

LAWS
OF THE
STATE OF DELAWARE

PASSED AT A
Special Session of the
Ninety-fourth General Assembly

COMMENCED AND HELD AT DOVER

On Monday, September 28th, A. D. 1914

AND

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

VOLUME XXVIII—PART I

CHAS. L. STORY, PRINTER
WILMINGTON, DEL.
1915

LAWS OF DELAWARE

RESOLUTIONS

CHAPTER 1.

Senate Substitute for Senate Joint Resolution No. 1.

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

That Horace E. Blizzard and Walter M. Hearn be, and ^{Bill Clerks} the same are hereby appointed bill clerks for this special ^{appointed} session of the General Assembly.

Approved October 12, A. D. 1914.

RESOLUTIONS.

CHAPTER 2.

Senate Concurrent Resolution providing for the payment of Twenty-five Thousand Dollars to Herbert H. Ward, Esquire, and Thomas Bayard Heisel, Esquire, as Members of the Revised Code Commission.

Be it resolved by the Senate of the State of Delaware in General Assembly met, the House of Representatives concurring therein:

Compensa-
tion of the
Revised Code
Commission

Section 1. That for the purpose of compensating the members of the Revised Code Commission for their work, the State Treasurer be authorized to pay to Herbert H. Ward, Esquire, and Thomas Bayard Heisel, Esquire, the sum of Twenty-five Thousand Dollars on orders drawn by the Revised Code Commissioners, and said sum of Twenty-five Thousand Dollars is hereby appropriated for such payments, out of any money in the State Treasury not otherwise appropriated.

Approved October 19, A. D. 1914.

RESOLUTIONS.

CHAPTER 3.

House Concurrent Resolution.

WHEREAS, There is no existing law that permits necessary repairs to be made to the State House;

AND WHEREAS, There exists at the present time the necessity for certain repairs to heating plant, other repairs and painting, etc.;

AND WHEREAS, At any time such a condition may exist; therefore,

Be it resolved by the House of Representatives (the Senate concurring therein):

That the Governor of the State, the Secretary of State and the State Treasurer be and they are hereby authorized and directed to act as a Commission to attend to any repairs that may be necessary, such as heating plant, repairing, painting, etc.;

Repairs,
State House
Commission

And be it further resolved, That the State Treasurer is hereby authorized and directed to pay out of any moneys not otherwise appropriated from time to time such amounts as may be necessary to carry this resolution into effect when approved by the Commission mentioned above.

Appropriation for repairs

To be approved by
Commission

Approved October 19, A. D. 1914.

PROCLAMATION OF THE GOVERNOR

PROCLAMATION.

STATE OF DELAWARE,

EXECUTIVE DEPARTMENT.

DOVER, DELAWARE, September 22, 1914.

Proclamation
of the Gov-
ernor

I, Charles R. Miller, Governor of the State of Delaware, under and by virtue of the authority vested in me by Section 16 of Article 3 of the Constitution of the State of Delaware, do issue this my proclamation convening the General Assembly of the State of Delaware in special session at Dover, the capital of the State, on Monday, the twenty-eighth day of September, A. D. 1914, at 12 o'clock noon, to consider and act upon the following matters and subjects of legislative business, to wit:

First. To receive the report of the joint committees of the Senate and the House on Revised Statutes on "The Revision and Codification of the General Statute Laws of the State" as prepared and submitted by the Revised Code Commission; in compliance with a joint resolution adopted by the General Assembly, approved April 15th, 1909, being Chapter 253, Volume 25; and a further joint resolution, approved March 20th, 1911, being Chapter 288, Volume 26; and a further joint resolution approved March 13th, 1913, being Chapter 305, Volume 27 of the Laws of Delaware.

PROCLAMATION OF THE GOVERNOR.

Second. To confirm appointments made by me since the adjournment of the General Assembly on the eighth day of April, A. D. 1913.

Third. To confirm the appointment which will be made by me to the office of Associate Judge, which has become vacant.

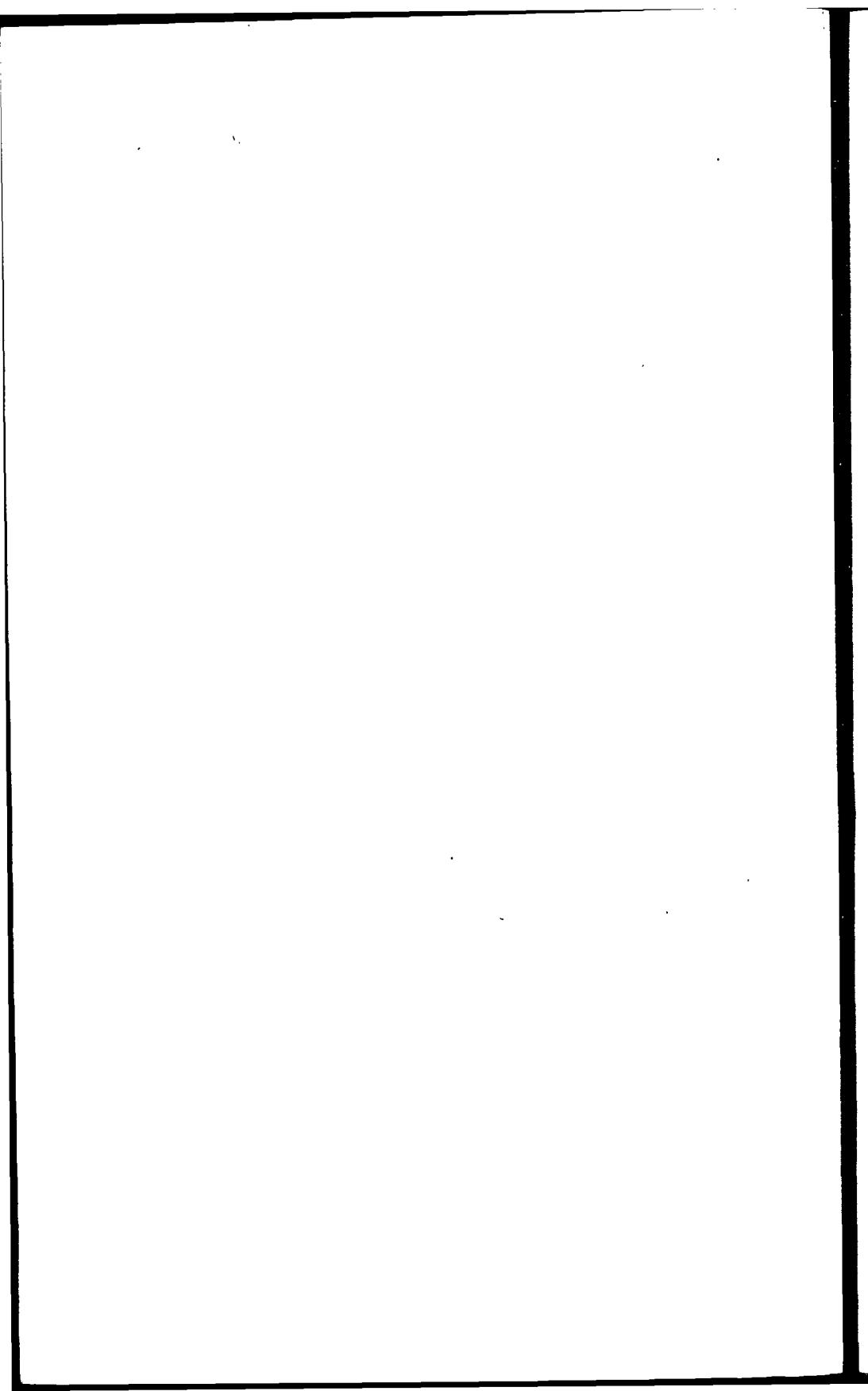
[GREAT SEAL] IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State to be hereto affixed this twenty-second day of September, in the year of our Lord one thousand nine hundred and fourteen, and of the Independence of the United States of America the one hundred and thirty-ninth.

By the Governor:

CHAS. R. MILLER.

THOMAS W. MILLER,

Secretary of State.



LAWS
OF THE
STATE OF DELAWARE
PASSED AT THE
NINETY-FIFTH SESSION
OF THE GENERAL ASSEMBLY

COMMENCED AND HELD AT DOVER

On Tuesday, January 4th, A. D. 1915

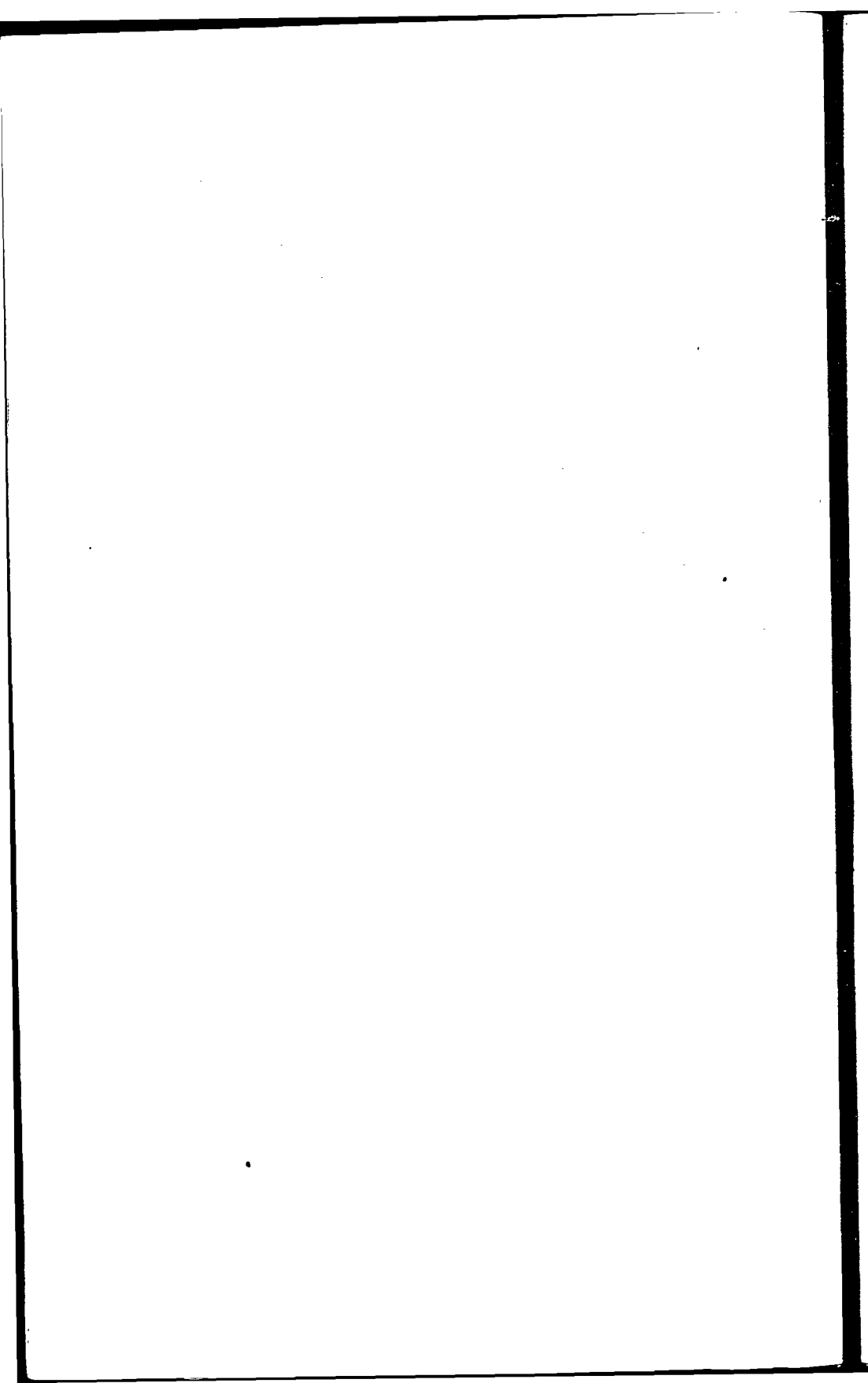
AND

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

VOLUME XXVIII—PART II

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LAWS OF DELAWARE

TITLE ONE

Construction of Statutes

CHAPTER 4.

AMENDMENT TO CONSTITUTION.

AN ACT Proposing an Amendment to Section 1 of Article 9, of the Constitution of the State of Delaware, in Relation to Corporations.

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 1 of Article 9 of the Constitution of the State of Delaware be amended by striking out all of Section 1 of said Article 9, and inserting in lieu thereof the following:

Article 9,
Section 1, of
the Constitu-
tion of the
State
Amended

"Section 1. No corporation shall hereafter be created, amended, renewed or revived by special act, but only by or under general law, nor shall any existing corporate charter be amended, renewed, or revived by special act, but only by or under general law; but the foregoing provisions shall not

All corpo-
rations to be
created under
general law

AMENDMENT TO CONSTITUTION.

Not to apply to certain corporations apply to municipal corporations, banks, trust companies possessing banking power, or corporations for charitable, penal, reformatory, or educational purposes, sustained in whole or in part by the State, all of which said last mentioned corporations shall be created, amended, renewed or revived only by special act, and shall possess only those powers, rights, privileges and franchises conferred by the special act creating, amending, renewing or reviving them, and shall not merge or consolidate with any other corporation except upon the consent and approval of the General Assembly, two-thirds of all the members elected to each House thereof concurring therein. The General Assembly shall, by general law, provide for the revocation or forfeiture of the charters of all corporations for the abuse, misuse or non-use of their corporate powers, privileges or franchises. Any proceeding for such revocation or forfeiture shall be taken by the Attorney-General, as may be provided by law. No general incorporation law, nor any special act of incorporation, shall be enacted without the concurrence of two-thirds of all the members elected to each House of the General Assembly, and with a reserved power of amendment, revocation or repeal by the General Assembly with the concurrence of two-thirds of all the members elected to each House thereof."

Only by special Acts

Must have consent of General Assembly to merge

General law provides for penalty for abuse or misuse

Attorney-General to prosecute

General Assembly to control

Approved March 16, A. D. 1915.

TITLE TWO

Jurisdiction and Property of the State

CHAPTER 5.

OLD STATE HOUSE.

AN ACT in Relation to the Old State House of New Castle.

WHEREAS, By an Act of the General Assembly of the Freemen of the Counties of New Castle, Kent and Sussex upon Delaware, passed June 13, A. D. 1772, and by another Act passed by the General Assembly February 20, A. D. 1883, being Chapter 177, Volume 17, Laws of Delaware, and by another Act passed by the General Assembly April 9, A. D. 1907, being Chapter 191, Volume 24, Laws of Delaware, the fee in the old State House at New Castle has always remained the State's; and

WHEREAS, At different times various Trustees have been appointed by the General Assembly to have the custody of the said State House at New Castle; and

WHEREAS, The said State House at New Castle is doubtless the oldest building in the country that was used for Legislative and Governmental purposes in Colonial days, the main part of it being constructed prior to Independence Hall in Philadelphia; and

WHEREAS, From its historical value it should be restored fire proofed and preserved; therefore

OLD STATE HOUSE.

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

Granting the privilege to use the old State House at New Castle

Providing the granting is approved by certain officials

Section 1. That if any Historical Society now incorporated, or that may be incorporated under the laws of this State, desire to use the said old State House at New Castle for administrative and museum purposes, that the Commissioners having the same in charge, shall turn the building over to said Historical Society, free of all cost, the same to revert to the State of Delaware when such Historical Society ceases to exist or to perform the functions for which it was organized, provided, however, that before any transfer is made to such Historical Society that the transaction must be approved by the following State officers or a majority of them, the Governor, the Lieutenant Governor, the President pro tempore of the Senate, the Speaker of the House and the Secretary of State.

Approved March 9, A. D. 1915.

STATE LIBRARY.

CHAPTER 6.

STATE LIBRARY.

AN ACT to Amend Chapter 5 of the Revised Code of the State of Delaware.

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

That Chapter 5 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 28 Section 6 thereof and inserting in lieu thereof the following Section to be styled 28 Section 6.

28 Section 6. On the first day of the Sessions of the General Assembly of this State the Librarian shall make a report to the same, setting forth the condition of the Library, the number of fines levied and collected, the number and title of books lost during the last two years and the number and kinds of books received by him for the Library in that period and all other things concerning the Library that he may deem proper.

He shall also keep the Library open each day, except Sundays and legal Holidays, from nine o'clock A. M. to twelve o'clock Noon, and from half past one P. M. to half past four P. M., with the exception of Saturdays, when he shall keep the Library open from nine o'clock A. M. to one o'clock P. M., and also excepting the period that the General Assembly is in Session and the Sessions of the Courts in Kent County, when he shall keep the Library open from nine o'clock A. M. to nine o'clock P. M.

Approved March 8, A. D. 1915.

STATE LIBRARY.

CHAPTER 7.

STATE LIBRARY.

AN ACT Authorizing the State Librarian to have repairs made to certain books in the State Library.

WHEREAS, Many of the books now in the State Library, at Dover, have become greatly in dis-repair; and

WHEREAS, It is deemed necessary for the preservation of these books to have new backs placed thereon, and such other repairs made to them as may be necessary; therefore

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

State Librarian to have books repaired

Section 1. That the State Librarian be and he is authorized to have repairs made to such books in the State Library, in the State House, at Dover, Delaware, as may be selected by the Judges of the Supreme Court as being necessary.

Appropriation and how drawn

Section 2. That for the purpose of effectuating this Act Five Hundred Dollars is hereby appropriated to be paid by the State Treasurer upon warrants drawn by the State Librarian, countersigned by one of the Judges of the Supreme Court.

Approved March 9, A. D. 1915.

TITLE THREE

State Revenue and Supplies

CHAPTER 8.

STATE REVENUE.

INSURANCE, GUARANTEE, CASUALTY AND SURETY COMPANIES AND BUILDING AND LOAN ASSOCIATIONS.

AN ACT to Amend Chapter 6 of the Revised Code of the State of Delaware defining the taxable gross premiums collected by Insurance Companies.

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

Section 1. That Chapter 6 of the Revised Code of the State of Delaware be, and the same is hereby amended by repealing 78, Section 41 and inserting in lieu thereof the following to be styled 78, Section 41:

78. Section 41. Each and every foreign insurance company, firm or corporation doing the business of life insurance within the State shall, on the twenty-eight day of February of each year, pay to the Insurance Commissioner, for the use of the State, two per centum on the gross amount of premiums received and assessments collected by any such insurance company, firm or corporation, or authorized agent for the year immediately preceding the thirty-first day of December next preceding the date herein provided for such payment; and every insurance company, firm or corporation

78, Sec. 41,
Chap. 6, of
the Revised
Code
Amended

Annual tax
on life insur-
ance busi-
ness, when
paid, to
whom

INSURANCE, GUARANTEE, CASUALTY AND SURETY COMPANIES
AND BUILDING AND LOAN ASSOCIATIONS.

Annual tax on other than life insurance business, when paid, to whom doing any other insurance business within the State, shall on the first day of February of each year, pay to the Insurance Commissioner, for the use of the State, one and one-half per centum on the gross amount of premiums received and assessments collected by any such insurance company, firm or corporation, or authorized agent for the year immediately next preceding the date herein provided for such payment; and each and every such company, firm or corporation, shall, at the same time, deliver to the Insurance Commissioner a full detailed statement showing the gross amount of premiums received and assessments collected by such company, firm or corporation or authorized agent for the previous year, and such statement shall be verified by the oath or affirmation of the President or Secretary of said company, duly administered by some person authorized by law to administer oaths, provided further, however, that in computing the gross amount of premiums received and assessments collected deductions for dividends paid shall be permitted.

105, Sec. 68, Chap. 6, of the Revised Code amended Section 2. That Chapter 6 of the Revised Code of the State of Delaware be, and the same is hereby, amended by inserting therein a new section to be styled 105a, Section 68a.

Deductions on dividends paid 105a. Section 68a. In computing the gross amount of premiums received and assessments collected by insurance companies under the provisions of Section 68 of Chapter 6, deductions for dividends paid shall be permitted.

Approved March 8, A. D. 1915.

DOMESTIC CORPORATIONS.

CHAPTER 9.

STATE REVENUE.

DOMESTIC CORPORATIONS.

AN ACT to Amend Chapter 6 of the Revised Code of the State of Delaware, relative to Annual Reports of Corporations to the Secretary of State.

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

Section 1. That Chapter 6 of the Revised Code of the State of Delaware be, and the same is hereby amended by the repeal of 103, Section 66 and the insertion in lieu thereof of the following section to be styled 103, Section 66.

103. Section 66. Annually on or before the first Tuesday in January, it shall be the duty of the President, Treasurer or other proper officer, or any two directors, of any corporation now existing or hereafter to be incorporated under the provisions of the laws of this State of the character specified in the preceding section, to make report to the Secretary of State, stating specifically, (with the degree of particularity required by Paragraph 2, Section 1919, being Section 5 of Chapter 65 of the Revised Code of the State of Delaware), the location of its principal office in this State, and the name of the agent upon whom service of process against said corporation may be served, the location or locations (town or towns, city or cities, street or streets and number, if number there be) of the place or places of business of said corporation without this State;

103, Sec. 66,
Chap. 6, of
the Revised
Code amended

Duty of corporations to make annual report

To whom

Place of business and address of Directors and officers

DOMESTIC CORPORATIONS.

Expiration of term of office
 Authorized capital stock
 Date of annual meeting

the names and addresses of all the directors and officers of the company and when the terms of each expire; the amount of its authorized capital stock, if any, and the amount actually issued; the date appointed for the next annual meeting of the stockholders for the election of directors; as well also the following particulars, namely: Each telegraph, telephone, cable or express company, not owned by a railroad company and not otherwise taxed, shall state the gross amount of its receipts from business done in this State for the year preceding the making of such report; each gas company and electric light company shall state the amount of its receipts for light or power supplied within this State for the year preceding the making of such report, and the amount of dividends declared or paid during the same time; each company organized for the distribution of heat or power or organized for the purpose of producing or distributing steam, heat or power, shall state the amount of its receipts for the distribution of heat or power, or for the production or distribution of steam, heat or power within this State for the year preceding the making of such report, and the amount of dividends declared or paid during the same time; each parlor, palace or sleeping car company shall state the gross amount of its receipts for fare or tolls for transportation of passengers within this State during the same time; each oil or pipe line company engaged in the transportation of oil or crude petroleum shall state the gross amount of its receipts from the transportation of oil or petroleum through its pipes or in and by its tanks or cars in this State during the same time; each fire, marine, livestock, casualty or accident insurance company shall state the total amount of premiums received by it for insurance upon the lives of persons resident or property, located within this State during the same time; each life insurance company shall state the total amount of premiums received by it for insurance upon the lives of persons resident within this State, during the same time.

Certain corporations shall make annual statement of gross receipts

Gas and electric light shall make annual statement of receipts

Also amount of dividends declared or paid

All steam, heat or power companies shall make annual report

Parlor or sleeping car corporations shall make annual report

All oil or pipe lines make annual reports

Certain insurance companies make annual report

All other corporations shall file annual report, and when

Every other corporation shall file with the Secretary of State on or before the first Tuesday in January in each year an annual report which shall state, (with the degree

DOMESTIC CORPORATIONS.

of particularity required by Paragraph 2, Section 1919, being Section 5 of Chapter 65 of the Revised Code of the State of Delaware), the location of its principal office in this State, and the name of the agent upon whom service of process against said company may be served; the location or locations (town or towns, city or cities, stating the streets and numbers, if numbers there be) of the place or places of business of said company without this State; the names and addresses of all the directors and officers of the company, and when the terms of each expire; the date appointed for the next annual meeting of stockholders for the election of directors; the amount of its authorized capital, the amount actually issued, the amount invested in real estate, the tax annually thereon, and the amount invested in manufacturing or mining in this State, or both; and, if exempt from taxation under the provisions of Sections 68, 72 and 83 of this Chapter, the specific facts entitling such corporation to exemption from taxation aforesaid, provided, that no part of this section shall apply to corporations which are by law under the supervision of the Insurance Commissioner; if such report is not so made and so filed the corporation shall forfeit to the State the sum of two hundred dollars, to be recovered with costs in an action of debt, to be prosecuted by the Attorney-General, who shall prosecute such actions whenever it shall appear that this section has been violated; and provided further, if such report shall not be so made and filed, all the directors of any such corporation, who shall wilfully refuse to comply with the provisions thereof and who shall be in office during the default, shall at the time appointed for the next election, and for a period of one year thereafter, be thereby rendered ineligible for election or appointment to any office in the company as directors or otherwise; no director shall be thus disqualified for the failure to make and file such report, if he shall file with the Secretary of State before the time appointed for holding the next election of directors after such default a certificate stating that he has endeavored to have such report made and filed, but that the officers have neglected to make and file the same, and shall report the items required to be stated in such annual report so far as they are within

Location of
office and
agent

Names of
officers

Annual meet-
ing of stock-
holders

Amount is-
sued and
amount in-
vested in real
estate

All corpora-
tions exempt
under the su-
pervision of
Insurance
Commis-
sioner

Penalty

Directors not
complying
ineligible for
election or
appointment

Director may
make indi-
vidual report

DOMESTIC CORPORATIONS.

his knowledge, or are obtainable from sources of such information open to him, verified by him to be true to the best of his knowledge, information and belief; the Secretary of State shall upon application, furnish blanks in proper form and shall safely keep in his office all such reports, which shall be open to the inspection of all persons at proper hours.

All reports open for inspection of the public

In case any such corporation shall fail to file such report within the time required by this section, and in case the agent in charge of the principal office of such company upon whom process against such company may be served shall die, or shall resign, or shall remove from the State, or such agent cannot with due diligence be found, it shall be lawful while such default continues, to serve process against such corporation upon the Secretary of State, and such service shall be as effectual to all intents and purposes as if made upon the president or head officers of such corporation, and within two days after such service upon the Secretary of State as aforesaid, it shall be the duty of the Secretary of State to notify such corporation thereof by letter directed to such corporation at its registered office, in which letter shall be inclosed a copy of the process or other paper served; and it shall be the duty of the plaintiff in any action in which said process shall be issued to pay to the Secretary of State, for the use of the State, the sum of three dollars, which said sum shall be taxed as a part of the costs in said suit if the plaintiff shall prevail therein; the Secretary of State shall keep a book to be called the "process book," in which shall be entered alphabetically, by the name of the plaintiff and defendant therein, the title of all causes in which processes have been served upon him, the test of the process so served, the return day thereof, and the day and hour when the service was made.

When the Secretary of State can be served with process

Duty of Secretary of State after process

Fee for service

A record shall be made

All corporations shall file annual report

All companies incorporated under the General Corporation Law of this State, accepting the provisions of the Constitution of Delaware and coming under the supervision of said law, shall file an annual report with the Secretary of State as hereinbefore provided in this section, provided

DOMESTIC CORPORATIONS.

further, however, that in the discretion of the Secretary of State the filing fee may be remitted in the case of a charitable or beneficial organization, carried on without profit, or a corporation that is required to file a report with the Insurance Commissioner for which a fee is collected.

When fee
may be re-
mitted

Approved March 8, A. D. 1915.

DOMESTIC CORPORATIONS.

CHAPTER 10.

STATE REVENUE.
DOMESTIC CORPORATIONS.

AN ACT to Amend Chapter 6 of the Revised Code of the State of Delaware relative to the Proclamation of the Governor concerning delinquent Corporations.

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

113, Sec. 76,
Chap. 6, Re-
vised Code,
amended

Section 1. That 113, Section 76 of Chapter 6 of the Revised Code of the State of Delaware be, and the same is hereby amended by the repeal of said section and the insertion in lieu thereof of the following which shall be styled 113, Section 76.

Proclamation
to be filed
and pub-
lished

113. Section 76. The Proclamation of the Governor shall be filed in the office of the Secretary of State, and published once in one newspaper within the State.

A certified
copy to the
Recorder of
each county

Upon the filing of said Proclamation, the Secretary of State shall transmit forthwith to the Recorder of each county of this State a certified copy of said Proclamation and each Recorder shall, upon receipt of said certified copy, forthwith mark in brief upon the margin of the record of the certificate of incorporation named in said Proclamation, which is of record in his office, the fact that the charter of said corporation is repealed and the date of said repeal.

A record to
be made of
repeal

Approved March 2, A. D. 1915.

DOMESTIC CORPORATIONS.

CHAPTER 11.

DOMESTIC CORPORATIONS.

AN ACT to Amend Chapter 6 of the Revised Statutes of the State of Delaware, defining the duties of Special Deputy Attorneys General.

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

Section 1. That 116, Sec. 79 of Chapter 6 of the Revised Statutes of the State of Delaware, be and the same is hereby amended by striking out all of said section and inserting in lieu thereof, the following:

116. Sec. 79. The Attorney General may appoint one or more special Deputy Attorneys General for the purpose of enforcing the provisions of Sections 65 to 83, inclusive, of this Chapter, and the collection of the taxes due from proclaimed corporations, and corporations whose charter has become void by operation of law for non-payment of taxes thereunder. Such special deputy or deputies shall have all the powers and authorities which the Attorney General has under the provisions of said sections. Such appointees of the Attorney General shall receive as compensation for their services thirty-three and one-third per centum of the amount of taxes collected by them.

116, Sec. 79,
Chap. 6, of
the Revised
Code
amended

Attorney-
General may
appoint dep-
uties

For collec-
tion of fran-
chise taxes
due

Authority

Compensa-
tion

Approved March 15, A. D. 1915.

INTOXICATING LIQUORS.

CHAPTER 12.

STATE REVENUE.

INTOXICATING LIQUORS.

AN ACT to Amend Chapter 6 of the Revised Code of the State of Delaware by repealing 180, Section 143, relative to the Shipment or Carrying of Spirituous, Vinous or Malt Liquors into Local Option Territory.

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

180, Sec. 143,
Chap. 6, Re-
vised Code
repealed

Section 1. That Chapter 6 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 180, Section 143 thereof.

Approved March 13, A. D. 1915.

HUCKSTERS AND PEDDLERS.

CHAPTER 13.

STATE REVENUE.

HUCKSTERS AND PEDDLERS.

AN ACT to Amend Chapter 6 of the Revised Code of the State of Delaware, in relation to Licenses.

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

Section 1. That Chapter 6 of the Revised Code of the State of Delaware, be, and the same is hereby amended by the repeal of 212, Section 175 and the insertion in lieu thereof of the following to be styled 212, Section 175:

212. Section 175. That all State licenses with the exception of liquor, automobiles, motorcycles, operators, stallion or jackass, circus, carrying deadly weapons, oysters or clams, gypsy and marriage licenses hereafter issued in this State shall expire annually upon the first day of June next succeeding the date of issue.

Certain State licenses to expire annually

Exceptions

That, on all State Licenses, due June first not paid during the month of June in each year hereafter, there shall be added to the amount of the license and tax, a penalty of five per centum of the amount thereof; on all State Licenses not paid during the month of July in each year hereafter, there shall be added to the amount of the license and tax an additional penalty of ten per centum of the amount thereof; and, on all State Licenses not paid during the month of August in each year hereafter, there shall be added to the amount of the license and tax a further additional penalty

Penalty for neglect to pay at certain time

HUCKSTERS AND PEDDLERS.

of ten per centum of the amount thereof, thereby making the total penalty, if licenses are paid after the month of August, of any year, of twenty-five per centum on the amount of the license and tax.

Fractional
licenses

That all licensees, 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.

Six months'
licenses

That all merchants six months licenses and all manufacturers six months licenses shall hereafter be known as merchants fractional and manufacturers fractional licenses, respectively, and shall expire on the first day of June next succeeding the date of issue, the same as other licenses, with the exception of liquor, automobiles, motorcycles, operators, stallion or jackass, circus, carrying deadly weapons, oysters or clams, gypsy or marriage licenses, as aforementioned in this Act and that all merchants fractional branch licenses and merchants yearly branch licenses hereafter issued in this State shall expire annually upon the first day of June next succeeding the date of issue.

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

Approved March 9, A. D. 1915.

OCCUPATIONAL LICENSES.

CHAPTER 14.

STATE REVENUE.
OCCUPATIONAL LICENSES.

AN ACT to Amend Chapter 6 of the Revised Code of the State of Delaware by providing for certain Occupational Licenses.

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

That Chapter 6 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 219, Section 182 thereof and inserting in lieu thereof the following section to be styled 219, Section 182.

219, Sec. 182,
Chap. 6, of
the Revised
Code
amended

219. Section 182. The following fee shall be paid to the Clerk of the Peace, for the use of the State, for any license to be issued by him under the provisions of Sections 180 to 189, inclusive of this Chapter, that is to say: For each license as an auctioneer the sum of ten dollars; for each license to keep or travel stallions or jacks for the use of mares the sum of ten dollars; for each license to keep an eating house the sum of ten dollars; for each license to take photographs the sum of twenty dollars, except itinerant photographers who take photographs for profit and who have no established place of business in this State, who shall pay for a license twenty-five dollars; for each license to act as broker the sum of one hundred dollars; for each license as real estate agent the sum of fifty dollars; for each license to perform or practice jugglery the sum of twenty-five dollars; for each license as a lawyer the sum of ten dollars; for each license as a physician or osteopath

License fees

OCCUPATIONAL LICENSES.

Proviso, a conveyancer whose annual receipts are limited

the sum of ten dollars; for each license as a dentist the sum of ten dollars; for each license to operate an establishment for dyeing or scouring the sum of ten dollars; for each license to operate a laundry the sum of twenty-five dollars; for each license to conduct a mercantile agency the sum of ten dollars; for each license as a conveyancer the sum of ten dollars, provided that any conveyancer, whose annual receipts for conveyancing do not exceed the sum of one hundred dollars, shall be required to pay only five dollars for a conveyancer's license, and that every person applying for a five dollar conveyancer's license as above mentioned shall file an affidavit with the Clerk of the Peace stating that his receipts for conveyancing during the twelve months immediately preceding the first day of June last did not exceed the sum of one hundred dollars; for each license to act as a private banker the sum of one hundred dollars; each bi-and tri-cycle railway the sum of fifty dollars; each haunted swing the sum of twenty dollars; each revolving swing the sum of fifty dollars; and each razzle dazzle the sum of twenty-five dollars; for each license to have, keep, conduct or operate one pool table, billiard table, shuffle board or bowling alley, for the use of the public or to which the public have access, the sum of fifteen dollars for the first table, board or alley, ten dollars for the second table, board or alley, and five dollars for each additional table, board or alley, provided that each such license shall be obtained from the Clerk of the Peace of the county in which it is desired to conduct such business; for each license to conduct or exhibit a circus, within two miles of the corporate limits of any city in this State having a population of over fifty thousand people, a fee of three hundred dollars; for each license to conduct or exhibit a circus not within two miles of the corporate limits of any city in this State, having a population of over fifty thousand people, a fee of one hundred dollars; for each license to conduct or exhibit a theatre or a moving picture theatre within the corporate limits of any city in this State, having a population of over fifty thousand people, a fee of one hundred dollars; for each license to conduct or exhibit a theatre or a moving picture theatre within

OCCUPATIONAL LICENSES.

the corporate limits of any city, village or town in this State, having a population of less than fifty thousand people, a fee of twenty-five dollars; for each license to conduct or exhibit an amusement park, a fee of two hundred and fifty dollars; for each license to conduct or exhibit a merry-go-round, toboggan slide, switch-back, scenic railway, shoot-the-shoots, a fee of seventy-five dollars; for each license to conduct or exhibit any other place of amusement for profit, a fee of twenty-five dollars; for each license to exhibit freaks, wax figures, etc., twenty-five dollars; vendors of ice-cream, pop-corn, waffles and candy, ten dollars, provided that such license shall only be required in New Castle County; for each license to engage in the business of chiropodist ten dollars; for each license to maintain and conduct public baths for hire ten dollars; for each license to engage in the business of Bill Posters or Distribution of Samples, ten dollars; for each license to engage in the business of livery stable keeper, ten dollars; for each license to engage in the business of a manicurist, ten dollars; conducting a barber shop, five dollars.

Any person, firm, company or corporation who secures a license to conduct or carry on an amusement park shall not be required to take out any further license to conduct any place of amusement or an eating house within the boundaries of such park, provided, however, that an amusement park license shall not give the person, firm, company or corporation holding the same the privilege of conducting or exhibiting a circus. Exception as to certain licenses for an amusement park

Any person, firm, company or corporation who secures a theatre license shall not be required to take out any additional license in order to carry on the business of conducting a moving picture theatre or exhibiting illustrated songs. Exception as to additional license for a theatre

No person or persons, firm, company or corporation, without first having obtained a license as herein provided, shall, within the limits of this State engage in, prosecute, follow No exception as to the liability

OCCUPATIONAL LICENSES.

or carry on any trade, business, pursuit or occupation for which a license fee must be paid in accordance with the provisions of this section; and any section of Chapter 6 of the Revised Code of the State of Delaware, in so far as the same may be inconsistent with the provisions of this section, is hereby repealed.

Approved March 16, A. D. 1915.

NOMADS AND GYPSIES.

CHAPTER 15.

STATE REVENUE.

NOMADS AND GYPSIES.

AN ACT to Prohibit Bands of Nomads, commonly called Gypsies, pitching or settling encampments, carrying on transactions, or practicing their craft 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. That from and after the passage of this Act it shall be unlawful for any roving band of Nomads, commonly called Gypsies, to pitch or settle an encampment, carry on transactions, or practice their craft in the State of Delaware, and any person being a member of such roving band or accompanying such band who shall offend against the provisions hereof shall be guilty of a misdemeanor and upon conviction shall be imprisoned for a term not exceeding six months.

Unlawful for
gypsies to
encamp

Penalty

Approved March 18, A. D. 1915.

REVENUE FROM SUNDRY BOARDS.

CHAPTER 16.

STATE REVENUE.

REVENUE FROM SUNDRY BOARDS.

AN ACT to Amend Chapter 6 of the Revised Code, of the State of Delaware, providing that Veterinarians shall present Certificates when Applying for Licenses.

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

Chap. 6 of
the Revised
Code
amended

Veterinarians
must present
license in
veterinary
medicine to
Clerks of the
Peace

That Chapter 6 of the Revised Code of the State of Delaware be and the same is hereby amended by inserting the following section, to be styled 232a. Section 195a. All veterinarians when applying to the various clerks of the peace for licenses must present their license in veterinary medicine as provided in Chapter 24 of the Revised Code, of the State of Delaware, and no Clerk of the Peace shall issue to any veterinarian a license unless the said certificate is presented to him.

Approved March 29, A. D. 1915.

MOTOR VEHICLES.

CHAPTER 17.

STATE REVENUE.
MOTOR VEHICLES.

AN ACT to Amend Chapter 6 of the Revised Code 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 the members elected to each branch concurring therein):

That Chapter 6 of the Revised Code of the State of Delaware be, and the same is hereby amended by the repeal of 234, Section 197, and the insertion in lieu thereof of the following, which shall be styled as 234, Section 197:

234, Section 197. Every resident of this State who is the owner of a motor vehicle, and every non-resident, except as provided in Sections 197 to 217, inclusive, of this Chapter, shall, annually, apply to the Secretary of State for the registration of 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 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

234, Sec. 197,
Chap. 6, Re-
vised Code
amended

Annual
registration

Form of ap-
plication

Fee

MOTOR VEHICLES.

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.

Tags The Secretary of State at the expense of the State shall provide one metal number tag 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 horizontal of the number tag, which shall not be shorter than seven inches in length and two and one-quarter inches in width, the same to be attached to the rear of the motor cycle. *Provided, however,* the provisions of said last mentioned sections, relative to license and registration, shall not apply to a motor vehicle owned by a non-resident of this State, *provided,* that the owner thereof shall have complied with the provisions of the law of the foreign country, State, territory, or federal district of his residence, relative to registration of motor vehicles or motor cycles and the display of number tags thereon. The provisions of this Section, however, shall be operative as to a motor vehicle or motor cycle owned by a non-resident of this State, only to the extent that under the laws of the foreign country, State, territory, or federal district of his residence, like exemption and privileges are granted to motor vehicles or motor cycles duly registered under the laws of, and owned by residents of, this State.

Privileges granted to non-residents

Proviso as to non-resident registration

A motor vehicles or motor cycle, owned by a foreign corporation, firm, or co-partnership, and operated within this State shall not be exempt from registration and the operator of said motor vehicle shall be licensed as hereinafter provided for operators of motor vehicles; provided that this shall not apply to a motor vehicle owned by an individual, firm, or corporation which is registered as a "dealer" or

Exemption as to dealers of other States

MOTOR VEHICLES.

"manufacturer" in another State which State grants exemption to a "dealer" or "manufacturer" of this State.

The fees provided for by Sections 197, 199, 200 and 201 of this chapter shall include all the fees due the Secretary of State upon a license or certificate provided for by said last mentioned sections. Relating to fees

That Chapter 6 of the Revised Code of the State of Delaware be, and the same is hereby amended by the repeal of 235, Section 198, and the insertion in lieu thereof the following, which shall be styled as 235, Section 198. 235, Sec. 198, Chap. 6, of Revised Code amended

235, Section 198. No motor vehicle shall be operated upon any public road, street, turnpike or highway unless the number tags are carried conspicuously, one on the front and the other on the rear of the motor vehicle in such manner that they may be easily read. They shall be parallel to the axles of the motor vehicle, and shall be kept free from oil, grease, dirt or other substance likely to impair their legibility; and between one hour after sunset and one hour before sunrise, the rear number tags shall be illuminated so that the number can be plainly distinguished when the motor vehicle is in use. Tags, how attached and displayed

Provided, that when used upon a motor cycle, the number tag shall be attached so that it may be plainly read from the rear of the said motor cycle; and provided further that the requirements as to illuminating the rear number tag shall not apply to motor cycles. Not more than one set of number tags shall be displayed upon any motor vehicle, except as provided in Section 197 of this Chapter for non-residents. No owner or operator of any motor vehicle shall be subject to fine or arrest when one number tag is missing, provided he makes affidavit that the same has been lost or removed without his knowledge or consent, and that he will promptly provide a new tag. Tags to be kept clean

Time of illuminating rear tag

Proviso as to motor cycles

Proviso in the use of only one tag

MOTOR VEHICLES.

236, Sec. 199,
Chap. 6, of
the Revised
Code
amended

That Chapter 6 of the Revised Code of the State of Delaware be, and the same is hereby amended by the repeal of 236, Section 199, and the insertion in lieu thereof of the following, which shall be styled as 236, Section 199.

Operator
must have
license

236, Section 199. No person, except as provided for non-residents in Section 197 of this Chapter, shall operate a motor vehicle other than a motor cycle, upon the public streets, roads, turnpikes or highways of this State, unless he has first obtained from the Secretary of State a license. No license shall be issued to, nor shall any motor vehicle be operated by, any person under sixteen years of age. Applications for license shall be made in writing upon a blank furnished by the Secretary of State, and shall contain the name of the applicant, his or her place of residence, including city or town, street and number, and the post office address, and shall state that he or she is over sixteen years of age and is qualified to operate a motor vehicle. It shall be signed by the applicant's own hand and verified by oath or affirmation. Upon receipt of the application and a fee of five dollars, the Secretary of State shall issue to the applicant a license. The license shall contain the licensee's name and residence, and the date and number of the license, and shall be carried by the licensee at all times when operating a motor vehicle.

Age, neces-
sary to se-
cure opera-
tor's license

License ap-
plication
blanks

When license
shall be is-
sued

Licensee
must have
license when
operating

Exemptions
as to regis-
tration, to
whom
granted

All motor vehicles owned and used by any fire engine company, fire department in the State, or by officials of the same in the performance of their duties, or by any hospital in the State, shall be exempt from the payment of all registration or license fees for State, County or Municipal purposes. The person operating such motor vehicles shall not be required to take out any license for the purpose of operating the same.

Family opera-
tors' license,
fee, qualifica-
tions

Any person owning a motor vehicle may make application to the Secretary of State as herein provided for a "family operator's license" and upon receipt of the application and

MOTOR VEHICLES.

a fee of eight dollars, the Secretary of State shall issue to such applicant a "family operator's 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 operator's license" shall be issued until an affidavit has been filed with the Secretary of State from each member of the "immediate family" desiring said license and who shall come within the provisions of this Act, that he or she is qualified to operate such applicant's motor vehicle.

For the purposes of this Act, the term "immediate family" shall be deemed to cover husband, wife, son, daughter, or other relative or person who lives within the house or domicile of the owner of the motor vehicle as a member of said family and does not include a servant, hired help, or professional operator.

That Chapter 6 of the Revised Code of the State of Delaware be, and the same is hereby amended by the repeal of 238, Section 201, and the insertion in lieu thereof of the following, which shall be styled as 238, Section 201.

238, Section 201. Motor vehicles, operated by manufacturers or dealers for the purpose of testing, selling, demonstrating, or hire, shall be exempt from the necessity of individual registration, provided said manufacturer or dealer registers with the Secretary of State in the "dealer's class." Application for such registration shall state the number of cars to be registered and shall be made upon a blank provided for the purpose by the said Secretary of State, and shall state the name and business of the applicant, and shall be verified by oath or affirmation. For each car registered a fee of five dollars shall be paid the Secretary of State who shall issue a certificate of registration for each car registered and provide, at the expense of the State, a pair of tags for each registration which shall contain numbers of registration not less than four inches in height, the year and the words "Delaware Dealer." No more than

238, Sec. 201,
Chap. 6, of
the Revised
Code
amended

Manufacturers and dealers, how registered

Tags

MOTOR VEHICLES.

