or both, *pendente lite*, and may punish for violation of such order as for contempt.

**At its discretion the Court may make order instead of imposing penalty** Section 4. Before the trial, with the consent of the defendant, or at the trial, on entry of a plea of guilty, or after conviction, instead of imposing the penalty hereinbefore provided, or in addition thereto, the Court in its discretion, having regard to the circumstances, and to the financial ability or earning capacity of the defendant, shall have the power to make an order, which shall be subject to change by the Court from time to time, as circumstances may require, directing the defendant to pay a certain sum periodically to the wife, or the guardian, or custodian of the said minor child or children, or to an organization or individual approved by the Court as trustee, and to release the defendant from custody on probation, upon his or her entering into a recognizance, with or without surety, in such sum as the Court or a Judge thereof in vacation may order and approve. The

**Subject to change**

**To pay a sum regularly**

**Release on probation**

## OF PARENTS AND CHILDREN.

condition of the recognizance shall be such that if the defendant shall make his or her personal appearance in Court whenever ordered to do so, and shall further comply with the terms of such order of support, or of any subsequent modification thereof, then such recognizance shall be void, otherwise in full force and effect.

Section 5. Whenever the Court of General Sessions may deem it necessary or desirable, it may appoint one or more discreet persons of good character to serve as probation officers, during the pleasure of the Court, for the performance of such duties as the Court shall direct. Said probation officer or officers shall receive a salary to be determined by the Court, but such compensation shall not exceed one hundred dollars per month for each officer; and this, together with the necessary expenses incurred while in the actual performance of duty, shall be paid monthly by the Levy Court Commissioners of the county, upon the order of the Court.

Section 6. It shall be the duty of the probation officer or officers so appointed to make such investigation as may be required by the Court, to be present in court when the case is heard, and to furnish to the Court such information and assistance as the Court may require, and to take charge of any defendant, before or after trial, as may be directed by the Court. In no case, however, shall a defendant be committed to the custody of a probation officer of the opposite sex.

Section 7. If the Court be satisfied by information and due proof under oath that the defendant has violated the terms of such order, it may forthwith proceed with the trial of the defendant under the original conviction, or enforce the suspended sentence, as the case may be. In case of forfeiture of a recognizance, and enforcement thereof by execution, the sum recovered may, in the dis-

## OF PARENTS AND CHILDREN.

cretion of the Court, be paid in whole or in part to the wife, or the guardian, custodian or trustee of the said minor child or children.

Evidence  
necessary

Confidential  
communication  
between  
husband and  
wife

Proof of  
desertion

County juris-  
diction over  
offense

Per diem pay  
for imprison-  
ment under  
this act

Section 8. No other or greater evidence shall be required to prove the marriage of such husband and wife, or that the defendant is the father or mother of such child or children than is or shall be required to prove such facts in a civil action. In no prosecution under this Act shall any existing statute or rule of law prohibiting the disclosure of confidential communications between husband and wife apply, and both husband and wife shall be competent and compellable witnesses to testify against each other to any and all relevant matters, including the fact of such marriage and the parentage of such child or children: Provided that neither shall be compelled to give evidence incriminating himself or herself. Proof of the desertion of such wife, child or children, in destitute or necessitous circumstances, or of neglect or refusal to provide for the support and maintenance of such wife, child or children, shall be prima facie evidence that such desertion, neglect or refusal is wilful.

Section 9. An offence under this act shall be held to have been committed in any county in which such wife, child or children may be at the time such complaint is made. It shall be the duty of the State, in any case in which application is properly made by the officers responsible for the execution of the law, to provide the funds necessary for the extraditing of any person charged with an offence under this act who has gone to another state.

Section 10. Whenever the Court shall sentence a husband or parent to imprisonment at hard labor under the provisions of this act, said husband or parent shall be entitled to receive for his labor the sum of fifty cents per day for each day, Sundays and legal holidays only ex-

## OF PARENTS AND CHILDREN.

cepted, during which said husband or father is imprisoned at hard labor, the same to be paid by the official in charge of the penal or reformatory institution in which said husband or father is imprisoned, to the wife or to the probation officers, or to the person or persons, or society, named in the order of Court as trustee for the wife or children. Such sum, with the lodging and food furnished such husband or father, shall be considered the wages paid by such institution for the labor of such husband or father, and shall be paid as one of the general running expenses of such institution.

To go to support of wife or child

Section 11. Whenever any person is receiving support under an order of Court in any other proceeding, civil, criminal or quasi-criminal, in this State, said person shall not be entitled to an order of support against the same defendant under this act; provided that if the defendant in such other proceeding shall fail to obey said order of Court, said person shall be entitled to the benefit of this act and said defendant shall be subject to the provisions of this act.

Section 12. This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

Section 13. That Section 1 of Chapter 229, Volume 18, Laws of Delaware, and Chapter 230, Volume 18, Laws of Delaware, and all amendments thereto, be, and the same are hereby repealed: Provided however, that nothing contained in this Act shall repeal, alter or in any way effect the validity of Chapters 48 and 77, Revised Code, Laws of Delaware.

Sec. 1, Chap. 229, Vol. 18 and Chap. 230 Vol 18 repealed  
Not to effect Chapters 48 and 77 of Rev. Code

Section 14. If it shall be decided that any provision in this Act is unconstitutional, the intent of the legislature is hereby expressed that said provision only shall be void

If act is unconstitutional

## OF PARENTS AND CHILDREN.

and that all other provisions of this Act shall be valid and enforceable.

Section 15. This Act shall take effect on the first day of April, A. D. 1913.

Approved February 24, A. D. 1913.



## OF PARENTS AND CHILDREN.

## CHAPTER 263.

## OF PARENTS AND CHILDREN.

AN ACT in Reference to the Adoption of Persons upwards of Twenty-one Years of Age.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That any person, or any husband and wife jointly, desiring to adopt any person or persons upwards of twenty-one years of age shall make application in writing to the Orphans' Court of the County wherein the applicant or applicants or the person or persons so to be adopted, reside, stating that they desire to adopt such person or persons, giving his, her or their ages as near as may be, his, her or their sex, and that the applicant or applicants desire to adopt said person or persons; said application to be duly signed by the applicant or applicants.

Adoption of person upwards of twenty-one years of age

Section 2. Upon compliance with the above requirements and upon said person or persons so to be adopted appearing in said Court and consenting thereto, the Orphans' Court of the County in which the application is filed shall in its discretion render a decree ordering the issuance of a certificate of adoption to the applicant or applicants, stating the sex, age as near as may be, and the name by which the person or persons adopted shall thereafter be known, and that henceforth and forever all the duties, rights, privileges and obligations recognized by law between parent and child shall exist between the applicant or applicants and the person or persons so adopted as fully and to all intents and purposes as if the

Orphans' Court to issue a certificate of adoption

Form of certificate

## OF PARENTS AND CHILDREN.

Filing of  
papers

said person or persons were the lawful and natural offspring or issue of the person or persons making the application for his, her or their adoption. The clerk of the Court in which such application is made shall file the application and any and all papers pertaining thereto among the records of said Court and shall record in the record book in which the record of other adoptions is kept all the proceedings in such case, together with the decree of the Court, which record or a duly certified copy thereof shall be evidence.

Costs

Section 3. The costs in such case shall be taxed by the Court on the person or persons making the application.

Approved February 20, A. D. 1913.

## OF PARENTS AND CHILDREN.

## CHAPTER 264.

## OF PARENTS AND CHILDREN.

AN ACT in relation to the changing of Names of residents of the State of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Section 1. After the approval of this act any person who shall desire to have his or her name changed shall <sup>Change of name</sup> present a petition duly verified to the Superior Court sitting in the county in which such person resides setting forth such person's name, and the name he or she desires to assume.

Section 2. If the name sought to be changed be that of <sup>If a minor</sup> a minor, the said petition shall be signed by at least one of said minor's parents if there be a parent living, or if both parents be dead, by the legal guardian of such minor, and when the minor shall be over the age of fourteen, the said petition shall also be signed by the said minor.

Section 3. No such petition shall be granted unless it <sup>Publishing of notice</sup> affirmatively appears that the said petition has been published in a newspaper published in the county in which such proceeding is had, at least once a week for three weeks before the said petition is filed.

Section 4. Upon presentation of said petition and it <sup>Granting of petition</sup> appearing that the requirements of this act have been fully complied with, and there appearing no reason for

## OF PARENTS AND CHILDREN.

not granting the said petition, the prayer of the said petition may be granted.

Costs

Section 5. The costs of the proceedings shall be paid by the petitioner or petitioners.

Approved March 22, A. D. 1913.

# TITLE TWELFTH.

## Of Titles of Real Property.

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### CHAPTER 265.

#### OF CONVEYANCES.

**AN ACT to amend Chapter 83 of the Revised Code of the State of Delaware, as amended and published in 1898, entitled "Of Conveyance."**

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met, (with the concurrence of two-thirds of the members elected to each House of the General Assembly):*

Section 1. That Section 6 of Chapter 83 of the Revised Code of the State of Delaware be and the same is hereby amended by inserting in the first line thereof after the word "tenements" and before the word "executed" the words "or any other written instrument entitled to be recorded," and also by further inserting in the sixth line thereof after the word "officer", and before the word "duly" the words "or a vice president,".

Sec. 6, Chap. 83, Rev. Code amended

Section 2. That all Acts or parts of Acts inconsistent with the provisions of this Act be and the same are hereby repealed.

Approved March 17, A. D. 1913.

## OF CONVEYANCES.

## CHAPTER 266.

## OF CONVEYANCES.

## AN ACT for the relief of Elizabeth Ann Guest.

## Preamble

WHEREAS, Samuel Guest, a citizen of the State of Delaware, residing in the town of Middletown, Delaware, died on or about the Twenty-fifth day of March, A. D. 1910, intestate, and without issue, brothers or sisters, father or mother, heirs or known kindred, but leaving to survive him his widow, Elizabeth Ann Guest; and

WHEREAS, the said Samuel Guest at the time of his death was seized and possessed of certain real estate in the Town of Middletown, New Castle County, State of Delaware; and

WHEREAS, the said Elizabeth Ann Guest is now in possession of the said real estate; and

WHEREAS, in conformity with previous legislation with respect to escheated property, it is now the intention of the legislature to vest the whole right, title and interest of, in and to said real estate of said Samuel Guest in the said Elizabeth Ann Guest, his widow. Therefore,

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Situation  
of land

Section 1. That all of the right, title and interest of the State of Delaware, whether vested or in expectancy, of, in and to all those certain lots of land, with the buildings thereon erected, situate in the Town of Middletown, Delaware, One on the Southerly side of Lake Street,

## OF CONVEYANCES.

bounded on the North by said Lake Street; on the East by lands of Middletown Academy; on the South by a Twenty feet wide alley; and on the West by lands of Eleanor Scowdrick, said property being more fully described in deed from John Price to said Samuel Guest, dated June 1st A. D. 1891, and of record in the Office for the Recording of Deeds &c., at Wilmington, in and for New Castle County, in Deed Record "M", Volume 15, Page 335; the other on the Northerly side of Lockwood Street, bounded by lands of Francis Taroni; lands of Colonel Joshua Clayton; lands of George F. Brady, and the said Lockwood Street, said property being more fully described in deed from George F. Brady and wife dated January 14th A. D. 1879, and of record in the Office for the Recording of Deeds &c., at Wilmington, in and for New Castle County, in Deed Record "M", Volume 15, Page 583; and any and all other real estate within the County of New Castle aforesaid, of which the said Samuel Guest died seized and possessed, be and the same is hereby granted and relinquished, remised, released and forever quit claimed unto the said Elizabeth Ann Guest, and to her heirs and assigns, so that neither the State of Delaware, nor any person in trust for the said State, or for its use, shall or will, can or may hereafter have, claim, challenge or demand any right, title, interest, title,\* property, claim or demand of, in, to, or out of the same, but that the State of Delaware from all estate, right, title, interest, property, claim or demand, of, in, to or out of said real estate, or any part thereof, as against the said Elizabeth Ann Guest, her heirs and assigns, is and shall be forever excluded and debarred.

Record

Record

Granted to  
Elizabeth Ann  
Guest

Approved March 19, A. D. 1913.

\*Printed as in original bill.

## OF DEEDS.

## CHAPTER 267.

## OF DEEDS.

## AN ACT to Make Valid the Record of Certain Deeds.

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Record of Deed  
prior to Jan. 1,  
1913, not cer-  
tified to in  
proper manner

To be valid and  
effectual in law

Section 1. That the record of any deed dated prior to the first day of January, A. D. 1913, and which was duly signed and sealed by the parties therein named as grantors, notwithstanding said deed had not been properly acknowledged or the acknowledgment or the private examination of any married woman party thereto had not been taken and certified in conformity with the requirements of the laws of this State in force at the time of its execution, shall be and the same is hereby made valid and effectual in law, as if said deed had been correctly acknowledged and certified, and the said record or any office copy thereof shall be admitted as evidence in all courts of this State and shall be valid and conclusive evidence, as if said deed had been in all respects acknowledged and the acknowledgment certified in accordance with the then existing law.

Approved March 12, A. D. 1913.



## OF WILLS.

## CHAPTER 268.

## OF WILLS.

AN ACT making the mutilating or destroying of Wills or the withholding of them a misdemeanor.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That if any person or persons shall wilfully add to, alter, deface, erase, obliterate, mutilate, blot, blur, steal, hide, conceal, destroy or misplace, with intent to conceal any instrument of writing purporting to be or in the nature of a last will and testament and intended to take effect upon the death of the testator, whether the said person or persons shall have been given custody or possession thereof by the testator, or shall have obtained custody or possession of said purported last will and testament in any other manner whatsoever, said person or persons shall be guilty of a misdemeanor and shall be punished by fine or imprisonment or both at the discretion of the Court.

Mutilation or destruction of a will

Misdemeanor

Section 2. That it shall be the duty of any person or persons having the custody or possession of any instrument of writing purporting to be a last will and testament and intended to take effect upon the death of the testator therein named to produce and deliver the same to the Register of Wills for the County in which he resides within ten days from the time he receives information of the death of the said testator, and any person or persons wilfully failing to deliver said instrument of writing to said Register of Wills as aforesaid, shall be guilty of a misdemeanor and shall be punished by fine or imprisonment or both at the discretion of the Court.