Operated
only by li-
censed driv-
ers

one motor vehicle may be operated at the same time under the same registration number. Such car shall be operated only by licensed drivers, who shall have authority to operate motor vehicles bearing the said tags for testing or demonstrating purposes or for hire.

239, Sec. 202,
Chap. 6, of
the Revised
Code
amended

That Chapter 6 of the Revised Code of the State of Delaware be, and the same is hereby amended by the repeal of 239, Section 202, and the insertion in lieu thereof of the following, which shall be styled as 239, Section 202.

Intoxicated
operators,
penalty

239, Section 202. No person when intoxicated shall operate a motor vehicle or motor cycle under penalty of a fine not more than one hundred dollars or imprisonment not exceeding thirty days, or both. Any Justice of the Peace of the State or the Judge of the Municipal Court of the City of Wilmington shall have power and jurisdiction to hear and determine the offense created by this Section. Upon conviction of anyone for this offense the Justice of the Peace or said Judge shall certify the facts and record in the case to the Secretary of State who is authorized to revoke the license of the guilty party for a period of one year or in case the party committed the offense in the operation of a motor cycle the registration may be cancelled and none reissued to the said guilty party for a period of one year after such cancellation.

250, Sec. 213,
Chap. 6, of
the Revised
Code
amended

That Chapter 6 of the Revised Code of the State of Delaware be, and the same is hereby amended by the repeal of 250, Section 213, and the insertion in lieu thereof of the following, which shall be styled as 250, Section 213.

Penalties for
violation,
third
offense

250, Section 213. Any person who has been previously convicted of any violation of the provisions of Sections 196 to 217 (Section 202 excepted), inclusive, of this Chapter, upon the commission of a third offense within a period of six months, shall be sentenced to pay a fine of not less than one hundred dollars nor more than two hundred dollars, or imprisoned for a period not exceeding three months, or both, in the discretion of the Court. The Secretary of

MOTOR VEHICLES.

State upon being notified of a third conviction for the viola-
tion of the provisions of Sections 196 to 217 (Section 202
excepted), inclusive, of this Chapter, in any one period of
twelve months, may immediately revoke the license issued
to such person and said license shall not again be reissued
for a period of one year after such revocation. For the pur-
pose of carrying the provisions of this Section into effect
every Mayor, Justice of the Peace or the Judge of the Mu-
nicipal Court of the City of Wilmington shall certify to the
Secretary of State, on blanks provided by the said Secretary
of State, of each and every conviction under the provisions
of Sections 196 to 217, inclusive, of this Chapter. The term
"license" shall be deemed to apply to operators licenses and
family operators licenses and in the case of the operator
of a motor cycle to the motor cycle registration.

Secretary of
State may re-
voke license

Each convic-
tion to be
certified to
Secretary of
State

Approved January 29, A. D. 1915.

MOTOR VEHICLES.

CHAPTER 18.

STATE REVENUE.
MOTOR VEHICLES.

AN ACT to Amend Chapter 6 of the Revised Code 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 the members elected to each branch concurring therein):

240, Sec. 203,
Chap. 6, of
the Revised
Code
amended

That Chapter 6 of the Revised Code of the State of Delaware be, and the same is hereby amended by the repeal of 240, Section 203 and the insertion in lieu thereof of the following, which shall be styled as 240, Section 203.

Cannot
operate

240, Section 203. No person having been licensed shall operate a motor vehicle under another license, nor operate an unregistered motor vehicle. No motor vehicle shall be operated under any other number than that of its own registration. No other tag or tags than those officially supplied by the Secretary of State shall be used on any motor vehicle or motor cycle and this provision shall govern the loss or removal of tags mentioned in Section 198 of this Chapter. In the case the registration is for a motor cycle no other person than the one who obtained the said registration shall operate the said motor cycle.

Cannot use
other tags

246, Sec. 200,
Chap. 6, Re-
vised Code
amended

That Chapter 6 of the Revised Code of the State of Delaware be, and the same is hereby amended by the repeal of 246, Section 209 and the insertion in lieu thereof of the following, which shall be styled as 246, Section 209.

MOTOR VEHICLES.

246, Section 209. The following rates of speed may be maintained but not exceeded:

Upon any public street or highway where the buildings are less than an average distance apart of one hundred feet, a rate of speed of one mile in four minutes shall be permitted but not exceeded, which, however, shall be reduced to the rate of one mile in eight minutes at curves and at intersections of other streets or highways. Upon any public street or highway where the buildings are of greater distance apart than one hundred feet, a rate of speed of one mile in two minutes and twenty-four seconds shall be permitted, but not exceeded, but this rate of speed shall be reduced to one mile in five minutes at all curves, intersecting roads, in descending steep hills, and in passing other vehicles; provided that nothing in this section shall permit any person to drive a motor vehicle at a greater rate of speed than is reasonable, having regard to the traffic, or so as to endanger the safety of any person or injure the property of any person; provided further, that motor vehicles used as ambulances, or by physicians responding to emergency calls, or motor vehicles used by the police, fire department or military when in the performance of duty, are exempt from compliance with the provisions of this section.

Rates of
speedRate of speed
reduced

Proviso

Approved January 29, A. D. 1915.

MOTOR VEHICLES.

CHAPTER 19.

STATE REVENUE.
MOTOR VEHICLES.

AN ACT to Amend Chapter 6 of the Revised Code of the State of Delaware by authorizing the Governor to appoint Automobile Inspectors.

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

That Chapter 6 of the Revised Code of the State of Delaware be, and the same is hereby amended by adding thereto the following Section, to be styled as 254a Section 217a.

Appointment of motor ve- hicle inspec- tors	254a, Section 217a. That for the purpose of enforcing the motor vehicle statutes of the State of Delaware the Governor is authorized to appoint one motor vehicle inspector for each county in the State, said inspectors to be under the jurisdiction and direction of the Secretary of State and to wear an official badge bearing the inscription "Motor Vehicle Inspector, State of Delaware." Said inspectors are to have authority to arrest anyone for the violation
Authority of inspectors	of Sections 196 to 217, inclusive, of Chapter 6 of the Revised Code of the State of Delaware and to take offenders before any Mayor, Justice of the Peace or Judge of the Municipal Court of the City of Wilmington for trial. The compensation of said inspectors shall be fifty dollars per month to be paid by the State Treasurer out of any money in the treasury not otherwise appropriated and upon a warrant drawn by the Governor. Travelling expenses shall be paid upon warrant of the Secretary of State at the rate
Compensa- tion of inspectors	

MOTOR VEHICLES.

of two and one-half cents per mile when travelling under the orders of the said Secretary of State. The term of said inspectors shall extend from month to month at the discretion of the Governor.

Travelling
expenses

Term of in-
spectors

Approved March 8, A. D. 1915.

SUNDRY PROVISIONS.

CHAPTER 20

STATE REVENUE.
SUNDRY PROVISIONS.

AN ACT to Amend Chapter 6, of the Revised Code of the State of Delaware by providing for an increase in the amount of the contingent fund for the use of the Collector of State Revenue.

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

Amend Chap.
6, 238, Sec-
tion 201

Section 1. That Chapter 6, of the Revised Code of the State of Delaware, be and the same is hereby amended by the insertion therein of the following sections to be styled as 275A, Section 238A:

Contingent
fund

275A, Section 238A. The amount of the contingent fund for the use of the Collector of State Revenue, is hereby increased from three hundred dollars per annum to six hundred dollars per annum, said increase to take effect immediately upon the approval of this Act.

Approved March 8, A.D. 1915.

SUNDRY PROVISIONS.

CHAPTER 21.

STATE REVENUE.
SUNDRY PROVISIONS.

AN ACT to Amend Chapter 6 of the Revised Statutes of the State of Delaware, relating to investigations to be made by the Collector of State Revenue.

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

Section 1. That Chapter 6 of the Revised Statutes of the State of Delaware be amended by inserting after 275, Section 238, a new Section, to be styled 275A, Section 238A, as follows:

275A, Section 238A. The Collector of State Revenue, in any investigation made under the provisions of Section 238 of this Chapter, shall have the right to investigate and examine any books, papers, documents and stock of merchandise of any person who has made a statement under oath or affirmation which has been filed in the Office of any Clerk of the Peace, for the purpose of ascertaining the truth and accuracy of such statement, and for the purpose of obtaining evidence to aid the State in a civil action for any license fee or tax due the State; provided that no evidence obtained by the said Collector upon any examination, under this Section, of any book, paper or document of any such person making such statement shall be used in a criminal action against any such person. Any person refusing to permit said Collector to make, or preventing said Collector from making any investigation or examination for which

Chap. 6, Sec.
238, Revised
Statutes
amended

Collector of
State Revenue to in-
vestigate
books, etc.,
of person
making affi-
davit before
Clerk of the
Peace

SUNDRY PROVISIONS.

Penalty

provision is herein made, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than five hundred dollars, or be imprisoned for not more than one year, or both, in the discretion of the Court.

Approved March 16, A. D. 1915.

APPROPRIATIONS.

CHAPTER 22.

STATE REVENUE.
APPROPRIATIONS.

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 in January, in the year of our Lord one thousand nine hundred and sixteen, and authorizing the borrowing of money to supply casual deficiencies of revenue for said fiscal year, and the issuance of notes or certificates of indebtedness to secure the payment thereof.

WHEREAS, appropriations have been made heretofore without a knowledge of the probable yearly revenues of the State; and

WHEREAS, the anticipated revenues of the State of Delaware for the fiscal year ending on Monday immediately preceding the second Tuesday in January, in the year of our Lord one thousand nine hundred and sixteen, are as follows:

Balance—January 12, 1915	\$14,418.41
Sale of Securities held by the Railroad and Railway Guarantee Deposit Fund	51,500.00
Clerks of the Peace—Licenses and Fees.....	160,000.00
Insurance and Banking Department.....	74,000.00
Railroads—State Tax	112,000.00
Interest on Mortgages	11,550.00
Telegraph and Telephone Companies.....	15,000.00
Express Companies	2,200.00
Department of Secretary of State	176,800.00
Corporations	\$100,000.00
Civil Commissions	800.00

APPROPRIATIONS.

Automobiles	\$48,000.00
Fees	28,000.00
Manufacturers of Steam, Gas and Electricity..	\$1,000.00
Franchise Taxes from Corporations.....	100,000.00
Collateral Inheritance Tax	17,000.00
Sale of Laws and Codes.....	2,500.00
U. S. Government Appropriation to Colleges...	50,000.00
Sale of Delaware Archives	100.00
Dividends—National Bank of Delaware.....	400.00
Fines and Forfeitures	25.00
U. S. Government Appropriation—Smith-Lever Act	11,281.00
Amount refunded under the Drainage Act.....	2,000.00
Miscellaneous	3,000.00

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

Appropriations for the expenses of the State for 1915

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 of the respective departments and divisions of Government, and for the several purposes hereinafter 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 sixteen; 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. one thousand nine hundred and sixteen, 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 to be returned to the General Fund

APPROPRIATIONS.

EXECUTIVE DEPARTMENT.

Governor.

For the Governor for salary.....	\$4,000.00 Governor
For the contingent expenses of the Governor's office	1,200.00

Lieutenant Governor.

For the Lieutenant Governor for salary as mem- ber of the Board of Pardons.....	\$100.00 Lieutenant- Governor
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Department of the Secretary of State.

For the Secretary of State for salary.....	\$4,000.00 Department of the Secre- tary of State
For the salary of Stenographer and Typewriter for the Governor and Secretary of State.....	1,200.00
For the salary of three Clerks for the Secretary of State	1,800.00
For the contingent expenses of the office of the Secretary of State	3,000.00
For the official bond of the Secretary of State..	50.00

Treasury Department.

For the salary of the State Treasurer.....	\$3,000.00 Treasury Department
For the salary of the Deputy State Treasurer..	1,200.00
For the contingent expenses of the office of State Treasurer	600.00
For the official bond of the State Treasurer for two years	1,425.00

Auditor of Accounts.

For the salary of the Auditor of Accounts.....	\$2,000.00 Auditor of Accounts
For the salary of Deputy Auditor of Accounts.	1,200.00

APPROPRIATIONS.

For the contingent expenses of the office of Auditor of Accounts	\$500.00
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Department of Insurance and Banking.

Insurance and Banking Department	For the salary of the Insurance Commissioner..	\$2,000.00
	For the salary of Clerk as provided by Chapter 99 of Volume 22, Laws of Delaware.....	600.00
	For the salary of Clerk as provided by Chapter 330, of Volume 22, Laws of Delaware.....	500.00
	For the contingent expenses of the Department of Insurance and Banking	1,200.00

The State Library.

The State Library	For the salary of State Librarian.....	\$1,200.00
	For the contingent expenses of the office of State Librarian	250.00
	For the purchase of new books.....	500.00
	For the repairing of books in the State Library.	500.00

State Library Commission.

State Li- brary Com- mission	For the appropriation for regular expenses....	\$3,000.00
	For contingent expenses	200.00

Game and Fish Commissioner

Game and Fish Com- mission	For the salary of Chief Game and Fish Warden.	\$600.00
	For enforcing Uniform Fish Law	200.00

Oyster Revenue Collector.

Oyster Rev- enue De- partment	For the salary of Oyster Revenue Collector....	\$700.00
	For the salary of officers and crew of Watch Boat for the protection of oysters.....	2,340.00
	For the contingent expenses of the office of Oyster Revenue Collector	100.00

APPROPRIATIONS.

State Revenue Collector.

For the salary of State Revenue Collector.....	\$1,200.00	State Revenue Collector
For the contingent expenses of the State Revenue Collector	600.00	

State's Property—Insurance and Care of.

For the salary of Janitor of the State House...	\$500.00	State Property, Insurance and care of
For the salary of Assistant Janitor of the State House	400.00	
For the salary of one night Janitor of the State House	500.00	
For heat, light, and repairs for State House....	2,000.00	
For water rent for State House and Armory..	112.50	
For insurance on all of the State property for the year 1915	2,315.00	

Child Labor Commission.

For the contingent expenses of the Child Labor Commission	\$1,000.00	Child Labor Commission
For the salary of Child Labor Inspector.....	1,800.00	
For the salary of the Ten Hour Law Inspector..	1,000.00	

Cannery Inspector.

For the salary of Cannery Inspector.....	\$1,000.00	Cannery Inspector
For the contingent expenses of the Cannery Inspector	500.00	
For the expenses of Supervisors of Institutions.	100.00	
For salaries of Automobile Inspectors.....	900.00	Automobile Inspector

Board of State Supplies.

For the printing fund	\$15,000.00	Board of State Supplies
For the contingent expenses of the Board of State Supplies	100.00	

APPROPRIATIONS.

DEPARTMENT OF JUSTICE.

Chancellor.

Chancellor	For the salary of the Chancellor.....	\$5,000.00
	For the Chancellor for reporting	200.00
	For the salary of Stenographer to the Chancellor	1,200.00
	For the contingent expenses of the Court of Chancery	200.00

Chief Justice.

Chief Justice	For the salary of the Chief Justice.....	\$5,000.00
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Associate Judges.

Associate Judges	For the salaries of the Associate Judges.....	\$19,200.00
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Associate Judge Resident in Kent County.

Associate Judge resident in Kent County	For the Associate Judge resident in Kent County for reporting	\$200.00
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Court Stenographer.

Court Stenographer	For the salary of the Court Stenographer.....	\$2,000.00
	For transcripts for the Supreme Court, and As- sistant Stenographer	1,400.00

Judicial Reports.

Judicial reports	For William H. Boyce, for one hundred copies of Boyce's Delaware Reports, Volume 4.....	\$1,000.00
	For codifying and publishing the Rules of the several Courts	500.00

APPROPRIATIONS.

Attorney General.

For the salary of the Attorney General.....	\$2,500.00	Attorney-General and Deputies
For the salary of the Deputy Attorney General for New Castle County	1,000.00	
For the salary of Deputy Attorney General for Kent County	500.00	
For the salary of Deputy Attorney General for Sussex County	500.00	
For the contingent expenses for the Attorney General	2,500.00	Contingent Fund
For salaries for three State Detectives	3,600.00	State Detectives
For the actual expenses in serving requisition papers	500.00	Requisition papers

EDUCATION.

Commissioner of Education.

For the salary of the Commissioner of Education	\$3,000.00	Commissioner of Education and Contingent Fund
For the contingent expenses of the Commissioner of Education	300.00	

County School Superintendents.

For the salaries of three County School Superintendents	\$3,600.00	County School Superintendents
For the contingent expenses of three County School Superintendents	1,500.00	Contingent fund
For the annual appropriation to the School Fund	132,000.00	Annual School Fund
For the interest on bonds of the School Fund...	10,727.10	Interest on School Fund
For the interest on certificates of indebtedness to Delaware College	4,980.00	Delaware College int.
For the Trustees of Delaware College, (United States Government appropriation)	40,000.00	Delaware College

APPROPRIATIONS.

Delaware College	For the Trustees of Delaware College, (United States Government appropriation, Smith-Lever Act)	\$12,562.00
Chair of History	For the Trustees of Delaware College, (Chair of History)	2,500.00
Summer School	For the Trustees of Delaware College for the maintenance of the Summer School for Teachers	2,500.00
Delaware College	For the Trustees of Delaware College for the maintenance of said College	14,000.00
Women's Affiliated College	For the Trustees of Delaware College for the payment of certain notes with respect to the Women's Affiliated College	29,890.00
Interest on notes	For the Trustees of Delaware College in payment of the interest on certain notes with respect to Women's Affiliated College	1,260.00
Trustees of Delaware College	For the Trustees of Delaware College for the maintenance of the Women's Affiliated College	26,283.00
State College for Colored Students	For the Trustees of the State College for colored students, (United States Government appropriation)	10,000.00
For Improvements	For the Trustees of the State School for Colored Students, for the improvements of buildings and grounds	3,000.00
Summer School for Colored Students	For the Trustees of the State College for Colored Students for the holding of summer schools.	500.00
Free graded schools	For the State Treasurer to carry out the provisions of Section 2312, Revised Code, relating to free graded schools	22,000.00
Normal Schools	For the County School Commissioners to carry out the provisions of 2301, Revised Code, relating to the education of teachers at Normal Schools	2,500.00
White Teachers Institute	For the State Treasurer for the payment of expenses of white Teachers' Institutes	450.00
Colored Teachers' Institute	For the State Treasurer for the payment of expenses of colored Teachers' Institutes.	150.00

APPROPRIATIONS.

For the State Treasurer for the payment of expenses of the State Board of Education.....	\$2,000.00	State Board of Education
For the State Treasurer for the payment of the expenses of the County School Commissions..	1,000.00	County School Commission
For the Chairman of the Committee on Traveling Libraries of the State Federation of Women's Clubs for the establishment of traveling libraries	100.00	Traveling libraries
For free libraries in school districts.....	350.00	School District Libraries
For the Board and tuition of indigent, deaf, dumb, blind and idiotic children	12,000.00	Indigent deaf, dumb, blind and idiotic children
For the special improvement of colored schools as provided by law	1,750.00	Colored schools
For the Trustees of the State College for Colored Students (summer special) as provided by law	1,000.00	Summer School State College for Colored Students

Charities and Eleemosynary Institutions.

For the Delaware State Hospital at Farnhurst, general maintenance	\$75,000.00	State Hospital
For the Delaware State Hospital at Farnhurst (amusement fund)	500.00	
For the Delaware Industrial School for Girls...	3,000.00	Industrial School
For St. Michaels Day Nursery and Hospital for Babies	500.00	Day Nursery and Hospital
For the Society for the Prevention of Cruelty to Children	900.00	Cruelty to Children
For the Delaware Commission for the Blind...	3,000.00	Commission for the Blind
For the Delaware Commission for the Blind, (for apprentices)	500.00	
For the burial of indigent soldiers, sailors and marines	750.00	Burial of indigent soldiers and sailors
For the proper observance of Memorial Day...	1,000.00	Memorial Day
For the Old Forks' Home at Dover.....	1,500.00	Old Folks' Home
For the Soldiers' Rest Room at Delaware City..	200.00	Soldiers' rest room

APPROPRIATIONS.

Preservation and Publication of Historical Records

Public Archives	For the expenses of the Public Archives Commission	\$1,000.00
	For the Public Archives Commission for compiling and publishing Delaware Archives.....	2,000.00
Historical Society	For the Historical Society of Delaware.....	300.00

Improvement of Public Highways.

Public Highways in New Castle Co.	For the improvement of the public highways in New Castle County	\$10,000.00
In Kent Co.	For the improvement of the public highways in Kent County	10,000.00
In Sussex Co.	For the improvement of the public highways in Sussex County	10,000.00
Salary of Highway Commissioner of New Castle Co.	For the salary of the State Highway Commissioner of New Castle County	1,000.00

Public Health.

State Board of Health	For the expenses of the State Board of Health..	\$2,500.00
Vital Statistics	For the expenses of the Bureau of Vital Statistics	2,000.00
State laboratory	For the Pathological and Bacteriological Laboratory	3,500.00
Anti-toxin	For the purchase and distribution of diphtheria anti-toxin	500.00
Tuberculosis Commission	For the State Tuberculosis Commission to defray the expenses of the said Commission....	15,000.00
Colored consumptives	For the State Tuberculosis Commission to provide for the care of colored consumptives....	5,000.00
Medical Council	For the Medical Council of Delaware.....	300.00
State Board of Pharmacy	For the State Board of Pharmacy	250.00

APPROPRIATIONS.

Agriculture.

For the State Board of Agriculture for the payment of the expenses of said Board.....	\$5,000.00	State Board of Agriculture
For the State Live Stock Sanitary Board.....	5,000.00	Live Stock Sanitary Board
For the State Board of Immigration.....	1,000.00	Board of Immigration
For the State Board of Agriculture for the encouraging of the breeding of poultry.....	300.00	Poultry breeding
For the Peninsular Horticultural Society.....	1,000.00	Horticultural Society
For Farmers' Institutes and to defray the incidental expenses of holding such institutes....	600.00	Farmers' Institute
For the Delaware Corn Growers' Association..	500.00	Corn Growers Ass'n
For Delaware College Experimental Farm.....	5,000.00	Experimental Farm

Public Defense.

For the salary of the Adjutant General.....	\$1,200.00	Adjutant-General and clerk
For the salary of the Clerk to the Adjutant General	600.00	
For the National Guard of Delaware for the expenses of providing uniforms and equipment.	2,500.00	Equipment of National Guard and maintenance
For the National Guard of Delaware for the maintenance thereof	5,000.00	
For the National Guard of Delaware for the expenses of field practice	8,000.00	Field practice

Interest on Bonded Indebtedness.

For the interest on the issue of 1907, Farmers Bank, Dover	\$9,200.00	Interest to Farmers' Bank, Dover
For the interest on the issue of 1907, Farmers Bank, Wilmington	1,600.00	Wilmington
For the interest on the issue of 1907, Farmers Bank, Wilmington	800.00	
For the interest on the issue of 1909, Farmers Bank, Wilmington	400.00	

APPROPRIATIONS.

Philadelphia Nat'l Bank	For the interest on the issue of 1897, Philadelphia National Bank	\$7,350.00
Sinking fund	For interest on certificate of indebtedness, (sinking fund)	800.00

Miscellaneous School Appropriations.

Miscellaneous school ap- propriations	For the Lewes Board of Education.....	\$887.40
	For the Frankford Board of Education.....	184.80
	For the Rehoboth Beach High School.....	52.60
	For the Wyoming Board of Education.....	175.80
	For the Alexis I. du Pont School.....	105.60
	For the Millville High School.....	447.00
	For the Newark Board of Education.....	155.40
	For the Seaford Graded School District.....	518.40
	For the Mt. Pleasant District No. 2	192.00
	For the Wilmington Board of Education.....	4,638.30

Extraordinary Expenses.

State Armory Newark	For the State Armory at Newark.....	\$13,500.00
Revised Code Commission	For the Revised Code Commission, for compensation of members	25,000.00
Tuberculosis Commission	For the Delaware State Tuberculosis Commission (balance due) for hospital for colored patients	6,585.00
State Armory Dover	For the State Armory at Dover (balance due) ..	158.30
Portraits	For the payment of portraits of prominent Delawareans for the State House.....	769.60
State House decorating Commission	For the Commission for decorating the State house	3,575.00
Public land	For the Public Lands Commission.....	159.23
Portrait of Governor	For the portrait of the Governor of Delaware..	200.00
Drainage Act	For appropriations under the Drainage Act....	2,000.00

APPROPRIATIONS.

Miscellaneous.

For the compensation of Assessors.....	\$600.00	Assessors Governor's
For the Governor's Conference.....	150.00	Conference
For the Delaware State Fair.....	5,000.00	State Fair
For the printing of the Revised Code.....	5,000.00	Printing Revised Code
For the extraordinary expense of State Live Stock Sanitary Board for the year 1914.....	14,700.00	Live Stock Sanitary Board
For the Battle of Gettysburg Commission.....	1,050.00	Gettysburg Commission
For the Public Lands Commission.....	500.00	Public Land Commission
For the compensation for Andrew C. Gray, for- mer Attorney General (5% commission on sale of securities)	2,500.00	Andrew C. Gray
For the Women's Affiliated College for extra- ordinary expenses	3,225.00	Women's College
For the Robbins' Hose Company, Dover, Dela- ware	250.00	Robbins Hose Co.
For the Oyster Revenue Collector for planting posts, according to law	300.00	Oyster Rev- enue Col- lector
For purchase of watch boat.....	7,000.00	Watch Boat
For commission on vocational education.....	100.00	Vocational Education Commission
For special appropriation for interest on loan of Delaware Industrial School for Girls, without further guaranty for the payment of principal of said loan or for further interest charges thereon	2,500.00	Interest on loan to In- dustrial School for Girls

Section 2. If the estimated revenues of the State of Delaware shall prove to be insufficient for the payment of the several appropriations provided for herein, to provide for casual deficiencies of revenue for said fiscal year, and in order that the appropriations hereinabove enumerated may be promptly paid, the State Treasurer is hereby authorized to issue notes or certificates of indebtedness of the State of Delaware to such an amount as he shall, by and with the consent of the Governor and the Secretary of State,

In case of
deficit in
revenues

Authorize
State Treas-
urer to issue
certificates of
indebtedness

With consent
of Governor
and Secre-
tary of State

APPROPRIATIONS.

Sum not to exceed fifty thousand dollars

Payable at any period not exceeding one year

Shall be numbered

Date

Payable at Farmer's Bank, Dover

deem necessary to meet and to pay any of said appropriations, or any part of any of said appropriations, as to which the revenues of the State of Delaware for the fiscal year aforesaid may prove to be insufficient, not, however, to exceed the sum of fifty thousand dollars. The said notes or certificates of indebtedness shall be in such denominations, and have such form as the Governor, the Secretary of State, and the State Treasurer may determine, and shall be payable at any period not exceeding one year from the date of the issuance thereof out of any moneys in the treasury of the State not otherwise appropriated. The said notes or certificates of indebtedness shall be numbered consecutively, and shall be dated the first day of October 1915. The principal of said notes or certificates of indebtedness shall be payable at the Farmers Bank, at Dover, on the date of their maturity upon presentation thereat and surrender thereof.

Notes shall be signed and Great Seal affixed

The said notes or certificates of indebtedness shall be signed by the Governor, the Secretary of State, and the State Treasurer for and on behalf of the State, and shall have the great seal of the State of Delaware impressed thereon or affixed thereto.

A commission to dispose of notes

Section 3. The Governor, the State Treasurer and the Secretary of State shall constitute a Commission to negotiate and arrange for the sale or disposition of said notes or certificates of indebtedness.

Moneys from sale of notes shall be applied to the several appropriations only

Section 4. That all moneys received by the State Treasurer from the sale of the said notes or certificates of indebtedness by this Act authorized to be issued, shall be, and they are hereby specially pledged and appropriated to and for the payment of the several appropriations, or any part or portion thereof hereinabove enumerated and set forth, as to which the revenues of the State for the said fiscal year may prove to be insufficient; provided, however, if, for the payment of said appropriations it shall be necessary to sell said notes or certificates of indebtedness, or any of

Proviso

APPROPRIATIONS.

them, and there shall remain a balance in the hands of the State Treasurer derived from said sale of said notes or certificates of indebtedness, after the said appropriations shall have been paid, then such balance is hereby appropriated and the State Treasurer is hereby authorized and directed to pay such balance into the sinking fund of the State of Delaware.

Balance to go
into sinking
fund

Section 5. That the public faith of the State of Delaware is hereby pledged for the full and complete payment of the principal and interest of the notes or certificates of indebtedness authorized by this Act, and said notes or certificates of indebtedness shall be, and the same are exempted from taxation for any purposes by this State.

Faith of the
State pledged

Section 6. That all expenses incident to the advertising, preparation, the issuing and delivering of said notes or certificates of indebtedness shall be allowed to the said State Treasurer, and shall be paid by him out of any money in the treasury of the State not otherwise appropriated upon the production and exhibition by the said State Treasurer of the necessary vouchers thereof as by law required with reference to other disbursements of the public fund.

Expenses
incurred

To produce
vouchers

Approved March 29, A. D. 1915.

APPROPRIATIONS.

CHAPTER 23.

STATE REVENUE.
APPROPRIATIONS.

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 in January, in the year of our Lord one thousand nine hundred and seventeen, and authorizing the borrowing of money to supply casual deficiencies of Revenue for said fiscal year, and the issuance of notes or certificates of indebtedness to secure the payment thereof.

WHEREAS, appropriations have been made heretofore without a knowledge of the probable yearly revenues of the State; and

WHEREAS, the anticipated revenues of the State of Delaware for the fiscal year ending on Monday immediately preceding the second Tuesday in January, in the year of our Lord one thousand nine hundred and seventeen, are as follows:

Estimated
State
Revenue

Clerks of the Peace—Licenses and Fees.....	\$160,000.00
Railroads—State Tax	112,000.00
Insurance and Banking Department	75,000.00
Interest on Mortgages	11,550.00
Telegraph and Telephone Companies.....	16,000.00
Express Companies	2,500.00
Department of Secretary of State.....	185,800.00
Corporations	\$100,000.00
Civil Commissions	800.00
Automobiles	55,000.00
Fees	30,000.00
Manufacturers of Steam, Gas and Electricity..	1,000.00
Franchise Taxes from Corporations.....	100,000.00
Collateral Inheritance Tax	10,000.00

APPROPRIATIONS.

Sales of Laws and Codes.....	\$500.00
Sales of Rules of Court.....	500.00
U. S. Government appropriation to Colleges...	50,000.00
Sale of Delaware Archives.....	200.00
Dividends—National Bank of Delaware	400.00
Fines and Forfeitures	25.00
U. S. Government Appropriation, Smith-Lever Act	12,347.00
Miscellaneous	300.00
Amount refunded under the Drainage Act.....	2,000.00

Therefore, 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 of the respective departments and divisions of Government, and for the several purposes hereinafter 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 seventeen; 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. one thousand nine hundred and seventeen, 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.:

Estimated
appropriations
authorized

Unexpended
money to be
returned to
the General
Fund

EXECUTIVE DEPARTMENT.

Governor.

For the Governor for salary.....	\$4,000.00	Governor
For the contingent expenses of the Governor's office	1,200.00	

APPROPRIATIONS.

Lieutenant Governor

Lieutenant Governor	For the Lieutenant Governor for salary as member of the Board of Pardons.....	\$100.00
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Department of the Secretary of State.

Department of the Secretary of State	For the Secretary of State for salary.....	\$4,000.00
	For the salary of Stenographer and Typewriter for the Governor and Secretary of State.....	1,200.00
	For the salary of three Clerks for the Secretary of State	1,800.00
	For the contingent expenses of the office of the Secretary of State	3,000.00
	For the official bond of the Secretary of State..	50.00

Treasury Department.

Treasury Department	For the salary of the State Treasurer.....	\$3,000.00
	For the salary of the Deputy State Treasurer..	1,200.00
	For the contingent expenses of the office of State Treasurer	600.00

Auditor of Accounts.

Auditor of Accounts	For the salary of the Auditor of Accounts.....	\$2,000.00
	For the salary of Deputy Auditor of Accounts..	1,200.00
	For the contingent expenses of the office of Auditor of Accounts	500.00

Department of Insurance and Banking.

Insurance and Banking Department	For the salary of the Insurance Commissioner..	\$2,000.00
	For the salary of Clerk as provided by Chapter 99 of Volume 22, Laws of Delaware.....	600.00

APPROPRIATIONS.

For the salary of Clerk as provided by Chapter 330, of Volume 22, Laws of Delaware.....	\$500.00
For the contingent expenses of the Department of Insurance and Banking	1,200.00

The State Library.

For the salary of State Librarian.....	\$1,200.00	The State Library
For the contingent expenses of the office of State Librarian	250.00	
For the purchase of new books.....	500.00	

State Library Commission.

For the appropriation for regular expenses....	\$3,000.00	State Library Commission
For contingent expenses	200.00	

Game and Fish Commissioner.

For the salary of Chief Game and Fish Warden.	\$600.00	Game and Fish Commission
For enforcing Uniform Fish Law.....	200.00	

Oyster Revenue Collector.

For the salary of Oyster Revenue Collector....	\$700.00	Oyster Revenue Department
For the salary of officers and crew of Watch Boat for the protection of oysters.....	2,340.00	
For the contingent expenses of the office of Oyster Revenue Collector	100.00	

State Revenue Collector.

For the salary of State Revenue Collector.....	\$1,200.00	State Revenue Collector
For the contingent expenses of the State Revenue Collector	600.00	

APPROPRIATIONS.

State's Property—Insurance and Care of.

State Prop- erty, insur- ance and care of	For the salary of Janitor of the State House..	\$500.00
	For the salary of assistant Janitor of the State House	400.00
	For the salary of one night Janitor of the State House	500.00
	For heat, light, and repairs for State House...	2,000.00
	For water rent for State House and Armory..	112.50
	For insurance on all of the State property for the year 1916	5,375.00

Child Labor Commission.

Child Labor Commission	For the contingent expenses of the Child Labor Commission	\$1,000.00
	For the salary of Child Labor Inspector.....	1,800.00
	For the salary of the Ten Hour Law Inspector.	1,000.00

Cannery Inspector.

Cannery In- spector	For the salary of Cannery Inspector.....	\$1,000.00
	For the contingent expenses of the Cannery In- spector	500.00
	For the expense of Supervisors of Institutions..	100.00
	For the salaries of Automobile Inspectors.....	900.00

Board of State Supplies.

Board of State Sup- plies	For the printing fund	\$13,000.00
	For the contingent expenses of the Board of State Supplies	100.00

DEPARTMENT OF JUSTICE.

Chancellor.

Chancellor	For the salary of the Chancellor.....	\$5,000.00
	For the Chancellor for reporting.....	200.00

APPROPRIATIONS.

For the salary of Stenographer to the Chancellor	\$1,200.00
For the contingent expenses of the Court of Chancery	200.00

Chief Justice.

For the salary of the Chief Justice.....	\$5,000.00	Chief Justice
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Associate Judges.

For the salaries of the Associate Judges.....	\$19,200.00	Associate Judges
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Associate Judge Resident in Kent County.

For the Associate Judge resident in Kent County, for reporting	\$200.00	Associate Judge resident in Kent County
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Court Stenographer.

For the salary of the Court Stenographer.....	\$2,000.00	Court Stenographer
For transcripts for the Supreme Court, and Assistant Stenographer	1,400.00	

Judicial Reports.

For William H. Boyce for 100 copies of Boyce's Delaware Reports, Volume 5	\$1,000.00	Judicial Reports
For Charles M. Curtis, for 100 copies of his reports as Chancellor	800.00	

Attorney General

For the salary of the Attorney General.....	\$2,500.00	Attorney General and Deputies
For the salary of the Deputy Attorney General for New Castle County	1,000.00	
For the salary of Deputy Attorney General for Kent County	500.00	

APPROPRIATIONS.

	For the salary of Deputy Attorney General for Sussex County	\$500.00
Contingent fund	For the contingent expenses for the Attorney General	2,500.00
State Detectives	For salaries for three State Detectives	3,600.00
Requisition Papers	For the actual expenses in serving requisition papers	500.00

EDUCATION.

Commissioner of Education.

Commis- sioner of Education	For the salary of the Commissioner of Education	\$3,000.00
	For the contingent expenses of the Commissioner of Education	300.00

County School Superintendents.

County School Superinten- dents Contingent Fund	For the salaries of three County School Superintendents	\$3,600.00
	For the contingent expenses of three County School Superintendents	1,500.00
Annual School Fund	For the annual appropriation to the School Fund	132,000.00
Interest on School Fund	For the interest on bonds of the School Fund..	10,727.10
Delaware College interest	For the interest on certificates of indebtedness to Delaware College	4,980.00
Delaware College	For the Trustees of Delaware College, (United States Government appropriation)	40,000.00
Delaware College Smith-Lever Act	For the Trustees of Delaware College, (United States Government appropriation, Smith-Lever Act)	14,694.00
Chair of History	For the Trustees of Delaware College, (Chair of History)	2,500.00
Summer School	For the Trustees of Delaware College for the maintenance of the Summer School for Teachers	2,500.00

APPROPRIATIONS.

For the Trustees of Delaware College for the maintenance of said College.....	\$14,000.00	Delaware College
For the Trustees of Delaware College for the payment of certain notes with respect to the Women's Affiliated College	29,890.00	Women's Affiliated College
For the Trustees of Delaware College in payment of the interest on certain notes with respect to Women's Affiliated College.....	630.00	Interest on note for Women's Affiliated College
For the Trustees of Delaware College for the maintenance of the Women's Affiliated College	17,306.00	Maintenance Women's Affiliated College
For the Trustees of the State College for colored students, (United States Government appropriation)	10,000.00	State College for Colored Students
For the Trustees of the State School for Colored Students, for the improvement of buildings and grounds	3,000.00	Improvements to State Colored School
For the Trustees of the State College for Colored Students for the holding of summer schools..	500.00	Summer School for Colored Students
For the State Treasurer to carry out the provisions of Section 2312, Revised Code, relating to free graded schools	22,000.00	For graded free schools
For the State Treasurer for the payment of expenses of white Teachers' Institutes.....	450.00	White Teachers' Institutes
For the State Treasurer for the payment of expenses of colored Teachers' Institutes.....	150.00	Colored Teachers' Institutes
For the State Treasurer for the payment of expenses of the State Board of Education.....	2,000.00	State Board of Education
For the State Treasurer for the payment of the expenses of the County School Commissions.	1,000.00	County School Commission
For the Chairman of the Committee on Traveling Libraries of the State Federation of Women's Clubs for the establishment of traveling libraries	100.00	Travelling Libraries
For free libraries in school districts.....	350.00	School district libraries
For the board and tuition of indigent deaf, dumb, blind and idiotic children	12,000.00	Indigent deaf, dumb, blind and idiotic children

APPROPRIATIONS.

Colored schools	For the special improvement of colored schools as provided by law.....	\$1,750.00
Summer school	For the Trustees of the State College for Colored Students (summer special), as provided by law	1,000.00

Charities and Eleemosynary Institutions.

State Hospital	For the Delaware State Hospital at Farnhurst, general maintenance	\$75,000.00
Amusement fund	For the Delaware State Hospital at Farnhurst, (amusement fund)	500.00
Industrial school	For the Delaware Industrial School for Girls..	3,000.00
Day Nursery and Hospital	For St. Michaels Day Nursery and Hospital for Babies	500.00
Cruelty to children	For the Society for the Prevention of Cruelty to Children	900.00
Commission for the Blind	For the Delaware Commission for the Blind... For the Delaware Commission for the Blind, (for apprentices)	3,000.00 500.00
Burial of indigent soldiers and sailors	For the burial of indigent soldiers, sailors and marines	750.00
Memorial Day	For the proper observance of Memorial Day....	1,000.00
Old Folks' Home at Dover	For the Old Folks' Home at Dover.....	1,500.00
Soldiers Rest Room at Delaware City	For the Soldiers' Rest Room at Delaware City..	200.00

Preservation and Publication of Historical Records.

Public Archives	For the expenses of the Public Archives Commission	\$1,000.00
	For the Public Archives Commission for compiling and publishing Delaware Archives....	2,000.00
Historical Society	For the Historical Society of Delaware.....	300.00

APPROPRIATIONS.

Improvement of Public Highways.

For the improvement of the public highways in New Castle County	\$10,000.00	Public Highways in New Castle County
For the improvement of the public highways in Kent County	10,000.00	In Kent County
For the improvement of the Public highways in Sussex County	10,000.00	In Sussex County
For the salary of the State Highway Commissioner of New Castle County.....	1,000.00	Highway Commissioner of New Castle County

Public Health.

For the expenses of the State Board of Health..	\$2,500.00	State Board of Health
For the expenses of the Bureau of Vital Statistics	2,000.00	Vital Statistics
For the Pathological and Bacteriological laboratory	3,500.00	State Laboratory
For the purchase and distribution of diphtheria antitoxin	500.00	Anti-toxin
For the State Tuberculosis Commission to defray the expenses of the said Commission.....	15,000.00	Tuberculosis Commission
For the State Tuberculosis Commission to provide for the care of colored consumptives....	5,000.00	Colored consumptives
For the Medical Council of Delaware.....	300.00	Medical Council
For the State Board of Pharmacy.....	250.00	State Board of Pharmacy

Agriculture.

For the State Board of Agriculture for the payment of the expenses of said Board.....	\$5,000.00	State Board of Agriculture
For the State Live Stock Sanitary Board.....	5,000.00	Live Stock Sanitary Board
For the State Board of Immigration.....	1,000.00	Board of Immigration
For the State Board of Agriculture for the encouraging of the breeding of poultry.....	300.00	Poultry breeding
For the Peninsular Horticultural Society.....	1,000.00	Horticultural Society

APPROPRIATIONS.

Farmers' Institutes	For Farmers' Institutes and to defray the incidental expenses of holding such institutes....	\$600.00
Corn Growers' Association	For the Delaware Corn Growers' Association..	500.00
Experimental Farm	For Delaware College Experimental Farm....	5,000.00

Public Defense.

Adjutant General and Clerk	For the salary of the Adjutant-General.....	\$1,200.00
	For the salary of the Clerk to the Adjutant-General	600.00
National Guard Equipment of and maintenance	For the National Guard of Delaware for the expenses of providing uniforms and equipment.	2,500.00
	For the National Guard of Delaware for the maintenance thereof	5,000.00
Field practice	For the National Guard of Delaware for the expenses of field practice	8,000.00

Interest on Bonded Indebtedness.

Interest to Farmers Bank, Dover	For the interest on the issue of 1907, Farmers Bank, Dover	\$9,200.00
Wilmington	For the interest on the issue of 1907, Farmers Bank, Wilmington	1,600.00
Wilmington	For the interest on the issue of 1907, Farmers Bank, Wilmington	800.00
Wilmington	For the Interest on the issue of 1909, Farmers Bank, Wilmington	400.00
Philadelphia National	For the interest on the issue of 1897, Philadelphia National Bank	7,350.00
Sinking fund	For interest on certificate of indebtedness, (sinking fund)	800.00

Miscellaneous.

For drainage	For appropriations under the Drainage Act....	\$2,000.00
Elections	For the Department of Elections.....	4,300.00
Registration Officers	For the compensation for Registration Officers.	15,000.00

APPROPRIATIONS.

For the compensation for Assessors.....	\$600.00	Assessors
For the Governor's Conference	150.00	Governor's Conference
For the Delaware State Fair.....	5,000.00	State Fair
For the Trustees of Delaware College, extraordinary expenses	25,000.00	Delaware College, extraordinary
For the extraordinary expense of State Live Stock Sanitary Board	15,000.00	Live Stock Sanitary Board, extraordinary
For the Aetna Hose Company, Newark, Delaware	500.00	Hose Company, Newark
For the Auditing Committee of the Legislature.	1,000.00	Legislative Auditing Committee
For furnishing the Newark Armory	1,500.00	Newark Armory
For carrying into effect the provisions of the Consolidated Schools Act	3,000.00	Consolidated Schools Act
For special appropriation for interest on loan of Delaware Industrial School for Girls, without further guaranty for the payment of principal of said loan or for further interest charges thereon	2,500.00	Interest on loan to Industrial School for Girls

Section 2. If the estimated revenues of the State of Delaware shall prove to be insufficient for the payment of the several appropriations provided for herein, to provide for casual deficiencies of revenue for said fiscal year, and in order that the appropriations hereinabove enumerated may be promptly paid, the State Treasurer is hereby authorized to issue notes or certificates of indebtedness of the State of Delaware to such an amount as he shall, by and with the consent of the Governor and the Secretary of State, deem necessary to meet and to pay any of said appropriations, or any part of any of said appropriations, as to which the revenues of the State of Delaware for the fiscal year aforesaid may prove to be insufficient, not, however, to exceed the sum of fifty thousand dollars. The said notes or certificates of indebtedness shall be in such denominations, and have such form as the Governor, the Secretary of State, and the State Treasurer may determine, and shall be payable at any period not exceeding one year from the date of the issuance thereof out of any moneys in the treasury of the State not otherwise

In case of
deficit, rev-
enues

Authorized
to borrow
money if
necessary

Maximum
limit to
amount

Officials to
form style
and denomi-
nations of
bond

When
payable

APPROPRIATIONS.

appropriated. The said notes or certificates of indebtedness shall be numbered consecutively, and shall be dated the first day of October 1916. The principal of said notes or certificates of indebtedness shall be payable at the Farmers Bank, at Dover, on the date of their maturity upon presentation thereof and surrender thereof.