Duty of a custodian of a will

To deliver to Register of Wills within ten days

Penalty

## OF WILLS.

Register of  
Wills may  
issue a citation  
to custodian

Section 3. The Register of Wills for any county in this State at his own instance or at the instance or request of any person interested in any instrument of writing purporting to be the last will and testament of any person deceased, or at the instance or request of any person interested in the estate of any deceased person, whose last will and testament or instrument in the nature thereof has not been delivered to the Register of Wills of the County in which said will is, by the person or persons having the custody or possession thereof within ten days from the death of the testator, may issue a citation requiring the person or persons having custody or possession of said instrument to produce and deposit the same in his office for probate, and if such person or persons shall wilfully withhold said instrument of writing for the space of ten days after being personally served with a citation to produce the same, such person or persons shall be guilty of a misdemeanor, and shall be punished by fine or imprisonment or both at the discretion of the Court.

Failure to  
produce will

Penalty

Approved March 12, A. D. 1913.

# TITLE THIRTEENTH.

## Of the Administration of Estates.

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### CHAPTER 269.

#### OF THE SETTLEMENT OF PERSONAL ESTATES.

**AN ACT to amend Chapter 225, Volume 25, Laws of Delaware, entitled "An Act Providing for a Collateral Inheritance and Succession Tax."**

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Section 1. That Chapter 225, Volume 25, Laws of Delaware, entitled "An Act Providing for a Collateral Inheritance and Succession Tax," be amended by inserting in line fifteen of Section 1, after the word "sister" and before the word "or", the words "either of the whole or half blood", and inserting in line sixteen of said Section 1, after that part of the word "sister" that appears in the said line sixteen, "either of the whole or half blood," and by striking out all of line twenty-eight, twenty-nine, thirty, thirty-one, and that part of line thirty-two before the word "and", and inserting in lieu thereof the following, to wit: "only the excess of five hundred dollars of every interest or share in an estate passing to a successor shall be subject to the tax imposed by the provisions of this act;" and by striking out the first line of that part of the second line before the word "it" in the third

Sec. 1, Chap.  
225, Vol. 25  
amended

## OF THE SETTLEMENT OF PERSONAL ESTATES.

paragraph of Section 3, and inserting in lieu thereof, the following, to wit: "The Court shall determine what part of the cost of an appeal shall be paid by the State and what part shall be paid by the appellant as it may appear just and equitable."

Section 2. All acts or parts of acts inconsistent herewith are hereby repealed.

Approved February 18, A. D. 1913.

# TITLE FOURTEENTH.

## Of Courts of Justice.

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### CHAPTER 270.

#### GENERAL PROVISIONS.

AN ACT in relation to the simplifying and expediting of the procedure and trial of Civil and Criminal Causes in the Courts of this State.

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Section 1. That within sixty days of the adoption of this Act, the Governor shall appoint two members of the Bar of New Castle County, two members of the Bar of Kent County and two members of the Bar of Sussex County to act as a Commission to investigate and report as to the means of simplifying and expediting the procedure and trial of civil and criminal cases in this State. If any person so selected as aforesaid shall refuse to act or shall thereafter resign or die, the Governor shall as soon as possible select another member of the Bar of the same County to act in his place and stead.

Governor to appoint a Commission of six members of the bar

Purposes

Section 2. The persons selected as aforesaid shall be and are hereby created and constituted a Commission for the purposes mentioned in Section 1 of this Act. The

Persons selected created a Commission

## GENERAL PROVISIONS.

members of said Commission shall serve without compensation.

To make report to  
Judiciary

Section 3. The said Commission shall, after having completed the investigation aforesaid, make report of their findings and recommendations to the Chancellor, the Chief Justice and the four Associate Judges of this State.

To carry recommendations  
of Commission  
into effect

Section 4. In order that the recommendations of the said Commission shall be carried into effect as speedily as possible, the Chancellor shall, for the Court of Chancery, and a majority of the other State Judges, shall, for the Supreme Court, the Superior Court, the Court of Oyer and Terminer, and the Court of General Sessions, have and they are hereby vested with full power and authority to make and ordain from time to time rules, in term or in vacation, changing the forms and kinds of actions and proceedings in said Courts, altering the mode and form of pleading in said Courts and the mode of entering and transcribing pleadings, judgments, orders, decrees and other proceedings in said Courts, and prescribing how, in what cases and when, (whether in term or in vacation) judgments may be obtained for want of an affidavit of defense, and fixing the return day of all writs used in the commencement of suits, actions or other proceedings, and making regulations for the payment of costs, and otherwise, for carrying into effect the said rules. The rules aforesaid, when so made and ordained as aforesaid, shall supersede all statutory provisions inconsistent therewith.

Judiciary given  
power and  
authority to  
make rules &c.

Rules when  
made or ordained to  
supersede all  
statutory  
provisions  
inconsistent  
therewith

Report to  
1915 Assembly

Section 5. The Commission aforesaid shall also make report to the General Assembly at the next session, setting forth the results of the investigation aforesaid, and their recommendations, together with such proposed legislation in the premises, as they deem necessary or advisable.

Approved March 26, A. D. 1913

## GENERAL PROVISIONS.

## CHAPTER 271.

## GENERAL PROVISIONS.

**AN ACT to authorize the employment of Convicts in the building or repairing of public highways in New Castle County.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That the Levy Court of New Castle County is hereby authorized and fully empowered to make any agreement with the Board of Trustees of the New Castle County Workhouse, that may seem proper and necessary to said Court and to said Board of Trustees, for the purpose of employing any of the able-bodied convicts now or hereafter confined in the New Castle County Workhouse who are confined or shall hereafter be confined in said Workhouse for a term of imprisonment by virtue of a sentence imposed by the Court of General Sessions or the Court of Oyer and Terminer of the State of Delaware, in and for New Castle County, or by the Municipal Court of the City of Wilmington, to assist in building or repairing any of the public highways in said County.

Levy Court of  
New Castle  
County to  
make agree-  
ment with  
Trustees of  
New Castle  
County work-  
house regard-  
ing employ-  
ment of con-  
victs

Section 2. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved March 12, A. D. 1913.

## GENERAL PROVISIONS.

## CHAPTER 272.

## GENERAL PROVISIONS.

**AN ACT to Provide Employment at Hard Labor for Persons Convicted of Certain Crimes and Misdemeanors in Kent County.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Hard labor on  
Kent Co. roads  
for certain  
crimes at dis-  
cretion of any  
Court of Kent  
Co. having  
jurisdiction

Section 1. That immediately after the approval of this act it shall be and may be lawful for any Court in Kent County having competent jurisdiction in the matters of obtaining money under false pretenses, pointing a deadly weapon, carrying concealed a deadly weapon, gambling, lottery policy writing, assault and battery, assaults, drunkenness, disorderly conduct and vagrancy, and all such other crimes, the punishment for which in the discretion of the Court in passing sentence, should be hard labor, to sentence any male person or persons convicted as aforesaid to hard labor on the public roads and highways of Kent county; provided, nevertheless, that such sentence at hard labor as aforesaid shall not exceed the term of three months.

Duty of  
Sheriff

Section 2. It shall be the duty of the sheriff of Kent County to receive all persons who may be sentenced under the provisions of this act and keep them at hard labor on the public roads and highways as provided herein.

Beggars and  
vagabonds  
deemed vag-  
rants are  
liable to pen-  
alties of this  
act

Section 3. That all beggars and vagabonds who roam about from place to place, without any lawful business or occupation, sleep in outhouses, barns, market places, sheds, and in the open air, and not giving a good account of themselves, shall be deemed vagrants and liable to the penalties of this act.



## GENERAL PROVISIONS.

Section 4. Eight hours shall constitute a day's work at hard labor, as provided herein, and such hard labor shall be performed between the hours of eight o'clock in the morning and five o'clock in the evening. No person sentenced under this act shall be exempt from said labor, except through physical inability properly certified to the sheriff of Kent County, or to the "Superintendent of Convict Gangs" to be hereafter provided for.

Eight hours a day's work at hard labor

Physician's certificate if physically unable to work

Section 5. The Levy Court of Kent County is hereby empowered to employ and pay such assistants, guards, bailiffs, or other persons as may be by them deemed necessary to properly care for and manage the persons sentenced as aforesaid and to put into execution the provisions of this act, and to also employ some suitable person to act as, and be known as "Superintendent of Convict Gangs". Such Superintendent shall be sworn in as a deputy sheriff in the same manner as other deputy sheriffs are sworn in, and shall have the same powers as other deputy sheriffs now have.

Levy Court of Kent County to employ guards, &c. to care for prisoners

"Supt. of Convict Gang"

Section 6. Whenever "The Convict Gang" or "Gangs" are working on any road, or part of a road, too far removed from the county jail of Kent county, to make it convenient for their daily transportation to and from the said jail, it shall be the duty of the sheriff of Kent County to provide some suitable place or places for a convict camp or camps in which such persons as may be sentenced under the provisions of this act shall be and remain while not working on the public roads and highways, and he shall further make such provision for feeding the persons sentenced as aforesaid as would be made for them in the county jail of Kent County.

Further duties of Sheriff of Kent County

Section 7. The cost to maintain such camp or camps shall be paid by the Levy Court of Kent County to the Sheriff of Kent County, in the same manner as allow-

Cost of maintaining convict camps

## GENERAL PROVISIONS.

ances are now made to the sheriff of Kent County, for such maintenance of prisoners confined in the Kent County Jail; provided, however, that the allowance made for feeding the persons sentenced under the provisions of this act shall not exceed the sum per person as is now or may hereafter be allowed such sheriff for feeding persons confined to the county jail of Kent County.

Limit to allowance for feeding

Solitary confinement for refractory prisoners

Section 8. Should any person sentenced under the provisions of this Act prove refractory and stubborn and refuse to work or perform his or their work in a proper manner, the sheriff of Kent County shall have power to place such prisoner or prisoners in solitary confinement, there to be kept on bread and water until he or they shall submit to perform his or their tasks.

Section 9. All acts or parts of acts inconsistent herewith be and the same are hereby repealed.

Approved March 17, A. D. 1913.

## GENERAL PROVISIONS.

## CHAPTER 273.

## GENERAL PROVISIONS.

**AN ACT to Provide Employment at Hard Labor for Persons convicted of Certain Crimes and Misdemeanors in Sussex County.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That immediately after the approval of this act it shall be and may be lawful for any Court in Sussex County having competent jurisdiction in the matters of obtaining money under false pretenses, pointing a deadly weapon, carrying concealed a deadly weapon, gambling, lottery policy writing, assault and battery, assaults, drunkenness, disorderly conduct and vagrancy, and all such other crimes, the punishment for which in the discretion of the court in passing sentence, should be hard labor, to sentence any male person or persons convicted as aforesaid to hard labor on the public roads and highways of Sussex County provided, however, that such sentence shall be for a period not to exceed three months.

Hard labor on Sussex County roads for certain crimes at discretion of any Court of Sussex County having jurisdiction

Section 2. It shall be the duty of the sheriff of Sussex County to receive all persons who may be sentenced under the provisions of this act and keep them at hard labor on the public roads and highways as provided herein.

Duty of Sheriff

Section 3. That all beggars and vagabonds who roam about from place to place, without any lawful business or occupation, sleep in out-houses, barns, market places, sheds, and in the open air, and not giving a good account of themselves, shall be deemed vagrants and liable to the penalties of this Act.

Beggars and vagabonds deemed vagrants liable to penalties of this act

## GENERAL PROVISIONS.

Eight hours a  
day's work at  
hard labor

Section 4. Eight hours shall constitute a day's work at hard labor, as provided herein, and such hard labor shall be performed between the hours of eight o'clock in the morning and five o'clock in the evening. No person sentenced under this act shall be exempt from said labor, except through physical inability properly certified to the sheriff of Sussex County, or to the "Superintendent of Convict Gangs" to be hereafter provided for.

If physically  
unable to work

Levy Court of  
Sussex County  
to employ  
guards, &c. to  
care for  
prisoners

Section 5. The Levy Court of Sussex County are hereby empowered to employ and pay such assistants, guards, bailiffs, or other persons as may be by them deemed necessary to properly care for and manage the persons sentenced as aforesaid and to put into execution the provisions of this act, and to also employ some suitable person to act as, and be known as "Superintendent of Convict Gangs". Such Superintendent shall be sworn in as a deputy-sheriff in the same manner as other deputy-sheriffs are sworn in, and shall have the same powers as other deputy-sheriffs now have.

"Supt. of  
Convict Gang"

Further duties  
of Sheriff of  
Sussex County

Section 6. Whenever "The Convict Gang" or "Gangs" are working on any road, or part of a road, too far removed from the county jail of Sussex County, to make it convenient for their daily transportation to and from the said jail, it shall be the duty of the sheriff of Sussex County to provide some suitable place or places for a convict camp or camps in which such persons as may be sentenced under the provisions of this act shall be and remain while not working on the public roads and highways, and he shall further make such provision for feeding the persons sentenced as aforesaid as would be made for them in the county jail of Sussex County.

Costs of main-  
taining Con-  
vict camps

Section 7. The cost of maintaining such camp or camps shall be paid by the Levy Court of Sussex County to the sheriff of Sussex County, in the same manner as

## GENERAL PROVISIONS.

allowances are now made to the sheriff of Sussex County, provided, however, that the said sheriff of Sussex County, shall be allowed such an amount per diem for feeding the persons sentenced under the provisions of this act as shall be determined upon by the said Levy Court of Sussex County. Limit to allowance for feeding

Section 8. Should any person sentenced under the provision of this act prove refractory and stubborn and refuse to work or perform his or their work in a proper manner, the sheriff of Sussex County shall have power to place such prisoner or prisoners in solitary confinement, there to be kept on bread and water until he or they shall submit to perform his or their tasks. Solitary confinement for refractory prisoners

Section 9. All acts and parts of acts inconsistent herewith are hereby repealed.

Approved March 17, A. D. 1913.

## OF THE COURT OF GENERAL SESSIONS.

## CHAPTER 274.

## OF THE COURT OF GENERAL SESSIONS.

AN ACT Providing that persons charged with offenses coming within the jurisdiction of the Court of General Sessions may plead guilty, and be sentenced forthwith, without a bill of indictment being presented to the grand jury.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Persons may  
plead guilty  
and be sen-  
tenced without  
an indictment  
being sent to  
Grand Jury

Not to relate to  
crimes under  
jurisdiction of  
Court of Oyer  
and Terminer

May withdraw  
plea before  
sentence

That whenever any person is charged with the commission of any crime or misdemeanor, and such person is willing to enter a plea of guilty, and shall notify the Attorney General to that effect, no bill of indictment charging such offense shall be sent to a grand jury; but the Attorney General shall at once prepare a bill of indictment, in the usual form, and the plea of guilty shall, at the request of the said defendant in open court, be entered thereon, and the Court of General Sessions in and for the proper county at any session thereof, shall thereupon, forthwith, impose sentence for the offense set forth therein:—Provided, however, that nothing in this Act shall be construed so as to relate to, or change the proceedings in crimes coming properly within the jurisdiction of the Court of Oyer and Terminer:—And provided further, that the defendant may withdraw his plea of guilty, at any time before sentence, by leave of the court.

Approved February 20, A. D. 1913.

# TITLE FIFTEENTH.

## Of the Justices of the Peace.

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### CHAPTER 275.

#### GENERAL POWERS, DUTIES AND JURISDICTION OF.

AN ACT requiring all Justices of the Peace and Constables in the State of Delaware to keep a "Fee Book" in which shall be given an itemized account of all moneys received by them in their official capacity, and requiring said Justices of the Peace and Constables to file with the County Treasurer and with the Levy Court of their respective Counties, on the first secular day of each and every month, an itemized account of all fees and costs received by them in the preceding month.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That each and every one of the Justices of the Peace and Constables, in each of the Counties of this State, is hereby authorized, directed and required to keep a "Fee Book", which shall be provided by the County in each case, and in which the said Justice of the Peace or Constable, as the case may be, shall keep a complete itemized account of all moneys received by him in his official capacity, showing the amount received in each case, the date when received, and the particular case in which the same was received, and the services or particular purposes for which the same was received or charged, and the name of the person paying the same, and a full and complete itemized statement of each and every

All Justices of the Peace to keep a Fee Book

To keep account of all moneys received

Other data to be filed in and kept in a Fee Book

## GENERAL POWERS, DUTIES AND JURISDICTION OF.

criminal case or proceeding coming before such Justice in his official capacity, or in which such constable is in any way connected in his official capacity, as provided by law, showing in each case whether the defendant or defendants have been dismissed or committed or held for the Court of General Sessions or the Court of Oyer and Terminer, the name and address of each and every witness subpoenaed or sworn in each and every criminal case or proceeding, as aforesaid; and on the first secular day of each and every month, each and every Justice of the Peace, and each and every Constable, shall file with the County Treasurer, and with the Levy Court, of his County, a full and complete itemized statement or account, for the preceding month, of all fees and costs or other moneys received by him in his official capacity, together with a full and complete itemized statement or account for the preceding month, of each and every criminal case or proceeding coming before such Justice of the Peace in his official capacity, or in which such Constable is in any way connected in his official capacity, as provided by law, showing, in each case, whether the defendant or defendants have been dismissed or committed or held for Court, as the case may be, which account or statement shall be so itemized that the same may be compared with the fees, costs and allowances as rendered in the said "Fee Book", and the correctness of the accounts or statements so rendered shall be verified by the affidavit of the Justice of the Peace or Constable rendering the same. If any Justice of the Peace or Constable shall knowingly or wilfully make a false affidavit in reference to any account or statement required to be filed under this act, he shall be deemed guilty of perjury, and shall, upon conviction thereof, be subject to the penalties for perjury by the laws of this State.

Constables to  
file itemized  
statement with  
Levy Court  
and County  
Treasurer

Penalty for  
false affidavit  
or entry

Levy Courts to  
prepare Fee  
Books

Section 2. That the Fee Books mentioned in Section one of this act, and proper sheets or blank statements to



GENERAL POWERS, DUTIES AND JURISDICTION OF.

be used by the Justices of the Peace and Constables, in filing the monthly accounts or statements, as provided for in Section one of this Act, shall be prepared by the Levy Court of the respective county in which they are to be used, and shall be paid for by the said Levy Court and shall be the property of the County, in each case, and the said "Fee Book" of each Justice of the Peace shall be a part of the records of the office for which it is kept, and shall be at all times open to public inspection and examination, and the said "Fee Book" of each Constable shall be a part of the records of the office for which it is kept, and shall be at all times open to public inspection and examination; and every Justice of the Peace and every Constable in this State, immediately upon the termination of his term of office, is hereby authorized, directed and required, to deliver his said "Fee Book" to the Levy Court of the County wherein he resides, and the said Levy Court shall keep and preserve the said "Fee Books" as other public books and documents of the County are kept and preserved.

Fee Books open to public inspection

To return Fee Book to Levy Court when term of office expires

Section 3. That if any Justice of the Peace or Constable in this State shall demand or receive from any person or from any County in this State, any fees or charge or allowance greater than is provided by law, or shall fail to keep a "Fee Book" as required by this Act, or shall fail to file with the County Treasurer, and with the Levy Court, of his County, an account or statement of all fees, costs and allowances and charges received by him, in the preceding month, and of all criminal cases, for the preceding month, as required by Section one of this Act, or upon the termination of his term of office shall fail, neglect or refuse, for the space of ten days, to turn over and deliver to the Levy Court of his County, the said "Fee Book", or shall damage, mutilate, secrete or destroy his said "Fee Book", or shall violate or fail to comply with any of the provisions of this Act, he shall

Penalty for overcharge by Justices of the Peace and Constables and other penalties for violation of this act

## GENERAL POWERS, DUTIES AND JURISDICTION OF.

**Misdemeanor** be deemed guilty of a misdemeanor and shall upon conviction thereof, besides being liable in a civil action for the amount of such fees, costs, allowances and charges as he may have thus illegally collected or withheld, be fined not more than One Thousand Dollars, or imprisoned not more than one year, or both, in the discretion of the Court. Whenever any officer is convicted under this Section, it shall operate as a forfeiture of his office and he shall be removed from office by the Governor, in the case of a Justice of the Peace, or by the Levy Court, in the case of a Constable, as the case may be, within ten days from the date of conviction. ●

**Fine and imprisonment**

**Forfeiture of office**

Section 4. That all acts and parts of acts inconsistent herewith, be and they are hereby repealed.

Approved March 17, A. D. 1913.

## APPOINTMENT OF

## CHAPTER 276.

## APPOINTMENT OF

**AN ACT to empower the Governor to appoint a Justice of the Peace and Notary Public for Sussex County to reside in Dagsboro Hundred, Sixth Representative District in the Town of Dagsboro.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That the Governor be and he is hereby authorized and empowered to appoint a Justice of the Peace and Notary Public for Sussex County, who shall reside in Dagsboro Hundred, Sixth Representative District in the Town of Dagsboro.

Governor authorized to appoint a Justice of the Peace at Dagsboro

Approved March 11, A. D. 1913.

## APPOINTMENT OF

## CHAPTER 277.

## APPOINTMENT OF

**AN ACT to enable the Governor to appoint a Justice of the Peace for Sussex County to reside in Seaford Hundred, at Cannon.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Governor authorised to appoint a Justice of the Peace at Cannons

Section 1. That the Governor be and he is hereby authorized and empowered to appoint a Justice of the Peace for Sussex County, who shall reside in Seaford Hundred in the Town of Cannons.

Approved March 11, A. D. 1913.

## JUSTICES JURISDICTION IN CIVIL CASES OF DEBT.

## CHAPTER 278.

## JUSTICES JURISDICTION IN CIVIL CASES OF DEBT.

AN ACT to amend Chapter 99, of the Revised Code of the State of Delaware, as published A. D. 1893.

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Section 1. That Chapter 99, of the Revised Code of the State of Delaware, as published A. D. 1893, be, and the same is hereby amended by inserting after the word "or", and before the word "otherwise", in the seventh line of section 2, the following words, to wit: "any creditable person or".

Sec. 2, Chap.  
99, Rev. Code  
of 1893  
amended

Approved March 14, A. D. 1913.

## JUSTICES JURISDICTION IN CIVIL CASES OF DEBT.

## CHAPTER 279.

## JUSTICES JURISDICTION IN CIVIL CASES OF DEBT.

**AN ACT to Provide for a Deposit Before Bringing Suit in Certain Classes of Actions at Law.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Deposit re-  
quired before  
civil action  
may be  
brought before  
a Justice of  
the Peace

Section 1. After the approval of this Act no civil action shall be brought before any Justice of the Peace, in this State, before the person bringing such action shall have first made a deposit of two dollars with the Justice of the Peace before whom he has brought said action, to be applied to the costs of such action. The said sum of two dollars shall be returned to the person depositing the same, if the money sued for shall be recovered.

Return of  
deposit

Section 2. All acts and parts of acts inconsistent herewith are hereby repealed.

Approved March 14, A. D. 1913.

JUSTICES JURISDICTION IN CASES OF FORCIBLE  
ENTRY AND DETAINER.

## CHAPTER 280.

JUSTICES JURISDICTION IN CASES OF FORCIBLE  
ENTRY AND DETAINER.

AN ACT to amend Chapter 101, of the Revised Code of the State of Delaware, as published A. D. 1893.

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Section 1. That paragraph three of section three, of Chapter 101, of the Revised Code of the State of Delaware, as published A. D. 1893, be, and the same is hereby amended by striking out the words "more than three months", as they appear in the fifth line of said paragraph three of section three, and inserting in lieu thereof the following words, to wit: "on or before the day required by law for giving notice for the termination of leases, of the same term, period, duration and character, as the lease or demise granted by him (the plaintiff)."

Sec. 3, Chap.  
101 Rev. Code  
of 1893  
amended

Approved March 12, A. D. 1913.

# TITLE SIXTEENTH.

## Of Civil Actions in General.

### CHAPTER 281.

#### OF THE COMMENCEMENT OF ACTIONS.

**AN ACT Providing for the Commencement of Actions against Persons or Corporations Issuing Worthless Checks on Overdrawn Accounts, or Slips or Memoranda which have not been paid, by Attachment Process.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Writ of attachment against anyone issuing a worthless check on overdrawn accounts

How issued

Justices of the Peace lack jurisdiction when debt exceeds \$200

Section 1. That a writ of attachment may be issued in any action brought against any person or corporation which shall have issued worthless checks on overdrawn accounts, or where said person or corporation shall have issued slips or memoranda in settlements, which have not been paid, upon affidavit made by plaintiff or some creditable person, or any officer of any plaintiff corporation and filed with any Prothonotary or Justice of the Peace of this State that the plaintiff has a good cause of action against defendant; and the said plaintiff shall also make affidavit of the amount of the debt which he claims to be due to him from the said defendant, provided, however, that nothing in this Act shall confer jurisdiction upon any Justice of the Peace where the debt, not including the interest claimed to be due on said debt, or the damages, exceeds the sum of Two Hundred Dollars.



## OF THE COMMENCEMENT OF ACTIONS.

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Section 2. The said writ, if issued by a Prothonotary <sup>Writ when issued by Prothonotary</sup> shall be framed, directed, issued, executed and returned and like proceedings had as in cases of foreign attachment now authorized by law, and the said writ, if issued by a Justice of the Peace, shall be framed, directed, <sup>When issued by a Justice of the Peace</sup> issued, executed and returned, and like proceedings had as in cases of attachment now authorized by law before Justices of the Peace, except as is herein otherwise provided.

NE  
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a  
Section 3. Any Sheriff, constable or other officer executing any writ of attachment under the provisions of this act may also attach the lands and tenements, goods and chattels, rights and credits, moneys and effects of the defendant or defendants. <sup>Attachment by Sheriff, Constables, &c.</sup>

Section 4. Every writ issued under the provisions of this Act shall have endorsed thereon by the plaintiff, or his attorney, the amount of bail to be taken in such case. Any Prothonotary, Justice of the Peace or other person taking bail in any proceeding under this Act shall require the person going bail to justify in the amount so <sup>Endorsements on writ</sup> endorsed upon the said writ. <sup>Bail</sup>

Approved March 17, A. D. 1913.

## OF THE COMMENCEMENT OF ACTIONS.

## CHAPTER 282.

## OF THE COMMENCEMENT OF ACTIONS.

**AN ACT to Provide Punishment for Persons Issuing Worthless Checks on Overdrawn Accounts.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Penalty for  
issuance of  
worthless  
checks on over-  
drawn ac-  
counts

Misdemeanor

Section 1. That if any person or persons shall knowingly and fraudulently issue, give, or put forth any check, draft, or order, on an overdrawn account upon any bank, banking association, partnership, or trust company, or any other place where deposits of money are generally kept, located either in this State or elsewhere, in payment or settlement of any debt, obligation, account or for any valuable consideration whatever, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine or imprisonment, or both in the discretion of the Court.

Approved March 11, A. D. 1913.

## OF BAIL.

## CHAPTER 283.

## OF BAIL.

AN ACT to Amend an Act entitled, "An Act concerning the disposition of Moneys recovered upon Bail Bonds etc.," being Chapter 266, Volume 26, Laws of Delaware.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That an Act concerning the disposition of moneys recovered upon Bail Bonds etc., being Chapter 266, Volume 26, Laws of Delaware, be and the same is, hereby amended by striking out the word "twenty-five" in the sixth line, Section 1, of said Act and inserting in lieu thereof, the word "fifty".

Sec 1, Chap.  
266, Vol. 26  
amended

Approved March 12, A. D. 1913.