Officers to
sign and
affix Great
Seal

The said notes or certificates of indebtedness shall be signed by the Governor, the Secretary of State, and the State Treasurer for and on behalf of the State, and shall have the great seal of the State of Delaware, impressed thereon or affixed thereto.

Commission
for disposal
of notes

Section 3. The Governor, the State Treasurer and the Secretary of State shall constitute a Commission to negotiate and arrange for the sale or disposition of said notes or certificates of indebtedness.

All moneys
received
from sale of
notes are
specially
pledged

Proviso

Balance, if
any, to go to
sinking fund

Faith of the
State
pledged

Notes ex-
empted from
tax

Section 4. That all moneys received by the State Treasurer from the sale of the said notes or certificates of indebtedness by this Act authorized to be issued, shall be, and they are hereby specially pledged and appropriated to and for the payment of the several appropriations, or any part or portion thereof hereinabove enumerated and set forth, as to which the revenues of the State for the said fiscal year may prove to be insufficient; provided, however, if, for the payment of said appropriations it shall be necessary to sell said notes or certificates of indebtedness, or any of them, and there shall remain a balance in the hands of the State Treasurer derived from said sale of said notes or certificates of indebtedness, after the said appropriations shall have been paid, then such balance is hereby appropriated and the State Treasurer is hereby authorized and directed to pay such balance into the sinking fund of the State of Delaware.

Section 5. That the public faith of the State of Delaware is hereby pledged for the full and complete payment of the principal and interest of the notes or certificates of indebtedness authorized by this Act, and said notes or certificates of indebtedness shall be, and the same are exempted from taxation for any purposes by this State.

APPROPRIATIONS.

Section 6. That all expenses incident to the advertising preparation, the issuing and delivering of said notes or certificates of indebtedness shall be allowed to the said State Treasurer, and shall be paid by him out of any money in the treasury of the State not otherwise appropriated upon the production and exhibition by the said State Treasurer of the necessary vouchers thereof as by law required with reference to other disbursements of the public fund.

Expenses to
be paid by
State
Treasurer

To produce
vouchers

Approved March 29, A. D. 1915.

APPROPRIATIONS.

CHAPTER 24.

STATE REVENUE.
APPROPRIATIONS.

AN ACT appropriating certain money out of the State Treasury of the State of Delaware 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:

Appropriations for
paying
claims
against
State

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:

Mercantile Printing Company	\$72.00
Frank L. Speakman and P. L. Garrett Department of Elections	200.00
Aaron Paskins	88.00
Mabel Moore	125.00
The Index	11.75
The Index	3.85
The Index	10.00
Ellis M. Armstrong Legislative Auditor.....	350.00
Charles H. Simmons " "	450.00
Newark Post	58.75
Newark Post	38.75
Newark Post	36.00
State Sentinel Publishing Co.	114.00
N. B. Register	8.00
John D. Carter	6.00
L. W. Lovett	4.00
George E. M. Stengle	10.00

APPROPRIATIONS.

A. G. Cox	\$10.00
Henry S. Anthony	14.00
Soldiers Rest Room	100.00
Julian B. Robinson	203.25
The Advance Company, Inc.....	61.50
Charles M. Smith	324.95
Trustees of St. Pauls African M. E. Church, Milford	25.00
Melvin Hopkins	19.00
Wilbur D. Wilds	39.50
William S. Smith	32.00
Pennewill Rash	38.00
James Kerin	38.00
Thomas A. Kirby	6.00
Harvey B. Riggs	24.70
Milford Chronicle Publishing Co., Inc.....	42.55
The Evening Journal Publishing Co.....	1.44
T. K. Jones & Brother Co.....	2.44
T. K. Jones & Brother Co.....	21.73
The Delaware Republican	2,290.90
Thomas A. Hughey	10.00
Aaron L. Amundson	25.00
William S. Ferrill	25.00
Thomas A. Waples	25.00
Thomas Wilson	25.00
The Phoenix Insurance Company of Hartford..	11.00
Charles Zanders	7.25
Charles H. Simmons, Levy Court Examination.	11.18
George A. Hill, Levy Court Examination.....	5.00
Ellis M. Armstrong, Levy Court Examination..	2.58
Margaret E. Benson, Rent of Typewriter.....	15.00
Lillie M. Ray, Rent of Typewriter.....	15.00
H. R. Martindale, Rent of Typewriter.....	15.00
Olive M. Roach, Rent of Typewriter.....	15.00
Mollie M. Hirons, Rent of Typewriter.....	15.00
Margaret G. Horn, Rent of Typewriter.....	15.00
John Behen, Jr., & Co.....	30.40
State Sentinel Publishing Co.	130.00
The Delaware Republican	10.00
Jessup Kay	19.75

APPROPRIATIONS.

The Diamond State Telephone Co.....	\$5.65
The Diamond State Telephone Co.....	8.96
Charles I. Joseph	25.00
Starling & Wise	923.30
Thomas W. Wilson	208.80
Milford Light and Water Commission.....	410.00
Milford Light and Water Commission.....	244.37
Thomas N. Rawlins	100.00
William S. Hilles, Expenses, in re Conference New Jersey Fish Commission	89.39
William S. Hilles, Services, in re Conference New Jersey Fish Commission.....	50.00
John F. LeFevre	50.00
Joseph King	50.00
United States Corporation Company in re Gulf State Telephone Company	20.00
Elmer I. Abbott	5.00
Robert Smith	75.00
Horace T. Pembleton	75.00
Charles M. Wharton—Expenses at Farnhurst..	2.40
Harry J. Anderson—Expenses at Farnhurst...	2.40
William H. Evans—Expenses at Farnhurst....	1.00
Charles M. Wharton—Expenses at Rehoboth..	3.05
Harvey Hoffecker—Expenses at Rehoboth....	3.05
Harry J. Anderson—Expenses at Rehoboth....	3.05
Charles H. Grantland—Expenses at Rehoboth..	3.05
William H. Evans—Expenses at Rehoboth....	3.05
T. K. Jones & Brother Co.....	99.35
H. Clifford Sinclair	62.50
Glen Edwards	101.23
Annie E. Watson	8.40
Charles M. Smith	3.10
Albert Bucher	2.25
Charles L. Story	2.25
Charles L. Story	3.75
Charles W. Bush	9.86
George E. King	9.75
M. Megary & Son Co.....	33.75
Wilmington Automobile Co.	2.25
Glen Edwards	140.00

APPROPRIATIONS.

Glen Edwards	\$95.00
William J. Gibbons	10.00
Nathanial Pipino	47.00
The Diamond State Telephone Company.....	470.45
Wm. H. Horstman Company.....	35.00
Charles M. Smith	10.50
P. Edward Wooten	225.00
Peter T. Wright	100.00
The Dover Lumber & Milling Co.....	23.54
Harland M. Joseph—Expenses at Newark.....	2.61
Henry Williams—Expenses at Newark.....	3.00
Samuel J. Furniss—Expenses at Newark.....	2.61
Charles W. Mitchell—Expenses at Newark....	2.61
Charles M. Wharton—Expenses at Newark....	2.61
Harry J. Anderson—Expenses at Newark.....	2.61
Zachary T. Harris—Expenses at Newark.....	.63
James B. Hickman—Expenses at Newark.....	.62
John M. Walker—Expenses at Newark.....	1.00
Edward L. Jones—Expenses at Newark.....	2.25
Walter Roach—Expenses at Newark.....	4.55
Samuel L. Kenney—Expenses at Newark.....	4.83
Eli R. Hastings—Expenses at Newark.....	4.83
Hervey Hall—Expenses at Newark.....	1.85
Samuel Elliott—Expenses at Newark.....	.68
Thomas W. Mabrey—Expenses at Newark....	1.85
J. Seward Dailey—Expenses at Newark.....	3.00
Walter S. Leatherbury—Expenses at Newark..	.86
Thomas C. Salevan—Expenses at Newark.....	2.52
Gove S. Milbourne—Expenses at Newark.....	3.05
James F. Cabbage—Expenses at Newark.....	3.16
Frank M. Saulsbury—Expenses at Newark....	2.25
Joseph G. Davis—Expenses at Newark.....	3.64
Henry C. Downward—Expenses at Newark....	.25
Walter Rash—Expenses at Newark.....	.75
Albert F. Vaughan—Expenses at Newark.....	.25
Frederick D. Bendler—Expenses at Newark...	.50
George W. Webster—Expenses at Newark....	1.00
Harvey Williams—Expenses at Newark.....	1.00
Harry H. Hance—Expenses at Newark.....	.62
Benjamin L. Dickey—Expenses at Newark....	1.00

APPROPRIATIONS.

John F. Richards—Expenses at Newark.....	\$1.00
George A. Hill—Expenses at Newark.....	2.50
Charles M. Hoch—Expenses at Newark.....	3.50
George H. Carey—Expenses at Newark.....	2.51
Charles H. Grantland—Expenses at Newark...	.25
John W. Short—Expenses at Newark.....	4.24
Edward Hart—Expenses Child Labor Investiga- tion	1.94
Harvey Hoeffcker—Expenses Child Labor In- vestigation	1.59
Frederick D. Bendler—Expenses Child Labor Investigation	2.50
Harry Martindale—Expenses Child Labor In- vestigation	3.00
Charles M. Smith—Child Labor Commission...	31.00
M. Megary & Son Co.—Child Labor Commission	38.00
Ford Realty Company—Child Labor Commis- sion	20.00
Victor Typewriter Company—Child Labor Com- mission	7.50
H. R. Martindale	7.00
Wilmington Gas Company—Illegally Collected Taxes	2,756.82
John D. Hawkins	200.00
W. E. Gunby—Extra Services.....	25.00
O. T. Baynard—Extra Services	25.00
Farmers Bank	1,086.57
J. S. Godwin	10.00
Thomas S. Webb	85.90
James B. Hickman	58.05
Harvey Hoeffcker	54.85
Joseph Frazier	45.00
Oliver A. Newton	35.40
John A. Barnard	18.00
Zachary T. Harris	49.00
John M. Walker	76.90
Harry J. Anderson	85.50
Colen Ferguson	24.00
Harland M. Joseph	89.65
Samuel J. Furniss	74.15

APPROPRIATIONS.

Edward J. Hart	\$25.50
Thomas F. Gormley	58.05
Edward B. Carter	33.60
Charles W. Mitchell	91.05
Henry Williams	29.70
Frank Allen	42.15
Frederick D. Bendler	43.95
George H. Carey	15.00
James F. Cubbage	31.50
J. Seward Dailey	35.70
Ferdinand S. Daisey	73.65
Joseph G. Davis	39.30
Benjamin L. Dickey	67.05
Walter E. Donovan	44.70
Henry C. Downward	58.05
Samuel F. Elliott	58.05
William H. Evans	44.85
Hervey P. Hall	20.10
Harry H. Hance	43.50
Eli R. Hastings	47.55
George A. Hill	41.40
Charles M. Hoch	19.50
Samuel L. Kenney	47.55
Walter S. Leatherbury	29.55
Charles D. Lingo	53.55
Thomas W. Mabrey	39.75
Gove S. Milbourne	30.15
Walter Rash	58.05
John F. Richards	56.85
Walter Roach	45.75
Thomas C. Salevan	48.75
Frank M. Saulsbury	67.65
T. Bayard Schwatka	25.50
John W. Short	46.80
Albert F. Vaughan	58.05
John D. Warrington	74.55
George W. Webster	73.05
Harvey Williams	67.05
Charles H. Grantland	58.05
William G. Ramsey, Document Clerk	250.00

APPROPRIATIONS.

To Reimburse the Insurance Commissioner's Contingent Fund and to be placed to the credit of Contingent Fund on State Treasurer's Led- ger for 1915	\$400.00
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Approved March 18, A. D. 1915.

STATE SUPPLIES.

CHAPTER 25.

STATE SUPPLIES.

AN ACT to Amend Chapter 7 of the Revised Code of the State of Delaware in respect to the Contingent Fund of Board of State Supplies.

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

Section 1. That Chapter 7 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 288 Section 7 thereof and inserting in lieu thereof the following Section to be styled 288 Section 7:

288, Section 7. The sum of one hundred dollars is appropriated annually out of any money in the Treasury not otherwise appropriated, as a contingent fund for the use of said Board of State Supplies, to be used in payment for stationery, postage, supplies and in the employment of a person or persons possessing the necessary technical skill to assist said Board in rendering more efficient the operation of the foregoing provisions, said funds to be properly accounted for by vouchers accompanying the warrants drawn by said Board on said fund.

Approved March 12, A. D. 1915.

TITLE FOUR

Public Arms and Defense

CHAPTER 26.

ORGANIZED MILITIA OF DELAWARE.

AN ACT providing for the erection of a State Armory at New Castle.

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

The Ar-
mory Com-
mission

Authority to
secure site
for Armory
building, at
New Castle

To pay for
same

Plans to be
drawn for
Armory

Cost not to
exceed

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, purchase or condemnation, a tract of ground at a suitable place within the City of New Castle, said place to be selected by said Armory Commission, and when such tract of ground is secured, the title to the same shall be taken in the name of the State of Delaware. Upon the acquirement of said title, as above provided, the Armory Commission is hereby authorized and empowered to draw its warrants on the State Treasurer for the purchase price of said tract of ground, and after the title has been properly vested in the State of Delaware the Armory Commission shall have plans prepared for a suitable armory to be erected thereon. The cost of said armory and the site upon which the same is to be erected, and all equipment, including plumbing, lighting, heating and lockers, shall not exceed the aggregate sum of fifteen thousand dollars. And the

ORGANIZED MILITIA OF DELAWARE.

said sum of fifteen thousand dollars, or as 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, subject to the limitations contained in Section 5 of this Act.

Warrants,
how drawn

Section 2. That after plans have been prepared and accepted for the erection of said Armory, the Armory Commission shall advertise for bids and shall make an award for the erection of said building to the lowest and most responsible bidder, and when the contract is awarded, the successful bidder 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 contract except upon 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 centum of the contract price, the remaining fifty per centum to be paid upon the completion and acceptance by the Armory Commission of the work to be done under said contract.

Advertise
for bids

Contractor
to give
bond

How and
when mon-
eys are to be
paid on
contract

Section 3. That when such building has been completed and accepted, all Government and State Military properties that the Military authorities of the State may desire shall be stored in said building, and the use and occupation of said building shall be turned over to such State Military organization as may be existing or might hereafter exist, subject to the supervision of the proper military authorities of the State.

Building,
when com-
pleted, to be
turned over
to State
Military Or-
ganization

Section 4. In case the said Armory Commission shall for any cause be unable to agree with the owner or owners for the purchase of any lot or lots of ground selected by the said Commission 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

Condemna-
tion Com-
mission ap-
pointed

ORGANIZED MILITIA OF DELAWARE.

five impartial freeholders of New Castle 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 such Judge at a time in said commission appointed. The said freeholders before entering on the premises shall be sworn 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 at least three members of the said Armory Commission of the time when they will meet on said premises for the purposes aforesaid, 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 City of Wilmington at least five days prior to the time of said meeting. Upon the application of the said Armory Commission, or any owner or owners of such land to the Prothonotary of the Superior Court of 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 land shall be incapable, unwilling or neglect or refuse 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 of Wilmington, and such deposit shall operate as a payment of said damages; and upon the confirmation of the return of the said Writ of *Ad Quod Damnum* and the payment or deposit of the said damages as aforesaid, the said Armory Commission shall cause to be recorded in the Recorder's Office in and for New Castle County the application, commission and return under which said land may be condemned as aforesaid, together with the receipts and certificate for the payment of said damages.

Commission
to make
return

Oath of
Commission

Notice in
writing to
owner or
occupier

When notice
shall be pub-
lished in
newspaper

Prothono-
tary may is-
sue writ for
a Sheriff's
jury

In case of
refusal to
accept as-
sessed dam-
ages

Records of
proceedings
to be made
in office of
Recorder

ORGANIZED MILITIA OF DELAWARE.

Section 5. Provided that the moneys appropriated in ^{Proviso} this Act shall not be available to carry out the purposes of this Act, unless approved by the Governor, State Auditor and State Treasurer, the said named three State Officers ^{Report of approval in writing must be made} or a majority of them, shall file with the State Treasurer a statement in writing approving the expenditure of the moneys named in this Act, stating that in their judgment there are sufficient funds available for the purpose, and until such statement is filed the State Treasurer shall not pay out any moneys.

Approved March 16, A. D. 1915.

ORGANIZED MILITIA OF DELAWARE.

CHAPTER 27.

ORGANIZED MILITIA OF DELAWARE.

AN ACT to provide for furnishing, and to pay all other expenses in the establishment of, the State Armory at Newark.

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

Armory
Commission

Authorized
to pay
equipment
expenses of
State Ar-
mory, at
Newark

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 furnish, equip, and to pay all other expenses incurred in the establishment of, the State Armory at Newark.

Sum appro-
priated

Section 2. That the sum of Fifteen 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 said Armory Commission.

Approved March 16, A. D. 1915.

TITLE FIVE

Legislation

CHAPTER 28.

THE PASSING, PUBLICATION AND DISPOSAL OF LAWS AND JOURNALS.

AN ACT to Amend Chapter 10 of the Revised Code of the State of Delaware, by providing a Method for correcting Clerical Errors in Bills which have passed both Branches of the General Assembly and before their approval by the Governor.

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

That Chapter 10 of the Revised Code of the State of Delaware be, and the same is, hereby amended by the insertion therein of the following sections to be styled 366A, Section 1A; 366B, Section 1B.

366A, Section 1A. Whenever any Bill, Concurrent or Joint Resolution shall have passed both Branches of the General Assembly and shall have been delivered to the Secretary of State for his certification and before approval by the Governor it is discovered that such Bill, Concurrent or Joint Resolution contains clerical errors or misspelled words, or in the event that a Bill is an amendment to the Revised Code, that the Code Number and Section Number of the said Bill is wrong, such Bill, Concurrent or Joint

Chap. 10 of
the Revised
Code
amended

Passed bills
with after-
discovered
errors, may
be returned
for correc-
tion after
favorable
action

THE PASSING, PUBLICATION AND DISPOSAL OF LAWS AND JOURNALS.

Resolution may be returned to the House in which it originated for correction in matters of clerical errors, misspelled words or wrong Code and Section numbers, upon a Resolution originating in the Branch of the General Assembly in which said Bill, Concurrent or Joint Resolution was introduced, said Resolution being concurred in by the other Branch of the General Assembly.

Duty of
proper clerk

Further ac-
tion on said
bill

366B, Section 1B. Whenever a Resolution has passed both Branches of the General Assembly requesting the return of a Bill, Concurrent or Joint Resolution as specified in the preceding paragraph it shall be the duty of the Clerk of the House in which said Bill, Concurrent or Joint Resolution originated to have the clerical errors, misspelled words or correction of Code and Section numbers made, and certify the fact on his Journal. The said Bill, Concurrent or Joint Resolution shall then be messaged to the other Branch of the General Assembly, in which Branch the Secretary shall read the corrections as made in the corrected Bill, Concurrent or Joint Resolution, and the fact that such corrections have been made shall be entered in the Journal.

Approved February 9, A. D. 1915.

THE PASSING, PUBLICATION AND DISPOSAL OF LAWS AND
JOURNALS.

CHAPTER 29.

THE PASSING, PUBLICATION AND DISPOSAL OF LAWS AND
JOURNALS.

AN ACT to Amend Chapter 10 of the Revised Code of the State of
Delaware by Abolishing the Office of Document Clerk.

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

Section 1. That Chapter 10 of the Revised Code of the State of Delaware be, and the same is, hereby amended by repealing 367, Section 2 thereof.

367, Sec. 2,
Chap. 10, of
the Revised
Code
amended

Approved March 15, A. D. 1915.

THE PASSING, PUBLICATION AND DISPOSAL OF LAWS AND
JOURNALS.

CHAPTER 30.

THE PASSING, PUBLICATION AND DISPOSAL OF LAWS AND
JOURNALS.

AN ACT to Amend Chapter 10 of the Revised Code of the State of
Delaware in relation to the Printing of Public Laws.

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

368, Sec. 3,
Chap. 10, of
the Revised
Code
amended

Section 1. That Chapter 10 of the Revised Code of the
State of Delaware be and the same is hereby amended by
repealing 368, Section 3 thereof, and inserting in lieu
thereof the following section to be styled 368, Section 3.

Secretary of
State to have
laws printed

Number of
copies, Pam-
phlet form

May adver-
tise for bids

How bids
shall be
estimated

368, Section 3. The Secretary of State shall have three
thousand five hundred copies of all bills, orders, resolutions
or votes of a public nature, and proclamations of the Gov-
ernor accurately printed in pamphlet form with proper
notes and index, and shall carefully preserve the originals.
He shall have such bills, orders, resolutions or votes printed
in such order as he may deem best without regard to group-
ing such bills, orders, resolutions or votes under any general
title or subject matter. He may, if in his judgment it will
expedite the publishing of such bills, orders, resolutions or
votes as aforesaid, advertise for bids for the publication of
the same at such time as may appear to him to be best after
the convening of any General Assembly, such bids to be
based upon the estimated number of pages of the Session
Laws, and such bids to be based upon so much per page,
printed in long primer type so as to contain at least forty-
five lines to a page.

THE PASSING, PUBLICATION AND DISPOSAL OF LAWS AND JOURNALS.

The Secretary of State shall then have six hundred fifty copies bound with a general index, which he shall distribute as follows: One hundred copies to the Prothonotary of New Castle County, fifty copies to the Prothonotary of Kent County, and fifty copies to the Prothonotary of Sussex County, and he shall charge the respective Prothonotaries for the same at a rate of two dollars per volume; one copy to the Executive, one copy to each State Officer, one copy to each County Officer of the respective Counties, and the residue to the State Librarian for the State Librarian to distribute: one copy to the state library of each of the United States, and retain the residue.

Number of
copies
printed in
bound form

The distri-
bution

The copies delivered as herein provided to the Executive of the State and the County Officers shall be kept and remain in their respective offices, and be, by them, delivered to their successors as the property of said offices.

The printing of the Session Laws, as aforesaid, shall be done under contract made by the Board of State Supplies.

Printing to
be by con-
tract

Approved March 15, A. D. 1915.

THE PASSING, PUBLICATION AND DISPOSAL OF LAWS AND
JOURNALS.

CHAPTER 31.

THE PASSING, PUBLICATION AND DISPOSAL OF LAWS AND
JOURNALS.

AN ACT to Amend the Revised Code of the State of Delaware, by rectifying certain clerical errors therein and providing for the final printing of said Revised Code as so amended.

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

Revised
Code, year
1914, be
amended

Section 1. That the Revised Code of the State of Delaware, as passed and approved on the nineteenth day of October, A. D. 1914, be amended by rectifying clerical errors therein, as follows:

82, Sec. 45,
Chap. 6,
amended

By striking out the figures "41," where they appear in 82 Section 45 of Chapter Six, and by substituting in lieu thereof the figures "53."

109, Sec. 72,
Chap. 6

By striking out the figures "87," where they appear in 109 Section 72 of Chapter Six, and by substituting in lieu thereof the figures "83."

760, Sec. 25,
Chap. 25,
amended

By striking out the word "either," where it appears in the second line of 760 Section 25 of Chapter Twenty-five, in the preliminary printed edition of said Revised Code, and by substituting in lieu thereof the word "any."

1086, Sec. 74,
Chap. 43,
amended

By striking out the figures "178," where they appear in 1086 Section 74 of Chapter Forty-three, and by substituting in lieu thereof the figures "173."

THE PASSING, PUBLICATION AND DISPOSAL OF LAWS AND
JOURNALS.

By striking out the figures "20," where they appear in 1168, Sec. 24,
1168 Section 24 of Chapter Forty-five, and by substituting amended
in lieu thereof the figures "21."

By striking out the word "deaths" and the figures "77," 1266, Sec. 122,
where they appear in the third and fourth lines, respec- amended
tively, of 1266 Section 122 of Chapter Forty-five in the
preliminary printed edition of said Revised Code.

By striking out the figures "50," where they appear in 1403, Sec. 7,
1403 Section 7 of Chapter Fifty-one, and by substituting amended
in lieu thereof the figures "56."

By striking out the word "Directors," where it appears in 2010, Sec. 90,
the fourth line of 2010 Section 96 of Chapter Sixty-five in amended
the preliminary printed edition of said Revised Code, and
by substituting in lieu thereof the word "Director."

By striking out the word "forty-three," where it appears 2121, Sec. 6,
in line 68 of 2121 Section 6 of Chapter Sixty-seven in the amended
preliminary printed edition of said Revised Code, and by
substituting in lieu thereof the word "fifty-three."

By striking out the word "fifty-five," where it appears in 2884, Sec. 42,
line 6 of 2884 Section 42 of Chapter Seventy-nine in the amended
preliminary printed edition of said Revised Code, and by
substituting in lieu thereof the word "fifty-three."

By striking out the words and figures "Sections 4 and 5," 3298, Sec. 29,
where they appear in line 10 of 3298 Section 29 of Chapter amended
Ninety-five in the preliminary printed edition of said Re-
vised Code, and by substituting in lieu thereof the word
and figure "Section 4."

By striking out the figures "211," where they appear in 3804, Sec. 7,
line 20 of 3804 Section 7 of Chapter One Hundred and amended
Fifteen in the preliminary printed edition of said Revised
Code, and by substituting in lieu thereof the figures "201."

THE PASSING, PUBLICATION AND DISPOSAL OF LAWS AND JOURNALS.

3988, Sec. 40,
Chap. 110,
amended

By striking out the word "Laurel," where it appears in the 103rd line of 3988 Section 40 of Chapter One Hundred and Nineteen in the preliminary printed edition of said Revised Code, and by substituting in lieu thereof the word "Seaford."

4393, Sec. 74,
Chap. 133,
amended

By striking out the figures "30," where they appear in line 13 of 4393 Section 74 of Chapter One Hundred and Thirty-three in the preliminary printed edition of said Revised Code, and by substituting in lieu thereof the figures "29."

Authority
for the
corrections

Section 2. That the Revised Code Commission be and they are hereby directed to cause the final printing of said Revised Code, so as to embody the foregoing corrections thereof.

Approved February 17, A. D. 1915.

THE PASSING, PUBLICATION AND DISPOSAL OF LAWS AND
JOURNALS.

CHAPTER 32.

THE PASSING, PUBLICATION AND DISPOSAL OF LAWS AND
JOURNALS.

AN ACT to Amend the Revised Code of the State of Delaware by rectifying certain other clerical errors therein and providing for the final printing of said Revised Code as so amended.

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

Section 1. That the Revised Code of the State of Delaware, as passed and approved on the 19th day of October, A. D. 1914, be amended by rectifying other clerical errors therein as follows: Revised Code of State of Delaware approved Oct., 1914, amended

By striking out the words "Of New Castle County" where they appear in 1474, Section 30 of Chapter Fifty-four. 1474, Sec. 30, Chap. 54, amended

By striking out the word "Instrument," where it first appears in 2689, Section 45, of Chapter Seventy-eight, and by substituting in lieu thereof, the word "Indorsement." 2689, Sec. 45, Chap. 78, amended

By striking out the word "Testator" where it appears in the Seventeenth line of 3353, Section 20, Chapter Ninety-eight, and by substituting in lieu thereof, the word "Executor." 3353, Sec. 20, Chap. 98, amended

Section 2. That the Revised Code Commissioners be and they are hereby directed to cause the final printing of said Revised Code so as to embody the foregoing corrections thereof. Authority to correct

Approved March 12, A. D. 1915.

THE PASSING, PUBLICATION AND DISPOSAL OF LAWS AND
JOURNALS.

CHAPTER 33.

THE PASSING, PUBLICATION AND DISPOSAL OF LAWS AND
JOURNALS.

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

WHEREAS, by Section 374 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):

Certain void
acts to be
renewed

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

THE PASSING, PUBLICATION AND DISPOSAL OF LAWS AND
JOURNALS.

original acts, and to have the same force and effect as if the said acts had been severally recorded according to law, and all acts and transactions 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 severally recorded according to law; provided, ^{Proviso} that this enactment shall not take effect in the case of any act that has become void as aforesaid, until a certified copy thereof shall be duly recorded in the Recorder's office of one of the Counties of this State; and, provided further, ^{Proviso} 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 ^{A public act} be a public Act and shall be published as such.

Approved March 8, A. D. 1915.

TITLE SIX

State Officers and Commissions

CHAPTER 34.

GENERAL PROVISIONS RESPECTING PUBLIC OFFICERS.

AN ACT to Amend Chapter 11 of the Revised Code of the State of Delaware, by providing for the Cancellation of Official Bonds of Certain Public Officers.

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

Chap. 11 of
the Revised
Code
amended by
new sections

That Chapter 11 of the Revised Code of the State of Delaware be and the same is hereby amended by the insertion therein of the following Sections to be styled as 379A Section 3A, 379B Section 3B, and 379C Section 3C.

Cancellation
of bonds of
certain pub-
lic officers

379A, Section 3A. The several Bonds and recognizances of the several officers provided for in 379 Section 3 and 381 Section 5 of Chapter 11 of the Revised Code of the State of Delaware shall be cancelled three years after the expiration of the terms of office of the said several officers and shall after such time cease to be a lien on any property of any kind of the said several officers or their respective Bondsmen.

Manner of
satisfying
the bonds.

By whom

379B, Section 3B. The said Bonds filed and recorded in the offices of the Recorders of Deeds in this State shall at the time heretofore designated be marked by him "Cancelled" and under the word "Cancelled" he shall sign his name as Recorder and shall affix the official seal of his office. The Bond filed and recorded in the offices of the Prothono-

GENERAL PROVISIONS RESPECTING PUBLIC OFFICERS.

taries of the Superior Courts in this State shall at the time heretofore designated be marked by him "Cancelled" and under the word "Cancelled" he shall sign his name as Prothonotary and shall affix the official seal of his office, and the original bonds shall be returned to the obligors, or if they be dead, to their legal representatives.

379C, Section 3C. The provisions of this Act shall ap-^{To whom}
ply to the several officers mentioned in 379 Section 3 and ^{this Act shall}
381 Section 5 of the Revised Code whose terms may have ^{apply}
expired prior to the passage of this Amendment.

Approved February 17, A. D. 1915.

GENERAL PROVISIONS RESPECTING PUBLIC OFFICERS.

CHAPTER 35.

GENERAL PROVISIONS RESPECTING PUBLIC OFFICERS.

AN ACT to Amend Chapter 11 of the Revised Code of the State of Delaware in relation to the Bond of the Secretary of the State.

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

385, Sec. 9,
Chap. 11, of
the Revised
Code
amended

Section 1. That Chapter 11 of the Revised Code of the State of Delaware, be, and the same is hereby amended by repealing 385 Section 9 thereof and inserting in lieu thereof the following section to be styled 385 Section 9:

Secretary of
State and
Auditor of
Accounts

Official
securities

"385, Section 9. The Secretary of State and the Auditor of Accounts, before entering upon their offices respectively, shall each with sufficient sureties become bound to the State of Delaware, by a joint and several obligation, to be with the sureties approved by the Governor, the Secretary of State in the penal sum of ten thousand dollars, and the Auditor of Accounts in the penal sum of two thousand dollars, with condition that "if the above-named....., who has been (duly appointed or duly elected) to be....., shall and do well and diligently execute his office of.....as aforesaid and duly and faithfully fulfill and perform all the trusts and duties to the said office appertaining and truly and without delay deliver to his successors in office the seal and all the books, records and papers belonging to said office, safe and undefaced, then this obligation shall be void and of no effect, or else shall remain in full force and virtue."

Record of

The obligation of the Secretary of State shall be filed and recorded in the Recorder's office of Kent County, and the

GENERAL PROVISIONS RESPECTING PUBLIC OFFICERS.

obligation of the Auditor shall be recorded by the Secretary of State in the executive register, and filed in his office.

If any person appointed Secretary of State shall not ^{Penalty} within thirty days next after the date of his appointment become bound as herein required, the appointment shall be void and another person shall be appointed."

Approved March 9, A. D. 1915.

GOVERNOR.

CHAPTER 36.

GOVERNOR.

AN ACT to Amend Chapter 13 of the Revised Code of the State of Delaware, providing for a biennial estimate of the expenditures for several State Departments.

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

Chap. 13, of
the Revised
Code
amended

Section 1. That Chapter 13 of the Revised Code of the State of Delaware be, and the same is hereby amended by adding thereto the following section to be styled 421a, Section 21a:

The Gov-
ernor shall
furnish the
General
Assembly a
financial
estimate

Also state-
ment of re-
ceipts and
expendi-
tures for
past four
years

421a, Section 21a. Within five days after the Senate and House of Representatives shall have become organized and prepared to transact business the Governor shall furnish each member of the General Assembly with a printed estimate of the State's financial receipts and expenses beginning the first of January instant together with a statement of receipts and expenditures for the four years immediately preceding the first day of January.

Approved March 8, A. D. 1915.

GOVERNOR.

CHAPTER 37.

GOVERNOR.

AN ACT providing for the Expenses of the State of Delaware for the Participation in the Governors' Conference in the years 1915 and 1916.

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:

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 1915 and 1916.

Governor
authorized
to draw
warrants

Treasurer
authorized
to pay
warrants

Approved March 8, A. D. 1915.

SECRETARY OF STATE.

CHAPTER 38.

SECRETARY OF STATE.

AN ACT to Amend Chapter 14 of the Revised Code of the State of Delaware.

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

424, Sec. 3,
Chap. 14, of
the Revised
Code
amended

That Chapter 14 of the Revised Code of the State of Delaware be, and the same is hereby amended by the repeal of 424, Section 3, and the insertion in lieu thereof of the following, which shall be styled as 424, Section 3.

Annual contingent fund
of Secretary
of State

424, Section 3. That the Annual Contingent Fund of the Secretary of State shall be \$3,000.00, which shall be used by him for the contingent expenses of his office.

Secretary of
State to set-
tle annually
with General
Assembly
Committee

The said Secretary of State shall settle his accounts for the expending of said Contingent Fund annually with the committee appointed by the General Assembly for that purpose.

Approved March 8, A. D. 1915.

SECRETARY OF STATE.

CHAPTER 39.

SECRETARY OF STATE.

AN ACT to Amend Chapter 14 of the Revised Code of the State of Delaware relative to the clerical force in the Secretary of State's office.

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

That Chapter 14 of the Revised Code of the State of Delaware be, and the same is hereby amended by the repeal of 425, Section 4, and the insertion in lieu thereof of the following, which shall be styled as 425, Section 4.

425, Section 4. The Secretary of State is authorized and empowered to employ three clerks at annual salaries not to exceed Five Hundred Dollars, Six Hundred Dollars and Seven Hundred Dollars respectively, to be paid by the State Treasurer in monthly payments upon the order of the Secretary of State.

Chap. 14,
Revised Code
amended by
repeal of 425,
Sec. 4

Secretary of
State author-
ized to em-
ploy three
clerks

Approved February 24, A. D. 1915.

SECRETARY OF STATE.

CHAPTER 40.

SECRETARY OF STATE.

AN ACT to Amend Chapter 14 of the Revised Code of the State of Delaware.

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

427, Sec. 6,
Chap. 14, of
the Revised
Code
amended

That Chapter 14 of the Revised Code of the State of Delaware be, and the same is hereby amended by inserting therein the following section which shall be styled as 427A, Section 6A.

Privilege to
Governor
and Secre-
tary of State
to use stamp
on certain
papers

427A, Section 6A. That hereafter in the preparation of the various licenses for the several trades, business pursuits or occupations licensed by the laws of this State, as well as automobile and motor cycle registration cards and operators' license cards, the Governor and the Secretary of State may stamp the same with an autograph signature stamp.

Approved January 19, A. D. 1915.

STATE TREASURER AND TRUSTEE OF THE SCHOOL FUND.

CHAPTER 41.

STATE TREASURER AND TRUSTEE OF THE SCHOOL FUND.

AN ACT to Amend Chapter 15 of the Revised Code of the State of Delaware, providing a Deputy for the State Treasurer.

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

That Chapter 15 of the Revised Code of the State of Delaware be, and the same is hereby amended by the repeal of 456, Section 2 and the insertion in lieu thereof of the following section which shall be styled 456, Section 2.

456, Section 2. The annual contingent fund of the State Treasurer shall be Six hundred dollars, which shall be used for stationery, postage, etc., and properly accounted for by vouchers.

The State Treasurer is hereby authorized and empowered to appoint a Deputy at an annual salary of Twelve hundred dollars to be paid in monthly installments. Said Deputy shall take the oath of office and shall have power to act in the absence or disability of the State Treasurer when so designated by that official but he shall at all times be removable by the State Treasurer.

Approved March 12, A. D. 1915.

STATE TREASURER AND TRUSTEE OF THE SCHOOL FUND.

CHAPTER 42.

STATE TREASURER AND TRUSTEE OF THE SCHOOL FUND.

AN ACT to Amend Section 483, being Section 29, Chapter 15, of the Revised Code of the State of Delaware.

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

483, Sec. 29,
Chap. 15, of
the Revised
Code
amended

Section 1. That Chapter 15 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 483 Section 29 thereof, and by substituting in lieu thereof, the following section, to be styled as "483, Section 29":

Railroad
and Railway
Guarantee
Deposit
Fund

483, Section 29. RAILROAD AND RAILWAY GUARANTEE DEPOSIT FUND. The State Treasurer is authorized and directed to keep separate from other funds and accounts all moneys received from Railroads and Railways as guarantee deposits, in accordance with the provisions of the General Corporation Laws of the State.

This fund shall be known as the Railroad and Railway Guarantee Deposit Fund.

Moneys
transferred
to the Gen-
eral Fund;
when

Any monies remaining in this fund after the time elapses for the companies making deposits to regain their deposits as provided in the General Corporation Laws of the State shall be transferred by the State Treasurer from the separate fund hereby created to the general funds of the State of Delaware, and thereupon title to the same shall vest in the State of Delaware and the same shall be treated and used as a part of the general funds of the State.

STATE TREASURER AND TRUSTEE OF THE SCHOOL FUND.

Section 2. The Revised Code Commission are hereby directed to print said substituted section in the final edition of the Revised Code, as 483, Section 29, and to correct any cross references to said repealed section in other Chapters of the Revised Code. ^{Revised Code Commission directed to substitute}

Approved March 12, A. D. 1915.

STATE TREASURER AND TRUSTEE OF THE SCHOOL FUND.

CHAPTER 43.

STATE TREASURER AND TRUSTEE OF THE SCHOOL FUND.

AN ACT authorizing the commission created by Chapter 51, Volume 25, Laws of Delaware, to sell the securities held by them and to transfer the proceeds thereof, together with all other moneys to the State Treasurer.

WHEREAS, By Chapter 51, Volume 25, Laws of Delaware, a special fund was created for Railroad and Railway Guarantee Deposits and a Commission thereby appointed to invest a portion of such funds, the said Act being 483 Section 29 of Chapter Fifteen, Section 29 of the Revised Code, as approved October 19, 1914; and

WHEREAS Said 483 Section 29 of Chapter Fifteen of the said Revised Code as approved October 19, 1914, has been amended at this Session of the Legislature, and the Revised Code Commission is authorized to reprint 483 Section 29 of Chapter Fifteen of the Revised Code as thus amended; and

WHEREAS By such amendment the Commission created by Chapter 51, Volume 25, Laws of Delaware, has been rendered unnecessary, now therefore,

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

Authorized
to sell
investments

Section 1. That the commission appointed by Chapter 51, Volume 25 of the Laws of Delaware, and as provided for in the Revised Code of the State of Delaware as approved October 19, 1914, being 483 Section 29 of Chapter Fifteen of said Revised Code, be authorized and directed

STATE TREASURER AND TRUSTEE OF THE SCHOOL FUND.

forthwith to sell for cash all investments which they may have as such Commission, and to transfer the same together with all other moneys in their possession to the State Treasurer. ^{To transfer to State Treasurer}

Section 2. The State Treasurer is authorized and directed to place in the separate fund, as established in the Revised Code of the State of Delaware in 483 Section 29 of Chapter Fifteen of said Revised Code as the same has been amended, such of the moneys so received from said Commission from Railroads and Railways as Guarantee Deposits for which the time has not elapsed for the companies making the deposits to regain their deposits as provided in the General Corporation Laws of the State, and to place in the general funds of the State of Delaware all moneys received from the said Commission which may have been deposited from Railroads and Railways as Guarantee Deposits and for which deposits the time has elapsed for the companies making the same to regain them, as provided in the General Corporation Laws of the State. ^{State Treasurer to keep railroad funds separate}

Approved March 12, A. D. 1915.

AUDITOR OF ACCOUNTS.

CHAPTER 44.

AUDITOR OF ACCOUNTS.

AN ACT to Amend Chapter 16 of the Revised Code of the State of Delaware by providing for the Presentation to the Auditor of Accounts of Itemized Statements and Bills.

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

That Chapter 16 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 528 Section 24 thereof, and inserting in lieu thereof the following section, to be styled 528, Section 24.

528, Sec. 24,
Chap. 10,
Revised Code
repealed

Itemized
statements
must accom-
pany all
vouchers

528, Section 24. The Auditor of Accounts shall perform the duties relative to payments out of the State Treasury as provided by Sections 19 to 28, inclusive, of Chapter 15; provided, however, that the Auditor of Accounts shall not approve any vouchers presented to him unless same are accompanied with an itemized statement or statements and a bill or bills, showing the things purchased or the work done.

Approved March 12, A. D. 1915.

AUDITOR OF ACCOUNTS.

CHAPTER 45.

AUDITOR OF ACCOUNTS.

AN ACT to Amend Chapter 16 of the Revised Code of the State of Delaware, providing a Deputy for the Auditor of Accounts.

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

That Chapter 16 of the Revised Code of the State of Delaware, be, and the same is hereby amended by adding thereto the following section, to be styled as 538a, Section 34a. 538, Sec. 34, Chap. 16, of the Revised Code amended

538a, Section 34a. The Auditor of Accounts is hereby authorized and empowered to appoint a Deputy at an annual salary of twelve hundred dollars to be paid in monthly installments. Said Deputy shall take the oath of office and shall have power to act in the absence or disability of the Auditor of Accounts when so designated by that official but he shall at all times be removable by the Auditor of Accounts. Auditor of accounts to appoint a deputy; salary; powers

Approved March 12, A. D. 1915.

STATE DETECTIVES.

CHAPTER 46.

STATE DETECTIVES.

AN ACT to Amend Chapter 18 of the Revised Code of the State of Delaware, by providing for the appointment of an additional State Detective.

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

That Chapter 18 of the Revised Code of the State of Delaware be and the same is hereby amended by the insertion therein of the following Section to be styled 565A, Section 1A.

Governor to
appoint State
Detective

Must be a
resident of
Kent County

Term of
office

Duties and
salary

565A, Section 1A. The Governor of the State of Delaware is hereby authorized and directed to appoint a State Detective in addition to the two State Detectives provided for in 565 Section 1 of this Chapter. The said additional State Detective to be a resident of Kent County. The said additional State Detective shall be appointed for the term of four years and shall have the same powers and perform the same duties and receive the same salary as other State Detectives appointed under the provision of Chapter 18.

Approved March 16, A. D. 1915.

INSURANCE COMPANIES.

CHAPTER 47.

INSURANCE DEPARTMENT.

INSURANCE COMPANIES.

AN ACT to amend Chapter 20, of the Revised Statutes of the State of Delaware relating to the powers and duties of the Insurance Commissioner.

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

That Chapter 20, of the Revised Statutes be and the same is hereby amended by striking out Section 573, Section 2, and inserting in lieu thereof the following.

573, Sec. 2,
Chap. 20 of
the Revised
Code
amended

573, Sec. 2. Duties of Commissioner: *Inter alia*, the following shall be the duties of the Insurance Commissioner:

Duties of the
Commis-
sioner

First: To see that all laws of the State respecting insurance companies are faithfully executed, and to require from all companies not chartered by the laws of this State, transacting the business of insurance in this State, a certified copy of their charter or declaration of organization, and a certificate of the name and residence of an agent or agents of said company, resident in this State, upon whom service of process against said company may be made, both of which shall be filed in his office.

1st. That all
laws are exe-
cuted

Second: To examine the affairs and condition of any company doing business of insurance in this State, chartered by the laws of this State, and to publish the result of such examination in one or more newspapers of this State, whenever he deems it for the interest of the public so to do; and for the purpose of such examination he shall have power to require free access to all books and papers of any insurance company, or the agents thereof, doing business within this State, and to examine any officer, agent or employee of

2nd. Exam-
ine affairs
and condi-
tions of In-
surance
Companies

INSURANCE COMPANIES.

such company, under oath or affirmation, which he is empowered to administer, relative to the affairs and condition of any company; and further, he may, at any time require from any company doing the business of insurance, or any of its officers or agents, statements on such points as he deems necessary and proper to elicit a full and fair exhibit of its business and standing. The Insurance Commissioner may employ expert assistance in examining the affairs of such company, and charge the cost thereof in the expense to be paid by the company.

Revoke
license for
cause

Third: Whenever the Insurance Commissioner shall have reason to believe that any insurance company, chartered or incorporated under any law of this State, is insolvent, or fraudulently conducted, or that its assets are not sufficient for carrying on the business of the same, or that it has failed to comply with the provision of this Chapter, or that its condition is such as to render its further proceeding hazardous to its policy-holders or to the public, notwithstanding any special provision granted in its charter or certificate of incorporation, the Insurance Commissioner shall revoke its certificate of authority to do business, take charge of its affairs and communicate the fact to the Attorney General, whose duty it shall then become to file a bill or petition in Chancery, in the name of the State, setting forth the facts, and thereupon to apply to the Court of Chancery of any County in which said company may be doing business, or to the Chancellor in vacation, for an order requiring said company to show cause why its business should not be closed. In a proper case made, the said Court, or the Chancellor in vacation, shall have power to appoint a receiver to take charge of, settle and close up the affairs of said company under the direction of the said Court, to enjoin it from doing business, and to make such order and decree as may be necessary or proper.

To publish
annual
statements of
certain
companies

Fourth: To furnish to the companies required by this Chapter to report to him, all necessary blank forms for the statements required, and to publish annually, on or before the first day of July, once a week for three weeks, in at

INSURANCE COMPANIES.

least two newspapers of this State, the names of the insurance companies that have filed statements agreeably to the provisions of this Chapter and to whom certificates of authority have been issued; he shall also state when and where each company was incorporated and its aggregate assets and liabilities, and its receipts and expenditures for the preceding year; the cost of such publication shall be borne equally by said companies and the amount to be paid by each shall be deposited with the Insurance Commissioner at the time the annual statement is furnished, as herein provided.

Fifth: He shall, as soon as practicable in each year, ascertain the net value on the thirty-first day of December of the previous year of all policies in force on that day in each life insurance company doing business in this State. He shall accept the valuations made by the Insurance Department of Pennsylvania, New York, Massachusetts, or the State where such company is incorporated, and may require every such company to furnish him, on or before the first day of March, a certificate of valuation of its policies made by either of the Insurance Departments above named, and if any company fails to furnish such valuation he shall revoke its authority to do business in this State. Every life insurance company, incorporated in any State other than Pennsylvania, New York and Massachusetts, shall calculate its reserve on the New York basis of life insurance.

Sixth: In case it is found that any life insurance company doing business in this State has not on hand the net value of all its policies in force after all other debts of the company and claims against it, exclusive of capital stock, have been provided for, it shall be the duty of the Insurance Commissioner to publish the fact that the then existing condition of the affairs of the company is below the standard of legal safety established by this State, and he shall at once withdraw the authority of said company to do business in this State.

To procure
life insurance
policy
valuations
annually

To withdraw
authority to
do business;
when

INSURANCE COMPANIES.

To give certified copies; when

Seventh: At the request of any person, and on the payment of the fee, to give certified copies of any record or papers in his office when he deems it not prejudicial to public interests so to do, and to give other certificates as this Chapter provides for.

To report to each regular session of the General Assembly

Eighth: To report to each regular session of the General Assembly, on the first Tuesday of January, the receipts and expenses of this Department for the two years previous; all of his official acts whenever specially required by the General Assembly, and in the absence of any special requirement, such portion of his official acts as he may deem necessary to make public; the condition of all companies doing the business of insurance in this State, and such other information as will correctly exhibit the affairs of his Department, and to send a copy of his report when printed to the Insurance Commissioner, or other similar officer of every other State, and to each company doing business in this State.

The court-records of the office

Ninth: To communicate on request of any Insurance Commissioner, or other similar officer, of any State, any facts which by law it is his duty to ascertain respecting companies doing business in this State.

Preserve all records of office

Tenth: To carefully preserve in permanent form all papers and records relating to the business of his Department, and to hand the same over to his successor in office.

Approved March 8, A. D. 1915.

SUPERVISION OF BANKING, TRUST, SAFE DEPOSIT, SURETY AND
BONDING INSTITUTIONS, AND LOAN ASSOCIATIONS.

CHAPTER 48.

INSURANCE DEPARTMENT.

SUPERVISION OF BANKING, TRUST, SAFE DEPOSIT, SURETY AND
BONDING INSTITUTIONS, AND LOAN ASSOCIATIONS.

AN ACT to amend Chapter 20, of the Revised Statutes of the State
of Delaware relating to examination of Banking Corporations by
the Insurance Commissioner.

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

That Chapter 20, of the Revised Statutes be and the same
is hereby amended by inserting a new section to be known
and styled as 613A, Section 42A, as follows:

613A, Section 42A. That the Insurance Commissioner ^{Authority to}
is hereby authorized to appoint a deputy to examine State ^{appoint a}
Banks and Trust Companies whenever he may deem it for ^{deputy}
the interest of the public to make such examinations.

A fee as prescribed by law shall be paid by the State ^{Fee}
Bank or Trust Company thus examined to the deputy im-
mediately following an examination.

Any deputy so appointed before entering upon his duties ^{Surety bond}
as examiner shall give bond to the State for the sum of
\$10,000.

Approved March 16, A. D. 1915.

GENERAL PROVISIONS.

CHAPTER 49.

INSURANCE DEPARTMENT.
GENERAL PROVISIONS.

AN ACT to amend Chapter Twenty of the Revised Code of the State of Delaware, by repealing 642 Section 71.

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

642, Sec. 71,
Chap. 20, of
the Revised
Code
amended

Section 1. That Chapter Twenty of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 642 Section 71 thereof.

Revised
Code Com-
mission di-
rected to
omit

Section 2. The Revised Code Commission are hereby directed to omit said repealed section from the final printed edition of said Revised Code.

Approved February 18, A. D. 1915.

GENERAL PROVISIONS.

CHAPTER 50.

INSURANCE DEPARTMENT.
GENERAL PROVISIONS.

AN ACT to amend Chapter 20 of the Revised Code relating to the Insurance Department, by providing for the Insurance of State Property against loss by fire.

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

Section 1. That Chapter 20 of the Revised Code be, and the same is, hereby amended by the addition of a new section to be known as, 649A, Sec. 78A, as follows:

Chap. 20, of
the Revised
Code
amended

"649A, Sec. 78A. The Governor of the State of Delaware, the State Auditor, and the Insurance Commissioner shall, from time to time, determine the amount of fire insurance to be effected and to be carried upon the property of the State, and it shall be the duty of said Insurance Commissioner to have insured, and to keep insured against loss or damage by fire, all State property in such amounts as shall have been determined as aforesaid.

Commission
to fix fire
insurance on
State
property

The said Insurance Commissioner shall keep all insurance policies in some safe and secure place, and shall keep in a proper book a record thereof showing:

Insurance
Commis-
sioner to be
custodian of
insurance
policies; also
to keep rec-
ord of same

- (a) the property insured;
- (b) the insuring Company;
- (c) the number of the insurance policy;
- (d) the date of expiration of the policy;
- (e) the amount of the insurance as set forth in each policy;
- (f) the premiums thereon.

GENERAL PROVISIONS.

The Commis-
sioner to ap-
prove all
bills for
premiums

State Treas-
urer to pay
premiums

The Insurance Commissioner shall demand and receive all bills for premiums to be paid, and after approval by himself, the State Auditor and the Governor, shall present the same for payment to the State Treasurer, who shall pay the same.

Insurance
Commis-
sioner shall
make annual
report to
Governor

Each year the Insurance Commissioner shall make to the Governor a detailed report of the insurance in force upon State property, and at each session of the Legislature the Governor shall transmit such report to the Senate and to the House of Representatives."

Approved April 14, A. D. 1915.

ESTABLISHMENT OF BOARD, POWERS AND DUTIES.

CHAPTER 51.

STATE BOARD OF AGRICULTURE.

ESTABLISHMENT OF BOARD, POWERS AND DUTIES.

AN ACT to regulate the sale of seed in the State of Delaware, and to provide for the inspection thereof by the State Board of Agriculture.

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

Section 1. For the purpose of this Act, agricultural seeds are defined as the seeds of alfalfa, barley, canadian blue-grass, Kentucky blue-grass, brome (awnless) grass, buckwheat, alsike clover, crimson clover, red clover, white clover, field corn, Kaffir corn, meadow fescue, flax, millet, oats, orchard grass, rape, red top, sorghum, timothy, hairy vetch, spring vetch, cowpeas, canning house peas, soybeans, cantaloupes, watermelons and wheat which are to be used for sowing or seeding purposes.

Seeds
defined

Section 2. Every lot of agricultural seed as defined in Section 1 of this Act, which is offered or exposed for sale within this State for seeding purposes in this State, in lots of ten (10) pounds or more, shall be accompanied by a plainly written or printed statement in the English language, stating:

Printed
statement to
accompany
sales

1. Name of agricultural seed.
2. Name and address of the person selling or offering for sale such seed.

Noxious
seeds
defined

ESTABLISHMENT OF BOARD, POWERS AND DUTIES.

3. The approximate percentage of purity and freedom of such seed from foreign matter, or from other seeds distinguishable by their appearance.

Maximum
limit of nox-
ious seeds

Section 3. The seeds of quack grass (*Agropyron repens*), Canada Thistle (*Onicus arvensis*), clover and alfalfa dodder (*Cuscuta aphythymum*), field dodder (*Cuscuta arvensis*), wild mustard (*Brassica Arvensis* L.), wild oats (*Avena fatus* L.), ribwort or English plantain (*Plantago Lanceolata*), and orange hawkweed, are hereby defined as noxious weed seeds. No person shall sell, offer or expose for sale within this State for seeding purposes in this State, any agricultural seeds, defined in Section 1 of this Act, containing a greater amount or proportion than one seed of any or all of said noxious weed seeds to one thousand seeds of the variety of agricultural seed offered or exposed for sale.

The percent-
age of pur-
ity: how as-
certained

Section 4. The percentage of purity of agricultural seed required under Section 2 of this Act shall be based upon a test of analysis conducted either by the State Board of Agriculture, or its inspectors or agents, or by the vendor of the agricultural seeds, or his agents; provided, that such test or analysis made by the vendor or his agents shall conform to the reasonable regulations which the said State Board of Agriculture is hereby authorized and directed to prescribe, or shall conform to the reasonable regulations or methods of testing adopted or used by the Association of Official Seed Analysts, or the United States Department of Agriculture.

State Board
of Agricul-
ture to make
tests

Section 5. Whoever buys or sells agricultural seeds defined in Section 1 of this Act, for use in this State for seeding purposes, may submit fair samples of such seeds to the State Board of Agriculture for examination and test of purity or viability, and the State Board of Agriculture shall cause such examinations and tests to be promptly made, and report thereon returned to the sender. For the test of purity the said Board shall charge a fee of twenty-five

Fees for
testing

ESTABLISHMENT OF BOARD, POWERS AND DUTIES.

cents for the examination of each sample, and for a test of vitality, a further fee of twenty-five cents, either or both of which fees shall be payable in advance. All moneys received from receipt of such fees shall be paid into the Treasury of the State.

Section 6. The enforcement of this Act is hereby placed in State Board of Agriculture, and the said Board is hereby authorized to appoint such inspectors and agents as may be necessary to enforce this Act, and such inspectors or agents are authorized to take for analysis, paying the reasonable purchase price, a sample not exceeding four ounces in weight, from any lot of agricultural seeds offered or exposed for sale; provided, that said sample shall be drawn or taken in the presence of the vendor or parties in interest, or his or their agents or representatives, and shall be taken from a parcel, lot or number of parcels which shall not be less than ten per cent. of the whole lot inspected, and shall be thoroughly mixed, and then divided into two samples and placed in glass or metal vessels or containers, carefully sealed and a label placed on each vessel stating the name of the agricultural seed sampled, the name of the vendor from whose stock said samples were taken, and the date and place of taking such samples; and said labels shall be signed by the inspector who takes the samples; or, said samples may be taken in the presence of two disinterested witnesses if the vendor or party in interest fails or refuses to be present, when notified. One of said duplicate samples shall be left with or on the premises of the vendor or party in interest, and the other retained by the inspector for analysis and comparison with the label required by Section 2 of this Act.

State Board
of Agriculture
to ap-
point agents
to enforce
Act

Plan of
procedure

Section 7. The provisions of this Act shall not apply to: Shall not
apply

First: Any person selling agricultural seeds direct to seed merchants or shipping to a general market to be

ESTABLISHMENT OF BOARD, POWERS AND DUTIES.

cleaned or graded before being offered or exposed for sale for seeding purposes.

Second: Agricultural seed which is held in storage for the purpose of being cleaned.

Third: Agricultural seed marked "not clean" and held or sold for shipment outside the State only.

Fourth: Mixtures of agricultural seeds prepared for special purposes when so labelled. This shall not, however, exempt the vendor of such mixtures from the provisions of Section 3 of this Act.

A misde-
meanor

Penalty

Proviso

Section 8. Whoever sells, offers or exposes for sale within this State any agricultural seeds defined in Section 1 of this Act without complying with the requirements of Sections 2 and 3 of this Act, or whoever falsely marks or labels any agricultural seeds under Section 2 of this Act, or whoever shall prevent the State Board of Agriculture from inspecting said seeds and collecting samples as provided in Section 6 of this Act, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than one hundred dollars. Provided, however, that no prosecution for violation of this Act shall be instituted except in the manner following:

When the agent of the State Board of Agriculture believes, or has reason to believe, that any person has violated any of the provisions of Sections 2, 3 and 8 of this Act, he shall cause notice of such fact, together with full specifications of the act or omission constituting the violation, to be given to said person, who either in person or by agent or attorney, shall have the right under such reasonable rules

ESTABLISHMENT OF BOARD, POWERS AND DUTIES.

and regulations as may be prescribed by the State Board of Agriculture, to appear before said State Board of Agriculture and introduce evidence, and said hearing shall be private. If, after said hearing, or without such hearing in case said person fails or refuses to appear, said Board shall decide and decree that any or all of said specifications have been proven to their satisfaction, they may in their discretion so certify to the proper prosecuting attorney and request him to prosecute said person according to law for violation of this Act, transmitting with said certificate a copy of the specifications and such other evidence as they shall deem necessary and proper. (Whereupon said prosecuting attorney shall prosecute said person according to the law.)

Benefit of a private hearing

May present case for prosecution

Section 9. No action for the recovery of damages or for any liability whatsoever for any violation of any of the provisions of this Act, or for the breach of any legal duty or obligation in the sale of agricultural seeds defined in Section 1 of this Act, shall be maintained by the buyer and against the vendor of such seeds, unless such action shall be commenced *with a reasonable time after the sale and prior to the sowing or other use of such seeds, and unless the claim or claims of such buyer are based upon properly drawn samples of such seed, from the bulk thereof, and examined in the way and manner provided in Section 5 of this Act.

Action for recovery of damages

Section 10. The results of the analysis and tests of seed made by the State Board of Agriculture of samples drawn by them or their inspectors may be published in their annual report, or in bulletins.

Analysis may be published

Section 11. The words "person" "vendor" and "party in interest," and "whoever" as used in this Act shall be

Plural or singular to imply

*withla

ESTABLISHMENT OF BOARD, POWERS AND DUTIES.

construed to *import both the plural and singular, as the case demands, and shall include corporations, companies, societies and associations.

Date when
Act takes
effect

Section 12. This Act shall take effect six months after its approval by the Governor of the State.

Approved March 16, A. D. 1915.

*Import

ESTABLISHMENT OF BOARD, POWERS AND DUTIES.

CHAPTER 52.

STATE BOARD OF AGRICULTURE.

ESTABLISHMENT OF BOARD, POWERS AND DUTIES.

AN ACT to amend Chapter 21, of the Revised Code of the State of Delaware, by providing regulations in respect to the grading, packing, marking, shipping and sale of apples.

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

That Chapter 21 of the Revised Code of the State of Delaware be and the same is hereby amended by the insertion therein of the following sections, to be styled 672A, Section 23A; 672B, Section 23B; 672C, Section 23C; 672D, Section 23D; 672E, Section 23E; 672F, Section 23F; 672G, Section 23G; 672H, Section 23H; 672I, Section 23I; 672J, Section 23J; 672K, Section 23K; 672L, Section 23L; 672M, Section 23M; 672N, Section 23N.

672A, Section 23A. That the standard or classes of apples grown in this State when packed in closed packages shall be:

- Delaware Fancy Grade.
- Delaware A Grade.
- Delaware B Grade.
- Delaware Unclassified.

1st. Delaware Fancy Grade shall consist of apples of one variety, which are well grown specimens, hand picked, properly packed, of good color for the variety, normal shape,

ESTABLISHMENT OF BOARD, POWERS AND DUTIES.

free from dirt, diseases, insect or fungus injury, bruises and other defects except such as are necessarily caused in the operation of packing.

Delaware
A Grade

2nd. Delaware A Grade shall consist of one variety which are well grown specimens, hand picked, properly packed, of good color for the variety, normal shape, practically free from dirt, diseases, insect and fungus injury, bruises and other defects such as are necessarily caused in the operation of packing. Or apples of one variety which are not more than 10 per cent. below the foregoing specifications on a combination of all defects, or 5 per cent. on any single defect.

Delaware
B Grade

3rd. Delaware B Grade shall consist of apples of one variety, hand picked, properly packed, practically normal shape, practically free from dirt, diseases, insect and fungus injuries, and which may be of medium or less than medium color for the variety or apples of one variety which are not more than 10 per cent. below the foregoing specifications on a combination of all defects, or 5 per cent. on a single defect.

Package
shall be
marked

4th. In the Delaware Fancy, Delaware A and Delaware B Grades, the minimum size of fruit shall be marked on the package. The minimum size is determined in precisely the same manner as it always has been for A No. 1, or any other grade, *i.e.*, the transverse diameter. If the size of the fruit packed was from $2\frac{1}{2}$ inches up, then the minimum size is $2\frac{1}{2}$ inches. If from $2\frac{1}{4}$ inches up, the minimum is $2\frac{1}{4}$, etc. A toleration or variation of 10 per cent. on size shall be allowed in above classes.

A variation
allowed

Delaware
Unclassified

5th. Delaware Unclassified. Apples not conforming to the foregoing specifications or grade, or if conforming are not branded in accordance therewith shall be classed as unclassified and so branded.

ESTABLISHMENT OF BOARD, POWERS AND DUTIES.

The marks indicating grade, as above prescribed may be accompanied by any other designation or grade or brand, if that designation or brand is not inconsistent with, or marked more conspicuously than the one of the said four marks which is used on the said package. Apples packed and branded in accordance with the United States law shall be exempt from the provisions of this Act. Apples packed and branded excepted

Minimum sizes may be designated by figures instead of words. The word minimum may be designated by using the abbreviation "Min." Figures may be used

672B, Section 23B. Every closed package containing apples grown in the State of Delaware which is packed, sold, distributed, transported or offered or exposed for sale, distribution or transportation in the State by any person shall bear upon the outside of one end in plain letters and figures, the name and address of the packer or the person by whose authority the apples were packed, and the package marked, the true name of the variety, the grade or class of the apples therein contained and the minimum size of the fruit in the package as provided by 672A, Section 23A. If the true name of the variety shall not be known to the packer or the person by whose authority the package is packed or branded then such variety shall be designated as "Unknown." Every package of apples which is repacked shall bear the name and address of the repacker or the name of the person by whose authority it is repacked in place of that of the original packer. Every closed package must be marked
Packer's name
Grade
Marked "unknown" when

672C, Section 23C. It shall be unlawful for any person within this State, except under the percentages of tolerance and variation, as allowed by paragraphs 2nd and 3rd of 672A, Section 23A, relating to Delaware A and B Grades to pack, sell, distribute, transport, offer or expose for sale in closed packages apples which are not hand-picked, or which are wormy, or diseased, or which show fungus, or scab injury, unless such fact, or facts, shall be plainly

ESTABLISHMENT OF BOARD, POWERS AND DUTIES.

Ungraded
packages to
be so design-
ated and
stamped

stated by the use of the words "not handpicked," "wormy," "diseased," "fungus," or "scrabby," as the case may be. Said words to be branded upon the outside of the same end of the package on which the marks prescribed by 672B, Section 23B, shall appear, except the grade.

Size and
color of let-
ters and
figures

672D, Section 23D. The marks or brands prescribed by 672A, Section 23A, 672 B, Section 23B, 672C, Section 23C, shall be in black letters and figures, of size not less than 1/2 inch.

Unlawful to
pack, sell,
etc.

672E, Section 23E. It shall be unlawful for any person within the State to pack, sell, distribute, transport, offer or expose for sale, distribution or transportation apples which are adulterated, or misbranded within the meaning of this Act.

When mis-
branded

672F, Section 23F. For the purpose of this Act, apples packed in a closed package shall be deemed to be misbranded, 1st, if the package shall fail to bear all statements required by 672A, Section 23A, 672B, Section 23B, 672C, Section 23C, 2nd, if the package shall be falsely branded, or shall bear any statement, design or device regarding such apples which is false or misleading, or if the package bears any statement, design or device indicating that apples contained therein are Delaware Grades, and said apples when packed or repacked do not conform to the requirements prescribed by 672A, Section 23A, of this Act.

When
adulterated

672G, Section 23G. For the purpose of this Act, apples packed in closed packages shall be deemed to be adulterated if their quality or grade when packed or repacked does not conform to the marks upon the package.

Any viola-
tion a mis-
demeanor

672H, Section 23H. Any person who misbrands or adulterates apples within the meaning of this Act, or who violates any of the provisions of this Act, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished for the first offense by a fine not exceeding twenty-five dollars, and not less than ten dollars. For

Fine, upon
conviction

ESTABLISHMENT OF BOARD, POWERS AND DUTIES.

the second offense, by a fine not exceeding fifty dollars, ^{Fine for second offense} and not less than twenty-five dollars, and for the third and each subsequent offense by a fine not exceeding two hundred ^{Fine for third and each subsequent offense} dollars, and not less than fifty dollars, together in all cases with the cost of prosecution. Whenever any violation is with respect to a lot or shipment consisting of fifty or more closed packages, there may be imposed in addition to the above penalties twenty-five cents for the first offense, ^{Additional fines may be imposed} fifty cents for the second offense, and one dollar for each subsequent offense for each package in excess of fifty, with respect to which such violation is permitted.

672I, Section 23I. No person shall be prosecuted under ^{Exempt from prosecution, when} the provisions of this Act when he can establish a guarantee signed by the person from whom he receives such articles to the effect that the same is not adulterated or misbranded within the meaning of this Act, said guarantee to be valid shall contain the true name and address of the person, or persons, making the sale, and in such case the guarantor shall be liable to the penalties of this Act; nor ^{Guarantor liable; when} shall any common carrier be prosecuted under this Act.

672J, Section 23J. Definitions. The word "person" as ^{Defining the word} used herein shall be construed to include both the singular "person" and plural, individuals, corporations, co-partnerships, companies, societies and associations. The act, omission or failure of any officer, agent, servant or employee acting within the scope of his employment or office, shall be ^{Principal liable for act of employee} deemed the act, omission or failure of the principal. The words "closed package" shall mean a box or barrel, the contents of which cannot be seen or inspected when such ^{Definition of words "closed package"} package is closed. Apples in open head barrels or boxes, covered with burlap or slats that can be readily removed and replaced, are not closed packages within the meaning of this Act. The words "not hand-picked" shall include ^{Meaning of words, "Not hand picked"} wind-falls, drops, and apples shaken or knocked from the tree by any agencies.

672K, Section 23K. No person shall on behalf of any ^{No person to act contrary to this Act} other person pack any fruit for sale, transportation, or distribution, contrary to the provisions of this Act.

ESTABLISHMENT OF BOARD, POWERS AND DUTIES.

Shall not ap-
ply to un-
packed
apples

672L, Section 23L. This Act shall not apply to unpacked apples, actually transported in barrels to storage within this State, until the same are removed from storage for the purpose of marketing, sale, transportation or distribution.

Power to act
invested in
State Board
of Agriculture

672M, Section 23M. The enforcement of this Act shall be vested in the State Board of Agriculture, and its officers, employees, agents and servants are authorized to enter upon the land and premises of any person or persons, firm or firms, corporation or corporations, within this State for the purpose of inspecting packages of apples and securing evidence of the violation of Sections 23A to 23L of this Chapter.

672N, Section 23N. This Act shall take effect June 1st, 1915.

Approved March 12, A. D. 1915.

FARMER'S INSTITUTES AND PENINSULAR HORTICULTURAL
SOCIETY.

CHAPTER 53.

STATE BOARD OF AGRICULTURE.

FARMER'S INSTITUTES AND PENINSULAR HORTICULTURAL
SOCIETY.

AN ACT to Amend Chapter 21 of the Revised Code of the State of Delaware, by increasing the amount of the annual appropriation to the Peninsular Horticultural Society.

Be it enacted by the Senate and House of Representatives of the State of Delaware (three-fourths of all the members elected to each branch thereof concurring therein):

That Chapter 21 of the Revised Code of the State of Delaware, be and the same is hereby amended, by repealing 677, Sec. 28, and inserting in lieu thereof the following section to be styled 677, Sec. 28.

677, Sec. 28. The sum of one thousand dollars annually, is appropriated to the Peninsular Horticultural Society, which shall be paid as prescribed in Section 20 of Chapter 15.

Approved March 12, A. D. 1915.

FARMER'S INSTITUTES AND PENINSULAR HORTICULTURAL
SOCIETY.

CHAPTER 54.

STATE BOARD OF AGRICULTURE.
FARMER'S INSTITUTES AND PENINSULAR HORTICULTURAL
SOCIETY.

An ACT to Amend Chapter 21 of the Revised Code of the State of Delaware by the insertion therein of the following Section to be styled 677A, Section 28A, providing for an annual appropriation of Five Hundred Dollars to the Delaware Corn Growers Association.

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 Branch thereof concurring therein):

677, Sec. 28,
Chap. 21. Re-
vised Code
amended

That Chapter 21 of the Revised Code of the State of Delaware be, and the same is hereby amended by the insertion therein of the following section to be styled 677A, Section 28A:

Appropriation
to
Delaware
Corn Grow-
ers Ass'n

677A, Section 28A. The sum of five hundred dollars annually is appropriated to the Delaware Corn Growers Association which shall be paid as prescribed in Section 20 of Chapter 15.

Approved February 26, A. D. 1915.

STATE LIVE STOCK SANITARY BOARD.

CHAPTER 55.

STATE BOARD OF AGRICULTURE.
STATE LIVE STOCK SANITARY BOARD.

AN ACT to appropriate Fourteen Thousand Seven Hundred Dollars to pay for Live Stock killed during the Epidemic of Hoof and Mouth Disease.

WHEREAS, During the last six months the State of Delaware has been visited by an epidemic known as the Hoof and Mouth Disease; and

WHEREAS, Much live stock has had to be killed under the provisions of Sections 34 to 39 inclusive, of Chapter 21 of the Revised Code; and

WHEREAS, The annual appropriation for defraying the expenses involved in carrying out the provisions of Sections 34 to 39 inclusive of this Chapter is but five thousand dollars; and

WHEREAS, The said sum of five thousand dollars is insufficient to pay the expenses in carrying out the provisions aforesaid; 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 fourteen thousand seven hundred dollars is hereby appropriated, or so much thereof as may be needed, to carry out the provisions of Sections

Appropriation

STATE LIVE STOCK SANITARY BOARD.

To be approved by
the Governor

34 to 39 inclusive, of Chapter 21 of the Revised Code, which shall upon approval in writing by the Governor be paid by the State Treasurer as provided in Section 20 of Chapter 15.

Approved March 9, A. D. 1915.

STATE LIVE STOCK SANITARY BOARD.

CHAPTER 56.

STATE BOARD OF AGRICULTURE.
STATE LIVE STOCK SANITARY BOARD.

AN ACT to Amend Chapter 21 of the Revised Code of the State of Delaware, relative to the State Live Stock Sanitary Board.

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

Section 1. That Chapter 21 of the Revised Code of 690, Sec. 41, the State of Delaware be, and the same is, hereby amended Chap. 21, of the Revised Code by the addition thereto of the following section to be amended styled, 690A, Section 41A:

"690A, Section 41A. For the purpose of defraying extraordinary and emergency expenses involved in carrying out the provisions of the State Live Stock Sanitary Act, the State Live Stock Sanitary Board is authorized to draw their warrant or warrants upon the State Treasury; provided, however, the said warrants are approved by the Governor, the Attorney General, and the State Treasurer; and provided that the amount expended under the provisions hereof in any one year shall not exceed the sum of fifteen thousand dollars, (\$15,000.00)."

In emergency the State Live Stock Sanitary Board is authorized to draw on State Treasury
Provide warrants to be approved; by whom
Limit of amount

Approved March 15, A. D. 1915.

STATE BOARD OF VETERINARY MEDICAL EXAMINERS.

CHAPTER 57.

STATE BOARD OF VETERINARY MEDICAL EXAMINERS.

AN ACT to Amend Chapter 24 of the Revised Code of the State of Delaware, relative to the State Board of Veterinary Examiners.

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

728, Sec. 1,
Chap. 24, of
the Revised
Code
amended

Section 1. That Chapter 24 of the Revised Code of the State of Delaware be, and the same is hereby amended by the repeal of 728, Section 1 and the insertion in lieu thereof of the following to be styled 728, Section 1.

State Board
of Veterinary
Examiners
established

Qualifications

Appoint-
ment

Term of
office

Vacancies

Provision
for full
membership

728, Section 1. A State Board of Examiners, known as the "State Board of Veterinary Examiners," is established, to consist of three members, each of whom shall, at the time of his appointment, have practiced veterinary medicine for at least five years immediately preceding such appointment, shall be a graduate of a reputable veterinary college and shall be of good standing in the veterinary profession. The members of the said Board shall be appointed by the Governor for terms of three years and shall continue in office until their successors are appointed and duly qualified. All vacancies in said Board, however happening, shall be filled by appointment by the Governor, for a full three years' term, beginning with the date of such appointment. On the expiration of the term of any appointees to the said Board, the Governor shall appoint successors to said members whose terms must expire, so that at all times the Board may have a full complement of membership.

Approved March 9, A. D. 1915.

HEALTH BOARDS AND REGULATIONS.

CHAPTER 58.

BOARD OF HEALTH.

HEALTH BOARDS AND REGULATIONS.

AN ACT to Amend Chapter 25 of the Revised Code of the State of Delaware, being an Act relating to the Auditing of the Accounts of the State Board of Health.

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

That Chapter 25 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 741, Section 6 thereof, and by substituting in lieu thereof the following section, to be styled as 741, Section 6:

741, Section 6. The Secretary of the State Board of Health shall annually, on the first Tuesday following the first Monday in the Month of January, present to the Auditor of Accounts all the books of the financial doings of the Board, together with all vouchers for settlement.

Approved March 8, A. D. 1915.

HEALTH BOARDS AND REGULATIONS.

CHAPTER 59.

BOARDS OF HEALTH.

HEALTH BOARDS AND REGULATIONS.

AN ACT to Amend Chapter 25 of the Revised Statutes of the State of Delaware by providing for the Regulation and Inspection of Public Laundries and Public Wash-Houses within the Towns and Cities of the State by the Local Boards of Health of such Towns and Cities.

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

Chap. 25. of
the Revised
Code
amended

That Chapter 25 of the Revised Statutes of the State of Delaware be and the same is hereby amended by the insertion therein of the following Sections:

746A, Sec. 11A.

746B, Sec. 11B.

746C, Sec. 11C.

746D, Sec. 11D.

746E, Sec. 11E.

Local Boards
of Health to
have super-
vision

746A, Sec. 11A. That the Boards of Health of the respective towns and cities of the State of Delaware (where such towns and cities have such Boards of Health) shall supervise all public laundries and public wash-houses within such towns and cities, and shall not permit the employment by any public laundry or public wash-house of

HEALTH BOARDS AND REGULATIONS.

any person suffering with an infectious or contagious disease; nor allow any person to sleep in such public laundry or public wash-house, or in any room adjoining and opening into such public laundry or public wash-house, and every room in such laundry or wash-house that is used for the purpose of washing or drying clothes shall be properly ventilated and drained, and shall be used for no purposes other than those specified. The floors of all rooms in public laundries or public wash-houses, as aforesaid, used for the purpose of washing clothes, shall be made of cement or other mineral substance, and shall be so arranged as to be easily drained.

Floors, of
what made,
and arranged

746B, Sec. 11B. The Board of Health of any town or city within the State shall upon request of any citizen in such town or city inspect any public laundry or public wash-house, and if the same is found in an unsanitary condition shall direct such owner thereof forthwith to make the same in a sanitary condition, and upon failure so to do, the said Board of Health shall cause the place to be closed, and shall post a notice upon the front door thereof, and shall not be reopened until the owner or manager thereof receives a certificate from said Board of Health certifying that the same has been put in a sanitary condition.

Shall inspect

Shall direct
as to sanitary
condi-
tions

Penalty

746C, Sec. 11C. Any person, persons, firm or corporation violating any of the provisions of this Act shall be deemed guilty of a misdemeanor, and shall be fined not less than fifty dollars nor more than one hundred dollars for each offense and every day during which the violation of this Act shall be persisted in, after notice from the Board of Health in any town or city of the State, shall be deemed to constitute a separate offense.

Penalties

746D, Sec. 11D. A public laundry or public wash-house within the meaning of this Act shall be any place within any town or city of the State of Delaware now

Description
of public
laundry

HEALTH BOARDS AND REGULATIONS.

or hereafter required by the laws of the State to be licensed for the conduct of its business or any branch thereof.

Does not
apply to pri-
vate laundry

746E, Sec. 11E. Nothing in Sections 746A, Sec. 11A., 746B, Sec. 11B., 746C, Sec. 11C., 746D, Sec. 11D., of this Chapter shall apply to the laundering or washing of clothes in any private residence or hotel.

Approved April 12, A. D. 1915.

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES.

CHAPTER 60

BOARDS OF HEALTH.

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES.

AN ACT to Amend Chapter 25 of the Revised Code of the State of Delaware, relating to the Return of Marriages to Local Registrars, and the Enforcement of Provisions by Local and State Registrars.

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

Section 1. That Chapter 25 of the Revised Code of the State of Delaware be and the same is hereby amended ^{814, Sec. 79, Chap. 25, of the Revised Code amended} by repealing 814, Section 79 thereof, and inserting in lieu thereof the following section, to be styled 814, Section 79.

814, Section 79. It shall be the duty of any clergyman or minister of religion of any denomination, and of all clerks or keepers of the records of any religious society, ^{All marriages must be reported to the proper officials} and of any other person, by or before whom any marriage or marriages may be solemnized or contracted, to make full and complete return of the same, on blanks furnished by the State Registrar, on or before the tenth day of the month following in which said marriage or marriages are ^{Limit of time for reporting} solemnized or contracted, to the Local Registrar of the District in which said marriage or marriages are solemnized or contracted; a separate form shall be used for each marriage reported; all such certificates shall be filed according to their date.

For each marriage certificate properly and completely made out and registered with the Local Registrar or Local Registrar of the District in which the marriage took place, ^{Remuneration for proper report}

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES.

the maker thereof shall receive the sum of ten cents. The Local Registrar shall certify to the State Registrar the amount thus due each person on the first day of each year.

State Registrar shall pay

The State Registrar shall draw by warrant from the Treasurer of each County the amount due each person for said marriage certificates in each County, and shall immediately on receiving said moneys from said County Treasurer pay said persons as provided in this section, provided that said amount shall tally with the marriage certificate records in the Bureau of Vital Statistics.

Time limit of report of marriage to State Registrar

Every clergyman, minister, clerk or keeper of Records, or other person, before whom marriages may be contracted in this section designated shall, within twenty-four hours after said marriage, report said marriage to the State Registrar on a form supplied by the State Registrar.

Form of report

The form shall contain the following information:

Name of Groom.

Residence of Groom.

Name of Bride.

Residence of Bride.

Date of Marriage.

Place of Marriage.

Name of person or clerk solemnizing marriage.

Penalty

This report shall in no way supplant or relieve any responsibility for filing a certificate of the marriage as provided for in this section—any such person or clerk

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES.

failing to make a report as herein provided shall be liable to the penalties provided in Section 83 of this Chapter.

Section 2. That Chapter 25 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 819, Section 84 thereof, and by inserting in lieu thereof the following section to be styled 819, Section 84.

819, Section 84. The Local Registrars are charged with the strict and thorough enforcement of the provisions of this article in their several districts, under the supervision and direction of the State Registrar. They shall make an immediate report to the State Registrar of any violation of said article coming to their notice by observation or upon complaint of any person, or otherwise. The State Registrar is charged with the thorough and efficient execution of the provisions of said article in every part of the State, and with the supervisory power over Local Registrars, to the end that all of its requirements shall be uniformly complied with. He shall have authority to investigate cases of irregularity or violation of Law, personally or by accredited representative.

All Local Registrars shall aid him, upon request, in such investigation.

For any violation of said article or parts thereof, the State Registrar may bring action against the violator before any Justice of the Peace.

When he shall deem it necessary, he shall report cases of violation of any of the provisions of said article to the Attorney General, with a statement of the facts and circumstances, and when any such case is reported to him

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES.

by the State Registrar, the Attorney General shall forthwith initiate and promptly prosecute necessary proceedings against the parties responsible for the alleged violations of law.

Approved March 12, A. D. 1915.

MEDICAL COUNCIL OF DELAWARE.

CHAPTER 61.

MEDICAL COUNCIL OF DELAWARE.

AN ACT to Amend Chapter 27 of the Revised Code of the State of Delaware by setting forth the Qualifications of Candidates for Certificates to Practice Medicine.

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

That Chapter 27 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 846, Sec. 13, Chap. 27, of the Revised Code amended 846 Section 13 of said Chapter and inserting in lieu thereof the following to be styled 846 Section 13.

846, Section 13. Any person not authorized to practice medicine and surgery in this State, and desiring to enter upon such practice, shall deliver to the Secretary of the Medical Council, upon the payment of a fee of ten dollars, ^{Application for practice of medicine and surgery; to whom} Fee a written application for examination, together with satisfactory proof that the applicant is more than twenty-one years of age; is of good moral character; has obtained a diploma from some reputable literary or scientific college, or a certificate from the faculty of Delaware College, signed by the President and attested by the Secretary thereof, ^{Necessary qualifications of applicant} that he or she is qualified to enter the freshman class of the Latin Scientific Course of the said College; or its equivalent, as may be determined by the Medical Council; and has received a diploma conferring the degree of Doctor of Medicine from some legally incorporated medical college, which in the opinion of the Medical Council, was in good standing at the time of the issuing of the said diploma. Applicants who have received their degree in medicine after

MEDICAL COUNCIL OF DELAWARE.

Applicants
after the
passage of
this Act
Qualifica-
tions

the passage of this Act, must have pursued the study of medicine for at least four years, including four regular courses of lectures of not less than seven months each, in different years, prior to the granting of said degree, in some legally incorporated medical college or colleges, approved by the Medical Council. Such proof shall be made upon affidavit. Upon the making of said payment and proof, the Medical Council shall issue to said applicant an order for examination before such one of the State Board of Medical Examiners as the applicant for certificate may select. In case of failure at any such examination, the candidate, after the expiration of six months and within two years, shall have the privilege of a second examination by the same Board to which application was first made, without the payment of an additional fee, but if after six months and before two years from such examination, said application shall be withdrawn, the said ten dollars (\$10.) shall upon demand be returned. Provided that applicants for license who graduated prior to July 1st, A. D. 1901, and have been in continuous and reputable practice for at least five years since graduation, may be admitted to the examinations of one of said Boards, upon certified and satisfactory evidence of good moral character, of three courses of medical lectures in different calendar years, and of a competent academic education according to the requirements of that time; and provided further, that applicants for license who graduated prior to July 1st, A. D. 1896, and have been in continuous and reputable practice for at least ten years, may be admitted to the examination of one of said Boards upon certified and satisfactory evidence of moral character, of two courses of medical lectures, in different calendar years, and of a competent academic education according to the requirements at that time.

Failure to
pass exami-
nation, privi-
lege of sec-
ond, when

When addi-
tional fee

Proviso, for
applicants
who gradu-
ated prior to
certain date

Further
proviso, for
certain
applicants

Approved March 15, A. D. 1915.

STATE BOARD OF PHARMACY.

CHAPTER 62.

STATE BOARD OF PHARMACY.

AN ACT to Amend Chapter 28 of the Revised Code of the State of Delaware by increasing the Membership Fee that the State Board of Pharmacy shall pay as a Member of the National Association of Boards of Pharmacy.

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

That Chapter 28 of the Revised Code of the State of Delaware be and the same is hereby amended by Repealing 861, Sec. 6 thereof and inserting in lieu thereof the following section to be styled 861, Sec. 6.

861, Section 6. It shall be within the power of the Delaware Board of Pharmacy to enter into reciprocal relations with the Boards of Pharmacy of such other States as do likewise, and whose requirements are satisfactory as regards the awards and interchanging of certificates for registration of registered pharmacists; applicants for registration under this clause shall produce satisfactory documents bearing upon their previous examinations from the Secretary of said Board and shall pay the Secretary of the Delaware Board of Pharmacists the registration fee required by this Chapter; applicants, in addition, shall furnish satisfactory evidence as to their morality, sobriety and close observance of the more important laws touching the life of a Pharmacist.

861, Sec. 6,
Chap. 28, of
the Revised
Code

amended

Powers of
the Delaware
Board of
Pharmacy

Applicants
shall pro-
duce satis-
factory evi-
dence

shall pay
registration
fee

STATE BOARD OF PHARMACY.

State Board
to be mem-
ber of Na-
tional Board

The State Board of Pharmacy is authorized to become a member of the National Association of Boards of Pharmacy and to pay out of any money coming into its hands the sum of fifteen dollars annually as a membership fee to the said National Association.

Approved February 26, A. D. 1915.

STATE BOARD OF DENTAL EXAMINERS.

CHAPTER 63.

STATE BOARD OF DENTAL EXAMINERS.

AN ACT to Amend Chapter 30 of the Revised Code of the State of Delaware, relative to the State Board of Dental Examiners.

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

Section 1. That 884, Section of Chapter 30 of the Revised Code of the State of Delaware be, and the same is hereby amended by the addition thereto of the following section to be styled 884a, Section 1a.

884, Sec. 1,
Chap. 30, of
the Revised
Code
amended

884a, Section 1a. That the members of the State Board of Dental Examiners shall receive a compensation of five dollars per diem when in actual attendance at special or regular meetings of the said Board, provided however, the said compensation is derived from the fees collected by said Board under the provisions of Section 2, Chapter 30.

Per diem and
compensation

Proviso

Approved March 13, A. D. 1915.

THE LIBRARY COMMISSION FOR THE STATE OF DELAWARE.

CHAPTER 64.

THE LIBRARY COMMISSION FOR THE STATE OF DELAWARE.

AN ACT to Amend Chapter 34 of the Revised Code of the State of Delaware by increasing the amount of money that "The Library Commission for the State of Delaware" is authorized to expend.

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

934, Sec. 2,
Chap. 34, Re-
vised Code
amended

Section 1. That Chapter 34 of the Revised Code of the State of Delaware, be, and the same is hereby amended by repealing 934 Section 2 thereof and inserting in lieu thereof the following section to be styled 934 Section 2.

Commission
to organize

"934, Section 2. The said Commission shall organize by the selecting from its members of a President and such other officers as are or may be deemed advisable; provided, that the State Librarian, shall, by virtue of his office, be the Secretary of said Commission, but shall have no vote or voice in the acts and proceedings of said Commission.

State Librarian to be
secretary

No member
to receive
any salary

No member shall receive any salary or compensation for his services as such Commissioner.

Commission
authorized
to expend

The Commission is authorized and empowered to expend such sum or sums as it shall deem proper and necessary for effectuating the objects of this Chapter, provided said sums shall not in the aggregate in any one year exceed the sum of three thousand dollars exclusive of the expenses actually incurred by the members in attending to the work of the Commission, and of sums expended for necessary printing, postage, stationery and office expenses. The said sum of three thousand dollars, together with the

THE LIBRARY COMMISSION FOR THE STATE OF DELAWARE.

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."

Limit three thousand dollars annually, exclusive of expenses

All expenses to be paid by State Treasurer

Approved February 24, A. D. 1915.

BOARD OF PILOT COMMISSIONERS.

CHAPTER 65.

BOARD OF PILOT COMMISSIONERS.

AN ACT to Amend Chapter 35 of the Revised Code of the State of Delaware, relating to the Board of Pilot Commissioners.

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

958, Sec. 6
and 971, Sec.
19, Chap. 35,
amended

That Chapter 35 of the Revised Code of the State of Delaware be, and the same is hereby amended by the repeal of 958, Section 6, and 971, Section 19, and the insertion in lieu thereof of the following, which shall be styled as 958, Section 6 and 971, Section 19, respectively.

Words in-
serted in
lieu of

958, Section 6. That the pilot who shall first offer himself to any inward-bound ships or vessels shall be entitled to take charge thereof; Provided, his license shall authorize him to pilot ships or vessels of such draught of water, and it shall be the duty of such pilot, if required, to exhibit his license to the master or commander of such ship or vessel, and in case the draught of water of such ships or vessels shall be greater than such pilot shall be licensed to carry, he may, nevertheless, with the consent of the master, take charge of such ship or vessel until a pilot duly qualified shall offer, and if such qualified pilot shall offer before such ship or vessel shall have passed Brandywine Shoals, bearing east, he shall be received, and the former pilot entitled to pilotage according to the distance he may have conducted such ship or vessel, and the latter to the residue of the pilotage which shall be ascertained by the President of the Board of Pilot Commissioners for the time being. No vessel employed in and licensed for the coasting trade shall be obliged to receive a pilot or be subjected to the payment of pilotage in case of refusal to receive such

Division
of fees

BOARD OF PILOT COMMISSIONERS.

pilot, except ships or vessels bound to the States, Territories or possessions of the United States on the Pacific Ocean, but a coastwise vessel voluntarily taking a pilot, shall pay him the same fees for pilotage as prescribed in the case of a vessel bound to or from a foreign port. Any pilot bringing in any inward-bound ship or vessel shall, by himself or one of his boat's company, be entitled to pilot said ship or vessel to sea when she next leaves the port; and if the master of such ship or vessel shall refuse or neglect to take such pilot, the master, owner or consignee of such ship or vessel shall forfeit and pay to such pilot, suing for the same, a sum equal to the pilotage of such ship or vessel, to be recovered by a suit in our State Courts, or before a Justice of the Peace; or such pilot may pursue his remedy therefor by a libel in admiralty in any United States Court, either in *personam* or by *proceed* in rem*, to enforce the lien hereby given him on such ship or vessel.