## OF PLEADING AND PRACTICE IN CIVIL ACTIONS.

## CHAPTER 284.

## OF PLEADING AND PRACTICE IN CIVIL ACTIONS.

AN ACT to amend Chapter CVI, Revised Code, Laws of Delaware, entitled, "Of Pleading and Practice in Civil Actions", by providing for the expediting of pleading in civil causes.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Sec. 1, Chap.  
106, Rev. Code  
1893 amended

Section 1. That Section 1 of Chapter 106, Revised Code, Laws of Delaware, be and the same is hereby amended by adding thereto at the end thereof a paragraph in the following words, to-wit:

"And provided further, nevertheless, that in all cases, in which no affidavit of demand is filed, the plaintiff shall be required to file his declaration and, in Scire Facias and Ejectment cases, the defendant, his plea, on the first general rule day after the process is returnable; and provided further, that the first and third Mondays in each month shall be general rule days."

Section 2. That all Acts or parts of Acts inconsistent herewith be and the same are hereby repealed.

Approved March 11, A. D. 1913.

## OF JURIES.

## CHAPTER 285.

## OF JURIES.

AN ACT to Amend Chapter 244, Volume 24, Laws of Delaware, entitled "An Act to regulate the drawing, summoning, returning and service of Jurors," by providing for an additional number of petit Jurors for Kent and Sussex Counties.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That Section 6 of Chapter 244, Volume 24, Laws of Delaware, be and the same is hereby amended <sup>Sec. 6, Chap. 244, Vol. 24 amended</sup> by striking out the word "thirty" in the eighth line of said section, and inserting in lieu thereof the words "thirty-six."

Approved March 11, A. D. 1913.

## OF COSTS IN CIVIL ACTIONS.

## CHAPTER 286.

## OF COSTS IN CIVIL ACTIONS.

**AN ACT to Authorize the Allowance of Counsel Fees to Parties Obtaining Judgment in any Cause, Action or Proceeding in any Court of Record in this State, brought on Notes, Bonds, Mortgages or other Instruments of Writing.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Recovery of  
counsel fees  
in proceedings  
brought for  
enforcement of  
any note, mort-  
gage, &c

Limit to fees so  
recovered

Section 1. That in all causes of action, suits, matters or proceedings brought for the enforcement of any note, bond, mortgage or other instrument of writing, if the plaintiff or lien holder in said action, suit or proceeding shall recover judgment in any sum, he shall also be entitled to recover reasonable counsel fees, which shall be entered as a part of the decree or judgment in said action, suit or proceeding, providing, however, that such counsel fees shall not in any such action, suit or proceeding, exceed five per centum of the amount decreed for principal and interest; and further provided, that such counsel fees shall not be entered as a part of such decree or judgment, excepting as the note, bond, mortgage or other instrument of writing sued upon shall, by the terms thereof expressly provide for the payment and allowance thereof.

Approved March 19, A. D. 1913.

# TITLE SEVENTEENTH.

## Of Proceedings in Special Cases.

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### CHAPTER 287.

#### OF LANDLORD AND TENANT.

**AN ACT providing for the termination of certain leases or demises of real estate.**

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That every lease or demise of real estate situate in New Castle County, outside the limits of the City of Wilmington made and entered into on or after the twenty-fifth day of March, A. D. 1913, in which lease or demise no term is expressly limited, shall be deemed and construed to terminate and expire on the first day of March then next ensuing at 12 o'clock noon, subject to the provisions of the following section.

Lease or demise of real estate in rural New Castle county to terminate subject to provisions

Section 2. Whenever such lease or demise as specified in the foregoing section shall be made and entered into more than three months prior to the first day of March then next ensuing, said lease or demise shall be extended for one year from said first day of March at twelve o'clock noon for which year the tenant shall pay the rent, and all the stipulations of the demise shall continue

When lease or demise is entered into three months prior to March 1 next ensuing

## OF LANDLORD AND TENANT.

## Notice

in force, and so on from year to year, unless three months and upwards before the first day of March either the landlord gives notice in writing to the tenant in possession to remove, or the tenant gives like notice to the landlord of his intention to remove from the demised premises. In no such case shall notice be necessary to terminate any such lease or demise as specified in the foregoing section at the time therein provided for such termination.

Section 3. All Acts or parts of Acts, in so far as inconsistent with the provisions of this Act, are hereby repealed.

Approved March 17, A. D. 1913.



# TITLE TWENTIETH.

## Of Crimes and Punishments.

### CHAPTER 288.

#### OFFENCES AGAINST PRIVATE PROPERTY.

##### AN ACT to Make the Stealing of Dogs Larceny.

*Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Section 1. After the approval of this Act any person who shall steal, entice away, or unlawfully have in his possession any dog shall be deemed guilty of larceny, and shall be subject to the same punishment as is provided by law for the punishment of persons convicted of larceny. Stealing of a dog larceny

Section 2. Any person who shall have a dog in his possession not belonging to him, shall advertise a brief description in a newspaper of the City, Town or County in which such person resides, of said dog, and if the said dog is claimed by its rightful owner, shall deliver the said dog on demand, upon, but not until the said owner shall have reimbursed him for inserting said advertisement, and any person who shall have in his possession any dog not belonging to him, without advertising as aforesaid, shall be taken and deemed to be guilty of larceny. Advertise when strange dog is in one's possession

Section 3. All acts and parts of acts inconsistent herewith are hereby repealed. Reimbursement for advertising

Approved March 7, A. D. 1913.

## OF OFFENCES AGAINST PUBLIC POLICY.

## CHAPTER 289.

## OF OFFENCES AGAINST PUBLIC POLICY.

## AN ACT Regulating Telephone Lines in this State.

*Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Number of  
telephones on  
one wire lim-  
ited to eight

Section 1. That from and after the passage of this Act it shall be unlawful for any person or persons, corporation or corporations operating, controlling or owning any telephone lines within this State, known as party lines, and for which the regular charge for separate telephones is at the rate of Fifteen Dollars or more per year, to have more than eight telephones upon any one line.

Penalty

Section 2. Any person or persons, corporation or corporations violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined a sum not less than Twenty-five Dollars nor more than One Hundred Dollars for each offense.

Approved March 26, A. D. 1913.

GENERAL PROVISIONS CONCERNING CRIMES  
AND PUNISHMENTS.

## CHAPTER 290.

GENERAL PROVISIONS CONCERNING CRIMES  
AND PUNISHMENTS.**AN ACT to Punish the Making or Use of False Statements to Obtain  
Property or Credit.**

*Be it enacted by the Senate and House of Representatives  
of the State of Delaware in General Assembly met:*

## Section 1. Any person,

(1) Who shall knowingly make or cause to be made, either directly or indirectly, or through any agency whatsoever, any false statement in writing, with intent that it shall be relied upon, respecting the financial condition, or means or ability to pay, of himself, or any other person, firm or corporation, in whom he is interested, or for whom he is acting, for the purpose of procuring in any form whatsoever, either the delivery of personal property, the payment of cash, the making of a loan or credit, the extension of a credit, the discount of an account receivable, or the making, acceptance, discount, sale or endorsement of a bill of exchange, or promissory note, for the benefit of either himself or of such person, firm or corporation; or

To punish any-  
one making  
or using a  
false statement  
to obtain prop-  
erty or credit

(2) Who, knowing that a false statement in writing has been made, respecting the financial condition or means or ability to pay, of himself, or such person, firm or corporation in which he is interested, or for whom he is acting, procures, upon the faith thereof, for the benefit either of himself, or of such person, firm or corpora-

GENERAL PROVISIONS CONCERNING CRIMES  
AND PUNISHMENTS.

tion, either or any of the things of benefit mentioned in the first sub-division of this section; or

(3) Who, knowing that a statement in writing has been made, respecting the financial condition or means or ability to pay of himself or such person, firm or corporation, in which he is interested, or for whom he is acting, represents on a later day, either orally or in writing, that such statement theretofore made, if then again made on said day, would be then true, when in fact, said statement if then made would be false, and procures upon the faith thereof, for the benefit either of himself or of such person, firm or corporation, either or any of the things of benefit mentioned in the first sub-division of this section;

<b>Misdemeanor</b>	Shall be guilty of a misdemeanor and shall be fined not more than One Thousand Dollars, or imprisonment not more than one year at the discretion of the Court.
<b>Penalty</b>	

Approved March 20, A. D. 1913.

# RESOLUTIONS.

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## CHAPTER 291.

**SENATE CONCURRENT RESOLUTION** ratifying the proposed amendment to the Constitution of the United States, giving Congress power to lay and collect taxes on Incomes.

*Be it Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

That Whereas the Congress of the United States has proposed an amendment to the Constitution of the United States which provides that "The Congress shall have power to lay and collect taxes on incomes from whatever source derived without apportionment among the several States and without regard to any census or enumeration."

Preamble concerning income tax amendment to U. S. Constitution

And Whereas, It requires the ratification of the Legislatures of three-fourths of the several States to make the proposed amendment a part of the Constitution; therefore,

Be it Resolved, that the Legislature of Delaware ratifies and adopts the proposed amendment to the Federal Constitution;

Ratification of Delaware

And be it further Resolved, That the Secretary of State of Delaware be and is hereby directed to notify

Secretary of State to notify

## RESOLUTIONS.

the Secretary of State of the United States of the action  
of the Legislature.

Chauncey P. Holcomb  
Speaker of the House

Geo. W. Marshall  
President of the Senate Pro tempore

## RESOLUTIONS.

## CHAPTER 292.

**JOINT RESOLUTION to carry into effect an Act entitled, "An Act Providing for a method of recording, filing, and certifying all Acts and Resolutions passed by the General Assembly."**

*Be it Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

That Dauphin T. Wharton and Walter M. Hearn be, and the same are, hereby elected Bill Clerks for the current Session of the General Assembly, and be it further resolved that the Chairman of the Committee on rules of the Senate and House, and the Chairman of the Committee on enrolled bills of the Senate and House are hereby authorized and directed to instruct said Bill Clerks in their duties as such, in order to carry into effect "An Act Providing for a Method of Recording, Filing and Certifying all Acts and Resolutions passed by the General Assembly."

Two Bill  
Clerks named  
for current  
session of Gen-  
eral Assembly

Approved February 8, A. D. 1913.

## RESOLUTIONS.

## CHAPTER 293.

**To Authorize the Payment of Certain Bills by the State Treasurer.**

*Be it resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Expenses prior  
to passage of  
regular appro-  
priation bills

That the State Treasurer is hereby authorized and directed to pay such bills as are chargeable to the regular, usual and annual appropriations made by the General Assembly, which shall become due and payable between the date of the close of the fiscal year, ending January 13th, A. D. 1913, and the passage of the General Appropriation Bill.

Approved February 4, A. D., 1913.



## RESOLUTIONS.

## CHAPTER 294.

**HOUSE JOINT RESOLUTION** to transfer certain moneys of the Railroad and Railway Guarantee Deposit Fund to the Sinking Fund.

*Be it Resolved* by the House, the Senate concurring therein, that the sum of Three Hundred Twenty-eight Dollars and Eighty-five Cents, being the cash balance to the credit of the Railroad and Railway Guarantee Deposit Fund be transferred to the Sinking Fund to be invested with other moneys of this Fund, and the State Treasurer is hereby authorized and directed to transfer same upon the passage and approval of this resolution.

Railroad and  
Railway Guar-  
antee Deposit  
Fund

Approved February 20, A. D. 1913.

## RESOLUTIONS.

## CHAPTER 295.

To pay expenses of the Inauguration of Governor Charles R. Miller.

*Be it Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Expenses in-  
cident to the  
inauguration  
of Governor  
Miller

That the State Treasurer be, and is hereby, authorized and directed to pay the expenses of the Inauguration of Governor Charles R. Miller upon the presentation of bills approved by the Joint Committee of the Legislature appointed to arrange for the Inaugural Ceremonies, and that the sum of Two Thousand Three Hundred and Six Dollars and Seventy-two Cents is hereby appropriated for this purpose out of any moneys of the State not otherwise appropriated.

Approved February 8, A. D. 1913.

## RESOLUTIONS.

## CHAPTER 296.

**JOINT RESOLUTION** appropriating One Thousand Seven Hundred and Forty-three Dollars and Fifteen Cents to pay additional cost for the erection of State Armory Building at Dover, Delaware.

Whereas, the appropriation of Fifteen Thousand Dollars for the erection of State Armory Building at Dover, Delaware, has been exhausted; and

Whereas, the said State Armory Building has been completed at an additional cost of One Thousand Seven Hundred and Forty-three Dollars and Fifteen Cents; now then

*Be it Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

That the said sum of One Thousand Seven Hundred and Forty-three Dollars and Fifteen Cents be appropriated out of any money in the State Treasury, not otherwise appropriated, for the payment of such persons as may be entitled to receive the same, for work done in and about the erection of the State Armory Building at Dover, Delaware, said payments to be made in the same manner as payments upon State Armory Building at Dover, Delaware, have heretofore been made.

Additional cost  
of erecting  
State Armory  
at Dover

Approved January 22, A. D. 1913.

## RESOLUTIONS.

## CHAPTER 297.

**HOUSE JOINT RESOLUTION providing for the Encouragement of Grain Growing in the State of Delaware.****Preamble**

Whereas, there is in existence in the State of Delaware an organization known as "The Delaware State Corn Growers Association;"

And Whereas, the purpose of said "The Delaware State Corn Growers Association" is to encourage and promote the growth of grain in the State of Delaware;

And Whereas, the said "The Delaware State Corn Growers Association" is in need of funds in order to encourage the farmers and the youth of the State and educate them in the art of profitably raising grain; therefore

*Be it Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Appropriation  
to be expended  
by State Corn  
Growers Association  
to encourage growing  
of corn

That the State Treasurer is hereby authorized and directed to pay out of any moneys in the State Treasury, not otherwise appropriated, on vouchers drawn by said "The Delaware State Corn Growers Association" named above the sum of One Thousand Dollars, Five Hundred Dollars of which shall be payable on or after July 1, 1913, and the remaining Five Hundred Dollars shall be payable on or after July 1, 1914.

Approved February 20, A. D. 1913.