Coastwise vessels not obliged to take pilot
Exceptions
Pilotage of inward and outward bound vessels
How recovered

971, Section 19. The rates of pilotage for conducting a vessel from the Capes of the Delaware to the City of Philadelphia or other place on the River Delaware, and from the City of Philadelphia or other place on the River Delaware, to the Capes of the Delaware, in either case shall be for every half foot of water which a vessel shall draw under up to and including twelve feet, the sum of two dollars per half foot and for every vessel drawing over twelve feet, the sum of two dollars and seventy-five cents per half foot of water. A deduction of ten per centum from the said rates shall be made when an inward-bound vessel is first spoken by the pilot inside of a straight line drawn from Cape Henlopen Light to Cape May Light. Every such vessel bound to the Breakwater for orders shall pay pilotage fees as follows: a sum equal to one-half of the inward rates of pilotage to the Port of Philadelphia, and the same fees when outward bound from the Breakwater.

Rate of pilotage
A deduction; when
One-half rates; when

Approved February 3, A. D. 1915.

*proceeding

DELAWARE CHILD LABOR COMMISSION.

CHAPTER 66.

DELAWARE CHILD LABOR COMMISSION.

AN ACT to Amend Chapter 38 of the Revised Code of the State of Delaware by repealing said Chapter, and inserting in lieu thereof a new chapter, providing for the Creation of a Commission to be termed Labor Commission of Delaware, and defining its Duties and Powers.

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

Chap. 38, Re-
vised Code
repealed

Section 1. That Chapter 38 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 987, Section 1 to 992, Section 6 thereof, being all of said Chapter, and inserting in lieu thereof the following, to be styled Chapter 38.

CHAPTER 38.

Child Labor
Commission
abolished

987, Section 1. That from and after the approval of this Act the Delaware Child Labor Commission shall be abolished and the terms of office, rights, powers and duties of the members of the said Delaware Child Labor Commission are hereby and shall be abolished, ended and terminated. A Commission is hereby created and established with the powers and duties hereinafter provided, which shall be known as the "Labor Commission of Delaware." The said Commission shall consist of five members, one of whom shall be appointed from among the bona fide residents of New Castle County, one from among the bona fide residents of Kent County, and one from among the bona fide residents of Sussex County; the remaining two shall be appointed at large from among the bona fide

Labor Com-
mission
created

Commission
to consist of
five members

Locality to
be appointed
from

DELAWARE CHILD LABOR COMMISSION.

residents of the State of Delaware. On or before the first day of April, A. D. 1915, the Governor shall appoint the members of the said Labor Commission of Delaware ^{Date to be appointed} provided herein, as follows:

One member for a term of one year, one member for a term of two years, one member for a term of three years, one member for a term of four years and one member for a term of five years. ^{Terms of members}

The term of office, after the first appointments made hereunder shall be for five years, and annually, on or before the first day of April, the Governor shall appoint a suitable person to fill the vacancy caused by the expiration of the term of office.

In case of vacancy caused by death, resignation, refusal to serve, or otherwise, the Governor shall make appointments to fill such vacancy or vacancies for the balance of the unexpired term. ^{Governor to fill vacancy}

988, Section 2. 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. ^{Salary of Secretary}

989, Section 3. The Commission shall have power and authority by a majority vote of the whole Commission to make all appointments of officials or employees which may be made under any law relating to the condition, regulation or inspection of labor of minor children, or the condition, regulation or inspection of labor of females in the State of Delaware. The officers or employees so appointed shall make quarterly reports to the Commission. When in ^{Commission to select officials or employees}

DELAWARE CHILD LABOR COMMISSION.

Commission
power to re-
move officials
or employees

Official shall
have privi-
lege of pub-
lic hearing

the opinion of the majority of the whole Commission, any official or employee appointed or engaged by the Commission shall not perform his or her duty in a satisfactory and efficient manner, the Commission shall have the power to remove the said official or employee and to appoint a new official or employee in his or her stead. Provided, however, that no official shall be removed from office until such official shall have had a fair and impartial public hearing, and shall have been furnished with a copy of the charges and specifications of complaints upon which the action of the Commission shall have been based, if such charges and specifications be requested.

Commission
to make an-
nual report
to Governor

990, Section 4. 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 the State in the office of the Secretary of State.

Annual ap-
propriation

991, Section 5. To defray the expenses of the said Commission and its officers and employees the sum of one thousand dollars is hereby appropriated annually out of the money in the State Treasury not otherwise appropriated, and the State Treasurer is authorized from time to time to pay said expenses out of the said appropriation upon the requisitions of the Chairman of said Commission.

To formulate
and print
certificates
and other
papers

992, Section 6. The Labor Commission of Delaware shall formulate and have printed certificates and papers required in the issuing of employment certificates and the abstracts of the law relating to the hours of child labor and the conditions and hours of females in this State.

Power to fill
vacancies in
office of
Inspector

The said Commission shall have the power to appoint and fill vacancies in the office of the State Child Labor Inspector, as provided by Section 91 of Chapter 30, of said

DELAWARE CHILD LABOR COMMISSION.

Revised Code of the State of Delaware, and to appoint and fill vacancies in the office of the Inspector as provided by Section 39 of the said Chapter 90 of the Revised Code of the State of Delaware.

Approved February 19, A. D. 1915.

PUBLIC LANDS COMMISSION.

CHAPTER 67.

PUBLIC LANDS COMMISSION.

AN ACT to Amend Chapter 39 of the Revised Statutes, by appropriating Five Hundred Dollars to the Public Lands Commission.

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

1000, Sec. 8,
Chap. 39, of
the Revised
Code
amended

Section 1. That Chapter 39 of the Revised Statutes be, and the same is, hereby amended by adding thereto a new section to be styled 1000A, Section 8A, as follows:

Extra ap-
propriation

"1000A, Section 8A. For the payment of the lawful and proper expenses of said Commissioners and other expenses of said Commission over and above the amount appropriated under 1000, Section 8 of the Revised Statutes, there is appropriated the further sum of five hundred dollars.

Orders to
be paid by
State Treas-
urer when
properly
signed and
approved

The State Treasurer is 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, in accordance with the provisions of Section 20 of Chapter Fifteen."

Approved March 16, A. D. 1915.

PORTRAIT COMMISSION.

CHAPTER 68.

PORTRAIT COMMISSION.

AN ACT to Amend Chapter 40 of the Revised Code of the State of Delaware, and the section to be styled 1002, Section 1, and to be as follows:

1002, Section 1. A Commission, consisting of the Governor of the State, George W. Marshall and Chauncey P. Holcomb, is created to obtain, by gift, portraits of the Signers of the Declaration of Independence from Delaware, United States Senators, Congressmen, Judges of the Courts, Cabinet Officers appointed from this State, Naval and Army Officers, and Colonial and United States Officials.

Portrait
Commission

The Governor of the State, ex-officio, shall be a member of said Commission. The other members of said Commission shall hold office during the pleasure of the Governor.

The Governor shall have power to fill all vacancies in said Commission.

Power to fill
vacancies

Approved March 8, A. D. 1915.

BOARD OF SUPERVISORS OF STATE AND COUNTY INSTITUTIONS
IN NEW CASTLE COUNTY.

CHAPTER 69.

BOARD OF SUPERVISORS OF STATE AND COUNTY INSTITUTIONS
IN NEW CASTLE COUNTY.

AN ACT to Amend Chapter 41 of the Revised Code of the State of Delaware by repealing all of said Chapter and inserting in lieu thereof a new Chapter, creating a Board of Supervisors of State Institutions and defining its powers and duties.

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

Chap. 41. of
the Revised
Code
amended

Section 1. That Chapter 41 of the Revised Code of the State of Delaware, be, and the same is hereby amended by repealing all of said Chapter and inserting in lieu thereof a new Chapter containing the following Sections to be styled 1003 Section 1, 1004 Section 2, 1005 Section 3, 1005 A. Section 3A., 1005 B. Section 3B., 1005 C. Section 3 C.

Board of Su-
pervisors of
State
Institutions

1003 Section 1. There is hereby created a Board of Supervisors of State Institutions to consist of two members with the Governor of the State of Delaware as a third member ex-officio.

Governor to
appoint

1004 Section 2. The Governor of the State of Delaware is authorized and directed on or before the first day of May, A. D. 1915, to appoint two suitable persons, residents of the State of Delaware, as members of the Board of Supervisors of State Institutions, who shall serve for a term of four years, unless sooner removed by the Governor.

Term of
office

Duties of the
Supervisors

1005 Section 3. The duties of the said Supervisors shall be to visit all State and other Institutions within the State of Delaware to which the State in any manner appropriates money. The said Board shall have the right to investigate all matters relating to the conduct of such Institutions and

Powers of
the Board

BOARD OF SUPERVISORS OF STATE AND COUNTY INSTITUTIONS
IN NEW CASTLE COUNTY.

make any suggestions or changes in the control or operation of the said Institutions, as they may deem proper and necessary.

In the case of the investigation of any State Institution wherein persons are restrained of their liberty, the said Board upon their visits, as hereinafter provided, shall make known to the inmates thereof the fact that they are the Board of Supervisors of State Institutions. Any complaints or charges as to cruel, barbarous or unfair treatment which any inmate may make to any such member shall be fully investigated and it shall be the duty of the said Board, and the said Board is directed to consider any such complaint or charge weighing well the statement of the inmate making the same and hearing his, or her, statement in private as well as the statements of those against whom such charges or complaints may be so made, and if in the judgment of said Board it shall deem that such complaint or charges are well founded, it shall then be the duty of said Board to prepare and prefer charges against the Superintendent, Manager, or Warden, or such other person, or persons, having such inmate under his, or their, control, which said charges shall be brought before the Board of Trustees, or Managers, of such Institution; if such charges or complaints be sustained the person, or persons, against whom the same are instituted shall be forthwith dismissed.

complaints shall be fully investigated by the Board

Shall prefer charges; when; before whom

1005 A. Section 3A. It shall be the duty of the said Board to visit each of the aforesaid Institutions at least once in every three months.

Duty to visit each Institution; how often

1005 B. Section 3B. The said Board shall examine carefully into the financial arrangement of the Institutions aforesaid and with particularity into the purchasing of supplies for said Institutions and into the disposition of the funds received from the State. It shall make recommendations to the Boards of Trustees or Managers of such Institutions, as the case may be, and if such recommendations

Duty to investigate the financial management

Shall make recommendations

BOARD OF SUPERVISORS OF STATE AND COUNTY INSTITUTIONS
IN NEW CASTLE COUNTY.

tions as the Board may make are not complied with shall make that a part of their report as hereinafter provided for.

Board shall
make report
at request of
the Governor

1005 C. Section 3C. The said Board shall at any time upon request of the Governor submit to him a written statement of their findings in respect to their duties as aforesaid. The said Board shall on or before the first

Shall make
biennial
statement to
the Governor

Tuesday in January of every year in which the Legislature is to meet, make a full and detailed statement of their findings, investigations and recommendations and submit the same to the Governor of the State of Delaware, who shall transmit it to the General Assembly as other reports are now submitted.

Appropriation for
expenses

1005 D. Section 3D. The said Board shall receive no compensation for their duties, but shall be allowed the sum of one hundred dollars per annum to defray the necessary expenses of said Board in the performance of its duties, which sum shall be drawn upon by vouchers in the same manner as other contingent funds in this State are drawn from.

Approved March 16, A. D. 1915.

NOTARIES PUBLIC AND COMMISSIONERS OF DEEDS.

CHAPTER 70.

NOTARIES PUBLIC AND COMMISSIONERS OF DEEDS.

AN ACT to Amend Chapter 42 of the Revised Code of the State of Delaware, providing for the appointment of Notaries Public.

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

That Chapter 42 of the Revised Code of the State of Delaware be, and the same is hereby amended by the repeal of 1006, Section 1, and the insertion in lieu thereof, of the following, which shall be styled as 1006, Section 1.

1006, Section 1. The Governor is authorized and directed to appoint every person who shall be appointed by him to the office of Justice of the Peace in this State and Collector of State Revenue, also a Notary Public, provided that the said Collector of State Revenue shall only act as a Notary in connection with work performed in carrying out the duties of his office, provided further, however, that the term of office of any person appointed a Notary Public under the provisions of this Section, whose appointment as a Justice of the Peace or Collector of State Revenue shall not be confirmed by the Senate or who shall fail to qualify, resigns or be removed from said office of Justice of the Peace or Collector of State Revenue, shall terminate at the same time his term of office as Justice of the Peace or Collector of State Revenue terminates.

Justice of the Peace and Collector of State Revenue shall also be Notary Public
Provide

When the office of Justice of the Peace and Collector of State Revenue terminates office of Notary

In addition to the Notaries Public authorized to be appointed by the first paragraph of this Section, the Governor is authorized and directed to appoint one Notary Public for each Trust Company, Bank, or Banking Association

Certain corporations to have Notaries

NOTARIES PUBLIC AND COMMISSIONERS OF DEEDS.

or branch or branches thereof in this State, whether State or National, now or hereafter to be chartered or organized under the laws of this State or of the United States, provided however, that the privileges and duties of the Notaries Public who may be appointed for the several Trust Companies, Banks or Banking Associations or branch or branches thereof within this State, whether State or National, shall be confined to the business of their respective Trust Companies, Banks or Banking Associations or branch or branches thereof; so far as acknowledgements are concerned, this provision shall be construed to include the execution of any instrument to which said respective trust companies, banks or banking associations, or branch or branches thereof are parties.

Proviso

Execution of
certain
papers by

Other No-
taries for
each County

In addition to the Notaries Public hereinbefore authorized to be appointed there may be appointed in New Castle County ninety Notaries Public; in Kent County, ten Notaries Public; in Sussex County, twenty Notaries Public.

1008, Sec. 3,
Chap. 42, of
the Revised
Code
amended

That Chapter 42 of the Revised Code of the State of Delaware be, and the same is hereby amended by the repeal of 1008, Section 3, and the insertion in lieu thereof of the following, which shall be styled as 1008, Section 3.

Term of
office

Proviso

1008, Section 3. Notaries Public shall be commissioned for the term of two years, provided however that anyone who is a Notary Public by virtue of holding the office of Justice of the Peace or Collector of State Revenue shall hold the office of Notary Public in accordance with the provisions of Section 1, Chapter 42 of the Revised Code of the State of Delaware.

1011, Sec. 6,
Chap. 42, of
the Revised
Code
amended

That Chapter 42 of the Revised Code of the State of Delaware be, and the same is hereby amended by the repeal of 1011, Section 6, and the insertion in lieu thereof of the following, which shall be styled as 1011, Section 6.

Shall sub-
scribe to the
Constitution

1011, Section 6. The said Notaries and Commissioners shall severally take and subscribe the oath or affirmation

NOTARIES PUBLIC AND COMMISSIONERS OF DEEDS.

prescribed by Article XIV, of the Constitution. Notaries shall each pay to the Secretary of State for the use of the State a fee of ten dollars and Commissioners a fee of ten dollars. ^{Fee for the Commission}

Their fees shall be:

Notary fees

For taking and certifying the acknowledgement of a deed	\$.50
Taking and certifying an affidavit25
Taking depositions, a reasonable sum, to be taxed by the Court from which the commission issued.	

The above shall be the minimum fees to be charged by any Notary Public or Commissioner of Deeds, and upon violation of this provision the Governor is authorized to revoke the commission of such Notary or Commissioner and such Notary or Commissioner shall not be re-appointed within a period of two years. ^{Penalty}

The provisions of this amendment shall not extend to any Notary or Commissioner who was commissioned prior to March 1, 1915.

Approved February 24, A. D. 1915.

JOINT COMMITTEE FOR AUDITING ACCOUNTS OF STATE
OFFICERS.

CHAPTER 71.

JOINT COMMITTEE FOR AUDITING ACCOUNTS OF STATE
OFFICERS.

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 of Representatives to settle with certain State Officers and Institutions at a Meeting to be held on the Third Tuesday of January, 1916, 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:

Joint Com-
mittee to be
appointed

Section 1. That a Joint Committee of five to 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 Pro Tempore of the Senate and the Speaker of the House of Representatives. Said Committee shall meet at Dover on the third Tuesday of January, 1916.

Committee
shall meet;
when;
where

Duty of
Committee

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 Oyster Revenue Collector, the State Board of Agriculture, the State Board of Health, the Board of Trustees of the Delaware State Hospital at Farnhurst, the Board of Game and Fish Commissioners, the Board of Trustees of Dela-

JOINT COMMITTEE FOR AUDITING ACCOUNTS OF STATE
OFFICERS.

ware College at Newark 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 accounts of the Secretary of State for State Taxes and other moneys received by him for the State and the accounts of any other State Officers or Institutions.

Sections 3. That it shall be the duty of said committee ^{Further duty of the 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 at least five times during the month succeeding the time of effecting said settlement.

Section 4. That said Comittee be and is hereby ^{May employ experts} authorized to employ expert assistance in making said settlements.

Section 5. That the said Committee shall receive the ^{Compensation: how paid} 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 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 ^{Limit to amount} the sum of one thousand dollars.

Section 6. That the sum of one thousand dollars is ^{Amount appropriated} hereby expressly appropriated to said Committee to be used by it in defraying the expenses of the session of said

JOINT COMMITTEE FOR AUDITING ACCOUNTS OF STATE
OFFICERS.

Committee and the State Treasurer is hereby directed to pay said sum of money, upon warrant of the Chairman of said Comimittee, out of any money in the Treasury not heretofore appropriated to any other purpose.

Approved March 8, A. D. 1915.

PANAMA-PACIFIC INTERNATIONAL EXPOSITION.

CHAPTER 72.

PANAMA-PACIFIC INTERNATIONAL EXPOSITION.

AN ACT to Repeal Chapter 34, Volume 27, Laws of Delaware, entitled "An Act to provide for the State of Delaware to be represented at the Panama-Pacific International Exposition and to make an appropriation therefor," and providing for the reversion of the appropriation to the General Fund.

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

Section 1. That Chapter 34, Volume 27, Laws of Delaware, entitled "An Act to provide for the State of Delaware to be represented at the Panama-Pacific International Exposition and make an appropriation therefor" be, and the same is hereby repealed. Chap. 34, Vol. 27, repealed

Section 2. That any part of the appropriation provided for in said Act which has not been expended shall revert Balance to revert to the general fund of the State.

Approved February 26, A. D. 1915.

TITLE SEVEN

County Government

CHAPTER 73.

LEVY COURT OF NEW CASTLE COUNTY.

AN ACT authorizing and empowering the Levy Court of New Castle County to borrow certain sums of money upon the Certificates of Indebtedness of said County.

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

Levy Court of New Cas- tle County authorized to borrow	Section 1. That the Levy Court of New Castle County be, and it is hereby authorized and empowered to borrow, upon the faith and credit of said County, at any time after the approval of this Act, and in addition to the sums now by law authorized to be borrowed, the sum of sixty-three thousand, six hundred seven dollars and fifty cents (\$63,607.50) upon the Certificates of Indebtedness of said County, for the purpose of paying and discharging the following interest charges upon the floating indebtedness and bonded indebtedness of said County:
Amount	
For what purpose to be used	

Floating
debt, No. 3

To pay and discharge the interest accruing on the floating debt #3 of said County, for the sum of \$100,000.00, at 4%, due June 1, A. D. 1915

\$2,000.00

LEVY COURT OF NEW CASTLE COUNTY.

To pay and discharge the interest accruing on the Highway Improvement bond issue #1, for the sum of \$300,000.00, at 4½%, due June 1, A. D. 1915.....	Highway Improvement bond issue, No. 1	\$6,750.00
To pay and discharge the interest accruing on the bonded indebtedness of said County, being the second series, for the sum of \$300,000.00, at 4%, due July 1, A. D. 1915	County bonded debt, second series	6,000.00
To pay and discharge the interest accruing on the bonded indebtedness of said County, being the third series, for the sum of \$200,000.00, at 4%, due July 1, A. D. 1915..	County bonded debt, third series	4,000.00
To pay and discharge the interest accruing on the bonded indebtedness of said County, being the fourth series, for the sum of \$200,000.00, at 4½%, due July 1, A. D. 1915.	County bonded debt, fourth series	4,500.00
To pay and discharge the interest due on the Court House loan of said County for the sum of \$59,000.00, at 3½%, due July 1, A. D. 1915	Court House loan	1,032.50
To pay and discharge the interest due on the bonded indebtedness of said County, for the Seventh Street Bridge, for the sum of \$10,000.00, at 4%, due July 1, A. D. 1915....	Seventh Street Bridge bond issue	200.00
To pay and discharge the interest accruing on the bonded indebtedness of said County, for the Third Street Bridge, for the sum of \$250,000.00 at 4½%, due July 1, 1915.....	Third Street Bridge bond issue	5,625.00

LEVY COURT OF NEW CASTLE COUNTY.

City and
County
building
bond issue

To pay and discharge the interest accruing on the bonded indebtedness of said County for the City and County Building, for the sum of \$600,000.00, at $4\frac{1}{2}\%$, due July 1, A. D. 1915

\$13,500.00

Balance of
floating debt.
No. 3

To pay, discharge and redeem two bonds of \$10,000.00 each (balance of floating debt #3, \$150,000.00) due July 1, A. D. 1915.....

20,000.00

\$63,607.50

Levy Court
to issue cer-
tificates of
indebtedness

The said Certificates of Indebtedness, hereinbefore authorized, may be in such denominations, bear such date, have such form and bear such rate of interest, not to exceed five per centum, as the said Levy Court may deem expedient, and they shall mature and become payable at such time or times on or before the fifteenth day of October, A. D. 1915, as the said Levy Court may determine.

When shall
mature

Moneys shall
be applied

The moneys arising from the negotiation and sale of said Certificates of Indebtedness shall be applied to the payment of the interest charges upon the several debts of New Castle County hereinbefore enumerated and for no other purpose.

Approved March 16, A. D. 1915.

LEVY COURT OF NEW CASTLE COUNTY.

CHAPTER 74.

LEVY COURT OF NEW CASTLE COUNTY.

AN ACT authorizing the Levy Court of New Castle County to sell certain Real Estate situate in said 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 New Castle County is hereby authorized, if it shall deem it advisable, to sell the house and lot of land belonging to said County, situate near Fennimore's Bridge on the road leading from Port Penn to Odessa, in Appoquinimink Hundred, New Castle County, and bounded and described as follows, to wit: Beginning at a point on the easterly side of said road in the line of land of William T. Elliott; thence easterly along said land of said Elliott fifty feet more or less to a corner in said line of land of said Elliott; thence northerly along said land of said Elliott two hundred feet more or less to another corner in said line of land of said Elliott; thence westerly and along said land of said Elliott forty feet more or less to the said easterly side of said road; thence thereby southerly two hundred feet more or less to the place of beginning, for such sum as it may be able to obtain, and which it may deem advisable to accept.

Section 2. A deed of the Levy Court Commissioners of New Castle County, upon resolution of said Levy Court Commissioners, executed and acknowledged by its President, and attested by the Clerk of the Peace of New Castle County, shall pass title to said house and lot of land.

Approved March 12, A. D. 1915.

LEVY COURT OF NEW CASTLE COUNTY.

CHAPTER 75.

LEVY COURT OF NEW CASTLE COUNTY.

AN ACT to authorize the Levy Court of New Castle County to Convey the Title of Certain Lots of Land.

Preamble

WHEREAS, The Levy Court of New Castle County has leased to "The Mayor and Council of Wilmington" all that certain lot of land bounded by Church, Fourth, Bridge and Third Streets, and the land from the southeasterly corner thereof to a line that will be parallel with the northwesterly side of the abutment of the bridge and distant twenty feet northwesterly therefrom, and including also such parts of the bed of Third Street and Bridge Street as may come into the ownership of the County, if Third Street east of Church Street and Bridge Street south of Fourth Street shall be vacated, subject to a right on the part of the County to build and maintain roadway approaches to the bridge now in course of construction.

Preamble

AND WHEREAS, It is desirous that the fee to the said land shall be vested in "The Mayor and Council of Wilmington."

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

Levy Court
of New Cas-
tle County
authorized to
sell certain
land

Section 1. That the Levy Court of New Castle County is hereby authorized and empowered to sell any part of the above mentioned and described lands that are not necessary to be used as approaches to said bridge to "The Mayor and

LEVY COURT OF NEW CASTLE COUNTY.

Council of Wilmington" and the Levy Court of New Castle County under the hands of its members is hereby authorized and directed to execute to "The Mayor and Council of Wilmington" a good and sufficient deed or deeds conveying the whole title of the State of Delaware for the use of New Castle County in said lands whenever so directed by a resolution of the Levy Court of New Castle County. ^{To whom sold} ^{Deed}

Approved March 12, A. D. 1915.

LEVY COURT OF SUSSEX COUNTY.

CHAPTER 76.

LEVY COURT OF SUSSEX COUNTY.

AN ACT to Amend Chapter 43 of the Revised Statutes relating to the Levy Court of Sussex County, by Reorganizing said Levy Court, defining its powers and duties with respect to the management and control of the affairs of said County, and the construction and maintenance of the Roads and Bridges therein, and to repeal certain Sections of said Revised Statutes relating to said Levy Court.

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

1045, Sec. 33,
Chap. 43, of
the Revised
Code
amended

Section 1. That Chapter 43, of the Revised Statutes be, and the same is, hereby amended by striking out 1045, Sec. 33, and by inserting in lieu thereof the following:

Abolishment
of the pres-
ent Levy
Court

"1045. Sec. 33. That from and after the first Tuesday in January, A. D. 1917, the Levy Court of Sussex County, as it is now organized and constituted, be and the same shall be abolished, and the office of Levy Court Commissioner, and the terms, duties, powers and authorities, appertaining thereto, are hereby declared to be abolished, ended and terminated on and after the said first Tuesday in January, A. D. 1917.

Date of
abolishment

Levy Court
shall consist
of three
members af-
ter certain
date

That from and after the first Tuesday in January, A. D. 1917, the Levy Court of Sussex County shall be composed of three members to be chosen at large in the manner hereinafter provided."

1046, Sec. 34,
Chap. 43, of
the Revised
Code be
amended

Section 2. That said Chapter 43 be, and the same is, hereby further amended by striking out 1046, Sec. 34 of said Chapter, and by inserting in lieu thereof the following:

LEVY COURT OF SUSSEX COUNTY.

"1046. Sec. 34. That at the General Election to be held in the year, A. D. 1916, there shall be elected by the qualified voters of Sussex County three suitable persons, residents of said County, and qualified to vote at General Elections in said County, who shall compose the Levy Court of Sussex County. At said election one person shall be elected for two years, one for four years and one for six years, and at the General Election to be held every two years after the year 1916, there shall be elected one or more persons, possessing the qualifications as aforesaid, to fill the vacancies caused by the expiration of the terms of office, or otherwise. The persons elected under the provisions hereof shall be styled, Levy Court Commissioners of Sussex County, and the term of office, after the first election held as aforesaid, shall be for six years commencing on the first Tuesday of January next succeeding the election."

Levy Court of three members to be elected; when

Terms of office of first election

Title of office

Term of office

Section 3. That said Chapter 43 be further amended by striking out 1047, Sec. 35, of said Chapter, and by inserting in lieu thereof the following:

1047, Sec. 35, Chap. 43, amended

"1047. Sec. 35. The Levy Court of Sussex County, composed of the Commissioners aforesaid, shall meet for organization biennially on the first Tuesday in January next after the General Election, and, after the qualification of any members elected at said General Election by taking the Constitutional oath of office, shall proceed to elect one of their number Presiding Officer. Two of said Commissioners shall constitute a quorum for the purpose of organization and for the transaction of business, except as hereinafter provided. The Commissioners shall have power to make rules for their government not inconsistent with the Constitution, and the Laws of the State. They shall meet at the Court House in Georgetown, on Tuesday of each week throughout the year except in case that any Tuesday be a legal holiday."

Date of meeting for organization

Quorum

Power to make rules

Shall meet where; when

The Levy Court may adjourn from time to time, as occasion shall require; one Commissioner, if no more, attend

LEVY COURT OF SUSSEX COUNTY.

Adjourn-
ments on any day of meeting, or if none attend, the Clerk of the Peace shall have power to adjourn the said Court. Special meetings may be held at the direction of the Presiding Officer, or any two members, and the Clerk of the Peace shall cause the members to be notified thereof. Special meetings shall be held at the usual place of meeting, and at such meetings any lawful business may be transacted.

Special
meetings

Who shall be
clerk of
Levy Court The Clerk of the Peace shall be the Clerk of the Levy Court and shall have the custody of all books, records and papers.

Oath of of-
fice to be
taken The oath or affirmation of office, to be taken by the Commissioners, may be administered by the Clerk of the Peace, or by any qualified member of the Levy Court, and an entry thereof shall be made in the minutes of the Levy Court."

1048, Sec. 36,
Chap. 43, of
the Revised
Code
amended Section 4. That said Chapter be further amended by striking out 1048, Sec. 36 of said Chapter, and by inserting in lieu thereof the following:

Governor
shall fill
vacancies "1048. Sec. 36. In case of the death, resignation, or other disability or ineligibility of any of the members of the Levy Court, it shall be the duty of the Governor to appoint some suitable person, having the required qualifications, to fill the vacancy so created, pursuant to the provisions of the Constitution in that behalf.

Levy Court
shall direct
finances The Levy Court of Sussex County shall, except as otherwise specified, have the direction, management and control of the business and finances of Sussex County.

To have care
of and over-
sight over
the affairs
of the
County It shall be the duty of said Court to take care that the affairs of the County be administered with efficiency and economy, and that the officers and employees of the County chosen and appointed by the Levy Court, shall faithfully perform the duties imposed upon them; and to this end,

LEVY COURT OF SUSSEX COUNTY.

and for the proper oversight and management of the public business, the Levy Court is hereby empowered to summon and to compel the attendance of witnesses, and each member thereof is authorized and empowered to administer oaths and affirmations.

Authority
and power to
summon
witnesses

It shall be the duty of the Levy Court to employ the assistance of experts to institute a proper and modern system of bookkeeping and accounts, so that the financial affairs of Sussex County may be easily ascertained from time to time.

Shall institute a proper
bookkeeping
system

The said Levy Court shall have the power to remove from office any person appointed by it, for sufficient cause shown, and after due hearing; provided that any person so removed shall have the right to appeal from said judgment or decision to the Superior Court, which said Court shall, upon such appeal, either affirm or overrule the judgment or decision of the Levy Court. If such judgment or decision be overruled, the person appealing shall be remitted to his said office or employment and shall be entitled to all arrears of compensation."

Shall have
power to re-
move from
office

Proviso,
right to
appeal

Section 5. That said Chapter 43 be, and the same is hereby further amended by adding thereto new sections to be known as 1048 A. Sec. 36 A; 1048 B. Sec. 36B.; 1048 C. Sec. 36 C.; 1048 D. Sec. 36 D.; 1048 E. Sec. 36 E.; 1048 F. Sec. 36 F.; 1048 G. Sec. 36 G.; 1048 H. Sec. 36 H., as follows:

Chap. 43 of
the Revised
Code further
amended

"1048 A. Sec. 36 A. The Levy Court shall have the power from time to time to borrow money in such amounts as they may find necessary to promptly pay the county warrants issued by them, and to issue certificates of indebtedness as evidence thereof. Any money so borrowed shall be applied to the particular fund for which it shall be borrowed, and shall be repaid from the taxes apportioned to such fund, as said taxes shall be collected, provided, that the amount of money borrowed as aforesaid shall not, at any one time, exceed the sum of five thousand dollars, and pro-

Shall have
power to
borrow
money

Borrowed
money; how
applied and
repaid

Proviso lim-
iting the
amount
borrowed

LEVY COURT OF SUSSEX COUNTY.

Provido,
should there
be any de-
ficiency

vided that if the taxes apportioned to any fund, as to which money shall be borrowed, shall not, in any year, be sufficient to pay such money, the deficiency shall be considered in making up the annual estimate for the next year, and a rate shall be levied and apportioned sufficient to equalize such deficiency."

Power to
borrow
money for
permanent
roads, and to
issue bonds

"1048 B. Sec. 36 B. The Levy Court shall have the power from time to time to borrow money upon the faith and credit of Sussex County for the special or permanent improvement of roads in such amounts as they shall determine, and to secure the same by the issuance of bonds. The bonds so issued shall be classified and have such form, bear such rate of interest, and have such time of maturity, and shall contain such provisions for registration and redemption before maturity as the Levy Court may determine, provided that no bonds shall be issued except by unanimous vote of the Levy Court.

Issuance of
bonds must
be by a
unanimous
vote

Shall make
provision for
payment of
interest and
creation of a
sinking fund

The Levy Court shall in all cases make special provision for the prompt payment of the interest of said bonds, and for the creation of an adequate sinking fund to redeem the same at maturity."

Money from
sale of
bonds; how
used

"1048 C. Sec. 36 C. The money arising from the sale of such bonds, less the proper expenses incident to the preparation and sale thereof, shall be expended in the permanent improvement of the roads of Sussex County, or for machinery, tools, implements and supplies as the case may be, in the manner and under the authority as is herein specified for road work of the second class."

Certain
funds may be
used for pay-
ment of in-
terest or pro-
viding a
sinking fund

"1048 D. Sec. 36 D. The funds derived from special taxation for the special and permanent improvement of roads, together with any moneys appropriated for the use of the County by the General Assembly for such purpose, may be used by the Levy Court to defray the interest on bonds issued for the purpose aforesaid, and to provide a sinking fund to redeem the same at maturity. In case of any bond issue for the purpose aforesaid, the Levy Court

LEVY COURT OF SUSSEX COUNTY.

shall annually make provision for the interest due upon said bonds, and a proper sinking fund to redeem the same, in making the annual estimate of expenses and in the levying of the annual taxes."

Any bond issue must be provided for in annual estimate and levy of tax

"1048 E. Sec. 36 E. No issue of bonds in any one year shall be made in an amount exceeding twenty-five thousand dollars, unless the same shall be first approved by the qualified voters of Sussex County."

Bond issue beyond certain amount must be approved by County vote

"1048 F. Sec. 36 F. If the Levy Court shall at any time consider it necessary and proper to borrow money for the purpose aforesaid in excess of the sum of twenty-five thousand dollars, and to issue bonds to secure the money so borrowed, the Levy Court shall, within the time allotted by law for the filing of party tickets, file a certificate under their hands and seals or under the hands and seals of a majority of the Levy Court, and under the seal of the Clerk of the Peace, attested by the Clerk of the Peace, the desire of said Levy Court to have the question submitted to the voters of Sussex County, and it shall be stated in said certificate the purpose for which the money is to be borrowed, the amount of money desired to be borrowed, and the rate of interest to be paid thereon, and thereupon the Clerk of the Peace shall cause to be printed upon the official ballots to be used at the ensuing general election two squares, in one of which shall be the words, "For bonding in the sum ofdollars," and in the other of said squares shall be printed the words, "Against bonding in the sum ofdollars." The voter shall indicate his choice by marking a cross mark in either of said squares according as he may desire to vote for or against such bond issue. If a majority of the votes cast shall be in favor of bonding, the Levy Court shall, in its discretion, proceed to have prepared said bonds and to offer the same for sale upon the most advantageous terms, and in such amounts as they shall deem proper and necessary. The Levy Court shall keep a permanent record of said bonds as issued, and of the redemption of the same. All bonds issued hereunder shall be signed by the President of the

Providing for a submission to a County vote, for a bond issue

LEVY COURT OF SUSSEX COUNTY.

Levy Court, the County Comptroller, and the Receiver of Taxes and County Treasurer, before issuing the same."

Instruction
to voters

"1048 G. Sec. 36 G. In all cases of a submission of the question of issuing bonds to the qualified voters of Sussex County, the Clerk of the Peace shall include in the instructions to voters prepared by him, instructions to the voters with respect to voting either for or against such bond issue."

Limit of
bonded in-
debtedness
of Sussex
County

"1048 H. Sec. 36 H. The bonded indebtedness of Sussex County is hereby limited to an amount equal to five per centum of the total assessed valuation of the taxable property of said county."

Chap. 43, of
the Revised
Code further
amended

Section 6. That said Chapter 43 be further amended by striking out 1049, Sec. 37, of said Chapter, and by inserting in lieu thereof the following:

Governor
shall select
in a tie vote

"1049. Sec. 37. Should any two or more persons voted for as Levy Court Commissioners receive an equal and the highest number of votes cast at any election, the Superior Court of the State of Delaware in and for Sussex County, sitting as a Board of Canvass in said County, shall certify the fact to the Governor, who shall forthwith select one of said persons to be Levy Court Commissioner for said County, who shall hold the said office for two years from the first Tuesday in January, thence next ensuing; at the General Election then next to be held in said County a successor shall be elected for the unexpired term of four years.

Appointment
for two
years

Salary of
Levy Court
Commissioner

The Levy Court Commissioners of Sussex County, elected under the provisions of this Act, shall be paid an annual salary of twelve hundred dollars, in equal monthly instalments, by warrants according to the form to be prescribed by the Levy Court, and said Levy Court Commissioners shall not be entitled to have or receive from said County any other or further compensation for any services done and performed by them, or any of them, in the said office of Levy Court Commissioner.

LEVY COURT OF SUSSEX COUNTY.

That it shall be the duty of the present Levy Court of Sussex County, and every commissioner thereof, and every person having control or possession of any record, books, papers, or other property belonging to the said Levy Court of Sussex County, on the first Tuesday in January, A. D. One Thousand Nine Hundred and Seventeen, to surrender the same to the Clerk of the Peace of said County, who shall keep the same subject to the control of the Levy Court Commissioners elected under the provisions of this Act; and in case any person shall neglect or refuse to surrender and deliver up such records, books, papers or other property to the Clerk of the Peace as aforesaid, he shall be guilty of a misdemeanor and upon conviction shall forfeit and pay a fine of five hundred dollars."

All books or other property of the present Levy Court shall be delivered to the Clerk of the Peace at certain date

Penalty

Section 7. That said Chapter 43 be further amended by striking out 1050, Sec. 38, of said Chapter, and by inserting in lieu thereof the following:

Chap. 43 of the Revised Code further amended

"1050. Sec. 38. For all work and labor required to be done, and all merchandise, tools, materials, implements and machinery to be furnished or had and used by or for account of Sussex County, where the cost in any particular case will probably exceed the sum of five hundred dollars, the Levy Court Commissioners shall publicly invite sealed proposals for the doing of such work, and the furnishing of such merchandise, tools, materials, implements and machinery, and give the contract to the lowest responsible bidder or bidders; bids so obtained shall be opened publicly in the presence of bidders, or their representatives, who may desire to attend. The said Commissioners may require of such bidder or bidders security, in double the amount of such bid, with surety or sureties to be approved by the said Levy Court, for the faithful performance of such contract. Provided that these provisions shall not apply to the construction, repair and maintenance of roads and bridges unless deemed advisable by the Levy Court."

When the Levy Court shall ask for public bids

May require security from successful bidder

Provido

Section 8. That 1051, Sec. 39, of said Chapter 43 be and the same is hereby repealed.

1051, Sec. 39, Chap. 43, of the Revised Code repealed

LEVY COURT OF SUSSEX COUNTY.

Chap. 43, of
the Revised
Code further
amended

Section 9. That said Chapter 43 be further amended by adding a new section to be known as 1052 A. Sec. 40 A., as follows:

Power to
make the
form of
warrants

"1052 A. Sec. 40 A. The Levy Court shall have power to determine upon the form of warrants to be drawn in payment of demands.

Unlawful for
Levy Court
Commissioner to
buy or re-
deem County
warrants

It shall be unlawful for any Levy Court Commissioner, directly or indirectly, to buy, purchase or redeem any County warrant drawn in favor of any other person.

Unlawful to
give any re-
bate, gift or
commission

Whoever shall, by special contract or otherwise, do or perform any work, labor or service of any kind for, or furnishing any merchandise, goods, printing, tools, implements, machinery or materials of any kind or description to or for the use of Sussex County or the Levy Court thereof or any Commissioner of said Levy Court in his official capacity, and shall directly or indirectly to any such Levy Court Commissioner of said County, or to any other person whomsoever, give, convey, allow, offer or tender any rebate, commission, profit, gift, emolument, or any pecuniary benefit whatsoever from the price of or on account or because of the said doing or performing of such work, labor or service for said County, Levy Court or Commissioner thereof, or from the price of or on account or because of the said furnishing of merchandise, goods, printing, tools, implements, machinery or materials of any kind or description to or for the use of said County, Levy Court or Commissioners thereof, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be condemned to forfeit and pay a fine in the discretion of the Court, but not less than three times the amount of the price charged by said offending person or corporation for the work, labor, service, merchandise, goods, printing, tools, implements, machinery or materials so done or furnished by said offending person or corporation, and also be adjudged, deemed and held incapable of thereafter performing any service, or furnishing any material or merchandise whatsoever to, for or for the use of the said County, Levy Court or any Commissioner thereof, forever.

Penalty

LEVY COURT OF SUSSEX COUNTY.

The Levy Court shall, during the month of March, select suitable persons to attend the several draw-bridges of the County; and shall fix the compensation therefor.

The Levy Court is empowered to employ a janitor or janitors for the proper care of the Court House, and to fix their compensation."

Section 10. That 1056. Sec. 44 of Chapter 43 be, and the same is hereby repealed with respect to Sussex County.

1056. Sec. 44.
Chap. 43, of
the Revised
Code re-
pealed as to
Sussex Co.

Section 11. That 1057. Sec. 45 of said Chapter 43 be, and the same is hereby repealed with respect to Sussex County.

1057. Sec. 45.
Chap. 43, of
the Revised
Code re-
pealed as to
Sussex Co.

Section 12. That 1058, Sec. 46, 1059, Sec. 47, 1061, Sec. 49, 1062, Sec. 50, 1063, Sec. 51, 1066, Sec. 54, 1067, Sec. 55, 1068, Sec. 56, 1069, Sec. 57, 1070, Sec. 58, of said Chapter 43 be, and the same are hereby repealed with respect to Sussex County; and said Chapter is further amended by adding a new section to be known as 1063 A. Sec. 51 A., as follows:

Chap. 43 of
the Revised
Code further
repealed
and amended

"1063 A. Sec. 51 A. The Levy Court of Sussex County shall have no jurisdiction over, or supervision over, the assessment lists, nor shall the said Levy Court have power to change, alter or amend the same.

No Jurisdic-
tion over as-
sessment
lists

The Levy Court of Sussex County shall make no allowance to any person or corporation for or on account of any error in the assessment lists, or excessive assessment, but the said assessment lists as they shall be certified by the assessors or Board of Assessment, shall be deemed to be correct by the Levy Court and shall be considered by the said Levy Court as final and conclusive."

No power to
make allow-
ance on as-
sessment

Shall accept
assessment
list

Section 13. That 1060, Sec. 48 of said Chapter 43 be and the same is hereby repealed with respect to Sussex County, and said Chapter is hereby amended by inserting a new section, to be known as, 1060 A. Sec. 48 A. as follows:

1060. Sec. 48.
Chap. 43, of
the Revised
Code
amended

LEVY COURT OF SUSSEX COUNTY.

Shall fix
capitation
tax

Maximum
and mini-
mum capita-
tion tax

Tax uniform

"1060 A. Sec. 48 A. The Levy Court of Sussex County annually, at some meeting held during the month of February, shall fix and determine the amount of the capitation tax which the Assessors or Board of Assessment shall assess for the year then next following. Such tax shall not exceed the sum of one dollar and twenty-five cents, nor shall it be less than one dollar. The tax shall be uniform throughout the County and shall be levied upon every male citizen of the age of twenty-one years or upwards, residing in the County of Sussex."

1071, Sec. 59,
Chap. 43,
further
amended

Section 14. That 1071, Sec. 59 of said Chapter 43, is hereby repealed with respect to Sussex County, and said Chapter be, and the same is further amended by inserting a new section, to be known as 1071 A. Sec. 59 A., as follows:

Shall make
an annual es-
timate of
money re-
quired for
current year
and appor-
tion same

"1071 A. Sec. 59 A. The Levy Court of Sussex County, prior to the thirtieth day of April in each year, shall, upon due inquiry and investigation, estimate the amount of money which will be required for the current year, dividing and apportioning such estimate for and among the following County needs and purposes:

1. For general County purposes, to be known as the "general fund."

2. For the general repair and maintenance of roads and bridges, to be known as the "general road fund."

3. For the special or permanent improvement of roads, to be known as the "special road improvement fund."

4. For the payment of interest on bonded indebtedness and for redemption of matured bonds, to be known as the "bonded indebtedness fund."

5. For the support of the poor, to be known as the "poor fund."

LEVY COURT OF SUSSEX COUNTY.

6. For the payment of warrants not of the current year, to be known as the "outstanding warrant fund."

7. For the expenses of Courts of Justice, to be known as the "witness and jury fund."

On the last Tuesday of April in each year, the said Levy Court shall lay such a rate upon the assessment lists of said County, according to a certain rate upon every one hundred dollars, as will by estimation produce the aggregate of the several sums so as aforesaid found to be necessary to be raised, and shall apportion to each of the above divisions or funds a certain per centum of the total amount to be raised so that a fund will be produced equal to the amount estimated to be required for each of the needs and purposes above specified."

Shall on the last Tuesday in April, annually, lay a tax rate on assessment lists
Tax rate on assessment list must produce aggregate amount to meet estimate

Section 15. That said Chapter 43 be, and the same is hereby further amended by adding a new section to be known as 1071 B. Sec. 59 B., as follows:

Chap. 43, of the Revised Code further amended

"1071 B. Sec. 59 B. The Levy Court shall, on or before the last Tuesday in April of each year attach to the duplicates of assessment as the same shall be transcribed and certified by the assessors or Board of Assessment, a warrant under the hands of at least two of the commissioners according to this form:

Warrant shall be attached to assessment duplicates

State of Delaware }
 Sussex County } ss.

To the Receiver of Taxes and County Treasurer of Sussex County, greeting:

Form of warrant

We command you that you collect from the several persons named in the annexed duplicates for their taxes for the year———, the following rate per centum on the amount of their respective assessment, and if any person named in said duplicate shall not pay the said rates

LEVY COURT OF SUSSEX COUNTY.

after you have demanded the same, we command you in such case that you collect said taxes, or the part thereof remaining unpaid, with lawful costs, in the manner prescribed by law. And we further command you that you pay the amount which, according to this warrant and the annexed duplicates you are required to collect, in the manner and within the times apointed by law in this behalf. Hereof fail not at your peril.

Given at the Court House at Georgetown by the order of the Levy Court, under the hands of us, commissioners of said Court, the———day of April, A. D.———

{ Seal of Office of the }
{ Clerk of the Peace }

{ Commissioners }

Seal of the
Clerk of
Peace shall
be affixed

Each warrant shall be sealed with the seal of the Clerk of the Peace and shall be attested by him.

Tax dupli-
cates shall
be delivered
to Receiver
of Taxes on
or before
May 1st

Date warrant
must bear

The said tax duplicates with the warrant thereto annexed shall be delivered to the Receiver of Taxes and County Treasurer by the Levy Court on or before the first day of May, and the said warrant shall bear date as of the last Tuesday of April, which shall be the date of the levying of all taxes."

Chap. 43. of
the Revised
Code further
amended

Section 16. That said Chapter 43 be and the same is further amended by inserting a new section to be known as 1071 C. Sec. 59 C., as follows:

Shall make
annual set-
tlement to
Receiver of
Taxes and
County
Treasurer

Allowances

"1071 C. Sec. 59 C. During the month of April next following the date of the warrant, the Levy Court shall make full, final and complete settlement with the Receiver of Taxes and County Treasurer, allowing to said Receiver of Taxes and County Treasurer all taxes which shall have been found impossible to collect by reason of errors in the assessment lists or otherwise, and not through the default, neglect or delay of the Receiver of Taxes and County Treasurer, which said settlement shall be final and con-

LEVY COURT OF SUSSEX COUNTY.

clusive, and no other allowance in any form or guise shall be made to said Receiver of Taxes and County Treasurer by the Levy Court. Annual settlement shall be final and conclusive

At least two weeks before the final settlement had with the Receiver of Taxes and County Treasurer, the said Levy Court shall cause the Receiver of Taxes and County Treasurer to publish in two newspapers of the County, one of which shall be published in the town of Georgetown, a list of the taxables of each representative district whose taxes it has been impossible to collect, stating therein, with respect to each taxable, briefly the reason why it has been impossible to collect said tax; and the Levy Court shall likewise cause the Receiver of Taxes and County Treasurer to post in two public places of each representative district of Sussex County a list of the taxables of said district whose taxes it has been impossible to collect, stating therein in each case the reason why it has been impossible to collect said tax. Tax Receiver and County Treasurer shall publish a list of uncollected taxes and the reason why uncollected

Before making final settlement with the Receiver of Taxes and County Treasurer, the Levy Court shall require the Receiver of Taxes and County Treasurer to make oath or affirmation that the list of uncollected taxes made out and returned by him is true in all its statements to the best of his knowledge and belief, and that no tax has been collected from any person so returned by him. The oath may be administered by the Clerk of said Court or by any member thereof, and any Receiver of Taxes and County Treasurer, who shall swear falsely as to any matter to which he may be required to make oath by this section, shall be guilty of a misdemeanor and shall be punished as the law directs for false swearing." Tax Receiver and County Treasurer shall make oath as to the uncollected taxes

Section 17. That 1074, Sec. 62 of said Chapter 43 be, and the same is hereby repealed with respect to Sussex County, and said Chapter is hereby further amended by inserting a new section to be known as 1074 A. Sec. 62 A. as follows: 1074, Sec. 62, Chap. 43, of the Revised Code further amended

LEVY COURT OF SUSSEX COUNTY.

Shall have
power to in-
vestigate the
jail

"1074 A. Sec. 62 A. The Levy Court of Sussex County shall not appoint jail Commissioners as heretofore, but shall have power to investigate the manner in which the jail of Sussex County is maintained by the sheriff or keeper of said jail, and to regulate and control the same."

Chap. 43 of
the Revised
Code further
amended

Section 18. That said Chapter 43 be, and the same is, hereby further amended by inserting a new section to be known as, 1080 A. Sec. 68 A., as follows:

A special tax
for improve-
ment of
roads

"1080 A. Sec. 68 A. The Levy Court of Sussex County is hereby specifically authorized to levy upon the assessable property of the taxables of said county a special tax for the special or permanent improvement of the public highways of Sussex County."

Chap. 43 of
the Revised
Code further
amended

Section 19. That said Chapter 43 be, and the same is hereby further amended by adding a new section to be known as, 1080 B. Sec. 68 B., as follows:

Highways,
bridges,
and cause-
ways under
the control
of Levy
Court

"1080 B. Sec. 68 B. The public highways, bridges and causeways of Sussex County shall be under the management and control of the Levy Court of Sussex County in the manner following:

Classes of
road work

The road work shall be in two classes; (a) general repair and maintenance of roads and bridges, (b) special or permanent improvement of roads.

From what
funds the
different
classes of
road work
shall be paid

The cost of road work of the first class shall be paid for out of the funds available in each representative district, to be derived from the taxes apportioned therefor. The said apportionment of taxes for the general repair and maintenance of roads and bridges in each representative district shall be spent in the district in which such tax or apportionment thereof is levied and collected; and all road work of the first class in any representative dis-

LEVY COURT OF SUSSEX COUNTY.

trict in each year shall cease upon the exhaustion of the funds available therefor, and the Levy Court shall not appropriate money from the general county fund for the general repair and maintenance of roads and bridges in any representative district except in case of urgent and extraordinary necessity to render passable a road or bridge.

All work of the first class shall cease when funds are exhausted
When funds may be diverted for other work

The term of office of the present county engineer shall end on the first Tuesday in January, 1917, and the office of County Engineer of Sussex County, as it is presently constituted, is hereby abolished, the said office to terminate on the first Tuesday in January, 1917.

Abolishment of office of the present Road Engineer

During the month of January in the year nineteen hundred and seventeen, and every four years in said month thereafter, the Levy Court shall appoint a competent civil engineer, who shall be a graduate of some reputable engineering school or college, and who shall have had at least two years' experience in practical road building, to be County Engineer of Sussex County.

Appointment of a civil engineer

The County Engineer so appointed, shall hold office for the term of four years, ending always on the first Tuesday in January. He shall be paid an annual salary of Eighteen Hundred Dollars, in equal monthly instalments.

Term of office of engineer
Salary

The Levy Court shall furnish the Engineer with a suitable office in the county Court House, and with sufficient clerical assistance, proper books, forms and stationery for the discharge of his duties.

Office of Engineer

The Engineer shall, as soon as possible in each year, make a general inspection of the roads and bridges of each representative district of Sussex County, with respect to road work of the first class, and shall make a detailed written report to the Levy Court of the work necessary to be done by him in each representative district in the current year, accompanied by proper plans and specifications, where plans and specifications are necessary. The

Engineer to make annual inspection of roads and bridges

LEVY COURT OF SUSSEX COUNTY.

To report to report, plans and specifications of road work of the first class intended to be done by the Engineer in each representative district, shall be made having consideration for the amount of money available for such purpose in each representative district.

Levy Court may accept plans

The Levy Court shall consider said report and plans of the Engineer for each representative district, and may accept the same or modify or reject them, but such report and plans shall not be rejected or modified except by the unanimous vote of the members of the Levy Court, and unless unanimously rejected or modified, it shall be the duty of the Engineer to carry into effect the road work of the first class for each representative district as planned by him and submitted to the Levy Court. The road work of the first class may be carried on either under the direction of the Engineer and the supervisors to be appointed by him, or said work may be done under contract, as the Levy Court may determine, but if such work shall be let out to contract, no payment therefor shall be made unless approved in writing by the Engineer.

Can reject by a unanimous vote

Work may be done by engineer or under contract

All payments on contract must be approved by engineer

Engineer shall furnish plans, etc. Contracts to lowest responsible bidder

The Engineer shall furnish the Levy Court with detailed plans and specifications, and all such contracts shall be awarded to the lowest responsible bidder.

Engineer shall appoint Supervisors and report same to Levy Court

The Engineer shall appoint each year not more than two suitable persons in each representative district to be supervisors of roads for such district, and he shall report in writing the names and addresses of such persons, selected by him as supervisors, to the Levy Court immediately upon their selection. Supervisors shall be paid a daily wage for each day's labor performed by them as shall be determined by the Levy Court, and they shall be under the direction and control of the Engineer and subject to dismissal by him at any time.

Supervisors paid by Levy Court

Shall be under control of Engineer

Engineer shall make detailed report twice each month

Twice during each month the Engineer shall present to the Levy Court a detailed statement of the work done

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in each district, the names of the persons employed, the hours of labor performed by each, and the teams and wagons furnished by each person, and the total amount due each person so employed or so furnishing teams or wagons. The statement shall be under the hands of the supervisors under whose direction the work has been done, and shall be approved by the Engineer. The Levy Court shall, after approval thereof by the County Comptroller, and after investigation of the same, draw warrants in the usual form for the payment of the amounts found to be due. Levy Court to draw warrants after approval of County Comptroller

The Levy Court shall determine the amount to be paid for road work for each team furnished, which rate may differ in the several representative districts. Levy Court to determine price to pay for teams

The supervisors shall engage upon no work except as directed by the Engineer, save in case of urgent necessity to make a road passable, and in such case shall at once report in writing to the Engineer the work performed and an itemized account of expenditures thereon. Engineer to direct all work except urgent cases

All materials, tools, implements and supplies shall be purchased by the Levy Court upon the advice of the Engineer, and the Engineer shall from time to time present to the Levy Court a list of the materials, tools, implements, machinery and supplies needed by him in the proper discharge of his duties. All purchases to be made by Levy Court, on advice of Engineer

The cost of all tools, machinery, implements and supplies shall be apportioned between the several districts according to the use thereof in such districts, as may be fair and just, and shall be paid for out of the general road fund of the several districts; provided that the tools, implements, machinery and supplies purchased for the special or permanent improvement of roads shall be paid for from the special or permanent improvement of road funds. The several districts shall bear a pro rata share of expense

The Levy Court and the Engineer are empowered to employ expert assistance in the opening of books and ledgers Empowered to employ expert assistance in opening books

LEVY COURT OF SUSSEX COUNTY.

under some modern system of bookkeeping and costkeeping so that the cost of roads of every class may from time to time be ascertained.

An inventory of all materials, tools and supplies to be made annually and report to Levy Court

At least one each year the Engineer shall make an inventory of all materials and supplies on hand and of the tools, implements and machinery owned by the county, and shall with such inventory make a written report of the condition thereof to the Levy Court, together with an estimation of the cost of the repairs thereto.

Monthly expense of supervising road work shall be presented to Levy Court

The expenses of the Engineer in supervising the road work shall be presented in writing to the Levy Court each month, duly itemized and verified, and the Levy Court shall draw a warrant therefor, after approval by the Comptroller. The Engineer shall have power, with the consent of the Levy Court, to employ a surveyor or surveyors, if necessary, for the proper discharge of his duties.

May employ surveyor

Fund from which the cost of road work of second class may be paid

The cost of the road work of the second class shall be paid for from funds derived from special taxes levied for the special or permanent improvement of the roads of Sussex County, together with such appropriation which may from time to time be made by the General Assembly of the State of Delaware for the special or permanent improvement of roads in Sussex County.

Levy Court shall determine once a year in June as to permanent road improvements

On or before the first day of June in each year, the Levy Court shall determine what road or roads or portions thereof shall be permanently improved, and the kind and character of said permanent improvement, and shall require the Engineer to present detailed plans and specifications according to the kind and character of the improvement to be made and the nature and location of the road to be improved, together with an estimated cost per mile of such proposed improvement. The Levy Court may require the Engineer to prepare detailed plans and specifications and estimate of cost per mile of more than one form or kind of permanent improvement.

May have detailed plans and estimate cost per mile

LEVY COURT OF SUSSEX COUNTY.

The Levy Court shall, having determined upon the kind and character of the improvement to be made and the road or roads, or portions thereof, to be permanently improved, thereupon either direct the Engineer to proceed with such improvement, or may contract for such improvement to be done with some responsible contractor. In case it shall be decided by the Levy Court to contract for such work, at least two weeks' advertisement shall be given by publication in one or more newspapers published in Sussex County. Detailed plans and specifications shall be furnished any responsible contractor requesting them upon such terms as the Levy Court may impose, and all contracts shall be made with the lowest responsible bidder. In all cases of road work of the second class done or performed under contract, no payment shall be made thereon until the Engineer has approved the same in writing.

May either do the work or let out to contract

Must advertise for bids if work is to be let out to contract

All payments on contract must be approved by Engineer

The Levy Court is empowered to secure the proper performance of all contracts by requiring bond with security, and all such bonds shall be in the name of the State of Delaware.

Contracts to require bonding security

Road work of the second class shall be done and performed having regard to the building or the maintenance of permanent and continuous roads to connect the towns and villages or railroad stations, and to this end the Levy Court shall adopt a system of permanent road improvement which will best serve the interests and convenience in travel of the people of Sussex County.

Road work of second class to connect towns and villages

In all cases where funds are available either for road work of the first class in any representative district, or for road work of the second class, and the Levy Court shall neglect or refuse either to approve or modify the plans submitted by the Engineer, or shall reject said plans and shall not afford the Engineer an opportunity to submit other or additional plans and specifications, or shall fail to approve or modify, or shall reject other or additional plans and specifications, or in case of other disagreement to the

Engineer to have power to proceed with road work should Levy Court disagree after certain date

LEVY COURT OF SUSSEX COUNTY.

detriment of the County, the Engineer shall have the power and authority, on and after the first day of July in each year, to proceed with the road work of either class according to the plans and under the specifications prepared by him, or otherwise according to his judgment and discretion.

Road work
of second
class to
cease: when

All road work of the second class shall cease upon the exhaustion of the funds available therefor in each year, and no contract or contracts shall be made in an amount exceeding the funds available for road work of this class.

Power to lo-
cate public
roads

The Levy Court shall have the power to locate or cause to be located, the courses and limits of public roads, and to prevent encroachments thereon, and to recover damages for any injury thereto. If the amount of damage done to a public road or bridge shall not exceed two hundred

May sue for
damages

dollars, the Levy Court may institute an action to recover damages for such injury before any Justice of the Peace, whether such damage be direct or consequential, and if such damage be more than two hundred dollars, such action shall be instituted in the Superior Court. The right to appeal from any judgment rendered by a Justice of the Peace is hereby preserved as in other cases.

All suits in
name of
Levy Court

All actions, suits or proceedings brought by the Levy Court, in or about the administration of the government of Sussex County, shall be in the name of The Levy Court of Sussex County.

Power to
regulate the
use of roads
and bridges

The Levy Court is empowered to regulate the use of roads and bridges to prevent undue injury thereto, to fix the carrying capacity of bridges, and to prohibit the use of bridges to wagons, automobiles, or locomotives of more than a fixed maximum weight; and to prohibit the use of the permanently improved roads to automobiles or locomotives having wheels fitted with chains or flanges."

1081, Sec. 69,
Chap. 43, of
the Revised
Code
unamended

Section 20. That 1081, Sec. 69 of said Chapter 43 is repealed with respect to Sussex County in so far as the provisions of said section are supplied or amended by this Act.

LEVY COURT OF SUSSEX COUNTY.

Section 21. That said Chapter 43 be further amended Chap. 43 of
by adding thereto a new section to be known as, 1082 A. Code further
Sec. 70 A., as follows: amended

"1082 A. Sec. 70 A. That from and after the first Date of the
Tuesday of February, A. D. One Thousand Nine Hundred termination
and Seventeen, the terms of office of the several Trustees of the pres-
of the Poor heretofore appointed by the Levy Court ent office of
Sussex County shall then be terminated, and the Levy the Trustees
Court of Sussex County as then constituted and organized, of the Poor
is hereby authorized and directed, and it shall be its duty, Levy Court
to appoint one qualified voter of, and resident of each shall appoint
senatorial district, of the county to be Trustee of the Poor from Sen-
for Sussex County. The said Trustee of the Poor so ap- atorial Dis-
pointed shall hold office for a term of two years, the said tricts
term always ending on the first Tuesday in February, and Term of
shall have all the powers and be subject to all the duties office
and requirements now imposed by law upon Trustees of Duties and
the Poor. In case of vacancy happening through any cause powers of the
whatever, the Levy Court shall at any meeting fill said Trustees of
vacancy for the unexpired term. the Poor
Levy Court
shall fill
vacancy

The provisions of Chapter 54 of the Revised Statutes, Chap. 54 of
in so far as they relate to the number of Trustees of the the Revised
Poor to be appointed by the Levy Court of Sussex County, Code relating
are hereby repealed." to number of
the Trustees
of the Poor
repealed

Section 22. That said Chapter 43 be further amended Chap. 43 of
by adding a new section to be known as 1083 A. Sec. 71 A. Code further
as follows: amended

"1083 A. Sec. 71 A. The Levy Court shall have the Power and
power and authority to cause to be constructed a proper authority to
house of detention, or county prison, on the lands of the erect County
Trustees of the Poor of Sussex County, and to provide Prison
for the safe detention therein of prisoners.

The Levy Court of Sussex County shall have power to Power to
employ persons convicted and imprisoned in the county employ con-
jail or other places of detention, upon the public roads victs on pub-
Farm lic roads or
on the Poor
Farm

LEVY COURT OF SUSSEX COUNTY.

and highways of Sussex County, or upon the farm of the Trustees of the Poor, and shall further have the power to fix the compensation of such prisoners for all labor performed by them, either upon the public roads or upon the farm of the Trustees of the Poor, if, in the opinion of the Levy Court, it shall be deemed wise to pay prisoners for labor performed by them.

To pay pris-
oners for
labor

Levy Court
to control
the compen-
sation

Compensation to prisoners shall either be held by the Levy Court until the expiration of the term of imprisonment of the prisoner so employed, or such compensation may be paid from time to time to the dependent families of such prisoners, as the Levy Court may decide."

Date when
Act becomes
operative

Section 23. That this act shall not go into effect and operation except as it provides for the election of Levy Court Commissioners for Sussex County at the General Election to be held in the year, A. D. 1916, until the first Tuesday in January, A. D. 1917.

Date when
all other
Acts incon-
sistent shall
be repealed

Section 24. That from and after the first Tuesday in January, A. D. 1917, sections 1544 to 1550 of Chapter 55, inclusive, of the Revised Statutes, and all other acts or sections of said Revised Statutes inconsistent herewith or supplied hereby, are repealed.

Approved March 12, A. D. 1915.

LEVY COURT OF SUSSEX COUNTY.

CHAPTER 77.

LEVY COURT OF SUSSEX COUNTY.

AN ACT to Amend Chapter 52, Volume 27 Laws of Delaware, being an Act 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."

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

That Chapter 52, volume 27 Laws of Delaware, be, and the same is hereby amended by adding a new section, to be known as Section 10, as follows: "Section 10. All moneys arising from the sale of the bonds as aforesaid and not expended by the commission in and about the alteration and repair of the Court House, shall be used by the Levy Court in and about the furnishing and equipment of the Court House, or for any other County purpose, as the Levy Court may deem wise."

Chap. 52.
Vol. 27,
amended

Levy Court
to use any
unexpended
balance of
moneys from
bond sale

Approved March 2, A. D. 1915.

VALUATION AND ASSESSMENT OF PROPERTY.

CHAPTER 78.

VALUATION AND ASSESSMENT OF PROPERTY.

AN ACT to Amend Chapter 44 of the Revised Statutes of the State of Delaware, by Exempting from Taxation the Lands, Tenements and Hereditaments and Personal Estate of the Historical Society 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 Branch thereof concurring therein):

Chap. 44 of
the Revised
Code
amended

Section 1. That Chapter 44 of the Revised Statutes of the State of Delaware be, and the same is, hereby amended by inserting therein a new Section to be known and styled as 1098A, Section 1A, as follows:

All prop-
ties of His-
torical So-
ciety of Del-
ware exempt
from taxes

"1098A, Section 1A. All and every, the lands, tenements and hereditaments, and also the personal estate of The Historical Society of Delaware, a Corporation of the State of Delaware, which it now holds, or which it at any time hereafter may acquire, shall be free from all State, County and Municipal Taxes."

Approved March 8, A. D. 1915.

VALUATION AND ASSESSMENT OF PROPERTY.

CHAPTER 79.

VALUATION AND ASSESSMENT OF PROPERTY.

AN ACT to Amend Chapter 44 of the Revised Code of the State of Delaware by Providing for the better Assessment of Taxes for Sussex County, Abolishing the office of Assessor, Providing a Board of Assessment, and Prescribing the Powers and Duties of said Board.

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

Section 1. That 1099, Sec. 2, of Chapter 44, of the Revised Code, is hereby repealed with respect to Sussex County, and said Chapter is hereby amended by the addition of a new Section to be known as, 1099 A. Sec. 2 A., as follows:

Amend that part referring to Sussex Co., of Chap. 44, 1099, Sec. 2.

"1099 A. Sec. 2 A. That from and after the first day of April, A. D. 1915, the office of Assessor in the several Hundreds and Districts of Sussex County where Assessors are elected is hereby abolished, and the duties heretofore devolving upon them shall be performed by a Board of Assessment to be composed of three persons."

Abolishing office of Assessors
New Board of Assessment

Section 2. That 1100, Sec. 3, of Chapter 44, of the Revised Code, is hereby repealed with respect to Sussex County, and said Chapter is hereby amended by the addition of a new Section to be known as, 1100 A. Sec. 3 A., as follows:

Chap. 44, 1100, Sec. 3, of Revised Code referring to Sussex County repealed

"1100 A. Sec. 3 A. The term of office of the members of the Board of Assessment of Sussex County shall be for four years, commencing on the first Tuesday of March."

Term of office

VALUATION AND ASSESSMENT OF PROPERTY.

Chap. 44,
1101, Sec. 4,
of Revised
Code refer-
ring to Sus-
sex County
repealed

Section 3. That 1101, Sec. 4, of Chapter 44, of the Revised Code, is hereby repealed with respect to Sussex County, and said Chapter is hereby amended by the addition of a new Section to be known as, 1101 A. Sec. 4 A., as follows:

Governor to
appoint

"1101 A. Sec. 4 A. On or before the first day of May, A. D. 1915, the Governor shall appoint three suitable persons, residents of Sussex County, no more than two of

Party qual-
ifications

whom shall be of the same political party, who, when qualified, shall compose the first Board of Assessment for Sussex County. The members of said Board so appointed

Term of ap-
pointment

shall serve until the first Tuesday in March, A. D. 1917.

Levy Court
to appoint

During the month of February, A. D. 1917, and every fourth year thereafter, the Levy Court of Sussex County shall appoint three suitable persons, residents of Sussex County, no more than one of whom shall be appointed from any Senatorial district, and no more than two of whom shall belong to the same political party, who shall compose the Board of Assessment for Sussex County. The term of office of the members of said Board of Assessment shall be for four years, commencing always on the first Tuesday in March.

Removal for
cause

Any member of said Board may be removed by the Levy Court of his respective County for any failure to perform the duties of his office, or any other sufficient cause, after due notice and hearing. Any person so removed shall have

Right to
appeal

the right to appeal from said judgment or decision to the Superior Court, which said Court shall, upon such appeal, in a summary proceeding, either affirm or reverse the decision of the Levy Court. If such judgment or decision be reversed the person appealing shall be remitted to his said office and shall be entitled to all arrears of compensation.

Cannot fill
other certain
offices

No member of said Board of Assessment shall, during the time for which he is appointed, be a Levy Court Commissioner, County Treasurer, Receiver of Taxes or Col-

VALUATION AND ASSESSMENT OF PROPERTY.

lector. If a vacancy occurs by death, removal from the County, resignation or otherwise in said Board such vacancy shall be filled by the Levy Court of the County in which such vacancy occurs for the unexpired term."

How vacancy
to be filled

Section 4. That 1102, Sec. 5, of Chapter 44, of the Revised Code is hereby repealed with respect to Sussex County.

Chap. 44,
1102, Sec. 5,
of Revised
Code
repealed as
to Sussex
County

Section 5. That 1103, Sec. 6, of Chapter 44, of the Revised Code, is repealed with respect to Sussex County, and said Chapter is hereby amended by the addition of 1103 A. Sec. 6 A., as follows:

Chap. 44,
1103, Sec. 6,
of the Re-
vised Code
repealed as
to Sussex
County

"1103 A. Sec. 6 A. Each member of the Board of Assessment for Sussex County shall receive for the year in which a general assessment is made the sum of One Thousand Dollars, payable in equal monthly instalments, and in the year in which an annual assessment is made, the sum of Five Hundred Dollars, payable in equal monthly instalments.

Salary

The necessary travelling expenses of the members of the Board shall be made up monthly, and duly verified by the members of the Board and shall be paid by the Levy Court after due investigation."

Travelling
expenses;
how paid

Section 6. That 1104, Sec. 7, of said Chapter 44, of the Revised Code, is hereby repealed with respect to Sussex County.

1104, Sec. 7,
Chap. 44, Re-
vised Code
respecting
Sussex Co.
repealed

Section 7. That 1105, Sec. 8, of Chapter 44, of said Revised Code, is repealed with respect to Sussex County.

Same as to
Sec. 8

Section 8. That 1107, Sec. 10, of Chapter 44, of said Revised Code, is hereby repealed with respect to Sussex County, and said Chapter 44 is hereby amended by the addition of a new Section to be known as, 1107 A. Sec. 10 A., as follows:

Same as to
Sec. 10

VALUATION AND ASSESSMENT OF PROPERTY.

Assessment
to be made
for 1916

"1107 A. Sec. 10 A. The Board of Assessment, appointed by the Governor as aforesaid, shall forthwith proceed to make a general assessment of the assessable persons and property of persons in Sussex County, which said assessment shall be returned so as to be acted upon for the year 1916, and shall stand and be acted upon for six years. Every general assessment shall stand and be acted upon for six years."

Assessment
shall stand
for six years

1108, Sec. 11,
Chap. 44,
repealed

Section 9. That 1108, Sec. 11, of Chapter 44, of the Revised Code, is hereby repealed with respect to Sussex County, and said Chapter 44 is hereby amended by the addition of a new Section to be known as, 1108 A. Sec. 11 A., as follows:

Annual
assessment

"1108 A. Sec. 11 A. The Board of Assessment for Sussex County shall annually make an assessment of the persons and personal property of persons in Sussex County, and in making such assessment the said Board of Assessment shall value and assess, in the same manner in which it valued and assessed in the general assessment, all personal property liable to assessment, all additions, new buildings, and improvements, and all persons liable who have arrived at twenty-one years of age since the preceding assessment, or who have become residents in the County, or who have been omitted, and the personal property of all such, and it shall strike from said assessment list all personal property sold and removed from the County, and the name of all persons who have died.

Items taken
from assess-
ment

Revision of

It shall also in the said annual assessment revise the assessment with respect to all real estate which has been sold or transferred during the year."

Amend. Chap.
44, Revised
Code

Section 10. That said Chapter 44, of the Revised Code be amended by the addition of a new Section to be known as, 1109 A. Sec. 12 A., as follows:

Powers and
duties

"1109 A. Sec. 12 A. The said Board of Assessment of Sussex County shall have the power and it shall be its

VALUATION AND ASSESSMENT OF PROPERTY.

duty to value and assess all property which by law is liable to taxation, and assessment for public purposes, and to revise all valuations and assessments of such assessable property in said County, and to lower or increase said assessments and valuations and to take proceedings for the discovery of all unassessed property of every kind.

Whenever the Board of Assessment shall purpose to alter or change any assessment by increasing the same, or make a new assessment, other than a general or annual assessment, it shall, before said alteration, change, or new assessment is made, give five days' notice in writing to the owner of the property affected thereby, and if such owner cannot be found within the County by reasonable inquiry then to the person in possession of the property, or to the person in whose custody the same may be, or if it be land and no one shall be in the apparent occupancy thereof, then such notice shall be posted on said land."

Section 11. That 1110, Sec. 13, of said Chapter 44, of the Revised Code, is repealed with respect to Sussex County.

Notice to owner before changing assessment

1110, Sec. 13, Chap. 44, as to Sussex County repealed

Section 12. That 1112, Sec. 15, of said Chapter 44, of the Revised Code, is hereby repealed with respect to Sussex County, and said Chapter 44 be further amended by the addition of a new Section to be known as, 1112A. Sec. 15 A., as follows:

Same as to Sec. 15

"1112 A. Sec. 15 A. The said Board of Assessment of Sussex County, shall, on or before the first day of January of each year post in some convenient place in each Election District of the County, a copy of the assessment of such election district as made by it. And the said Board of Assessment shall sit during each secular day of the month of February, of each year, to hear appeals and to make additions and corrections to said assessment. Notice of the places where said assessment is posted and of the time and places of sittings to hear appeals and to make additions and corrections to said assessments shall be given

To post copy of assessment

Date of hearing of appeals

Notice of date and place of hearing appeals

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Shall be advertised in newspapers

by advertisements published at least once each week for two weeks in at least two newspapers in said County, and by such other means as will, in the discretion of the said Board of Assessment, best bring notice of the same to the parties interested.

Neglect to prefer appeal

If any taxable shall fail or neglect to prefer his appeal to the Board of Assessment, he shall be liable for the tax for such year as shown by the assessment lists.

To certify to total assessment and date thereof

After the closing of the hearings and the settlement of all appeals, and the adjustment of the assessment list, the said Board of Assessment shall ascertain the total of the assessed valuation of the County and certify the same to the Levy Court on or before the first day of April, as a basis on which to estimate and fix the tax rate.

To report on capitation tax

It shall be the duty of the said Board of Assessment to ascertain and report to the Levy Court of the County the names of all persons liable to capitation tax, the said report to the said Levy Court being made at the same time that the report of the total valuation and assessment is made."

1113, Sec. 16, Chap. 44, repealed as to Sussex Co.

Section 13. That 1113, Sec. 16, of Chapter 44, of the Revised Code is hereby repealed with respect to Sussex County, and said Chapter 44 be, and the same is, hereby amended by the addition of a new Section to be known as, 1113 A. Sec. 16 A., as follows:

Board of Assessment to give notice in writing to taxables

"1113 A. Sec. 16 A. The Board of Assessment of Sussex County shall, immediately upon entering upon their duties and in every year in which an assessment of real or personal property is made, notify in writing every person, firm, association of persons, or corporation, who owns property liable to assessment and every person, firm, association of persons, or corporation, having the care, management or custody of real or personal property liable to assessment, to deliver to said Board of Assessment within thirty days after such notice a particular account of the

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real or personal property owned by him, it or them, and of property, real or personal, which is in his, its or their care, management or control, together with the correct name of such owner and his place of residence, with the parcels of real estate separated and identified and the articles of personal property itemized and the true value of each parcel of real estate or item of personal property. Such return by said owner or agent in respect to real estate shall be made in said manner in every year of a general assessment, and in respect to personal property in said manner in every year of an annual assessment. Accompanying such written notices shall be a form or schedule for the making of proper returns.

Taxables to
make own
assessment

Assessment
to be
itemized

The said Board of Assessment shall have full power and authority to compel any other or further return as occasion may require for the purpose of making additions, corrections or alterations to the assessment lists.

Power of
Board to
make cor-
rection

Failure to render an account by any person liable so to do within ten days after the time limited for the making of his return, shall be a misdemeanor and upon conviction such person shall be fined or imprisoned, or both, in the discretion of the Court. Provided, however, that the said Board of Assessment shall have the power and authority to stay a prosecution for any violation of the provisions of this Section, upon the making and filing of a proper return and the payment of a sum of money for the use of the county by the person liable, to be fixed by the said Board of Assessment and the costs of prosecution, if any. A copy of this Section shall accompany all written notices under this Section.

Liability for
failure to
make return

Stay of
prosecution

Copy of sec-
tion to ac-
company all
written
notices

The forms and schedules for the return of taxable property, provided for herein, shall have appended thereto a form of certificate to be signed by the person making said return, or in case of a firm, association of persons, or corporation, by a member of such firm or association of persons, or by an officer of said corporation, that the re-

Form of cer-
tificate to ac-
company
form of
return

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turn as made is a true, full and complete list of all real and personal property liable to assessment and taxation, as aforesaid, and that said return fairly and truly describes the said property and truly represents its true condition and value."

1115, Sec. 18
to 1121, Sec.
21, Chap. 44,
of the Re-
vised Code
with respect
to Sussex
Co. repealed

Section 14. That 1115, Sec. 18; 1116, Sec. 19; 1117, Sec. 20; 1118, Sec. 21; 1119, Sec. 22; 1120, Sec. 23; 1121, Sec. 24, of said Chapter 44, of the Revised Code are hereby repealed with respect to Sussex County.

1122, Sec. 24,
Chap. 44, of
the Revised
Code with
respect to
Sussex Co.
repealed

Section 15. That 1122, Sec. 25, of said Chapter 44 of the Revised Code, is hereby repealed with respect to Sussex County, and said Chapter is further amended by the addition of a new Section to be known as, 1122 A. Sec. 25 A., as follows:

Penalty of
swearing
falsely

"1122 A. Sec. 25 A. If any person making oath or affidavit required under the provisions of the assessment laws relating to Sussex County shall swear falsely, he shall be guilty of the crime of perjury."

Chap. 44, Re-
vised Code
amended

Section 16. That said Chapter 44 of the Revised Code be further amended by the addition of a new Section to be known as, 1123 A. Sec. 26 A., as follows:

Duplicate
assessment
list to be
furnished
Levy Court

Location of
office

Office to be
open each
secular day

"1123 A. Sec. 26 A. The said Board of Assessment of Sussex County shall, on or before the first day of April in each year, prepare and furnish to the Levy Court duplicates of all the assessments and alterations and corrections thereof made by it, in books to be furnished by the Levy Court. The said Board of Assessment shall have their offices in the County Court House of said County, and the members thereof shall be present, in person or by clerks duly authorized to act for them every secular day in the year, holidays excepted, to hear any and all questions that may arise in reference to said valuation and assessment,

VALUATION AND ASSESSMENT OF PROPERTY.

and the said Board shall have the power to correct said assessment lists at any time, subject, however, to the notices required by this Act to be given. And for such purposes the said Board shall have authority to sit at convenient places in said County.

Board of Assessment have power to correct assessment sit at convenient places

The said Board of Assessment shall have the power to select a clerk at a salary to be fixed by the Levy Court of Sussex County, whose duties shall be as prescribed by said Board of Assessment.

To have a clerk

The Board of Assessment for Sussex County shall have the power and authority to select a suitable person or persons from each of the representative districts of Sussex County or, if necessary, from each of the election districts of Sussex County, whose duty it shall be to assist said Board of Assessment in locating the persons and property of persons in said representative district, or in said election district, and in the valuation of assessable property. The persons so employed shall receive as compensation for his services such sum as shall be fixed by the Levy Court. The Board of Assessment shall certify in writing the name of each person so employed in each of said districts, and shall approve all bills rendered to said Levy Court by such persons so employed before payment shall be made to such persons by the said Levy Court."

Power to select suitable persons to assist in making assessments

Section 17. That 1124, Sec. 27, of said Chapter 44, of the Revised Code is hereby repealed with respect to Sussex County, and said Chapter is further amended by the addition of a new Section to be known as, 1124 A. Sec. 27 A., as follows:

1124, Sec. 27, Chap. 44, Revised Code repealed

"1124 A. Sec. 27 A. The said Board of Assessment, or any member thereof may personally inspect each tract or parcel of real estate returned by the owners thereof on the forms and schedules aforesaid, and report in writing to said Board of Assessment their opinion as to its value. All real and personal property liable to assessment shall be assessed at the true value thereof. If from the reports

Board of Assessment to inspect real estate

All property to be assessed at true value

VALUATION AND ASSESSMENT OF PROPERTY.

Notice of
reevaluation

of the assistants aforesaid, or in any other manner, it shall appear that any property as returned is not sufficiently valued the Board of Assessment shall give notice thereof to the owner, or person making such return and valuation, and shall fix a day not less than ten days after the date of said notice for a hearing and determination.

Power to
summon and
examine
witnesses

The said Board of Assessment shall have power to summon and to compel the attendance of witnesses, to examine such witnesses, and to compel the production of books and papers as they may deem necessary, with respect to any assessable property and each member of the said Board of Assessment is hereby empowered to administer oaths or affirmations. Any person or persons, member of any firm, association of persons, or the officer of any corporation or agent who shall fail, refuse or neglect to answer questions submitted by the Board of Assessment or any member thereof, with respect to assessable property, or shall fail, neglect or refuse to produce when required, such books and papers as the Board of Assessment may deem necessary with respect to assessable property he shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined or imprisoned, or both, in the discretion of the Court."

A misde-
meanor to
refuse or fail
to testify
or produce
evidence

1125, Sec. 28,
Chap. 44, Re-
vised Code
repealed as
to Sussex
County

Section 18. That 1125, Sec. 28, of said Chapter 44, of the Revised Code, be and the same is hereby repealed with respect to Sussex County, and said Chapter be further amended by the addition of a new Section to be known as, 1125 A. Sec. 28 A., as follows:

Power to
adopt certain
assessments
of incor-
porated
towns and
cities

"1125 A. Sec. 28 A. The said Board of Assessment shall have the power, if in their discretion, after a full examination they find that the assessment of any incorporated town, or city, made by the duly constituted assessors thereof is a fair and true assessment at the real cash value, of the property in such town or city, to adopt and take the said assessment of the said towns or cities, as the assessment thereof for county purposes."

VALUATION AND ASSESSMENT OF PROPERTY.

Section 19. That 1126, Sec. 29, of said Chapter 44, 1126, Sec. 29, Chap. 44, Revised Code respecting Sussex Co. repealed of the Revised Code is hereby repealed with respect to Sussex County, and said Chapter 44 is hereby amended by the addition of a new Section to be known as, 1126 A. Sec. 29 A., as follows:

"1126 A. Sec. 29 A. It shall be the duty of every purchaser of real estate in any County to make a report to the Board of Assessment of Sussex County of the conveyance made to him, with a description of the real estate, and on so doing, the same shall be noted without charge on the Deed of conveyance by the said Board of Assessment; but if said purchaser shall omit said duty the Recorder of Deeds shall not admit the Deed of conveyance To report the conveyance of real estate to record in his office without charging twenty-five cents for each piece of real estate therein described, and it shall then be the duty of such Recorder to furnish the proper description of such real estate with the date of conveyance and the name of the Grantor and Grantee within ten days to the Board of Assessment; and it shall be the duty of each devisee by Will or the heirs at law of any decedent to make a like return to said Board of Assessment of the property so devised or descending. Report of real estate devised, or descending And it shall be the duty of the Register of Wills of said County to furnish such descriptions of such real estate as is devised or which descends so far as the records in his office shall enable him to do and whether the same if devised be in trust or a devise in fee, or otherwise." Penalty for not reporting

Section 20. That 1128, Sec. 31, of Chapter 44, of the Revised Code, is hereby repealed with respect to Sussex County. 1128, Sec. 28, Chap. 44, Revised Code respecting Sussex Co. repealed

Section 21. That 1130, Sec. 33, of Chapter 44, of the Revised Code is hereby repealed with respect to Sussex County, and said Chapter is further amended by the addition of a new Section to be known as, 1130 A. Sec. 33 A., as follows: 1130, Sec. 33, Chap. 44, Revised Code respecting Sussex Co. repealed

VALUATION AND ASSESSMENT OF PROPERTY.

To make a statement of kind of property and value in each election district

"1130 A. Sec. 33 A. The Board of Assessment for Sussex County shall ascertain and assess according to law all the taxable property in each election district, and make a written statement thereof showing the names of the owners, arranged alphabetically, and at least three consecutive letters of the last named thereof, the different kinds of property, the value of each kind, the amount of each owners' assessment, and the amount of assessment of each election district."

1131, Sec. 34, Chap. 44, Revised Code, to apply to Sussex Co.

Section 22. That the provisions of 1131, Sec. 34, of said Chapter 44 of the Revised Code shall apply to the Board of Assessment of Sussex County.

1133, Sec. 36, Chap. 44, Revised Code respecting Sussex Co. repealed

Section 23. That 1133, Sec. 36, of said Chapter 44, of the Revised Code is hereby repealed with respect to Sussex County, and said Chapter 44 be further amended by the addition of a new Section to be known as, 1133 A. Sec. 36 A., as follows:

All property to be assessed at true value

"1133 A. Sec. 36 A. All property, real and personal, subject to assessment, shall be assessed at its true value in money. If the said Board of Assessment, or any member thereof, shall knowingly and wilfully value or assess any property upon any other principle than its actual value, each of the members of said Board participating therein shall be deemed guilty of a misdemeanor and shall be fined in any sum not exceeding One Hundred Dollars."

1134, Sec. 37, Chap. 44, Revised Code respecting Sussex Co. repealed

Section 24. That 1134, Sec. 37, of Chapter 44, of the Revised Code is hereby repealed with respect to Sussex County.

Same

Section 25. That 1137, Sec. 40, of Chapter 44, of the Revised Code is hereby repealed with respect to Sussex County.

Same

Section 26. That 1138, Sec. 41, of Chapter 44, of the Revised Code is hereby repealed with respect to Sussex

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County, and said Chapter is further amended by the addition of a new Section to be known as, 1138 A. Sec. 41 A., as follows:

"1138 A. Sec. 41 A. The Levy Court of Sussex County shall, during the month of February in each year, value and assess the property of the members of the Board of Assessment. The said members shall make the same returns and schedules and certifications as is provided in this Act for other taxables."

Section 27. That 1139, Sec. 42, of Chapter 44, of the Revised Code is hereby repealed with respect to Sussex County, and said Chapter 44 is hereby further amended by the addition of a new Section to be known as, 1139 A. Sec. 42 A., as follows:

"1139 A. Sec. 42 A. Each member of the Board of Assessment, before entering upon his duties, shall appear before the Levy Court of Sussex County to take the oath of office prescribed by the Constitution. The oath of office may be administered by the Clerk of the Peace of Sussex County, or any member of the Levy Court of said County, and a minute thereof shall be entered upon the records of said Levy Court."

Section 28. That the provisions of 1141, Sec. 44, of Chapter 44, of the said Revised Code shall apply to the Board of Assessment for Sussex County.

Section 29. That 1142, Sec. 45, 1143, Sec. 46, of said Chapter 44, of the Revised Code are hereby repealed with respect to Sussex County.

Section 30. That said Chapter 44 be further amended by the addition of a new Section to be known as, 1144 A. Sec. 44 A., as follows:

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Notices may
be sent by
mail

"1144 A. Sec. 44 A. Any notices required to be given under the provisions of this Act may be sent by mail, and when any such notice is so sent the day of the mailing thereof shall be deemed and taken to be the day of the giving of said notice."

Approved March 16, A. D. 1915.

COUNTY TREASURERS AND COLLECTION OF TAXES.

CHAPTER 80.

COUNTY TREASURERS AND COLLECTION OF TAXES.
NEW CASTLE COUNTY.

AN ACT to Amend Chapter 45 of the Revised Code of the State of Delaware in relation to the number of Clerks or assistants for the Receiver of Taxes and County Treasurer of 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 Chapter 45 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 1179, Section 35 thereof, and by inserting in lieu thereof the following paragraph, to be known as 1179, Section 35.

1179. Section 35. The annual salary of the Receiver of Taxes and County Treasurer shall be four thousand dollars. He may select and employ one deputy at an annual salary of one thousand two hundred dollars, and two clerks or assistants at an annual salary of nine hundred dollars each. Provided, however, that the number of the said clerks or assistants which the said Receiver of Taxes and County Treasurer may select and employ may be increased or decreased from time to time to such number or numbers as the Levy Court Commissioners of New Castle County shall, in their discretion, deem proper to perform the public work required in said office and shall authorize and direct by resolution duly adopted; and also further provided, that any additional clerks or assistants so to be authorized or employed shall receive an annual salary of nine hundred dollars each. The salaries of such deputy and clerks shall be paid to them by warrants drawn by the Levy Court of New Castle County on the County Treasurer in equal monthly installments, upon the certifi-

1179, Sec. 35,
Chap. 45, of
the Revised
Code
amended

Salary of
Receiver of
Taxes and
County
Treasurer
May employ
one deputy;
salary
May employ
two clerks;
salary

Levy Court
may increase
or decrease
number of
clerks

Salary of
any addi-
tional clerks
How salaries
shall be paid

COUNTY TREASURERS AND COLLECTION OF TAXES.