## RESOLUTIONS.

## CHAPTER 298.

**HOUSE JOINT RESOLUTION making an appropriation to pay Commissioners and Surveyors, in accordance with Chapter 288, Volume 26, Laws of Delaware, entitled**

“A JOINT RESOLUTION appointing Commissioners to run and mark the division line between the Counties of Kent and New Castle, in a Westerly direction from the “mouth of a branch issuing from the main branch of Duck Creek” (now Smyrna River), “to the tangent or divisional line between these counties and Maryland, where the same crosses the Cypress branch.”

WHEREAS, the Governor under and by virtue of a Joint Preamble Resolution, appointing Commissioners to run and mark the division line between the Counties of Kent and New Castle, in a Westerly direction from the “mouth of a branch issuing from the main branch of Duck Creek” (now Smyrna River), “to the tangent or divisional line between these counties and Maryland, where the same crosses the Cypress Branch”, did appoint Edward Hart and F. E. Postles as Commissioners, one being a resident of New Castle County and one a resident of Kent County, whose duty it was to run and mark the division line between the counties of Kent and New Castle, in a Westerly direction from the “mouth of a branch issuing from the main branch of Duck Creek” (now Smyrna River), “to the tangent or division line between these counties and Maryland, where the same crosses the Cypress branch,” and

WHEREAS, the said Commissioners were authorized to employ a surveyor and

## RESOLUTIONS.

WHEREAS, said Commissioners did employ J. Van G. Postles and W. Hart Scott for the purpose of surveying said divisional line and

WHEREAS, said Commissioners have performed their duty as specified in said Chapter 283, Volume 26, and have made return with plot, as specified in said Act, and

WHEREAS, no compensation was fixed by said Chapter 283, Volume 26, as aforesaid, but their compensation was to be determined by the General Assembly, therefore,

*Be it resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met :*

Approval of  
report

Section 1. That the return of the Commissioners upon the work so specified in Chapter 283, Volume 26, be, and the same is, hereby approved.

Compensation  
of Com-  
missioners

Section 2. That the State Treasurer be, and he is, hereby authorized to pay the said Edward Hart and F. E. Postles each, the sum of One Hundred and Twenty Five Dollars (\$125.00), as such Commissioners, and to J. Van G. Postles, the Surveyor so employed, the sum of One Hundred and Five Dollars (\$105.00), for surveying said land and drawing the plot, and W. Hart Scott the sum of Eighty Dollars (\$80.00), for assisting in the survey of said land.

Approved February 24, A. D. 1913.

## RESOLUTIONS.

## CHAPTER 299.

HOUSE JOINT RESOLUTION appropriating One hundred and fifty dollars to pay the pro rata share of the State of Delaware in the Governors' Conference for 1912.

*Be it Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

That the sum of one hundred and fifty dollars is hereby appropriated out of the Treasury of this State to pay <sup>Expenses of State in Governors' Conference of 1912</sup> for the pro rata share of expenses of the Governors' Conference for the year 1912, the annual meeting of said Conference having been held at Richmond, Virginia, December 3-7 inclusive A. D. 1912. The State Treasurer is hereby authorized and directed to pay to the Secretary of the Governors' Conference the sum of one hundred and fifty dollars out of any money in the Treasury not otherwise appropriated.

Approved March 10, A. D. 1913.

## RESOLUTIONS.

## CHAPTER 300.

A RESOLUTION to appropriate money to pay the expenses of the General Assembly, the Governor and his Staff and the Organized Militia of Delaware in attending the Ceremonies of the Inauguration of the President of the United States.

*Be it resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Expenses of  
attendance at  
Inaugural  
Ceremonies at  
Washington,  
D. C.

Section 1. That the sum of Four Thousand Dollars be and the same is hereby appropriated to pay the expenses of the General Assembly, the Governor and his staff, and the members and officers of the Organized Militia of Delaware in attending the ceremonies of the Inauguration of the President on the fourth day of March, 1913.

Section 2. That the said money, or so much thereof as is necessary, shall be paid by the State Treasurer to the Adjutant General upon his order.

Approved February 24, A. D. 1913.



## RESOLUTIONS.

## CHAPTER 301.

## SENATE JOINT RESOLUTION.

WHEREAS, there is in the State House a large amount of old and discarded furniture, carpets, etc. which is stored in the various attics and basement of the said State House, therefore

Preamble

*Be it Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

That the State Librarian is hereby authorized and directed to offer for sale, and to sell and to convey to the purchasers of said property aforesaid the property aforesaid, and to turn the money so received from the sale as aforesaid into the State Treasury.

State Librarian  
authorized to  
sell old furni-  
ture in State  
House

Approved March 22, A. D. 1913.

## RESOLUTIONS.

## CHAPTER 302.

## SENATE JOINT RESOLUTION.

## Preamble

WHEREAS, there are a great number of old and valuable papers in the basement of the State House under the Secretary of State's Office, which papers are inadequately protected from loss by fire and decay, now therefore

*Be it Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Authority  
given to Archives  
Commission to purchase  
filing cases &c

That the Archives Commission of the State of Delaware is authorized and directed to purchase a sufficient number of filing cases to contain such of these papers as in its judgment should be properly preserved and to remove the said papers and have the same properly filed in such filing cases, and for the purpose of carrying out the provisions herein contained, the sum of five hundred dollars is hereby appropriated out of any moneys in the hands of the State Treasurer not otherwise appropriated, but not to exceed five hundred dollars for the purpose of purchasing said filing cases.

Approved March 22, A. D. 1913.

## RESOLUTIONS.

## CHAPTER 303.

**HOUSE JOINT RESOLUTION. In Reference to Fishing Rights in the Delaware River.**

Whereas, the Officials of the State of New Jersey have recently arrested Delaware Fishermen while engaged in fishing in the Delaware River, and

Preamble

Whereas, the said Fishermen were complying with all laws and regulations of this State, and

Whereas, the said Fishermen were taken to the State of New Jersey and fined by Officials of the said State of New Jersey, and their boat and net confiscated, and

Whereas, it is deemed advisable that this State shall protect its fishermen when engaged in fishing in the waters of this State, when lawfully doing so, therefore

*Be it resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Section 1. That the Governor and Attorney-General are hereby authorized and requested to take such action in the matter to protect the interests of Delaware Fishermen so that they will not be subjected to arrest and imprisonment at the hands of Officials of the State of New Jersey, and, if any Delaware Fishermen are arrested by Officials of the State of New Jersey the Governor and Attorney-General are hereby requested to take such action in the matter as they deem expedient.

Governor and  
Attorney General  
authorized  
to take action

Approved April 14, A. D. 1913.

## RESOLUTIONS.

## CHAPTER 304.

**A JOINT RESOLUTION to amend "Joint Resolution Relating to the Appointment of a Commission to Revise the Public Laws of this State and codify and arrange the same under appropriate Titles," being Chapter 253, Volume 25, Laws of Delaware.**

*Be it Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Chap. 253, Vol.  
25 amended

Section 1. That the Joint Resolution relating to the appointment of a Commission to revise the Public Laws of this State and codify and arrange the same under appropriate title, being Chapter 253, Volume 25, Laws of Delaware, be and the same is hereby amended by adding thereto the following Sections, viz:—

Revised Code  
Commission to  
draw further  
orders on State  
Treasury

"Section 8. That the Revised Code Commission may draw further orders upon the State Treasurer for such sum or sums as may be necessary for defraying its expenses, not exceeding the further sum of Three Thousand Dollars, which sum is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, and the State Treasurer, when drawn on by such orders, signed by all the Commissioners, shall pay the same to the limit fixed in this Section."

Limit to  
amount that  
may be drawn

"Section 9. That, for the purpose of further compensating the members of the Revised Code Commission as their work progresses, said Commission may draw further orders upon the State Treasurer in favor of Sidney Hayes, Administratrix of Walter H. Hayes, deceased, and in favor of Herbert H. Ward, not exceeding the sum of One Thousand and Five Hundred Dollars

## RESOLUTIONS.

each, making a total of Three Thousand Dollars, and the State Treasurer, when drawn on by such orders as are mentioned in this section, signed by the Commissioners, shall pay the same to the limit fixed in this section, and said sum of Three Thousand Dollars is hereby appropriated for such payments, out of any money in the State Treasury, not otherwise appropriated."

Approved March 11, A. D. 1913.

## RESOLUTIONS.

## CHAPTER 305.

**JOINT RESOLUTION** providing that the Committee of the Senate on Revised Statutes, together with the Committee of the House of Representatives on Revised Statutes, be authorized and directed to meet and sit together, in vacation, to jointly consider and report upon, at a special session of the General Assembly to be called by the Governor, "The Revision and Codification of the General Statute Laws of the State."

*Be it resolved by the Senate and House of Representatives in General Assembly met :—*

Authority for  
Committees  
of General  
Assembly on  
Revised  
Statutes to sit  
in vacation

Section 1. That the Committee of the Senate on Revised Statutes, together with the Committee of the House of Representatives on Revised Statutes, be and they are hereby authorized and directed to meet and sit together in vacation, upon notice from the Revised Code Commission delivered to the respective Chairman of said Committees, and jointly consider and report upon, to a special session of the General Assembly to be called by the Governor, "The Revision and Codification of the General Statute Laws of the State", as prepared and submitted by said Revised Code Commission.

To report on  
Revised Code

Where sessions  
may be held

Section 2. The sessions of said joint Committees may be held at any place in the State of Delaware, to be determined upon by them, the first meeting to be held within ten days after the delivery of the notice aforesaid.

Compensation  
when sitting

Section 3. The members of said Committees so jointly meeting and acting shall receive the same compensation per diem as members of the General Assembly receive for their services when in session.

## RESOLUTIONS.

Session 4. That forthwith upon the convening of a Special Session of the General Assembly of this State when called as aforesaid, said joint committees shall report to such General Assembly in Special Session convened, upon the said revision and codification of the General Statute Laws of the State so submitted to them by said Revised Code Commission. That said report of said joint committees shall have the same force and effect as a report of such committees of either House would have if said Committees had sat during a session of the General Assembly.

Section 5. That the State Treasurer is hereby authorized and directed to pay to the several members of said joint committees their respective compensation, as fixed and determined by said joint committees in accordance with this resolution, upon written orders drawn upon said State Treasurer, signed by the chairman of said committees. The sum of one thousand dollars is hereby appropriated out of any money in the State Treasury not otherwise appropriated to pay said orders.

Approved March 14, A. D. 1913.

CHAPTER 306.

HOUSE JOINT RESOLUTION Establishing a Uniform Flag and Colors for the State of Delaware.

WHEREAS it is proper that the State of Delaware should have a uniform and standard State flag and\* an authorized State colors.

*Be it resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Commission appointed to fix upon a uniform State flag

Section 1. That the Secretary of State, President pro tempore of the Senate and Speaker of the House be and the same are hereby appointed a commission to serve without pay and decide upon a uniform and standard flag for the State of Delaware with respect to design, size and color.

Colors

Section 2. That said commission shall also decide upon the combination of colors that shall be known as the State's colors.

To be recognized as official flag and colors

Section 3. That the flag and colors decided upon by the above commission shall be recognized as the official flag and colors of the State of Delaware, and they are hereby constituted as such.

Approved February 20, A. D. 1913.

\*Printed as in Original bill.



## RESOLUTIONS.

## CHAPTER 307.

**SENATE JOINT RESOLUTION Providing for Securing Portraits of Certain State Officers.**

WHEREAS, it appears that the State possesses portraits of most of the Governors of the State, and

WHEREAS, it is deemed advisable to maintain the said collection and add thereto; therefore

*Be it resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

That the Secretary of State, the President pro tempore of the Senate and the Speaker of the House be and the same are hereby appointed a Commission and serve without pay to procure oil portraits and have the same properly marked showing the name, time of service, etc., and have the same placed in the Capitol of the following Governors:

Commission named to procure oil portraits of Governor Pennewill and Governor Miller

Hon. Simeon S. Pennewill and Hon. Charles R. Miller; and

Be it further resolved, that the State Treasurer is hereby authorized and directed to pay of any moneys in the State Treasury, not otherwise appropriated, on vouchers drawn by said Commission named above, an amount necessary to carry this resolution in effect.

Approved March 7, A. D. 1913.

## RESOLUTIONS.

## CHAPTER 308.

## JOINT RESOLUTION No. 11.

*Be it resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met:*

Governor to  
appoint three  
Commissioners  
to act with  
other States

Uniform auto-  
mobile laws

Report

Compensation

1. That the Governor of this State be and he is hereby authorized to appoint three commissioners on the part of the State of Delaware to act with commissioners appointed or to be appointed by the Governors of the States of Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey and Maryland, under resolutions similar to this, whose duty it shall be to ascertain whether the laws of the above mentioned States in reference to defining motor vehicles and providing for the registration of the same and licensing of drivers thereof, fixing rules regulating the use and speed of motor vehicles; fixing the amount of license and registration fees; prescribing and regulating process and service thereof and proceedings for the violation of the provisions of acts relative to same and penalties for said violations, can be so amended that the laws of the above-mentioned States be uniform in the above-mentioned or other particulars.

2. Said commissioners shall report their findings and recommendations at the next session of the Legislature.

3. The members of the commission shall serve without salary, but for the purpose of necessary expenses and clerical help, the sum of five hundred dollars is hereby appropriated from the Treasury of the State not otherwise appropriated.

Approved March 19, A. D. 1913.

## RESOLUTIONS.

## CHAPTER 309.

**JOINT RESOLUTION.** To Provide for a Complete and Up-to-date Map of Delaware for the Public Schools.

WHEREAS there is felt a need of a complete, accurate, and up-to-date map of Delaware, there having been none published for quite a number of years, and

WHEREAS in order to have such a map published it is necessary that assurance be given the publisher of same that sufficient number be sold to warrant the expense pertaining thereto, and

WHEREAS considerable work has been done on such map by Rand, McNally and Company, of Chicago, Illinois, but which will not be completed unless sale thereof is assured as stated above, therefore,

*Be it Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

That the Speaker of the House and the President pro tempore of the Senate be hereby authorized to appoint a Commission of six citizens of this State, two from each County, and that this Commission shall have the power and authority to make and enter into contract with said Rand, McNally and Company to purchase one copy of such map for each public school within this State, the cost of same not to exceed the sum of One Dollar each, delivered; provided however that the map to be purchased shall be satisfactory to the said Commission, or a majority thereof.