Receiver of
Taxes and
County
Treasurer
responsible
for acts of
deputy and
clerks

cate in writing of the Receiver of Taxes and County Treasurer that they have faithfully performed their duties during the preceding month. Such deputy and clerks shall be under the control of the Receiver of Taxes and County Treasurer by whom they are selected and employed. He shall have the right to discharge such deputy or clerks at any time and shall be responsible for all the official acts, neglects and defaults of such deputy and clerks as he may employ.

Collectors'
salaries fixed
by Levy
Court

The salaries of the collectors provided by this Chapter shall be fixed and determined by the Levy Court Commissioners, at least five days prior to the appointment of such collectors, and shall be proportioned as near as may be according to the amount of taxes on their respective duplicates, the said salaries to be paid upon warrant drawn by the Levy Court Commissioners as other salaries are paid in equal monthly instalments.

Approved March 1, A. D. 1915.

COUNTY TREASURERS AND COLLECTION OF TAXES.

CHAPTER 81.

COUNTY TREASURERS AND COLLECTION OF TAXES.
NEW CASTLE COUNTY.

AN ACT to Amend Chapter 45 of the Revised Code of the State of Delaware, being an Act to Regulate the Business of Pawn Brokers and Junk Dealers.

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

Section 1. That Chapter 45 of the Revised Code of the State of Delaware be and the same is hereby amended by striking out "1200. Section 56" and inserting in lieu thereof a new section, which shall be known as "1200. Section 56," as follows:

"1200. Sec. 56. Every person, corporation or firm conducting the business of a pawnbroker or junk dealer shall keep a book or books in which shall be fairly written in English at the time of each loan or purchase an accurate account and description of the goods, articles or things pawned, pledged or purchased, the amount of money loaned thereon or the amount of money paid therefor, the time of pledging or purchasing the same and the rate of interest to be paid on such loan, together with the description of the person pawning or pledging or selling such goods, articles or things, including the color of his complexion, color of eyes and hair and his or her stature and general appearance. The said book or books shall be prepared and furnished to such person, corporation or firm so conducting the business of a pawn broker or junk dealer by the Police Department of the City of Wilmington at the expense of such person, corporation or firm so conducting the business of pawn-broker or junk dealer. It shall also be the duty of

1200. Sec. 56,
Chap. 45, of
the Revised
Code
amended

Shall keep
account of
all business
with detail

Books to be
furnished by
Police De-
partment at
expense of
other party

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any person engaged in the business of pawn broker, to furnish to each applicant or customer a ticket on which is printed a number corresponding with the number used to identify the article placed in pawn, also the amount given in cash, together with all charges, and the total amount to be paid when the article is to be redeemed. Every pawn broker shall return to the office of the Chief of Police of the City of Wilmington every day before noon a sheet showing all business transacted by him on the previous day, and giving an accurate description of the goods, articles or things pawned, pledged or purchased, the amount of money loaned thereon, or the amount of money paid therefor, the time of pledging or purchasing the same, and the rate of interest to be paid on such loan, together with a description of the person pawning or pledging such goods, articles or things, including the color of his complexion, color of eyes and hair, and his or her general appearance."

Must furnish
a pawn
ticket with
details
thereon

Every broker
must daily
report in de-
tail to
Chief of
Police

Approved March 2, A. D. 1915.

COUNTY TREASURERS AND COLLECTION OF TAXES.

CHAPTER 82.

COUNTY TREASURERS AND COLLECTION OF TAXES.
SUSSEX COUNTY.

AN ACT to provide for the more efficient collection of Taxes in Sussex County, by establishing the Office of Receiver of Taxes and County Treasurer, and prescribing the duties of said office, and abolishing the Office of County Treasurer and the Office of Collector of Taxes.

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, the office of Collector of Taxes for the several districts of Sussex County, as now prescribed by law, is hereby abolished, provided, however, that the Collectors of Taxes, who are duly appointed and qualified prior to the first day of January A. D. One Thousand Nine Hundred and Fifteen, shall continue in office as Collectors of Taxes with all their powers and authority, and subject to all their duties as such Collectors as now provided by law, for such time as may be necessary for them to collect the taxes which they were authorized and appointed to collect, but in no case for longer than two years from the date of their respective warrants.

Section 2. The Governor shall, on or before the first day of April, A. D. One Thousand Nine Hundred and Fifteen, appoint a competent person, who shall be a resident of Sussex County, to the office of Receiver of Taxes and County Treasurer, which said office is hereby created. The person, so appointed, shall hold office from the date of his appointment until the first Tuesday in the month of January, A. D. One Thousand Nine Hundred and Seventeen, or until his successor be duly qualified.

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Section 3. At the general election in the year A. D. One Thousand Nine Hundred and Sixteen, and at the general election held in every fourth year thereafter, there shall be voted for and elected by the qualified voters of Sussex County a suitable person, being a resident of Sussex County, to fill the office of Receiver of Taxes and County Treasurer. The person so elected shall hold office for the term of four years, commencing on the first Tuesday in January next succeeding his election, or until his successor shall be duly qualified. No person shall be twice elected Receiver of Taxes and County Treasurer in any term of eight years, but the person appointed by the Governor as the first Receiver of Taxes and County Treasurer hereunder shall be eligible for re-election.

To be elected after first term of office

Term of office

Not eligible for re-election

Appointed officer eligible

To give bond Section 4. Any Receiver of Taxes and County Treasurer, appointed or elected under the provisions of this Act, shall, before entering upon the duties of his office, give bond to the State of Delaware, with one or more sureties, to be approved by the Associate Judge of the Superior Court of the State of Delaware, resident in Sussex County, in the sum of Twenty-five Thousand Dollars, conditioned as follows: "The condition of the above obligation is such that if the above bond———, being Receiver of Taxes and County Treasurer for Sussex County, shall faithfully and diligently collect all the rates and taxes which he shall, according to the duplicates and warrants to be issued to him as such Receiver of Taxes and County Treasurer, be required to collect, and all taxes whatever which shall be committed to him for collection, and shall pay the amount of all such rates and taxes, excepting only so far as allowance shall be made to him by the Levy Court for delinquencies or otherwise, to the officers authorized by law to receive the same, in the manner and within the times prescribed by law, or legally appointed by the Levy Court of said County for that purpose; and furthermore if the said———shall perform the duties of his office in all things with fidelity, then the above obligation shall be void." The said obligation shall be a lien within the provisions of Section 4516 of the Revised Code.

Form of bond

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To the said bond there shall be subjoined a warrant of attorney for the confession of judgment thereon, and the said bond and warrant shall be joint and several, provided, however, that if the surety upon said bond shall be a duly authorized surety company to be approved by the said Judge, in such case there shall be no warrant of attorney subjoined for the confession of judgment.

Conditions of bond as to surety

Such bond and warrant shall be forthwith transmitted by the said Judge to the Prothonotary of Sussex County to be by him recorded upon the records of his office and safely kept, and the record of said bond shall be evidence in any court of law or equity.

Bond to be recorded

The said bond may be proceeded upon at the instance of the Comptroller or the Levy Court.

Comptroller may proceed on bond

Section 5. The said Receiver of Taxes and County Treasurer shall not be required to collect school taxes assessed and levied by any School District or United School Districts in the County of Sussex.

Not required to collect school taxes

Section 6. The Receiver of Taxes and County Treasurer is empowered to employ expert assistance to institute a modern and improved system of books and accounts so that the state of the County's finances may be at all times easily ascertained, the cost of which shall be paid by the Levy Court.

May employ expert assistance to institute a modern system of book-keeping

Section 7. The Receiver of Taxes and County Treasurer shall, upon the delivery to him of the tax duplicates and warrant as provided by law, be responsible for the whole amount of the taxes he shall be required to collect, or that shall be committed to him for collection, subject only to allowances made by the Levy Court for uncollectible taxes or otherwise.

Responsible for whole amount of assessment

Section 8. The said Receiver of Taxes and County Treasurer shall have prepared for each representative dis-

Except certain allowances

COUNTY TREASURERS AND COLLECTION OF TAXES.

Proper re-
ceipt books
shall be
prepared

trict a book of receipts, numbered serially, which receipts, when delivered upon the payment of taxes, shall show the amount of assessment, distinguishing real and personal assessment and capitation tax, and showing the rate or rates of taxes and any penalty imposed, if any there be, and the year of such tax, and each receipt shall have a corresponding stub which shall be retained in said book.

Office in
Court House

Section 9. The Levy Court of Sussex County shall furnish the Receiver of Taxes and County Treasurer a suitable office in the Court House, in the town of Georgetown, at which office the said Receiver of Taxes and County Treasurer shall attend, either in person or by deputy, every day except Sunday and legal holidays, for the receiving of taxes. The office hours in the town of Georgetown shall be from eight A. M. to twelve M. and from one P. M. to five P. M.

Shall attend
every week-
day

Office hours

Shall appoint
time and
place in each
district to
receive taxes

Section 10. In pursuance of public notices, the said Receiver of Taxes and County Treasurer shall attend in person, or by deputy, not less than once in every month during the months of May, June, July, August, September, October and November of each year, at some convenient and public place in each representative district in Sussex County, there to receive the taxes of any taxable in said representative district, or of any taxable in any adjoining representative district, and at such times and places he, or his deputy, shall sit at least six hours on every day so appointed.

Length of
sitting each
day

Shall publish
in news-
paper times,
places and
hours of
sitting

He shall give notice in at least one newspaper, published in the town of Georgetown, of the times, places and hours of sitting when and where he will receive taxes in the several representative districts of Sussex County, exclusive of the ninth representative district, and he shall likewise give notice in a newspaper published in the representative district where he shall sit, if any there be, of the times and hours of the sitting and places when and where he will receive taxes in such representative district, and he shall

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also give the same notice by handbills posted in at least ten of the most public places in each representative district as aforesaid. Such notice shall be given at least ten days before the time of the sitting of said Receiver of Taxes and County Treasurer in any representative district. Also notice by hand bills posted

Section 11. In case the Receiver of Taxes and County Treasurer shall fail to attend either in person or by deputy at his office in Georgetown at the times herein appointed for his attendance in Georgetown, or in the representative districts in Sussex County, exclusive of the ninth representative district, at the times to be appointed by him for his attendance, he shall, unless such failure to attend shall be shown to be unavoidable, forfeit and pay to anyone, who may have called at such time for the purpose of paying his taxes and not finding the Receiver of Taxes and County Treasurer, or his deputy, in attendance to receive the same, the sum of ten dollars, besides costs of suit, to be recovered before any Justice of the Peace in Sussex County. Penalty of failure to attend as advertised

Section 12. It shall be the duty of the Receiver of Taxes and County Treasurer to collect and pay to the County all taxes on the duplicates delivered to him within one year next after the date of the warrant attached to the tax duplicates. On the first secular day of each month he shall pay the taxes collected by him during the preceding month to the County Treasurer for and during the tenure of office of the present County Treasurer, and thereafter weekly shall carry the funds so collected by him to the credit of the County, or to the credit of such county fund as the Levy Court shall direct. If the Receiver of Taxes and County Treasurer shall fail, in any year, to make full and complete settlement with the County for the taxes which it shall be his duty to collect, excepting such allowance as may be made to him, his salary as such officer shall be withheld and he shall not be entitled to accept or receive any salary or other compensation until such full and final settlement be made. To collect and pay all taxes within one year
Shall make monthly settlement to County Treasurer
Thereafter weekly credits
Penalty for not making full annual settlements

Section 13. In the month of April in the year following the year of the date of the warrant of the tax duplicates, as

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Annually to compile list of uncollectible taxes and present to Levy Court

Levy Court to make annual settlement with Tax Receiver

Settlement to be final

To publish annually a list of uncollectible taxes in two newspapers

To post a list in two places in each representative district

Publishing and posting to be done in April each year

County Treasurer to fill out term of office

aforesaid, the said Receiver of Taxes and County Treasurer shall compile a list of the taxables in each representative district the taxes of whom he has been unable to collect, stating therein briefly the reason why the said taxes were in each case uncollectible, and shall present the same to the Levy Court and the Levy Court shall make an investigation of such list, and shall make a full and complete settlement with the said Receiver of Taxes and County Treasurer for all taxes received by him for the year, and at such settlement shall, after investigation as aforesaid, make all just and proper allowance to said Receiver of Taxes and County Treasurer for such taxes as they shall find to be uncollectible by reason of errors in the assessment lists or otherwise, and not due to default or neglect of said Receiver of Taxes and County Treasurer, which settlement shall be final and conclusive, and no other allowance, in any form or guise, shall be made to said Receiver of Taxes and County Treasurer. The settlement as aforesaid shall be made annually between the twenty-third day of April and the thirtieth day of April. The said Receiver of Taxes and County Treasurer shall publish a list of the taxables of each representative district whose taxes he has been unable to collect, stating therein the reason why the said taxes were uncollectible, in two newspapers of Sussex County, one of which shall be published in the town of Georgetown; and he shall in at least two public places of each representative district post a like list of the taxables of such district whose taxes he has been unable to collect. Said publication and posting of the lists as aforesaid shall be done in the month of April in each year next succeeding the date of his warrant, and at least two weeks prior to the twenty-third day of April in each year.

Section 14. All the powers, duties, emoluments and perquisites appertaining to the office of County Treasurer of Sussex County are hereby preserved to the present incumbent for and during the full term of office for which he was elected. From and after the expiration of the term of the present incumbent of the office of County Treasurer of Sussex County, or if from any cause the said office of

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County Treasurer of Sussex County should become vacant before the expiration of the term, all the powers, rights, duties, conditions and limitations appertaining to the office of County Treasurer of Sussex County shall be vested in the Receiver of Taxes and County Treasurer as herein created, and upon the expiration of the term of office of the present incumbent, or in case a vacancy shall happen during said term, the said office is abolished and the duties of County Treasurer shall devolve at once upon the Receiver of Taxes and County Treasurer.

When the County Treasurer office shall be merged with Tax Receiver

Section 15. The annual salary of the Receiver of Taxes and County Treasurer shall be eighteen hundred dollars, which shall be paid to him by warrants of the Levy Court of Sussex County in equal monthly instalments.

Salary and how paid

He may select and employ one deputy at an annual salary of Eight Hundred Dollars, which salary shall be likewise paid to said deputy by warrants of the Levy Court in equal monthly instalments. The said Receiver of Taxes and County Treasurer may, with the approval of the Levy Court, employ other and additional assistance in his office as may be required from time to time, provided the cost of such shall not in any one year exceed the sum of Two Hundred Dollars.

Deputy and salary
May employ extra assistance

The deputy provided for herein shall be under the control of the Receiver of Taxes and County Treasurer. He shall have the right to discharge such deputy at any time, and shall be responsible for all the official acts, negligences and defaults of such deputy.

Receiver of Taxes and County Treasurer shall be liable for acts of deputy

Section 16. The necessary expenses of said Receiver of Taxes and County Treasurer and of his Deputy, in going to, remaining at, and returning from, the said sittings in the several representative districts heretofore mentioned, shall be made out monthly in writing duly itemized and verified before the Clerk of the Peace, and presented to the Levy Court, and it shall be the duty of the Levy Court

Expenses contingent to office work to be paid by Levy Court

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to make allowance to said Receiver of Taxes and County Treasurer in the usual form, after due investigation.

All taxes
due and pay-
able May
1st each
year

Section 17. All taxes assessed and levied shall be due and payable on the first day of May in each year and no demand therefor shall be necessary.

Section 18. Remedies for the Collection of Taxes.

Remedies
for the col-
lection of
taxes

A. The remedy by distress, as now prescribed by law, is hereby preserved to the said Receiver of Taxes and County Treasurer for the collection of any taxes for which he may be responsible.

The Receiver
may insti-
tute suit

B. At any time after the delivery of the duplicates and warrants and without notice to the taxable, the Receiver of Taxes and County Treasurer may institute suit before any Justice of the Peace of the State of Delaware in any of the counties in said State, for the recovery of any tax due and unpaid, and, in an action of debt may recover judgment against any taxable, and upon such judgment may sue out writs of execution as in case of other judgments recovered before a Justice of the Peace. The action shall be brought in the name of "_____, Receiver of Taxes and County Treasurer for Sussex County."

May collect
from
employer

When em-
ployer is
liable

C. The Receiver of Taxes and County Treasurer may at any time notify in writing the person or corporation by whom any taxable is employed that the tax of said employec is due and unpaid, and it shall thereupon be the duty of the said employer to deduct from the wages, or from any sum due such employee, the amount of the tax due from such employee, and charge the same against him; and if such employer refuses or neglects to comply with the provisions of this section within three months from the time of receiving such notice, he shall be personally liable for the tax of such person as to whom notice has been given, and the amount of said tax may be recovered from

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such employer by the Receiver of Taxes and County Treasurer in an action of debt before any Justice of the Peace.

When the amount of such tax is held by any employer under the provisions of this section, he shall pay the same to the Receiver of Taxes and County Treasurer within fifteen days thereafter. A copy of this section shall accompany all written notices to employers.

D. If the Receiver of Taxes and County Treasurer shall not be able to find property of a taxable from which to collect the tax due, and shall be unable to collect the tax of any taxable by any of the processes herein prescribed, it shall be lawful for the said Receiver of Taxes and County Treasurer, and it shall be his duty, to take and imprison the body of such taxable in the county jail by delivering ^{May put} to any constable of the county, or to the sheriff, a commitment similar in form, with the necessary changes as ^{taxable in} to detail, to commitments now used by Justices of the ^{jail} Peace.

E. For the purpose of collecting the tax of any taxable, ^{Empowered} and without the necessity of first employing the other remedies herein provided, the Receiver of Taxes and County Treasurer is authorized and empowered to sell the lands and tenements of any taxable, or the lands and tenements of any taxable alienated by him subsequent to the levy of such tax, in the manner following: after depositing in the mail in a sealed wrapper sufficiently stamped, an ^{to sell} itemized tax bill, together with a notice to the taxable that he will proceed to sell the lands and tenements of the taxable for the payment of the tax, addressed to said taxable at his last known postoffice address, if such can be reasonably ascertained, the Receiver of Taxes and County Treasurer shall file in the office of the Prothonotary a certificate under his hand and seal, containing, (a) the name of the taxable; (b) the assessment of the property of the taxable as it appears upon the tax duplicate; (c) the year for which the tax was levied; (d) the rate of tax; (e) ^{land and} ^{tenements} ^{Process}

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the total amount due; (f) the date from which the penalty for non-payment shall commence and the rate of such penalty; (g) a short description of the lands and tenements proposed to be sold, sufficient to identify the same; (h) the address of the taxable, if ascertainable as aforesaid; (i) that a tax bill and notice has been mailed to such taxable, and the date of such mailing. Upon the filing of such Certificate the Prothonotary shall record the same in a properly indexed Record to be known as "Tax Sale Record," and shall endorse upon said record of said certificate the following; "The certificate filed the _____ day of _____ A. D. _____ (giving the day and year), and the Receiver of Taxes and County Treasurer shall therefore proceed to sell the lands and tenements herein mentioned, or a sufficient part thereof, for the payment of the tax due." Which endorsement shall be signed by the Prothonotary.

Publish and
post sale

Section 19. The Receiver of Taxes and County Treasurer shall then proceed to advertise the lands and tenements of the taxable by posting handbills in at least ten public places in the county, one of which shall be on the lands to be sold, and one at the Court House in Georgetown, and by publishing the notice or advertisement of sale in a newspaper of the county at least one issue before the day fixed for the sale. All sales shall be made at the Court House door and the hand bills and advertisement shall contain the day, hour, place of sale, and a short description of the property to be sold.

To keep
record of
publishing
and posting

The Receiver of Taxes and County Treasurer shall keep a record of the places where the said handbills were posted and of the newspaper in which the advertisement was published, and such record shall be presumptive evidence of such advertisement and posting.

Return of
sale made
to Superior
Court

Section 20. Every sale of lands and tenements shall be returned by the Receiver of Taxes and County Treasurer to the Superior Court in and for Sussex County at the

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next term thereof, and the Court shall inquire into the Court to
 circumstances and either approve said sale or set it aside, approve or
 set aside
 If it be approved, the Receiver of Taxes and County Treas- Title made
 urer shall make a deed to the purchaser which shall convey by Receiver
 of Taxes and
 County
 Treasurer
 the title of the taxable, or of his alienee, as the case may
 be; if it be set aside, the Court may order another sale, Second sale
 and so on until the tax due be collected. The certificate
 filed, together with the return and deed, shall be pre-
 sumptive evidence of the regularity of the proceedings.

Section 21. In cases of sale of land for the payment of Costs of
 taxes, the following costs shall be allowed, to be deducted sale to be
 paid by
 owner
 from the proceeds of sale, or chargeable against the owner.

To the Prothonotary,

For filing and recording certificate.....\$1.00
 For filing and recording return of sale..... 1.50

To the Receiver of Taxes and County Treasurer,

For preparing certificate..... \$.25
 For making sale of lands..... 2.00
 For preparing and filing return..... 1.50
 For posting handbills..... 1.00

In addition the cost of printing handbills and publication
 of advertisements of sale shall be chargeable as costs as
 aforesaid.

The cost of the deed shall not be chargeable as costs, Cost of deed
 but shall be paid by the purchaser. to be paid by
 purchaser

Section 22. In case the owner of any lands and tene- In case
 ments against which a tax shall be levied and assessed owner is not
 known
 shall be unknown, this fact shall be stated in the adver-
 tisement of sale, and in addition to the notice herein re-
 quired, the advertisement shall be published in some

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newspaper published in Sussex County in at least two successive issues thereof before the day fixed for the sale of said property.

Payment of
taxes, sale
discontinued

Limit of
time for
owner to
redeem land

Section 23. No sale shall be approved by the Court if the owner be ready at Court to pay the taxes, penalty and costs, and no deed shall be made until the expiration of one year from the time of sale, within which time the owner, his heirs, executors or administrators shall have the power to redeem the lands on payment to the purchaser, his heirs or assigns, of the costs, the amount of the purchase money, and twenty per cent. interest thereon, and expenses of the deeds.

In case of
death of
taxable

Section 24. The death of any taxable shall not prevent the recovery of any tax due and owing, but the Receiver of Taxes and County Treasurer shall proceed for the collection thereof against the personal representative of such deceased taxable; and in the event that lands and tenements of a deceased taxable are to be sold, it shall be sufficient for the Receiver of Taxes and County Treasurer to suggest the death upon the record and give notice as herein prescribed to the heirs at law or devisees of the land, as the case may be, and the executor or administrator of such deceased taxable, if any there be within the County of Sussex.

Surplus of
sale to be
paid to
owner or
other
disposition

Section 25. After satisfying the tax due and the costs and expenses of sale from the proceeds of sale, the amount remaining shall be paid at once to the owner of the land, or upon the refusal of said owner to accept the same, or if the owner is unknown or cannot be found, the amount remaining shall be deposited in some bank in the county either to the credit of the owner, or in a manner by which the fund may be identified.

Lien of
taxes may
be extended

Section 26. The lien of any taxes upon property may be extended against the owner thereof in the manner following, namely: any Receiver of Taxes and County Treasurer shall, prior to the expiration of the lien of said taxes, file

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with the Prothonotary of Sussex County a certificate containing the name of the taxable, the amount of the assessment, distinguishing the real and personal property and capitation tax, the year for which the said taxes may be levied, the rate of taxes, the total tax levied, the date from which the penalty for non payment of tax shall begin, and the rate of such penalty per month. The prothonotary shall thereupon file said certificate and enter an abstract thereof upon a record to be by him kept in his office and to be known as "Tax Lien Record." The lien of said tax shall thereupon be extended and remain a lien against all the real property of said taxable within Sussex County, inclusive of all real property alienated by said taxable subsequent to the levy of said tax, and shall extend back to the date of the levy of said tax, and shall continue in force for a period of five years from the date of said levy, subject to the same conditions and limitations as of a judgment recovered in the Superior Court of the State of Delaware, and a writ of *levari facias* may issue thereon for the sale of the taxable's real estate at the direction of any Receiver of Taxes and County Treasurer, or at the direction of the Levy Court, as on any such judgment, and shall be in the name of the State of Delaware against said taxable.

Section 27. If any person is assessed for several parcels of land and tenements, or for personal property and lands and tenements in the same tax assessment, the total of said person's taxes may be collected out of the personal property, or out of the whole or any part or portion of said lands and tenements, provided that land alienated by the taxable shall not be sold until other property of the taxable shall have been disposed of; and provided that if the tax be paid on land alienated, the lien of the tax thereon shall be discharged.

Section 28. The Recorder of Deeds, Register of Wills, Clerk of the Orphans' Court and Register in Chancery, shall make a list of the changes of ownership of real estate as shown by the records of their respective offices, giving

Time limit
of lien

Tax may be
collected
from any or
all property
of taxable

County off-
cers shall
make a list
of changes
of owners
of real
estate

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Record list
to be deliv-
ered monthly
to Receiver
of Taxes
and County
Treasurer

therein a short description of the property, the name or names of the person from whom the title was derived, and in whom the title shall be vested as it shall appear in such transfers of title, and shall deliver the said list on the first secular day of each month to the said Receiver of Taxes and County Treasurer.

Taxes to be
paid prior to
other claims

Section 29. Every sheriff, constable, trustee in bankruptcy, or trustee or receiver appointed by any decree of any court of this State or elsewhere, or any landlord or bailiff in any distraint proceedings for the recovery of rent, who shall make sale of any property, real or personal, in the County of Sussex, shall deliver to the Receiver of Taxes and County Treasurer, a copy of the advertisement of said sale ten days before the date fixed therefor, and upon demand made by the Receiver of Taxes and County Treasurer, the officer conducting the sale shall withhold the amount of the tax and pay the same to the Receiver of Taxes and County Treasurer.

Levy Court
shall furnish
office all
necessary
supplies

Section 30. The Levy Court or Sussex County shall have prepared for the use of said Receiver of Taxes and County Treasurer, records, books, forms and supplies necessary for the proper discharge of the duties of his said office.

No rebate

Section 31. The Receiver of Taxes and County Treasurer shall allow no abatement or discount upon any tax required to be collected by him, and shall after the first day of October in the year in which the tax duplicate shall be delivered to him, add to taxes to be paid thereafter a penalty of one per centum per month until the same shall be paid.

A penalty to
be added

County war-
rants not
acceptable
for payment
of taxes

Section 32. It shall be unlawful for the Receiver of Taxes and County Treasurer to accept county warrants of any form or kind in payment of taxes.

Penalty for
intent to
escape pay-
ment of
tax

Section 33. If any taxable of the county shall remove from the county with intent to escape payment of any tax due, he shall be liable in any action brought before a

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Justice of the Peace for the recovery of such tax, to double the amount thereof.

Section 34. If any Receiver of Taxes and County Treasurer, or out-going Receiver of Taxes and County Treasurer, shall be unable, within one year from the date of the duplicate and warrant, to collect the tax of any taxable, he is authorized and empowered, having first paid the amount thereof to the credit of the county, to collect said tax from such taxable for his own use and benefit by any of the processes of law herein prescribed, within the space of one further year, the said further year to commence upon the day of the expiration of the year beginning upon the date of the warrant and duplicate, after which time the said tax shall be extinguished, unless the lien of the same shall be extended.

Authority of Tax Receiver after expiration of office

Time limit of action to collect

When tax shall be extinguished

In case any Receiver of Taxes and County Treasurer, or any out-going Receiver of Taxes and County Treasurer, shall cause the lien of any tax to be extended and shall be compelled to pay the amount thereof to the credit of the County, the Levy Court shall assign said lien or mark the same to the use of such Receiver of Taxes and County Treasurer, and he may proceed thereon for its enforcement in the name of the State to and for his use.

The Levy Court shall assist, when

Section 35. All records, books, papers, stubs, accounts, of whatever kind or character, appertaining to the office of Receiver of Taxes and County Treasurer, shall belong to the County of Sussex, and upon the expiration of the term of office of any Receiver of Taxes and County Treasurer, he shall turn over the same to his successor, or to the Levy Court of the County.

All books and papers pertaining to office shall be property of county

Shall turn over to successor

Any Receiver of Taxes and County Treasurer who shall, upon demand made, fail to comply with the provisions of this Section, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined in a sum not exceeding one thousand dollars, or shall be imprisoned for a term not to exceed one year, or both at the discretion of the court.

Penalty for refusing to

COUNTY TREASURERS AND COLLECTION OF TAXES.

Section 36. That all acts or parts of acts inconsistent with or supplied by this Act are hereby repealed.

All acts not
inconsistent
with pro-
visions of
this Act
shall con-
tinue in force

All acts or parts of acts pertaining to the powers, duties, conditions and limitations of the office of County Treasurer and Collectors of county taxes of Sussex County not inconsistent with the provisions of this act shall continue in force and shall apply to the office of Receiver of Taxes and County Treasurer herein created.

Approved March 12, A. D. 1915.

COUNTY COMPTROLLERS.

CHAPTER 83.

COUNTY COMPTROLLERS.

AN ACT to Amend Chapter 46 of the Revised Statutes of the State of Delaware, relative to the Publication of the Audit of the Comptroller's Books and Accounts 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 1278, Section 6 of Chapter 46 of the Revised Statutes of the State of Delaware, be, and the same is, hereby amended by striking out all of said Section and by inserting in lieu thereof a new Section to be styled 1278, Section 6, as follows:

"1278, Section 6. Kent and Sussex Counties; Audit of Comptroller's Books and Accounts; Reports; Publication; Compensation; General Statement of Comptroller; Publication:—In the month of December in each year it shall be the duty of the Associate Judge of the Superior Court, resident in the Counties of Kent and Sussex, respectively, to appoint a Committee of three freeholders of his County, who shall inspect the books and accounts of the County Comptroller of such County, and make report under oath, to the said Judge, who shall in his discretion, if deemed necessary or desirable, cause the same to be published in pamphlet form, or once a week for two weeks in not more than two weekly newspapers of said County, at the expense of the County. The said Committee shall receive as compensation for their services the sum of Five Dollars for each day in which they shall be actually engaged in such duty.

1278, Sec. 6,
Chap. 46, of
the Revised
Code
amended

Kent and
Sussex
Counties

Committee
appointed to
audit books
of Com-
ptroller

Make report
to Associate
Judge

May pub-
lish report

Compensa-
tion of
committee

COUNTY COMPTROLLERS.

Comptrollers
shall make
annual
report

The County Comptroller for Kent and Sussex Counties, respectively, shall, during the said month, make a general statement, showing the receipts, disbursements and appropriations, together with the bonded indebtedness of said Counties, respectively, which statement shall be verified by his affidavit, and shall be published in two of the weekly newspapers of said Counties, respectively."

Report shall
be published

Approved March 12, A. D. 1915.

CONSTABLES.

CHAPTER 84.

CONSTABLES.

AN ACT to provide for an additional Constable in Georgetown Hundred, Sussex 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 Governor be and he is hereby authorized to appoint an additional Constable in Sussex County, Delaware, who shall be appointed for Georgetown Hundred in said County; and the office of the 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.

Governor authorized to appoint additional constable for Georgetown Hundred

Term of office

Section 2. Any person who shall be appointed Constable under this Act shall, within thirty days after his appointment, give bond with sufficient surety in the sum of Two Thousand Dollars, which bond the Levy Court of said Sussex County shall take, approve, certify and deliver for record in like manner as is now provided by law in cases of other Constables.

Shall give bond within 30 days after appointment

Bond to be approved by Levy Court

Section 3. That this Act shall become operative on the first day of March, A. D. 1915.

Act operative

Approved April 13, A. D. 1915.

SALARIES OF CERTAIN COUNTY OFFICERS.

CHAPTER 85.

SALARIES OF CERTAIN COUNTY OFFICERS.

AN ACT to Amend Chapter 53 of the Revised Code of the State of Delaware in relation to the number of Deputies and Clerks of certain County Officers of New Castle County.

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

Chap. 53, Re-
vised Code
amended

Section 1. That Chapter 53 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 1439, Section 7 thereof, and inserting in lieu thereof the following section to be styled 1439, Section 7.

May employ
deputies

1439, Section 7. The officers mentioned in the first Section of this Chapter may select and employ Deputies and Clerks to assist them in the performance of the duties of their offices respectively, at the following annual salaries, namely:

Salaries

In New Castle County, the Clerk of the Peace may select and employ one Deputy at a salary of one thousand and two hundred dollars, and three clerks, each at a salary of nine hundred dollars; the Sheriff, three Deputies, one at a salary of one thousand and two hundred dollars, and two at eight hundred dollars each; the Coroner, one Deputy at a salary of five hundred dollars; the Prothonotary, one Deputy at a salary of one thousand and two hundred dollars, and one clerk at a salary of nine hundred dollars; the Recorder, one Deputy at a salary of one thousand two hundred dollars, and four clerks, each at a salary of nine hundred dollars; the Register of Wills, one Deputy at a salary of one thousand and two hundred dollars, and one Clerk at a salary of nine hundred dollars; the Register in Chancery and Clerk of the Orphans' Court may select and employ two Deputies at a

SALARIES OF CERTAIN COUNTY OFFICERS.

salary of one thousand dollars each; provided however, that ^{Proviso} the Levy Court Commissioners of New Castle County from time to time may authorize and direct, by resolution duly adopted, that any, either or all of said officers may select such other clerks or deputies and at such times and in such numbers as it shall, in its discretion, deem proper to properly perform the public work required in any office or offices of any, either or all of said officers. And provided further, that any additional clerks or deputies so ^{Proviso} authorized or employed shall receive the same compensation as is fixed by law for the other clerks or deputies performing like or similar services, and payable in the manner fixed by law.

The Sheriffs in Kent County and in Sussex County and ^{Deputies in Kent and Sussex Counties} the Recorder in Kent County may each select and employ one Deputy at a salary of six hundred dollars. The Levy Court of Kent County may, at such times as it may deem necessary, employ, in addition to the clerk above provided, a further clerk for the Recorder of said County, at a salary not to exceed fifty dollars per month. ^{Salaries}

In Kent and Sussex Counties, the other officers enumerated in Section 6 may each appoint a deputy who shall ^{Special deputies for Kent and Sussex Counties} 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. The special deputies provided for in this paragraph shall receive no salary from the County. ^{No salaries from the county}

Approved March 1, A. D. 1915.

ROADS AND BRIDGES.

CHAPTER 86.

ROADS AND BRIDGES.

KENT COUNTY.

AN ACT to Amend Article 2 of Chapter 55, of the Revised Code of the State of Delaware, in relation to the Improvement and Maintenance of the Public Roads and Bridges of Kent County.

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

Article 2,
Chap. 55, of
the Revised
Code
amended

Sec. 1.—That article 2, of chapter 55, of the Revised Code of the State of Delaware, be and the same is hereby amended by repealing 1515, Sec. 35; 1516, Sec. 36; 1517, Sec. 37; 1518, Sec. 38; 1519, Sec. 39; 1520, Sec. 40; 1521, Sec. 41; 1525, Sec. 45; 1528, Sec. 48; 1529, Sec. 49; 1530, Sec. 50; 1531, Sec. 51; 1532, Sec. 52; 1533, Sec. 53; 1534, Sec. 54; 1535, Sec. 55; and 1537, Sec. 57 and by inserting in lieu thereof the following sections, to be styled:—1513* sec. 35; 1516, sec. 36; 1517, sec. 37; 1518, sec. 38; 1519, sec. 39; 1520, sec. 40; 1531, sec. 51; 1532, sec. 52; 1535, sec. 55, and 1537, sec. 57.

1515, Sec. 35; County Road Engineer, Charge of Road Construction; Plots; Where filed; Assistants; Compensation of assistants, How fixed; :—

County Road
Engineer,
charge of
road con-
struction

He may ap-
point assist-
ants, subject
to approval

The County Road Engineer shall have charge of all road construction, improvement and repair in Kent County, except such road construction, improvement and repair 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 or other

ROADS AND BRIDGES.

assistants shall be fixed by the Levy Court. His first duty shall be to make surveys and plots of all the principle* ^{shall make plots, same to be on file at his office} public roads of the County, except such as the State may 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 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.

1516, Sec. 36:—County Road Engineer; Expenditure of monies by; For what purpose; Interest in Road Contract; Prohibited; Consultation with State Road officers;

All road monies now in the County Treasury of Kent County, or hereafter to be paid into such Treasury, including all monies to be derived from the sale of highway bonds, shall be expended under the direction of the said engineer, for the permanent improvement and the repair of roads and bridges, as hereinafter provided, and for the expenses and salaries of his department. The said engineer shall not at any time, have any interest, directly or indirectly, in any of the contracts for work or materials ^{Expenditure of monies; by whom; for what purpose} for the improvement or repair of roads under sections 33 to 54 inclusive, of this chapter. The said engineer may at all times consult any State officer, having charge of State Roads, as to the best method of road construction, and any other matter relating to the duties of his office. ^{To have no interest in road contracts} ^{May consult}

1517, Sec. 37; Unimproved roads and bridges; Repair; Contracts for; Supervisor of Roads; Appointment; Authority; Duties; Reports; Compensation; Report of Clerk of Peace as to Expenditures;

The Levy Court of Kent County shall, annually, in the month of March, appoint one supervisor of roads for each ^{shall appoint supervisors; when}

*principal

ROADS AND BRIDGES.

Repairs; contracts	Representative District of the County. Said supervisors shall keep the roads and bridges of their Districts in repair, and shall be under the direction of the County Road Engineer, and subject to the supervision of the said engineer shall have authority to employ any necessary men, teams, and implements and to purchase all necessary materials for the purpose of making such repairs. Each
Duties	of the said supervisors shall personally supervise the said repair work in his District, and shall make full and complete reports in duplicate, accompanied by his vouchers, to the said engineer, at the end of every week in which he shall do any work, giving in detail the number of hours he was employed in the service of the County, all items of work done, the number of men, teams and implements employed, the length of time of their employment and the materials used in such repair work; one of which reports shall be filed by the said County Road Engineer, with the County Comptroller. The said supervisors of roads may at any time be removed at the pleasure of the Levy Court; they shall each receive for their services an annual salary of two hundred dollars. Provided, however, that if the duties of any supervisor in the service of the County, shall actually consume less than one hundred full days in any one year, his compensation shall be fixed at a rate of two dollars per diem, and he shall receive for his services only such compensation as he is entitled to for the number of full days actually spent in the service of the County, at said two dollars per diem allowance. A schedule of the amounts to be paid for men employed, and teams or implements hired and all expense allowances to the supervisor, if any, shall be fixed from time to time, by the Levy Court, and no money shall be paid out for the services of the said Supervisors or for any such labor, teams, implements or materials, or for any other purpose, except by orders drawn by the Clerk of the Peace and countersigned by the President of the Levy Court. Such orders shall also be approved by the County Comptroller after he shall have satisfied himself of the correctness and fairness of the same. And before any such orders shall be drawn or approved by the comptroller the bills for the payment for
Reports	
Compensation	
Levy Court to fix amounts paid	
How orders shall be drawn, signed and approved	

ROADS AND BRIDGES.

which they are to be given shall be approved by the Levy Court Commissioner from the District in which such work shall be done, or materials used. All such monies shall be paid from the road monies collected from general taxes, and a written report of such payments shall be submitted to each monthly meeting of the Levy Court by the County Engineer, and to the Finance Committee of the said Levy Court, at such other times as it may require it. And if the said Levy Court shall deem it advisable so to do, it may contract with any person or persons to repair or keep in repair any road or roads, or portions of the same, within any District in Kent County, on such terms and for such compensation as it may deem advisable. But before entering into such contract, the said County Road Engineer shall prepare specifications of what work shall be required to be done on said road, which said specifications shall compose a part of any contract that may subsequently be entered into. And it shall also be one of the stipulations of any such contract that the work provided for shall be approved by the said Engineer before any compensation shall be received by the person or persons with whom said contracts shall be made. It shall not be a part of the duties of any of the supervisors to oversee such work unless directed so to do by order of the Levy Court. The compensation for such work shall also be paid from the road monies collected by general taxation by order of the Levy Court on the County Treasurer; which said orders shall be charged to the District in which it shall be done, and no more than fifteen hundred dollars shall be spent in any one year on the repair of the roads of any one district without the consent of the Levy Court. No bridges to cost over one hundred dollars shall be built in any District without the recommendation of the County Engineer, and consent of the Levy Court, and until the money for completing the same shall have been appropriated. But any bridges may be built by contract upon plans and specifications made by said County Road Engineer, or by the said County Road Engineer without contract, as the Levy Court may direct. If built by contract, such contract shall be awarded to the lowest re-

All bills
shall be ap-
proved by
Levy Court

Monthly re-
ports made
by County
Engineer

May con-
tract to re-
pair road

Work ap-
proved by
Engineer

Orders
charged to
district
where work
is done

Limit to
cost of
roads and
bridges

Bridge work
may be done
by contract

ROADS AND BRIDGES.

Contract
work
advertised

Checks to
accompany
bids

Form and
plan of
contracts

Retention of
certain per
cent.

sponsible 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 opening of such bids; and such bids shall be opened in the presence of the engineer, the Clerk of the Peace and the Comptroller. The Levy Court may prescribe the amount of certified checks 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 a manner as shall be fixed by the said 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 percent 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, any such bridge is found not to be in compliance with the contract.

1518, Sec. 38: Highway Bonds; Proceeds of; How Apportioned;

Highway
bonds; pro-
ceeds of;
how appor-
tioned

The said Levy Court shall, from time to time, as highway bonds are sold, apportion among the Representative Districts of the County, according to the assessed value 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 as hereinafter provided. The same shall be kept as a special fund, to be known as the County permanent road account, for the permanent improvement of the roads of such districts until used, provided, that no Representative District shall be entitled to have permanently improved in any one year more roads than the money apportioned to such District by the Levy Court, or to which it shall be entitled from any other source, will defray the cost of.

ROADS AND BRIDGES.

1519, Sec. 39. County Road Engineer to recommend roads to be improved; Materials to be used.

The County Road Engineer, shall on or before the March meeting of the Levy Court, in each and every year, report to the said Levy Court what roads he recommends for permanent improvement, and the mode of improving the same, as well as the materials to be used, and the Levy Court shall as soon as practicable thereafter, act on such report and decide what roads shall be permanently improved that year, the mode of improving the same, and the materials to be used for that purpose.

County Road Engineer to recommend roads to be improved and materials

1520, Sec. 40. Monies raised under sections 55, and 56 by sale of bonds and by general Laws; How applied;

All monies raised in any of the districts of this County, under sections 55 and 56 of this chapter, and now in the County Treasury, or that may hereafter be raised under said sections, and all monies derived from the sale of bonds and apportioned to the districts as provided in this chapter, shall be used for the permanent improvement of the roads under sections 33 to 51, inclusive of this chapter, in the district in which such monies shall be raised, or to which it shall have been apportioned as hereinbefore provided in this chapter, and subject to this condition shall compose a part of the County permanent road account. The County Road monies raised by taxes under general law, shall be expended as follows: So much thereof as is necessary to keep roads permanently improved under sections 33 to 51, inclusive, of this chapter, in repair, shall be used for that purpose, and so much thereof as is necessary for the construction of bridges to cost less than one hundred dollars, (\$100.00) the repair of old bridges, and the repair of the unimproved roads of the County shall be used for that purpose.

Monies raised by sale of bonds under certain sections; how applied

County road, monies raised by taxes under general law; how expended

1525, Sec. 45; Permanent Road Improvement; Duties of Engineer and Levy Court.

ROADS AND BRIDGES.

Permanent
road im-
provement

Duties of
County Road
Engineer
and Levy
Court

All con-
tracts shall
be published
and how

Form and
plan of
contracting

May reject
any and all
bids

In case
bid is ac-
cepted

After the said Levy Court shall have decided the sort of road to be permanently improved, and the material to be used, said County Road Engineer, shall fix the grades and make such plans and specifications for the improvement of such roads as said Levy Court shall have decided to build that year, as the said Engineer and the said Levy Court shall deem necessary. Such roads may be built by said Engineer under direction of the Levy Court, or by awarding the same to contract, as the Levy Court shall determine. In case it is decided to award the improvement of such road to contract, the engineer shall advertise for two successive weeks in two newspapers in Kent County for bids to improve such roads. 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 may determine, and shall be held upon condition that if the contract shall be awarded to such bidder he will when required 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 improving 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 may reject any and all bids, if in their opinion good cause exist therefor, otherwise, the contract shall be awarded to the lowest responsible bidder. The successful bidder shall give satisfactory evidence of his ability to perform the contract, and shall also furnish a bond for one-third of the amount of the costs of the construction of the work, conditioned that the work shall be performed in accordance with the plans and specifications, and terms of the con-

ROADS AND BRIDGES.

tract. If such bids on any section of road are rejected <sup>Bids re-
jected</sup> by the Levy Court, the said Levy Court may decide to have such road improved by the County Road Engineer, who shall for that purpose have authority to employ men, teams, and implements, and with the consent of the Levy Court may purchase such materials and implements as may be deemed necessary; which said materials and implements shall thereafter belong to the County. In case the said Levy Court shall decide for such roads to be permanently improved by the said Engineer, without first securing bids for such work, then and in such event, the said <sup>Powers of
Engineer
and Levy
Court</sup> Engineer and the said Levy Court shall have the same powers as to the employment of men, teams and implements, and the purchase of materials and implements, as are hereinbefore provided in this section. But in case such improvements are made by the said engineer, he shall make <sup>Engineer
shall com-
plete report
in detail</sup> full and complete reports 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 report shall be in duplicate, 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. In such reports said Engineer shall designate the particular road for the improvement of which the items of expense above referred to were incurred. The wages paid men, and the per diem paid for teams and implements, and other charges, shall be such as are from time to time fixed and determined upon by the Levy Court. Monies shall be paid over for such work materials, teams, imple- <sup>How moneys
shall be paid</sup> ments and other expenses, upon the orders of said County Road Engineer, countersigned by the President of the Levy Court, and approved by the County Comptroller. In awarding contracts for construction of roads, the said <sup>Details in
awarding
contracts</sup> Levy Court shall provide in such contracts for the date on which the work shall commence, and the date on which the same shall be completed and may provide for forfeiture for failure to complete the work on or before the date for completion.