Commission  
to be appointed  
to provide an  
up-to-date  
map of Dela-  
ware

## RESOLUTIONS.

Authority of  
State Treas-  
urer to pay

*And be it further Resolved* that the State Treasurer is hereby authorized and directed to pay the cost of said maps, in accordance with said contract, upon the approval of the bill by said Commission, or a majority thereof, and the filing of an affidavit, by a responsible officer of the Rand, McNally and Company, that said maps have been delivered.

Approved March 26, A. D. 1913.

## RESOLUTIONS.

## CHAPTER 310.

**HOUSE JOINT RESOLUTION Providing for a Commission on Drainage of Lowlands.**

*Be it Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That Isaac T. Giles and Caleb R. Layton of Sussex County, Delaware, Dr. Robert Y. Watson and Remsen C. Barnard of Kent County, Edward Hart and Alexander P. Corbit of New Castle County, Delaware, are hereby appointed a Commission for the purpose of viewing the lowlands in this State, of estimating their present value, the number of acres, the cost of drainage and their probable value if drained. Said Commissioners are hereby instructed to report their findings in regard to lowlands, stating their views on the methods of drainage, cost of drainage and value to the State of such drainage to the next General Assembly of this State. Commission named to view lowlands and swamps of the State  
Report

Section 2. That said Commissioners shall receive a compensation for their services of a sum not exceeding One Hundred and Fifty Dollars, and that amount is hereby appropriated out of the Treasury of this State for the purpose of defraying the expenses of said Commissioners. Compensation

Approved March 19, A. D. 1913.

## RESOLUTIONS.

## CHAPTER 311.

**JOINT RESOLUTION** appointing a Commission to provide for the reinterment of the remains of Justice John Thompson and appropriating money therefor.

Preamb

Whereas, the remains of John Thompson, one of the Justices of the first Court of Common Pleas and Orphans Court of this State for New Castle County, now lie in a lot of land on the outskirts of the City of New Castle, without any proper memorial and without protection from depredation and the ravages of time; and

Whereas, it is fitting that this State should properly protect and mark the final resting place of those of its sons who have served it during the trying and dangerous years of its early growth and development;

*Be it Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Commission  
named to ar-  
range for re-  
moval of Justice  
Thompson's  
body

Section I. That Richard S. Rodney, James G. Shaw, and Chauncey P. Holcomb are appointed a Commission to arrange for the removal of the body of Justice John Thompson from its present resting place, and to provide for its reinterment in some other permanent and proper place, marked by a memorial stone suitably inscribed.

Authority of  
State Treas-  
urer to pay

Section II. The State Treasurer is authorized and directed to pay out of the moneys of this State not otherwise appropriated such sum of money, not exceeding one hundred dollars, as may be necessary to carry this resolution into effect; such sum of money to be paid upon the warrant or warrants of the above named commissioners or a majority of them.

Approved March 26, A. D. 1913.

## RESOLUTIONS.

## CHAPTER 312.

**HOUSE JOINT RESOLUTION appointing Directors for the Farmers Bank of the State of Delaware.**

*Be it Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Section 1. That George H. Murray, George H. Gildersleve and Dr. James H. Wilson be, and they are hereby, appointed Directors on the part of the State of the Farmers Bank of the State of Delaware for the Branch at Dover. Farmers Bank  
Directors at  
Dover

Section 2. That J. Ernest Smith, Ezekiel Cooper and David Snellenburg be, and they are hereby, appointed Directors on the part of the Farmers Bank of the State of Delaware for the Branch at Wilmington. At  
Wilmington

Section 3. That Walter B. Hilyard, John G. Townsend and William G. Thoroughgood be, and they are hereby, appointed Directors on the part of the State of the Farmers Bank of the State of Delaware for the Branch at Georgetown. At  
Georgetown

Approved March 11, A. D. 1913.

## RESOLUTIONS.

## CHAPTER 313.

**HOUSE JOINT RESOLUTION** authorizing the Secretary of State to have printed the Election Laws.

*Be it Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Secretary of  
State to have  
printed elec-  
tion laws

That the Secretary of State be and he is hereby authorized to have printed in pamphlet form, with an index thereto, two thousand copies of the Election and Registration Laws with the recent amendments thereto, for the information of those who register the vote and hold the elections of this State.

Approved March 7, A. D. 1913.



## RESOLUTIONS.

## CHAPTER 314.

**HOUSE JOINT RESOLUTION** authorizing the Secretary of State to have printed the Constitution of the State of Delaware.

*Be it Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

That the Secretary of State is hereby authorized to have printed in pamphlet form, with a proper index thereto, two thousand, five hundred copies of the Constitution of the State of Delaware, as amended, for distribution among the people of the State.

Secretary of  
State to have  
printed  
Constitution

Approved March 7, A. D. 1913.

## RESOLUTIONS.

## CHAPTER 315.

**HOUSE JOINT RESOLUTION** Authorizing the Secretary of State to have printed the General Corporation Law as amended.

*Be it Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:*

Secretary of  
State to have  
printed cor-  
poration laws

That the Secretary of State is hereby authorized to have printed in pamphlet form, with a proper index thereto, three thousand copies of the General Corporation Law, as amended, together with the Annual Franchise Tax Law, as amended for public distribution in order to further the interests of the State.

Approved March 7, A. D. 1913.

## RESOLUTIONS.

## CHAPTER 316.

**A RESOLUTION convening the Senate and House of Representatives  
in joint session.**

*Be it Resolved* by the Senate, the House concurring therein, that the Senate and House of Representatives shall convene in joint session on Tuesday, January 21, 1913, at eleven o'clock A. M., for the purpose of conducting the Inaugural Ceremonies of Governor elect, Charles R. Miller.

Joint session  
for Inaugural  
Ceremonies of  
Governor  
Miller

Approved January 17, A. D. 1913.

## RESOLUTIONS.

## CHAPTER 317.

**JOINT RESOLUTION providing for adjournment.**

*Be it Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met :*

Recess of  
General  
Assembly

That when the two Houses of the General Assembly adjourn on Thursday, January the thirtieth, nineteen hundred and thirteen, it shall be to convene again at 10.30 A. M., Monday, February the third, Nineteen hundred and thirteen.

Approved February 12, A. D. 1913.

# TITLES OF PRIVATE ACTS.

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## Excluded From Publication

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### CHAPTER 318.

An Act to amend Chapter 286, Volume 24, Laws of Delaware, entitled "An Act to incorporate Mercantile Trust and Safe Deposit Company."

Approved February 24, A. D. 1913.

### CHAPTER 319.

An Act to incorporate The Clayton Bank.

Approved February 25, A. D. 1913.

### CHAPTER 320.

An Act to further amend an Act entitled, "An Act to confer banking powers on the Liberty Trust Company, a corporation of the State of Delaware," approved March 29th, A. D. 1907.

Approved March 11, A. D. 1913.

## PRIVATE ACTS.

## CHAPTER 321.

An Act to renew and re-enact an Act entitled, "An Act to incorporate "The Peoples Guarantee and Trust Company," passed at Dover, March 30, 1893, and all amendments thereto.

Approved March 11, A. D. 1913.

## CHAPTER 322.

An Act to incorporate the Farmers' Trust Company, of Newark.

Approved March 12, A. D. 1913.

## CHAPTER 323.

An Act to incorporate "Laurel Savings Bank and Trust Company."

Approved March 12, A. D. 1913.

# PROCLAMATION OF THE GOVERNOR

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Printed in Accordance With Provisions of Chapter  
15, Volume 27, Laws of Delaware.

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## *PROCLAMATION*—STATE OF DELAWARE, EXECUTIVE DEPARTMENT.

WHEREAS, David O. Moore, State Treasurer of the State of Delaware, has reported to me a list of corporations which for two years preceding such report have failed to pay the taxes assessed against them and due by them under the laws of this state;

Now, there, I, Simeon S. Pennewill, do hereby issue this proclamation, according to the provisions of Sections 10 and 11, Chapter 15, Volume 22, Laws of Delaware, entitled "An Act to raise revenue for the State by taxing certain corporations," and do hereby declare under this act of the legislature that the charters of the following corporations, reported as aforesaid, are repealed:

Automatic Coal and Weighing Barge Co., American Hotel Co., Arizona Consolidated Mining Co., Amador Railway Co., Accurate Machinery Manufacturing Co., The Athletic Park Securities Co., Amador Smelting Co., Aerial Transit and Telephone Co., Automatic Gas Lighting Co., American Suspension Railway Co., Alburtis Iron Mining Co., American Timber and Lumber Co., American Slate Commercial Co., Autokoin Operating Co., of New York, American Underwriting and Finance Co., The Aluminum Co., of Pennsylvania, Automatic Cashier Machine Co., The American Match Mfg. Co., At-

## PROCLAMATIONS.

lantic Concrete Material Co., American Gas and Development Co., Armonia Sugar Co., American Wire Cable Co., The Ammo Co., The Auto Flame Co., American Wagon Co., Advanced Electrical Accumulator Co., Anderson Fruit Co., The Atlas Storage Co., American Steel Ladder Co., Albion Light & Power Co., Automatic Fire Protective Device Co., Allen Mfg. and Supply Co., A. Gonas Protector Co., Argo Knitting Mills, Inc., American Banking Co., American Civil Service Institute, Inc., American Mahogany Timber Co., Automatic Amusement Co., Aberdeen Brokerage Co., Armstrong Sliding Door Co., Acme Maritime Sounder Co., American Paint Products Co., Alcolu Lumber Co., Atlantic Securities Co., American Sanitary Dairy Co., The Automatic Inner Tube Co., Alton Light Mfg. Co., The Allegheny Oil and Drilling Co., of Pittsburg, Pa., American Security and Trust Co., American Bottle Co., The Automatic False Alarm Detector Co., Automatic Sales Co., American Mine Safety Appliance Co., The Argus Corporation, American Law and Defense Society, Auto Friction Wheel Co., Automobile Owners Service Co., American Mortgage Co., American Recording and Tabulating Co., American Steel Syndicate, American Union Construction Co., The American Insurants Co., American Pattern Co., American-South African Commerce Co., The Associated Dentists of America, Inc., American Patent Rights Corporation, American Fly Cone Co., Atlas Steel Column Co., Auto Machine Gun Co., American Pneumatic Motor Co.

The Brown-Cochran Co., Baker & Clogg, Inc., The Beattyville Block Coal Co., The Brazilian Diamond and Gold Dredging Co., Blue Ridge Real Estate and Development Co., Bay Shore Park Toboggan Co., Behrendt and Co., Block House Surety Co., Baltimore Skate Mfg. Co., Bureau of Business Economies, Inc., Burgettstown Milling and Plate Ice Co., Buffalo Construction Co.,



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Bright Coal and Coke Co., Banks Co., Boston-California Oil Co., The Blue Mountain Orchard Co., Bannon Co., Byron M. Fell Co., Inc., The Bessie Belle Doll Co., Balascio and Canning Co., Ballantyne Fire Clay Co., Brazier Garage Co., Lessees, Berks Auto Traffic Co., Billy Link Amusement Co., Bartlett, Kuhn and Co., B. J. Hollister & Co., Bryan Co., Bonom International Steam Turbine Co., Brazer Tobacco Co., Belle Novelty Co., Berkshire Finance and Construction Co., Bow-Martin Moulding Co., Bell Realty Corporation, Bay State Zince Co.

The Crystal Show Case and Mirror Co., Chester Warehouse Co., Consumers Mercantile Agency, Inc., Cuban Plantation Co., Carsonia Miniature Steam Railway Co., Chesapeake Chemical Co., Continental Improvement and Development Co., Cooper Electric Safety Gate Co., Consolidated Feldspar Co., of Connecticut, Cumberland Valley Real Estate and Securities Co., Chopard Freres Co., Calvert Construction Co., Colonial Chemical Co., Cuba Land & Improvement Co., The Columbia Tea and Coffee Co., The Craig Rolling Mills Co., Caloris Mfg. Co., Cameron Creek Coal Co., The Clover Leaf Mfg. Co., The Columbus Plate Ice Mfg. Co., The Columbian Bending Co., Catawba Gold Mining Co., Cambria Investment Co., Continental Artificial Stone and Mfg. Co., Commonwealth Development Co., The Columbian Lubricating Oil and Grease Co., Crescent Foundry Co., Carey Corporation, Clay Products Co., of Cuba, Clayton Enterprise Co., Chicora Brick Co., Cape D'Or Mining Co., Consolidated Mines Smelter and Transportation Co., Carrolton Coal Co., Charles E. Rhinehart, Inc., Coffee Wall Paper Co., Calumet Securities Co., Consumers' Fertilizer Co., of Maryland, Cuba Seville Co., Chautauqua Construction Co., C.J.Early Co., Inc., Cambria Glove and Mfg. Co., Concrete and Clay Products Co., Continental Signal Co., Chain Shoe Stores Syndicate, Carthage Consolidated Marble Quarries Co., Compania Cu-

PROCLAMATIONS.

bana de Cemento Portland, Carrollton Brick Co., Colorado-Federal Mining Co., Consolidated West Virginia-Ohio Coal Co., Culm Furnace Construction Co., Cake-Thomas Mfg. Co., Commonwealth Producing Co., Coal Briquetting Construction Co., Capitol Building Corporation, Commonwealth Securities Co., Chicago Culm Furnace Co., Consolidated Food and Beverage Co., Connoquenessing Oil and Gas Co., Central Engineering and Construction Co., Charles J. Brown Co., Central Automobile Co., Collins Ozone Machine Co., Century Holding and Securities Co., Cumberland Mines Corporation, C. M. Romberger Mfg. Co., Conception Mining and Milling Co., Cocoa Peanut Co., Crescent Lake, Land and Livestock Co., Cane Sugar Products and Preserving Co., Central Culm Furnace Co., Camimproved Gordon Press Co., Cosmopolitan Theatre Co., Charles W. Kimball Co.

Daisey Mining and Milling Co., Delaware Amusement Co., Diamond Stone-Brick Co., The Delaware Cotton Co., Dillsburg Vitrified Brick and Tile Co., Datas Diamond and Gold Co., Des Moines Heating Co., Doyle Artificial Flower Co., Dexter Fargo Co., Drummond Concrete Sepulcher Co., Delaware Roofing Co., Delaware Bottling Co., The Delphi Co., Department Store Co-operative Publishing Co., Deal Mfg. Co., Dielite Mfg. Co., Du Roth Mfg. Co., Diamond State Lumber Co., Donaldson Medicine Co., Darien Hardwood and Rubber Co., Developing and Improvement Co., Delaware Charter Co., Delaware City Laundry Co., Delaware Steam Packing Co., District Concrete Co., Dixie Land and Development Co., Duquesne Auto Co., Diamond Loan Society, of Pittsburgh, Pa., Dandy Gum Co., Duquesne Concrete Co., Delaware Fidelity Securities Co., Delaware Central Construction Co., Davenport Printing and Mfg. Co., De Fobia Double Power Bicycle Co., Dependable Auto Tire Co.

## PROCLAMATIONS.

Eastern Securities and Finance Co., Electrical Corporations Consolidated, Excelsior Mfg. Co., Elk City Dredging Co., Economy Mfg. Co., Empire Co., E. D. Matteson Co., Enterprise Mfg. Co., Esperanto Strainer Co., Elmwood Construction Co., Elk Valley Coal and Coke Co., Edwin W. Lane Mfg. Co., E. B. Wolfe, Inc., Exchange Investment Co., Everett Dufour Co., Eastern Pennsylvania Mining Co., East Mt. Clemens Land Co., East Rockaway and Hewlett Realty Co., Eastern Coast Consolidated Lumber Co., Electric Steel Alloys Co.

Federal Distilling Co., Financial Review Publishing Co., Fairfax Hotel and Realty Co., Farmers' Friend, Inc., Federal Trust Co., Fulton Hardware Trading Co., Fidelity Mortgage and Securities Co., The F. D. Shaw Co., Federal Carbon Co., Federal Cigar Co., Federal Window Glass Co., Flat Iron Co., Fletcher-Parker Construction Co., Farm Machines and Fertilizer Co., Farmers' Union Co., Frontier Boiler Mfg. Co., Frank M. Haynes Co., Inc., Florence Operations Co., Folding Wardrobe Co., Farm Underwriting Agency of New York, Inc.; Ford and Norris Co., Furman A. Sutliff Marble Co., Florida Homeland Co., Far Holding Co., Fuel Economizer Co., of America, Frolich Steam Turbine Co., Federal Finance Co., Frowert and Co., Finance Co. of Philadelphia, Pa.

Gold Road Mining and Milling Co., Graeber-Entriiken Mfg. Co., Gale Magic Window Co., Girard Supply Co., The Girard Co., General Underwriting Co., General Contracting Co., Gale & Co., Granite and Cross Cut Quartz Mining Co., Girard Collateral Security Co., G. W. Saylor Co., G.H.Hayden and Co., Geisha Co., Garden Co., Inc., Gulf Fruit Co., Glenwood Coal and Coke Co., Grocers' Biscuit Co., General Securities Co., Gibson Tobacco Co., Genealogical Society of the U. S., Inc., General Metallurgical Corporation, Germantown Amusement Co., Ger-

## PROCLAMATIONS.

mania Independent Oil Co., Gibney and Son Co., Graphic Printing Co., Greenwood Engineering and Construction Co., Green, Hook and Co., Inc.

High Street Produce Co., Holiday Street Theatre Co., Hocker Mfg. Co., Horace B. Deal Co., Holmes-Frank Co., H. J. Mining Co., Horst Automatic Weather Strip Co., Home Pure Food Co., of Milford, Del., Home Building and Investment Society, Home Pure Food Co., of Pennsylvania, Housekeeping Apartment Investment Co., Home Pure Food Co., of Georgia, Home Securities Co., Home Pure Food Co., of New York, Hillsboro Mills Co., Home Pure Food Co., of Franklin, Pa., High Pressure Sand Blast Co., Hydeleather Mfg. Co., Hanover Cold Storage and Market House Co., Hatfield Co., Hydro Carbon Distilling Co., Hartel Light Co., Harold C. Lowrey Co., Ltd., Hopper Bowman Co., Henry Clay Vitrified White Brick Co., Harbison Ice Co.

Imperial Leather Preserver Manufacturing Co., Interstate Coal and Timber Land Co., The Interstate Chemical Co., Inde Reduction Co., The Independent Steel and Wire Co., Interurban Co., Indiana-Cherokee Oil and Gas Co., Imperial Road Co., International Commercial Co., Income Securities Co., Imperial Development Co., International Adjusting Co., International Realty and Development Co., Intelligence Mercantile Co., International Film Mfg. Co., International Combustion Co., Index Co., Interstate Investment and Trust Co., International Motor Truck Co., International Colonization Co., International Laboratories Corporation, Independence and Avelle Coal Co., Imperial Steel Corporation, Iowa Farmer Publishing Co., Idamont Lumber Co., International Sales Co., Investors' Corporation and Trust Co., International Stoker Co., International Signal Co., Incorporating and Adjusting Co. of America, International Securities Co., Inventors' Mfg. Co., Industrial Engineering Co., Imperial Bottle-Cap and Machine Co.

PROCLAMATIONS.

John Billings Co., J. S. Glenn & Co., John H. Hodge Tobacco Co., J. F. Sandoz Co., Jacksboro Stone and Mfg. Co., J. B. Taylor & Co., Jacobs Cigar Vendor Co., James H. Bute Development Co., Jess Egbert Amusement Co., Joseph S. Richardson Co., Jeffrey Steel and Iron Co., Jatibonico Asphalt Mining and Mercantile Co.

The Kensington Co., The Keystone Jewelry Manufacturing Co., Keystone Commercial Co., Ko-Bike Mica Co., Knoepfel Treatment Corporation, Keystone Realty Co., Keystone Perforating Co., Kiamensi Spring Water Co., of Philadelphia, Kensington Pottery, Inc., Keystone Tropical Fruit Co., Keystone Novelty Co., Knickerbocker Automobile Co., Kantner Co., Keystone Engineering Co., Keystone Securities Co., Keystone Engine and Mfg. Co., Keystone Worsted Co., Keystone Linen Mills Co., Keystone Laundry Co., Kansas City Cotton Seed Products Co.

The Linton Co., Lake Stilwell Irrigation Co., Lehman Cattle Export Co., Latona Drug Co., Lonehand Mining Co., Lincoln Trust Co., Lost Valley Coal Co., Luce Warehouse and Gin Compress Co., Lyceum Theatre Co., Lewis Chair Co., of Wilmington, Del., Land Investment Co., Lewis Burglar Alarm Co., La Reine Garment Co., League Publishing Co., Inc., Lumino Gas Machine Co., Lighting Horse Shoe Tool Co., Lackawanna and Luzerne Culm Furnace Co., Lehigh Valley Mfg. Co., Logan Hosiery Mills Co., Leedham Goldthwaite Investment Co., Lincoln Securities Co., Long Island Realty Construction Co., Long Fibre Asbestos Co., Lytle Automatic Register Co., Lincoln Plantation, Inc., Loan Society of Cincinnati, Links Co., Liberty Film Exchange, Inc., Lake Publishing Co., Lass Lo'e Candy Co., Lackawanna Throwing Co., Louisville Brazing and Machine Co., Lawrence Mfg. Co., Lovelocks Land and Irrigation Co., Lambs Soap Co., Loktile Co., of America, Lamb Mfg. Co., Lebanon Coal

## PROCLAMATIONS.

and Mining Co., Luna Park Fair Co., Lookout Laundry Co., Leasure Vacuum Cleaning Co., Levey Instant Dye Co.

Mexican Development and Construction Co., Mississippi Valley Portland Cement Co., Mason's Builders' Association of Wilmington, Del., Marvel Buckle Co., The Morgan Brick Co., M. A. Shipley Co., Mexican Mercantile Investment Co., Miles Packing Co., Maxwell Taximeter Co., Manufacturers Securities Co., Merchants' Protective Alliance, Inc., Morgan Electro Plating and Mfg. Co., M. and W. Brazing Co., Miracle Pressed Stone Co., of Wilmington, Motor Service Co., Modern Banking Device Co., Monroe Chemical Co., Motor Co., Muhl-enberg Building and Supply Co., Magnesia Asbestos Co., Mexican National Securities Co., Modern Engineering Co., Mexico Gold Mines and Investment Co., Metropolitan Taxicab Co., Mobile Farm and Tobacco Co., Metropolitan Steam and Electric Railway Co., Mexican Pipe Line Co., Modern Building Corporation, Michigan Underwriters Co., Mineral Absorption Co., Modern Laundry Co., Modern Woodman of America Building Association, Mechanics Mutual Relief Society, Moving Picture Theatres Co., of America, Maryland Clay Products Co., Manufacturers' Chemical Co., Mineral Mining Development Co., Maxwell Mfg. Co., Monacas Sugar Co., Mexican-Milogras Mining and Smelting Co., Mexican Venture Corporation, Miller-Foster Co., Merchants' Banking and Investment Co.

McIrvin Co., McLain Oil Co., McGirt Publishing Co., McDonald Co., McCormick and Co., Inc.

Northampton Portland Cement Co., National Silverware Co., The North Carolina Mining and Milling Co., National Real Estate Corporation, National Mat and Belt Co., New York and Atlantic City Transportation

## PROCLAMATIONS.

and Pier Co., National Underwriting Co., The Novelty Advertising and Sign Co., National Trust Co., National Agencies Co., New Jersey Monorail Construction Co., Natura Health Restorative Corporation, New York Culm Furnace Co., Noble Oil and Gas Co., National Metal Tire Co., National Lumber Vulcanizing Corporation, National Text Book Co., No-Ke-Lock Co., Nassau Metals Co., Nonpareil Mfg. Co., National Economic Gas Blast Co., National Realty Co., of Washington, D. C., National Moving Picture Theatres Co., New England Orchards Co., National Sugar and Cotton Corporation, National Redwood Lumber Co., New York and West Virginia Coal and Coke Co., National Finance and Investment Co., Novato Land and Fruit Co., National Battery Fan Co., National Theatrical Producing Co., National Law and Protective Association, North Texas Coal and Oil Co., National Stone and Brick Co., Norbrook Tropical Food Co., Ltd., New York Ice Co., Non-Rust Metal Co., North Washington Realty Corporation, Naultwood Co., National Pulp Co., National Granite Co., National Machine Co., of Washington, D. C.; North York Stock Yards and Packing Co.

One Lock Reamer Co., Oregon Investment Co., Oriental Rug Importing and Trading Co., Oregon Mountain Railroad Co., Omsk Semipalatinsk Railroad Co., Ozone Sterilization Co., Orient Mfg. Co., Ozone Bottling Co., Oklahoma Cotton Oil and Alfalfa Co., Ohio Central Electric Railway Co., Olean Plant and Cut Flower Co., Ohio Wheat Growers' Co., Okanogan Development Co., Ozone Purification Co., Oaxaca Development Co., Oregon Orchard Co.

Philadelphia City Pottery Co., Pelham Ice Co., Perfection Carton Machine Co., Phoenix Investment and Trust Co., The Proana Co., Philadelphia Thread Mfg. Co., Paokla Oil and Gas Co., Pittsburg Sanitary Wash-

## PROCLAMATIONS.

board Co., The Pyro Sign Co., Pull Cork Co., The Pennesay Bay Mining Co., Practical Education Institute, Inc., Perfection Steel Co., Pittsburg Financial Co., Pancoast Canning Co., Pittsburg and St. Louis Oil and Gas Co., Ponce Finance and Trading Co., Pan-American Trade Expansion Co., Philadelphia Dress Mfg. Co., Pittsburg Self Stripping Mould Co., Paragon White Cement Co., Port-au-Prince Wharf Co., Paintsville Water and Light Co., Philadelphia Rubber Paint Co., Pittsburg Bartow Mining and Mfg. Co., Prudential Loan Society of Pittsburg, Pa., Patent Title Co., Potomac Amusement Co., Philadelphia-Western Development Co., Panama Mines Co., Philadelphia Construction and Concrete Co., Philadelphia Hardware Co., Pennsylvania Paint Mfg. Co., Pittsburg Motor Truck Co., Policyholders' Protective Association of America, Piedmont Real Estate and Loan Co., Parker-Carey Construction Co., Patapsco Quarry and Construction Co., of Washington, D. C., Pennokla Oil and Gas Co., Pittsburg Compound- ing Co., Peanut Cereal Coffee Co., Peacock Iron Works Co., Ltd., Palmetto Sanitorium Co., Philadelphia Register and Machine Co., Potomac Chemical Co., Prospect Music Publishing Co., Pittsburg Paper Can and Tube Co., Patterson Machine Co., Press Publishing Co., Pennsylvania Medical and Dental Association, Inc., Parker Mfg. Co., Purity Carbonator and Syrup Co., Palace Amusement Co., Peerless Sanitary Hot Water Radiator Co., Peninsula Underwriters' and Insurance Agency of Dover, Del., Peoples Market and Ice Co., Penn United Laundry, Inc.

Quadruplex Auto Tube Co., Quaker Coal and Timber Co.

Republican Publishing Co., Republic Smokeless Powder Co., Railroad Safety Signal Co., Rolled Steel Belt Co., R. Gordon Williams Co., Rector Light Co., Russ



## PROCLAMATIONS.

Manufacturing Co., Rector Commercial Co., Robert N. Fleagle Co., Recompensa Mining Co., Radio Electric Treatment Co., Rex Hotel Bar Specialty Co., Rendall Construction Co., Republic Ribbon and Carbon Co., Roumfort and Rexroth, Inc., Refractory Fire Brick Co., Rae Electrical Equipment Co., Riverdale Farms, Inc., Railway Securities Co., Reading Securities Co., Republic Register Co., Rendall Steel Co., Reed Cotton Mill Co., Ltd., Ray Gum Co., Regal Tailors, Inc., Rapid Cyaniding Co., of Mexico, Reade Literary Co., Inc., Rubber Co. of America.

The Sterling Graphite Co., Spear-Marshall Co., Southern Securities and Development Co., San Pedro Estate Co., Smyrna, Kent County and Delaware Bay Traction Co., South Mountain Oil and Developing Co., The Shore Corporation, Samalayuca Copper Co., The Spillman Silk Mfg. Co., Sound Copper Co. of Alaska, The St. Andrews Construction Co., Stephen D. Large, Inc., Securities Guarantee and Trust Co., Southern Export Lumber Co., Steel Rim Collar Co. of Middletown, Del., Springs Oil Co., Scenic Temple Amusement Corporation, Street Railway Trust Co., Securities Holding Co., Stageland Corporation, Southern Finance and Development Co., "Sopo" Co., Studio Cafe Co., Silver Run Ochre Mining Co., Street Car Trading Stamp Co., Starlight Mining Smelting and Development Co., San Jose Gold Mining and Milling Co., Safety Airship Amusement Co., Sarkees and Co., Securities Sales Corporation, Sonora Land and Irrigation Co., Southern Cotton Tie Co., Stover Motor Car Corporation, Superior Wagon Co., Sunburst Prism Light Co., Steelton Realty Co., Southern Gold Mining Development Corporation, Schwartz Mfg. Co., Shifflette-Babler Co., Shinbone Valley Iron and Timber Co., Stamping Press Supplies Co., South Farms Springs Bottling Co., South Farms Springs Cottage Co., Scranton Steel Construction Co., Shawnee Distilling Co., Starrett Brake

## PROCLAMATIONS.

Hanger Co., Steig and Brown, Inc., Southern Engineering and Sales Co., Slate Run Stone Co., Saranac-Clearmont Coal Mining Co., Shull Drug Co., Sanitary Steam Wall Paper Stripper Co., Santo Nino Gold Mining Co., South Fork Amusement Co., Southern Sugar Refining Co., Standard Wheel and Motor Co., Scranton-Lees Gas Governor Co., South-West Oil Co.

Tanguy Coach and Livery Co., Tuckahoe Mineral Springs Co., Treasury Tunnel Mines Corporation, Tri-National Corporation, Limited, Tai Hong Co., Tip Top Soap Stone Co., Transit Construction Co., Toronto Amusement Co., Templeton Automatic Scale Co., Tolman Bros., Securities Co., Tonopah Butte Development Co., Tacoma Oil and Gas Co., Tennessee, Arkansas Timber Land and Lumber Co., T.J. Ryan and Co., Inc., Thomas and Evans Frederick Slate Co., Tamaqua Specialty Co., Texas Iron Co., Tomlinson Paving Co., T. S. D. Recording Co., Triumphant Lead and Zinc Co.

United States Paper Export Asso., United States Motor Vehicle Co., Union Explosive Co., United Western Mines Exploration Co., The Union Supply Co., United Amusement Co., The Union Casket and Mfg. Co., Union County Development Co., The United Mines and Mills Co., Union T Rail Co., United Mines Co., United States and Mexican Smelting and Refining Co., United States Carbonating Co., United Theatres Co., Union National Securities Co., of America, Universal Gas Implement Co., United States Guarantee Assurance Co., United States Floral Corporation, United States Railway Road-Bed Co., Uhlig Hermanos Compania, Inc., United Orchard Co., Union Consolidated Oil and Gas Co., United States Lebam Rustless Bronzing Co., Union Realty and Improvement Co., United Law and Commerce Corporation, United States Truck Co., Union Sheet and Tin Plate Co., Unico Oil Co., United Engineering and Con-

## PROCLAMATIONS.

struction Co., United Factories Corporation, United States Guaranty Co., United Stores Co., Utility Co., United Tile Marble and Terrazo Co., United Car Tracing and Shipping Co., Universal Hy-Dramo Co., Universal Coupon Co., United Moving Picture Advertising Co., United Fuel Products Co., United States Renovating and Repair Co., United Moving Picture Co., United Drug Stores Co., Union Warehousing Co.

Victoria Mining Co., Virgin Copper Co., Vacuum Engine and Pump Co., Vacuum Ice Co., of Baltimore City, Venice Amusement Co., Vassar Knitting Mills Co., Valley Sand Co., Vinton Co., Vera Cruz Sugar and Coffee Co., Vose Gray Shoe Machinery Co., Valcourt Gardens Co.

The W. J. Parker Co., Wilmington Baseball and Athletic Association, W. T. Manning Co., West End Finance Co., Westmoreland Stone and Lime Co., Wood Pitchblende Co., Washington Securities Co., of Delaware, Wylie Heights Co., Werner Mfg. Co., Washington and Maryland Realty Co., Walt McDougal Co., Washington Trust Co., Warner Coal Co., Warrior Coal and Lumber Co., W. J. Pusey Co., Washington Jewelry Co., Wilkesbarre Brick Co., White Peril Co., Wilber-Ross Light and Chemical Co., Wilbur Coal and Coke Co., Wilcox Ideal Medical Educational and Mfg. Co., Watkins Service, Inc., Williams Co., W. G. Hay Co., Western Development Finance Co., Western States Engineering Co., Washington County Oil and Gas Co., of Marietta, Ohio, White Sand, Oil and Gas Co., White Saving System Co., Wilmington Building and Construction Co., Western Gas and Engineering Co., Winters Automobile Co., Woerner Iron Railing Co., Weller Chemical Co.

York Iron Ore and Limestone Co.

IN TESTIMONY WHEREOF, I, Simeon S. Pennewill, Governor of the State of Delaware,

PROCLAMATIONS.

GREAT  
SEAL      have hereunto set my hand and caused the Great  
Seal of this State to be hereunto affixed this sev-  
enteenth day of January, in the year of our Lord,  
one thousand nine hundred and thirteen, and of  
the Independence of the United States of Amer-  
ica, the one hundred and thirty-seventh.

By the Governor:

SIMEON S. PENNEWILL.

CHARLES S. RICHARDS,

Secretary of State.

## PROCLAMATIONS.

*PROCLAMATION—ARBOR AND BIRD DAY.*

After the mild winter which nature has bestowed on mother earth we can well appreciate the impatience of the various trees and shrubs to burst forth their buds and blossoms. The tinge of spring which has been in the air for some weeks will soon cause these buds and blossoms to awaken from their winter's nap and with their awakening will come the song of the birds moving North as harbingers of spring.

In order that the people of this State may fully appreciate the benefits to be derived from these forerunners of spring, and the attention which should be given to their care and protection,

I, CHARLES R. MILLER, Governor of the State of Delaware, do hereby designate

Friday, March 28th, A. D., 1913,

as

Arbor and Bird Day;

and do request that this day be observed by all Public Schools, Private Schools, Colleges and other Institutions, by the planting of trees, the adornment of the schools and public grounds and suitable exercises, having for their object the advancement of the study of arbor culture and the promotion of the spirit of protection to birds and trees.

IN TESTIMONY WHEREOF, I, Charles R. Miller, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal

GREAT  
SEAL

of the State to be hereunto affixed, at Dover, this fourteenth day of March, in the year of our Lord

## PROCLAMATIONS.

one thousand nine hundred and thirteen, and in the year of the Independence of the United States of America, the one hundred and thirty-seventh.

By the Governor:

CHAS. B. MILLER.

THOMAS W. MILLER,  
Secretary of State.

## PROCLAMATIONS.

*PROCLAMATION.*

A large area of our country has been visited by cyclones of unprecedented fury followed by floods of the most devastating character.

The loss of human life resulting from these occurrences is appalling and the widespread destruction of property is unparalleled in the history of our country.

These terrible calamities that have been visited upon our fellow countrymen should appeal to the sympathy and generous impulse of every citizen in a substantial manner. Therefore, I, Charles R. Miller, Governor of the State of Delaware, and as President of the Delaware State Board of the American Red Cross Society, appeal to the people of the State of Delaware to extend relief and render such financial help as each one is able to do.

Those of our citizens who desire to make contributions in the form of money or clothing or other essentials should send the same to either Mr. L. Scott Townsend, Treasurer of the State Board of the National Red Cross Society, or to Mr. Henry M. Canby, Treasurer of the Delaware State Chapter of the Red Cross Society.

IN TESTIMONY WHEREOF, I, Charles R. Miller, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of the State to be hereunto affixed, at Dover, this twenty-seventh day of March, in the year of our Lord one thousand nine hundred and thirteen, and in the year of the Independence of the Unit-

GREAT  
SEAL

## PROCLAMATIONS.

ed States of America, the one hundred and thirty-seventh.

By the Governor :

CHAS. R. MILLER.

THOMAS W. MILLER,  
Secretary of State.



## PROCLAMATIONS.

*MOTHER'S DAY PROCLAMATION.*

The progress of the times is continually giving rise to new thoughts and new ideas. Influences of this character which encourage a people to work for higher ideals tend to increase the usefulness, promote the happiness and develop the best that is in the human race.

The strength of a nation is measured by the character of its women and it is no idle sentiment for a people to encourage in every possible manner, respect and admiration for true womanhood.

The movement having for its object the observance of Mother's Day which has been spreading with great rapidity throughout the civilized world, has resulted in the setting apart a special day, upon which each individual is asked to perform some act in celebration and commemoration of the mothers of the land.

I, Charles R. Miller, Governor of the State of Delaware, do hereby designate that

Sunday, the Eleventh day of May, A. D. 1913,  
shall be known and designated as  
**MOTHER'S DAY;**

and do request that this day be observed by all individuals, societies and organizations, religious or otherwise, by the performance of some act to commemorate the mothers of mankind.

IN TESTIMONY WHEREOF, I, Charles R. Miller, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal

## PROCLAMATIONS.

GREAT of the State to be hereunto affixed, at Dover, this  
SEAL sixth day of May, in the year of our Lord one  
thousand nine hundred and thirteen, and in the  
year of the Independence of the United States of  
America, the one hundred and thirty-seventh.

CHAS. R. MILLER.

By the Governor

THOMAS W. MILLER,  
Secretary of State.

## PROCLAMATIONS.

*PROCLAMATION.*

## STATE OF DELAWARE,

## EXECUTIVE DEPARTMENT.

CHARLES R. MILLER, Governor of said State,

To all persons to whom these presents shall come,  
Greeting:

WHEREAS, Arnold Tenant residing in Bridgeville, Sussex County, in this State, was deliberately shot in cold blood and killed on the afternoon of Sunday, June first, by George Dutton, at or near Bridgeville, in Sussex County, and

WHEREAS, the laws of this State have been violated and it is necessary for their proper and speedy enforcement that the said George Dutton be arrested and lodged in jail and that a reward should be offered for his arrest and delivery.

Now, Therefore, I, Charles R. Miller, Governor of the State of Delaware, in accordance with the provisions of Chapter 345, Volume 15, Laws of Delaware, as amended, do hereby offer a reward of

ONE HUNDRED DOLLARS

for the arrest or capture or delivery of George Dutton to the Sheriff of Sussex County or one of his deputies or to any officer of the State of Delaware having jurisdiction over such matters, said reward to be paid to such person or persons as the Attorney General of this State shall certify to be entitled thereto.

## PROCLAMATIONS.

IN TESTIMONY WHEREOF, I, Charles R. Miller, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal of this State to be hereunto affixed this third day of June, in the year of our Lord one thousand nine hundred and thirteen, and of the Independence of the United States of America the one hundred and thirty-seventh.

CHAS. R. MILLER.

By the Governor

THOMAS W. MILLER,  
Secretary of State.

*PROCLAMATION!*

STATE OF DELAWARE,

EXECUTIVE DEPARTMENT.

CHARLES R. MILLER, Governor of said State,

To all persons to whom these presents shall come,  
Greeting:

Whereas, Arnold Tenant, residing in Bridgeville, Sussex County, in this State, was deliberately shot in cold blood and killed on the afternoon of Sunday, June first, by George Dutton, at or near Bridgeville, in Sussex County, and

Whereas, the laws of this State have been violated, and it is necessary for their proper enforcement that the said George Dutton be arrested and lodged in jail and that a reward should be offered for his arrest and delivery,

NOW, THEREFORE, I, CHARLES R. MILLER, GOVERNOR OF THE STATE OF DELAWARE, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 345, VOLUME 15, LAWS OF DELAWARE, AS AMENDED, DO HEREBY OFFER A REWARD OF

FIVE HUNDRED DOLLARS

FOR THE ARREST AND CONVICTION OF GEORGE DUTTON, AND DELIVERY OF SAID DUTTON TO THE PROPER OFFICER OR OFFICERS OF THE STATE OF DELAWARE, HAVING JURISDICTION OVER SUCH MATTERS; SAID REWARD

TO BE PAID TO SUCH PERSON OR PERSONS AS  
THE ATTORNEY GENERAL OF THIS STATE  
SHALL CERTIFY TO BE ENTITLED THERETO.

THE REWARD OFFERED IN THE PROCLAMA-  
TION OF JUNE FIRST, 1913, IS WITHDRAWN.

IN TESTIMONY WHEREOF, I, CHARLES  
R. MILLER, Governor of the State of Dela-  
ware, have hereunto set my hand and caused  
the Great Seal of this State to be hereunto af-  
(L. S.) fixed this fourteenth day of July, in the year of  
our Lord one thousand nine hundred and thir-  
teen, and of the Independence of the United  
States of America the one hundred and thirty-  
eighth.

CHARLES R. MILLER.

By the Governor

THOMAS W. MILLER,  
Secretary of State.

## SECRETARY OF STATE'S OFFICE.

DOVER, DELAWARE, June 26th, 1913.

In obedience to the provisions and directions of Chapter 4 of the Revised Code, entitled "Of the Passing and Publication of Laws and Journals," and Chapter 16, Volume 27, I have collated with and corrected by the original rolls now in the office of the Secretary of State and caused to be published this edition of the Laws of the State of Delaware, passed by the General Assembly at the regular Biennial Session commenced on Tuesday, the seventh day of January, A. D. 1913, and ended on the eighth day of April, A. D. 1913, and approved by the Governor.

Words and sentences marked with asterisks are printed as they appear on the original bills.

THOMAS W. MILLER,

*Secretary of State.*





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