ROADS AND BRIDGES.

1528, Sec. 48; County Road Engineer; Under direction of Levy Court.

County road
Engineer
subject to
Levy Court

The said County Road Engineer shall at all times in the performance of his duties be subject to the control and direction of the said Levy Court.

1531, Sec. 51; County permanent road account; How drawn on;

County per-
manent road
account

How drawn
on

All monies raised by the Levy Court of Kent County by the issuance and sale of bonds for the permanent improvement of roads and all other monies by this chapter devoted to that purpose, shall from time to time, as paid into the County Treasury, be by the County Treasurer set apart to a special account, known as the "County Permanent Road Account." All monies in said account shall be paid out only on the order of the County Road Engineer, countersigned* by the President of the Levy Court, and approved by the County Comptroller. None of the monies aforesaid shall be used for any other purpose than to pay for the work and improvements contemplated by this chapter.

1532, Sec. 52; County Treasurer; Additional Bond.

Additional
bond of
County
Treasurer

The Levy Court of Kent County is hereby authorized to require of the County Treasurer of said County, a bond in addition to that now required by law, in a penal sum to be fixed by said Levy Court, and with such sureties as said Levy Court shall approve. The condition of such additional bond shall be prescribed by the said Levy Court.

1535, Sec. 55. Special Road Tax in Representative Districts; Limit of; How collected; Account of; State Funds; Joint Funds; How disbursed; Form of Order.

Special tax
in Represent-
ative dis-
tricts; limit
of

The Levy Court Commissioner of each of the ten Representative Districts in Kent County, is authorized to annually impose as a special tax upon the real estate and

*countersigned

ROADS AND BRIDGES.

personal property within his Representative District, any sum not exceeding one thousand dollars. This special tax shall be collected by the Collector of said Representative District or Districts, as other County taxes are collected, and shall be paid over to the County Treasurer, who shall open and keep a separate account thereof. Annually upon the certificate of the said County Treasurer that the said special tax so assessed, under the provisions of this Section, in any Representative District or Districts, has been collected, the State Treasurer shall pay over to the said County Treasurer for the use of said District or Districts, respectively, for the purpose of Sections 55 to 57, inclusive, of this Chapter, a sum equal to the amount which any Representative District or Districts, shall have collected as aforesaid. Said County Treasurer shall disburse said special taxes, together with the State appropriation as aforesaid, upon orders to be drawn upon him by the County Road Engineer, countersigned by the President of the Levy Court, and approved by the County Comptroller.

For the purpose of this Section and for the collection of the special tax as aforesaid, each of the ten Representative Districts shall be deemed and considered the territorial limits of, and the Levy Court Commissioner the authority for, levying said tax.

1537, Sec. 57. General Road Fund Not Affected; Levy Court Commissioner of District to Control Expenditure; Annual Account Posted:—

The allotment of money for roads in the several Representative Districts in Kent County from the general fund of said County shall not be interfered with nor decreased by anything in Sections 55 to 57, inclusive of this Chapter, contained, but the said roads in any District or Districts, receiving the benefit of the provisions of said Sections, shall receive such allotment in addition to the amount raised by the special tax herein authorized and the like sum appropriated by the State. And if the Levy Court Commissioner of any Representative District shall conform to the

ROADS AND BRIDGES.

provisions of said sections, the Levy Court shall determine upon the permanent improvements to be made, and shall make the same as are hereinabove provided in this chapter.

Abutting
property
assessments
not affected

Sec. 2. None of the provisions of this Act shall in anywise interfere with, or affect the assessments now made, or that may hereafter be made, against abutting property owners for or on account of improvements on any road heretofore made, or started to be made, but as to such assessments, all of the provisions of article 2, chapter 55, of the Revised Code of the State of Delaware, to which this act is an amendment, shall be and remain in full force and effect, until all such assessments are paid or collected in full.

Approved March 12, A. D. 1915.

ROADS AND BRIDGES.

CHAPTER 87.

ROADS AND BRIDGES.

AN ACT to Receive and Re-Enact Sections 25, 26, 27, 28, 29, 30, 31 and 32 of Chapter 174 of Volume 27, Laws of Delaware, relating to an issue of bonds for the improvement and maintenance of the Roads 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 sections 25, 26, 27, 28, 29, 30, 31 and 32, of Chapter 174, of Volume 27, of the Laws of Delaware, be and the same are hereby revived and re-enacted as fully as though said sections were fully set-forth in this Act.

Sections
25 to 32 in-
clusive of
Chap. 174,
Vol. 27,
re-enacted

Approved March 2, A. D. 1915.

TITLE EIGHT

Elections

CHAPTER 88.

REGISTRATION OF VOTERS.

AN ACT to Amend Chapter 56 of the Revised Statutes by providing for the Separate Classification of the People of the Moor Race in the Registration and Election Books of Sussex County.

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

1627, Sec. 9,
Chap. 56, of
the Revised
Code
amended

That Chapter 56 of the Revised Statutes of the State of Delaware be, and the same is, hereby amended by adding a new section to be known as, 1627 A. Sec. 9 A. as follows:

Registration
of a race of
people called
"Moors"

"1627 A. Sec. 9 A; If any person, being of the race of people known as "Moors", and qualified to become a registered voter in Sussex County at any primary, special or general election, shall apply for the registration of his name as a qualified voter of said County, upon the days appointed for the registration of voters therein, the Registrar or alternate Registrar shall, upon request being made therefor, cause to be entered in the registration and election books, containing the names of the qualified voters of Sussex County, the word "Moor" after the name of such person so applying for registration and making the request as aforesaid."

Approved March 2, A. D. 1915.

REGISTRATION OF VOTERS.

CHAPTER 89.

REGISTRATION OF VOTERS.

AN ACT to Amend Chapter 56 of the Revised Code of the State of Delaware.

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

That Chapter 56 of the Revised Code of the State of Delaware, be and the same is hereby amended by repealing all of 1629 Section 11 of said chapter and inserting in lieu thereof, the following Section to be styled as 1629 Section 11;

1629. Section 11. When the Resignation officers of any election district in this state, at any of the sittings hereinbefore provided for, shall enter in the Registers the name of any applicant for registration as a registered voter, they shall immediately thereafter enter, in the presence of such applicant, if he remains in attendance, in its proper alphabetical place in the "Book of Registered Voters," heretofore provided for, the name of such applicant, and also his residence and his age, if he will be of the age of twenty-one years or upwards on the day of the next following general election.

Entries in
books of
registered
voters

Approved March 8, A. D. 1915.

REGISTRATION OF VOTERS.

CHAPTER 90.

REGISTRATION OF VOTERS.

AN ACT to Amend Chapter 56 of the Revised Code of the State of Delaware by providing for a method for the payment of certain expenses incurred in the registration of voters.

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

1641, Sec. 23,
Chap. 56, of
the Revised
Code
amended

That Chapter 56 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 1641 Section 23 thereof, and by inserting in lieu thereof the following Section which shall be styled 1641, Section 23:

Compensa-
tion of
Registrar

1641. Section 23. Each Registrar shall receive five dollars per day for each day of actual service, either when sitting for the purpose of registration or in attendance upon the hearing of appeals before the resident Associate Judge of the county, or such Judge of the Supreme Court as may sit for hearing such appeals.

Compensa-
tion of As-
sistant
Registrar

Each assistant registrar shall receive five dollars per day for each day of actual service, when sitting for the purpose of registration.

Compensa-
tion of
Alternate
Registrar

Each alternate registrar shall receive five dollars per day for each day of actual service, when sitting in the place of the Registrar for registration, or in attendance upon the hearing of appeals before the Resident Associate Judge of the County or such Judge of the Supreme Court as may sit for hearing such appeals.

Duty of
Levy Court
to ascertain
and certify
to

It shall be the duty of the Levy Court in each of the Counties in this State, at its November session, to ascertain the amount of compensation under this Chapter due

REGISTRATION OF VOTERS.

the Registrars, Alternate Registrars and Assistant Registrars in their respective Counties; and when so ascertained, the President of the said Levy Court shall certify the same to the State Treasurer, who shall thereupon pay to the persons entitled the sums severally due them out of any money appropriated for that purpose. By whom paid

Provided, however, that it shall be the duty of the Department of Elections for the City of Wilmington during the month of November to ascertain the amount of compensation under this chapter due the Registrars, Alternate Registrars and Assistant Registrars in the City of Wilmington; and when so ascertained the President of the said Department of Elections for the City of Wilmington shall certify the same to the State Treasurer who shall thereupon pay to the Department of Elections for the City of Wilmington the amount of compensation due the Registrars, Alternate Registrars and Assistant Registrars in the City of Wilmington, so certified as aforesaid, and the said Department of Elections shall thereupon pay to the persons entitled the sums severally due them out of the money so received from the State Treasurer. Duty of Department of Elections of City of Wilmington to ascertain and president to certify to

The cost of printing and mailing the notices required by this Chapter and the rent of the room or rooms used by the said registration officers in the performance of the duties required by this Chapter, the cost of printing any forms or blanks that may be required, and the cost of the necessary ink and stationery used by them provided for by this Chapter, shall be paid by the Levy Court of the respective counties upon proper vouchers. Cost of printing, mailing and rent paid by whom

Approved March 12, A. D. 1915.

DEPARTMENT OF ELECTIONS FOR THE CITY OF WILMINGTON.

CHAPTER 91.

DEPARTMENT OF ELECTIONS FOR THE CITY OF WILMINGTON.

AN ACT in relation to the Printing of Ballots by the Department of Elections to be used at Municipal Elections 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 branch thereof concurring therein):

Ward num-
ber to be
printed on
ballots

Section 1. At the next Municipal Election held in the City of Wilmington and at each Election thereafter, the Department of Elections shall cause to be printed on the margin at the top of the ballots, printed by said Department of Elections, the Ward number for which said ballots are to be used in the following words:—

“Ballot for.....Ward.”

Approved March 15, A. D. 1915.

DEPARTMENT OF ELECTIONS FOR THE CITY OF WILMINGTON.

CHAPTER 92.

DEPARTMENT OF ELECTIONS FOR THE CITY OF WILMINGTON.

AN ACT to Amend Chapter 57 of the Revised Code of the State of Delaware, providing for the Appointment of Clerks of Election 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 Branch thereof concurring therein):

Section 1. That Chapter 57 of the Revised Code of the State of Delaware, be, and the same is hereby amended by adding to the end of said Chapter the following Section, which shall be styled 1677 A. Section 21:

"1677 A. Section 21. That the Department of Elections for the City of Wilmington shall, sometime in the month of October in each year in which a general election is held, appoint in each election district of said city two capable persons who shall be clerks of election of the election district for which they are appointed; one of whom in each election district shall be a member of one of the leading political parties in said city, and the other of whom shall be a member of the other leading political party of the said city. For each appointment of clerk accredited to any political party under this Act, the County Executive Committee of such party shall furnish said Department of Elections for said city, on or before the first day of October of the year in which the appointment is to be made a list of three names of properly qualified persons for each appointment so accredited, from which lists the said Department of Elections shall appoint the Clerks of

Chap. 57 of
the Revised
Code
amended

Department
of Elections
to appoint a
clerk of
election

List of
names sup-
plied; by
whom

DEPARTMENT OF ELECTIONS FOR THE CITY OF WILMINGTON.

Proviso; should list of names not be supplied	Elections as aforesaid. Provided, however, that if the said lists of names are not furnished as aforesaid, then in that event said Department of Elections shall appoint some suitable person or persons of such political party as aforesaid, and having all the qualifications provided by this Section. The terms of office of said Clerks of Election shall be two years commencing on the date of their appointment. The Clerks of Election shall during their term of office discharge and perform at all elections held in the Election District for which they are appointed (other than primary elections and elections for members of the Board of Public Education) all duties which are now or hereafter may be by law imposed upon clerks of election. Any vacancies occurring in the office of clerks of election in any election district in the City of Wilmington shall be filled by said Department of Elections for the unexpired term, and when filling such vacancies the said Department of Elections shall select some person of the same political party as the Clerk who has been originally appointed.
Term of office	
Duties of Election Clerks	
Vacancies; how filled	
Refusal to serve	If any Clerk of election, who having been appointed under the provisions of this Act, shall refuse to qualify or having qualified shall fail or refuse to perform any of the duties of said office, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not less than Fifty nor more than One Hundred Dollars."
Penalty	

Approved March 16, A. D. 1915.

PRIMARY ELECTIONS.

CHAPTER 93.

PRIMARY ELECTIONS.

AN ACT to Amend Chapter 58 of the Revised Code of the State of Delaware by abolishing the Office of Qualifier.

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

Section 1. That Chapter 58 of the Revised Code of the State of Delaware, be, and the same is hereby amended by repealing 1684 Section 7 and 1685 Section 8 thereof and inserting in lieu thereof the following Section to be styled 1684 Section 7:

"1684, Section 7. Oaths of the presiding officer, judges and clerks shall be administered as follows:—to the judges and clerks by the presiding officer and to such presiding officer by one of the judges, and such presiding officer shall immediately send such oaths or affirmations subscribed as aforesaid by mail to the Chairman of the Committee or governing authority holding such Primary Election."

Approved March 12, A. D. 1915.

PRIMARY ELECTIONS.

CHAPTER 94.

PRIMARY ELECTIONS.

AN ACT to Amend Chapter 58 of the Revised Code of the State of Delaware, entitled "Primary Elections."

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 Body elected thereto concurring herein):

1694, Sec. 17,
Chap. 58, Re-
vised Code
repealed

Section 1. That Chapter 58 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 1694 Section 17 thereof, and substituting in lieu thereof the following section, which shall be styled 1694 Section 17:—

Qualification
of electors
at primary
elections

Ignorance
no defense

Voting books

1694, Section 17. The qualification of electors under this Chapter shall be such as the political party, organization or association authorizing such election may prescribe and publish, and in default of any prescribed or published rule, the past usages of such political party or organization shall be recognized and adopted, and ignorance of such past usages shall be no defense against any of the penalties of this Chapter. As each person shall apply to vote at any primary election, for any general or special election in the County, the officers thereof shall examine the "Voting Books of Qualified Voters for Primary Elections" provided by this Chapter, and as each person shall apply to vote at any primary elections held for any municipal election, the officer thereof shall examine the "Voting Books of Qualified Voters" provided by this Chapter, and if they find thereon the name of the person applying to vote and be satisfied that he is the person whose name is so registered, they shall enter the word "voted" after his name

PRIMARY ELECTIONS.

and such voter shall not be permitted to vote at any succeeding primary election held for that particular election, by any other political party, organization or association. The entry of the word "voted" as aforesaid shall be in such a manner as to indicate at what primary election the voter has voted. No person whose name is not contained in the "Voting Book of Qualified Voters for Primary Elections," shall be allowed to vote or participate in any primary election for any general or special County election, and no person whose name is not contained in the "Voting Book of Qualified Voters" shall be allowed to vote or participate in any primary election for any municipal election. It shall be the duty of the Inspector within two days after the day of the primary election to return the said "Voting Books of Qualified Voters for Primary Elections" or "Voting Books of Qualified Voters," used by him at any primary election, to the person or persons from whom he received the same, who shall preserve them, and in case of the "Voting Books of Qualified Voters," within forty days after they have been returned to the Department of Elections for the City of Wilmington, the said Department shall deliver the said Books and Registers to the Clerk of the Peace of New Castle County, taking from them a receipt. If any inspector shall neglect, refuse or fail to return said Voting Books as directed in this section, the said Inspector so neglecting, failing or refusing shall, upon conviction therefor, be adjudged guilty of a misdemeanor and shall for every such offense be punished by a fine not exceeding one hundred dollars or by imprisonment for a period not exceeding thirty days, or both.

Can vote at only one primary election

Cannot vote unless name is recorded

Duty of Inspector to return record

Record shall be preserved

Then shall be delivered to the Clerk of Peace

If Inspector fails to return records

Penalty

Approved March 16, A. D. 1915.

GENERAL ELECTIONS.

CHAPTER 95.

GENERAL ELECTIONS.

AN ACT to Amend Chapter 60 of the Revised Code of the State of Delaware by providing for the Printing of the Representative District Number, upon the ballots to be used in any election held therein.

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

Chap. 60 of
the Revised
Code
amended

That Chapter 60 of the Revised Code of the State of Delaware be and the same is hereby amended by the insertion therein of the following Section to be styled 1725 A. Section 5 A.

Representa-
tive District
number to
be printed
on ballots

1725 A. Section 5A. The Clerk of the Peace in each County shall cause the correct Representative District Number for which the ballots provided for in this Chapter are to be used, to be plainly printed on the margin at the top of the Ballot, as nearly as possible in the following form:—

OFFICIAL BALLOT FOR REPRESENTATIVE DISTRICT
NUMBER_____.

Approved March 8, A. D. 1915.

GENERAL ELECTIONS.

CHAPTER 96.

GENERAL ELECTIONS.

AN ACT to amend Chapter 60 of the Revised Code of the State of Delaware in Relation to General Elections.

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

Section 1. That Chapter 60 of the Revised Code of the State of Delaware be and the same is hereby amended by ^{1728, Sec. 8, Chap. 60, of the Revised Code amended} repealing 1728, Section 8 thereof, and inserting in lieu thereof the following section, to be styled 1728, Section 8.

1728 Section 8. The Clerk of the Peace in each County shall cause to be printed, within the State of Delaware, ^{Ballots, number to be printed} in the form hereinbefore provided, not less than eight ballots for every voter in each Election District in his County; the number of voters shall be ascertained in each Election District by reference to the highest number of ^{Number of voters, how ascertained} 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 ^{if a new election district} number shall be estimated by 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, ^{Additional ballots printed; when} 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

GENERAL ELECTIONS.

cost of the ballots be made at the time they are ordered.

Ballots, how distributed; when The 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 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 Chairman 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 Election District, to be carefully wrapped and tied in two packages. One of such packages shall contain two ballots for every voter in each 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,

Additional distribution of ballots

Ballots to be retained by Clerk of Peace, in case of loss

Envelopes to be furnished

Printed

Official Envelope

For

Representative District Number.....

Date of Election

.....

Clerks of Election,

and shall be signed by the Clerks of Election, on the lines above the words "Clerks of Election."

Shall be signed

GENERAL ELECTIONS.

He shall have prepared four envelopes for each voter in each Election District in his County, and the number shall be ascertained in each 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 Election District to be carefully wrapped and tied in two packages, one package containing one envelope for each voter in each Election District, in his county, 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 Election District.

Number of envelopes ascertained; how

New election district

Envelopes to be retained of Clerk of Peace in case of loss

Pencils, crayons and rubber bands to be furnished

Approved March 2, A. D. 1915.

GENERAL ELECTIONS.

CHAPTER 97.

GENERAL ELECTIONS.

AN ACT to amend Chapter 60, of the Revised Statutes of the State of Delaware 1915, to change the Boundaries of the First Election District of the Seventh Representative District of New Castle County, and to create a new election district in said representative district.

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

1737, Sec. 17,
N. C. 4,
Chap 60, of
the Revised
Code
amended

Section 1. That Chapter 60, of the Revised Statutes of the State of Delaware 1915, be and the same is hereby amended by striking out all of the paragraph of Section 17, of Code, paragraph 1737, page 802, designated as "N. C. 4" and describing the present boundaries of the First Election District of the Seventh Representative District in New Castle County, and insert in lieu thereof the following:

The first
election
district of
the Seventh
Representa-
tive Dis-
trict; bound-
ary of

N. C. 4. The First Election District of the Seventh Representative District is all that portion of Christiana Hundred, bounded on the East by the Wilmington City Line and the boundary line of New Castle Hundred, on the South by the boundary lines of New Castle Hundred and White Clay Creek Hundred, on the West by the boundary lines of White Clay Creek Hundred and Mill Creek Hundred, and on the North by a line beginning on the Easterly side of Red Clay Creek, at the intersection of the line dividing land now or lately owned by G. M. D. Lynam and land now or lately owned by Richard *Ruthwell; thence extending Easterly along the said line from said point to the Lane leading from the property now or lately owned by Richard Rothwell; thence Northerly along said lane to

*Rothwell

GENERAL ELECTIONS.

its intersection with the Black Road; thence along the centre line of said Black Road in an Easterly direction to the intersection of said Road with the Newport and Gap Turnpike; thence in a Northerly direction from the Newport and Gap Turnpike along the centre line of the Road leading from Newport to Price's Corner, to a point where the Marsh Road, sometimes called Folly Woods Road, crosses said Road; thence along the centre line of said Marsh Road in an Easterly direction, crossing the Newport Pike and continuing along the centre of said Marsh Road in an Easterly direction to a sharp Southerly turn in said Marsh Road; thence continuing along the centre of said Marsh Road in a Southerly direction to the Christiana River.

All persons entitled to vote in said First Election District shall vote at Red Men's Hall, in the Town of Newport.

Polling
place

Section 2. That Chapter 60, of the Revised Statutes of the State of Delaware 1915, be and the same is hereby amended by adding after that paragraph of Section 17, of Code, paragraph 1737, page 805, designated as "N. C. 8", and describing the boundaries of the Fifth Election District of the Seventh Representative District in New Castle County, the following new paragraph describing the boundaries of a new Election District to be known as the Sixth Election District of the Seventh Representative District in New Castle County.

1737, Sec. 17,
N. C. 8,
Chap. 60 of
the Revised
Code
amended

N. C. 8—A. The Sixth Election District of the Seventh Representative District is all that portion of Christiana Hundred bounded on the East by the Wilmington City Line and the boundary line of New Castle Hundred, on the South by the center line of the Marsh Road, sometimes called the Folly Woods Road, extending from the Christiana River in a Northerly, then Westerly direction, crossing the Newport Pike, at or near the property now or lately of M. F. Hayden, and continuing thence Westerly to a point where it intersects with the Road leading from Newport to Price's Corner; on the West by the said Road lead-

The Sixth
Election
District of
the Seventh
Representa-
tive Dis-
trict, bound-
ary of

GENERAL ELECTIONS.

ing from Newport to Price's Corner, and on the North by a line beginning at the intersection of the said Road leading from Newport to Price's Corner with the Baltimore and Ohio Railroad; thence along the center line of the right-of-way of the said Baltimore and Ohio Railroad in an Easterly direction to a point where the said Railroad crosses Mill Creek; thence along said Mill Creek in an Easterly direction to its intersection with Silver Brook; thence Northerly along the center line of Silver Brook in its various courses to a point in the division line between lands now or lately of the estate of Dr. J. P. Stidham and the Northerly side of the right-of-way of the old Delaware and Western Railroad; thence Easterly along the said division line between the lands now or lately of the estate of Dr. J. P. Stidham and the Northerly side of the said right-of-way to a point in the Easterly side of an old Lane leading from the Newport Pike to the lands now or lately of the estate of Dr. J. P. Stidham, and being also the division line between said lands now or lately of the estate of J. P. Stidham and A. C. Cleland; thence North, Northwesterly along the said Easterly side of the said Lane and division line between the said lands now or lately of the estates of J. P. Stidham and A. C. Cleland to a corner; thence still along the Easterly side of said Lane and said division line between lands now or lately of the estates of Dr. J. P. Stidham and A. C. Cleland Northerly to a corner; thence Northeasterly along still another division line between lands now or lately of the estates of Dr. J. P. Stidham and A. C. Cleland to a point in the line of the City of Wilmington.

Polling
place

All persons entitled to vote in said Sixth Election District shall vote at Tinsman's Paper Store at Richardson Park.

Approved March 2, A. D. 1915.

GENERAL ELECTIONS.

CHAPTER 98.

GENERAL ELECTIONS.

AN ACT to Amend Chapter 60 of the Revised Code of the State of Delaware, relating to Election Districts.

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

Section 1. That Chapter 60 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing paragraph N. C. 5 in 1737, Section 17 thereof, and inserting in lieu thereof the following to be styled, N. C. 5.

N. C. 5. The Second Election District of the Seventh Representative District is all that portion of Christiana Hundred bounded on the north by the Wilmington and Lancaster turnpike, on the west by Mill Creek Hundred, on the south by a line beginning on the easterly side of Red Clay Creek at the intersection of the line dividing the land now or lately owned by G. M. D. Lynam and land now or lately owned by Richard Rothwell; thence extending easterly along the said line from said point to the land leading from the property now or lately owned by Richard Rothwell; thence northerly along said lane to the intersection with the Black Road; thence along the center line of said Black Road in an easterly direction to the intersection of said road with the Newport and Gap turnpike; thence in a northerly direction from the Newport and Gap turnpike along the center line of the road, leading from Newport to Price's Corner and to a point where the Baltimore & Ohio Railroad crosses said road; thence along the center line of the right of way of the said Baltimore & Ohio Railroad Company in an easterly direction to a point which is the Westerly Boundary, now or late of

1737, Sec. 17,
Chap. 60, N.
C. 5, of Re-
vised Code
amended

The Second
Election Dis-
trict of the
Seventh Rep-
resentative
District,
boundary of

GENERAL ELECTIONS.

William M. Brackin; thence northwesterly along said Boundary line to a point in the center of New Road; thence northwesterly along the division line between lands now or late of Edward Woodward and lands now or late of William M. Brackin; thence northwesterly along the division or property line between the lands now or late of Edward Woodward and lands now or late of Abner Hollingsworth to a point in the center of the road leading from Wilmington and Kennet turnpike to Price's Corner; thence northerly along the center of said public road to its intersection with the center line of Wilmington and Lancaster turnpike and place of beginning.

Polling place All persons entitled to vote in said Second Election District shall vote at Foard's store in the town of Marshallton.

Further amended Section 2. And be it further enacted that Section 1737 be further amended by adding thereto, a new paragraph to be known as paragraph N. C. 8 B. as follows:

Seventh Election District of the Seventh Representative District, boundary of

The Seventh Election District of the Seventh Representative District is all that portion of Christiana Hundred contained within the following boundaries. Beginning at a point in the City line of Wilmington and in the center of the Wilmington and Lancaster turnpike; thence by the said center of the said Lancaster turnpike in a general westerly direction to the intersection of the road leading from said Lancaster turnpike to Price's Corner; thence by the said road to a point in the property line between lands now or late of Abner Hollingsworth and lands now or late of Edward Woodward; thence by said division or property line southeasterly and continuing along the said property or division line between lands now or late of Edward Woodward and lands now or late of William M. Brackin to a point in the center of the New Road; thence southeasterly along a line being the westerly boundary of lands now or late of William M. Brackin to its intersection with the northerly side of the Baltimore & Ohio Railroad Company; thence along the center line of the right of way of the said Baltimore & Ohio Railroad Company in an easterly

GENERAL ELECTIONS.

direction to a point where the said Railroad crosses Mill Creek; thence along said Mill Creek in an Easterly direction to its intersection with Silver Brook; thence Northerly along the center line of Silver Brook in its various courses to a point in the division line between lands now or lately of the estate of Dr. J. P. Stidham and the Northerly side of the right of way of the old Delaware and Western Railroad; thence Easterly along the said division line between the lands now or lately of the estate of Dr. J. P. Stidham and the Northerly side of the said right of way to a point in the Easterly side of an old lane leading from the Newport Pike to the lands now or lately of the estate of Dr. J. P. Stidham, and being also the division line between said lands and lands now or lately of the estate of A. C. Cleland; thence North Northwesterly along the said Easterly side of the said lane and division line between the said lands now or lately of the estates of Dr. J. P. Stidham and A. C. Cleland to a Corner; thence still along the Easterly side of said lane and said division line between lands now or lately of the estates of Dr. J. P. Stidham and A. C. Cleland Northerly to a Corner; thence Northeasterly along still another division line between the lands now or lately of the estates of Dr. J. P. Stidham and A. C. Cleland to a point in the line of the City of Wilmington and place of beginning.

All persons entitled to vote in said Seventh Election District shall vote at such place in the town of Elsmere, ^{Polling place} as the Inspector who is to hold said Election shall designate.

Approved March 8, A. D. 1915.

GENERAL ELECTIONS.

CHAPTER 99.

GENERAL ELECTIONS.

AN ACT to Amend Chapter 60 of the Revised Code of the State of Delaware by Changing the Boundaries of Certain Election Districts of the Tenth 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:

1737, Sec. 17,
N. C. Chap.
60. of the
Revised code
amended

Section 1. That Section 1737 of the Revised Code of the State of Delaware, being Section 17 of Chapter 60 of said Revised Code, be amended by striking out of said Section all or* paragraph noted and designated as N. C. 17, and inserting in lieu thereof the following:

The Third
Election Dis-
trict of the
Tenth Rep-
resentative
District,
boundary of

"N. C. 17. The Third Election District of the Tenth Representative District is all that portion of New Castle Hundred bounded by a line beginning at a point in the center of the drawbridge 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 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;

*of

GENERAL ELECTIONS.

thence by said dividing line to a point in the center of the right of way of the Delaware Railroad; thence by the center of said right of way to the 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; and thence by the center line of said road and the extension of said center line to the center line of the Christiana River; thence by the center line of said River to the place of beginning. All persons entitled to vote in said Third Election District shall vote at the store of John E. Taylor, North-west Corner of Ninth and Clayton Streets in the City of New Castle, Delaware.” Polling place

Section 2. That Section 1737 of the Revised Code of the State of Delaware, being Section 17 of Chapter 60 of said Revised Code, be further amended by striking out of said Section all of the paragraph noted and designated as N. C. 19, and inserting in lieu thereof the following:

“N. C. 19. The Fifth Election District of the Tenth Representative District is all that portion of New Castle Hundred bounded by a line beginning at a point on the Delaware River 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 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 the extension of said center line to the center line of the Christiana River; thence by the center line of

The Fifth Election District of the Tenth Representative District; boundary of

GENERAL ELECTIONS.

Polling
place

said River and other lines dividing New Castle Hundred from White Clay Creek, Pencader and Red Lion Hundreds to the Delaware River; and thence by said River to the place of beginning. All persons entitled to vote in said election district shall vote at Odd Fellow's Hall in the village of Bear.

Approved March 15, A. D. 1915.

GENERAL ELECTIONS.

CHAPTER 100.

GENERAL ELECTIONS.

AN ACT Changing the Boundaries of the First and Second Election Districts of the Sixth Representative District 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 all that portion of the Sixth Representative District in Sussex County lying North of a line beginning at what is known as "The Lower Mill Stream" between Dagsboro and Millsboro and following said stream up through Irons Branch and Indian Branch to a bridge across the road which leads from Phillips' Hill to Hickory Hill; thence with said road towards Phillips' Hill by the Joshua Phillips Home Place to Mission Store, formerly Mission Post Office, and thence with said road to the Gumboro Hundred line, shall be known and the same is hereby created the First Election District, with the voting place in the Town of Millsboro.

First Election District of the Sixth Representative District, boundary of

Polling place

Section 2. That all that portion of the Sixth Representative District in Sussex County lying South of that line described in Section One of this Act, shall be known and the same is hereby created as the Second Election District of Representative District Number Six in Sussex County, with the voting place in the Town of Dagsboro.

The Second Election District of the Sixth Representative District, boundary of

Polling place

Section 3. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Repealing Act

Approved March 15, A. D. 1915.

ELECTION OF UNITED STATES SENATORS.

CHAPTER 101.

ELECTION OF UNITED STATES SENATORS.

AN ACT to Amend Chapter 63 of the Revised Code of the State of Delaware relative to the Election of United States Senators.

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

1890, Sec. 3
1891, Sec. 4,
Chap. 63, of
the Revised
Code
amended

Section 1. That Chapter 63 of the Revised Code of the State of Delaware be, and the same is hereby amended by the repeal of 1890, Section 3 and 1891, Section 4 and the insertion in lieu thereof of the following section to be styled 1890, Section 3.

Vacancies

1890, Section 3. Whenever a vacancy shall happen by death, resignation or otherwise, in the office of Senator from this State in the Senate of the United States, the Governor may make a temporary or *ad interim* appointment from among the qualified electors of this State of some person to fill such vacancy until the same shall be filled at the next ensuing general election in the manner prescribed by law. The office of such temporary appointee shall terminate upon the election, under the provisions of this chapter, of a Senator from this State in the Senate of the United States to fill said vacancy.

Temporary
appointment
by Governor

Term

Approved March 12, A. D. 1915.

TITLE NINE

Corporations

CHAPTER 102.

GENERAL PROVISIONS RESPECTING CORPORATIONS.

AN ACT to Amend Sections 1918 (being Section 4), 1919 (being Section 5), 1923 (being Section 9), 1946 (being Section 32), 1962 (being Section 48) and 1993 (being Section 79), of Chapter 65, of the Revised Code 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 elected to each House of the General Assembly concurring therein):

Section 1. That Section 1918, being Section 4, Chapter 65 of the Revised Code of the State of Delaware, be and the same is hereby repealed, and the following substituted in lieu thereof:

1918, Sec. 4,
Chap. 65,
Revised Code
repealed

1918. Section 4. BANKING POWERS DEFINED:—No corporation created under the provisions of this Chapter shall, by any implication or construction, be deemed to possess the power of carrying on the business of discounting bills, notes or other evidences of debt, of receiving deposits of money, of buying gold and silver bullion, or foreign coins, or buying and selling bills of exchange, or of issuing bills, notes or other evidences of debt for circulation as money: PROVIDED, HOWEVER, that corporations created or to be created under the provisions of this

Banking
powers
defined

GENERAL PROVISIONS RESPECTING CORPORATIONS.

chapter, or created under the provisions of any prior general corporation law of this State, to buy, sell and otherwise deal in notes (not including the discounting of notes), open accounts and other similar evidences of debt (not including bills of exchange), or to loan money and to take notes, open accounts and other similar evidences of debt as collateral security therefor, shall not be construed or considered to be within the prohibition of this section; and corporations created or to be created for such purposes may charge such amounts as may be agreed upon by the respective parties.

Paragraph 2, Section 2. That Paragraph 2, Section 1919, being Section 5, Chapter 65 of the Revised Code of the State of Delaware, be and the same is hereby repealed, and the following substituted in lieu thereof:

Resident
agent

Town, city
and street
address

Rural
address

2. The name of the county and the city, town, or place within the county in which its principal office or place of business is to be located in this State, and the name of its resident agent, which agent may be either an individual or a corporation. In towns or cities of over six thousand inhabitants, the street and number of such principal office or place of business shall be stated, and the address by street and number of said resident agent shall be stated. Should such resident agent be not a resident of, nor located in, an incorporated town or city, then the Hundred of its or his location or residence, and postoffice address, shall be stated.

1923, Sec. 9,
Chap. 65,
repealed

Section 3. That Section 1923, being Section 9, Chapter 65, Revised Code of the State of Delaware, be and the same is hereby repealed, and the following substituted in lieu thereof:

Board of
Directors

1923. Section 9. BOARD OF DIRECTORS; QUALIFICATIONS; POWERS; CLASSES; EXECUTIVE COMMITTEE:—The business of every corporation organized under the provisions of this Chapter shall be managed by a Board of not less than three Directors, except as hereinafter pro-

GENERAL PROVISIONS RESPECTING CORPORATIONS.

vided, each of whom shall own in his own right not less than three shares of capital stock; they shall hold office until their successors are respectively elected and qualified, and a majority of them shall constitute a quorum for the transaction of business. The Board of Directors may, by resolution passed by a majority of the whole Board, designate two or more of their number to constitute an executive committee, who, to the extent provided in said resolution or in the by-laws of said company, shall have and exercise the powers of the Board of Directors in the management of the business and affairs of the company, and may have power to authorize the seal of the company to be affixed to all papers which may require it. The directors of any corporation organized as aforesaid may, if so stated in the certificate of incorporation or in any amendment thereto, or may be* a vote of the stockholders, be divided into one, two or three classes; the term of office of those of the first class to expire at the annual meeting next ensuing; of the second class one year thereafter; of the third class two years thereafter; and at each annual election held after such classification and election directors shall be chosen for a full term, as the case may be, to succeed those whose terms expire.

Qualifications

Executive Committee

Powers

Classes

Terms of office

Section 4. That Section 1946, being Section 32, Chapter 1946, Sec. 32, 65, Revised Code of the State of Delaware, be and the same is hereby repealed, and the following substituted in lieu thereof:

1946, Sec. 32, Chap. 65, Revised Code repealed

1946. Section 32. MEETINGS OF STOCKHOLDERS; WHERE; PRINCIPAL OFFICE; WHERE; RESIDENT AGENT:—In all cases after the first meeting of the incorporators, where it is not otherwise provided by the by-laws, the meetings of the stockholders of every corporation shall be held at its principal office in this State. The stockholders and directors may, however, hold their meetings and have an office or offices outside of this State, if the by-laws so provide; and every corporation shall maintain a principal office or place of business in this State

Meeting of stockholders; where

GENERAL PROVISIONS RESPECTING CORPORATIONS.

Resident
agent

and shall have a resident agent, who may be either an individual or a corporation, resident of, or located in, this State, in charge thereof.

1962, Sec. 48,
Chap. 65, Re-
vised Code
repealed

Section 5. That Section 1962, being Section 48, Chapter 65 of the Revised Code of the State of Delaware, be and the same is hereby repealed, and the following substituted in lieu thereof:

Service of
legal process
on corpora-
tion

1962. Section 48. SERVICE OF LEGAL PROCESS ON CORPORATIONS:—Service of legal process upon any corporation created under this chapter shall be made by delivering a copy thereof personally to the president of such corporation, or by leaving the same at his dwelling house or usual place of abode. If the president resides out of the State, service thereof may be made by delivering a copy thereof to the secretary or one of the directors of said corporation, or upon the resident agent in charge of the principal office of the company in this State, or by leaving the same at the dwelling house or usual place of abode of such secretary, director or resident agent, (if such resident agent be an individual), or at the principal office or place of business of the corporation in this State. If such resident agent be a corporation service of process upon it as such agent may be made by serving a copy thereof on the president or secretary or any director of said corporate resident agent. Service by copy left at the dwelling house or usual place of abode or at the principal office or place of business in this State, to be effective must be delivered thereat at least six days before the return of the process, and in the presence of an adult person, and the officer serving the process shall distinctly state the manner of service in his return thereto; provided, that process returnable forthwith must be served personally.

Process
served on
Secretary of
State; when

In case the officer whose duty it is to serve legal process, cannot by due diligence serve such process in any manner provided for by the foregoing paragraph, it shall be lawful to serve such process against such corporation upon the Secretary of State, and such service shall be as

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effectual to all intents and purposes as if made in any of the ways hereinabove provided for, and within two days after such service upon the Secretary of State as aforesaid, it shall be the duty of the Secretary of State to notify such corporation thereof by letter directed to such corporation at its last registered office, in which letter shall be enclosed a copy of the process or other papers served and it shall be the duty of the plaintiff in any action in which said process shall be issued, to pay to the Secretary of State, for the use of the State, the sum of Three Dollars, which said sum shall be taxed as a part of the costs in said suit if the plaintiff shall prevail therein; the Secretary of State shall alphabetically enter in the "process book" the name of the plaintiff and defendant, the title of the cause in which process has been served upon him, the test of the process so served and the return day thereof, and the day and hour when the service was made.

Fee for
service

Record to
be made of
service

If any corporation fail to obey the mandate of any peremptory writ of mandamus issued by a Court of competent jurisdiction of this State for a period of thirty days after the serving of such writ upon the said corporation in any manner as provided by the laws of the State of Delaware for the service of writs, any party in interest in the proceeding in which the writ of mandamus issued may either himself or through his or its attorney file a statement of such fact with the Attorney General of the State of Delaware, and it shall thereupon be the duty of the Attorney General to forthwith commence proceedings of *Quo Warranto* against such corporation in a court of competent jurisdiction, and such court, upon competent proof of such state of facts and proper proceedings had in such proceeding in *Quo Warranto*, shall decree the charter of such corporation forfeited.

Failure to
obey writ of
mandamus

Duty of
Attorney
General

A writ of error sued out of the Supreme Court of the State of Delaware, directed to the court issuing such peremptory writ of mandamus, shall operate, until the determination of such writ of error, as a stay of the *Quo Warranto* proceedings provided for in this section.

A writ of
error to act
as stay

GENERAL PROVISIONS RESPECTING CORPORATIONS.

1993, Sec. 79,
Chap. 65, Re-
vised Code
repealed

Section 6. That Section 1993, being Section 79, Chapter 65, Revised Code of the State of Delaware, be and the same is hereby repealed and the following substituted in lieu thereof:

Change of
location of
principal
office

1993. Section 79. CHANGE OF LOCATION OF PRINCIPAL OFFICE; CHANGE OF RESIDENT AGENT:—The Board of Directors of any corporation organized under the laws of this State may change the location of the principal office of such corporation within this State to any other place within this State by resolution adopted at a regular or special meeting of such Board; by like resolution, the resident agent of such corporation may be changed to any other person or corporation. In either such case, such resolution shall be as detailed in its statement as is provided in Paragraph 2, Section 1919, being Section 5 of this chapter.

Change of
resident
agent

Notice shall
be filed in
office of Sec-
retary of
State

Upon the adoption of a resolution as aforesaid, a copy thereof shall be filed in the office of the Secretary of State, signed by the president and secretary of such corporation, and sealed with its corporate seal; and a certified copy recorded in the office of the Recorder in and for the county to which said principal office is removed; for filing the said certificate, the Secretary of State shall charge a fee of five dollars.

Fee for
filing

Approved March 8, A. D. 1915.

GENERAL PROVISIONS RESPECTING CORPORATIONS.

CHAPTER 103.

GENERAL PROVISIONS RESPECTING CORPORATIONS.

AN ACT to amend Chapter 65 of the Revised Code of the State of Delaware relative to the dissolution of 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 elected to each branch concurring therein):

Section 1. That Chapter 65 of the Revised Code of the State of Delaware be, and the same is hereby amended by the addition thereto of the following section to be styled 1953a, Section 39a. 1953, Sec. 39, Chap. 65, Revised Code amended

1953a, Section 39a. That on and after March first, nineteen hundred and fifteen the publication of the certificate of dissolution provided for in 1953, Section 39 shall be under the *provision of the Secretary of State who shall cause such certificate to be published in one issue in a newspaper published in the county wherein the principal office of the dissolved corporation was situated. The Secretary of State shall ascertain the charge for publishing the certificate of dissolution as aforesaid and collect the amount from the corporation before the certificate of dissolution is issued. Certificate of dissolution under the supervision of Secretary of State

Approved March 8, A. D. 1915.

*supervision

RENEWAL OF CHARTERS.

CHAPTER 104.

CORPORATIONS.

RENEWAL OF CHARTERS.

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):

Corporations in existence tenth day of March, 1899 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. 1916, 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.

Failure to keep same renewed

May renew before Jan. 1, 1916

Conditions of renewal

Such certificate shall set forth:

- Name to be same** 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.
- Location of principal office in the State** 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.

RENEWAL OF CHARTERS.

3. The date when such renewal or revival is to com-^{Date of renewal} mence, 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 re-^{Statement of cause for renewal} newing 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 ^{Certificate of those who were President and Directors} 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.

Section 2. Such certificate shall be filed, copied, re-^{Certificate shall be filed as in regular course} corded 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 Chapter 65, Revised Statutes of the State of Delaware.

Upon such revival and renewal, or confirmation of re-^{All provisions ratified and approved} newal, all acts, matters and things gone 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

RENEWAL OF CHARTERS.

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.

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.

All taxes
shall be paid

Sworn state-
ment of
President
and Secre-
tary

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 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.

Statement
of Secretary
under seal

Shall not ap-
ply to life or
fire insur-
ance com-
panies

Section 5. Provided, however, that this shall not apply to any Life or Fire Insurance Company, or other Company engaged in the insurance business.

Approved March 9, A. D. 1915.

CORPORATIONS FOR DRAINAGE AND RECLAMATION OF
LOW LANDS.

CHAPTER 105.

CORPORATIONS FOR DRAINAGE AND RECLAMATION OF
LOW LANDS.

AN ACT entitled, "An Act to promote the public health, convenience and welfare by leveeing, ditching and draining the wet, swamp and overflowed lands within the State, and providing for the establishment of levee or drainage districts for the purpose of enlarging or changing any natural water courses, and for digging ditches or canals for securing better drainage or providing better outlets for drainage, for building levees or embankments and installing tide gates or pumping plants for the reclamation of overflowed lands, and prescribing a method for so doing; and providing for the assessment and collection of the cost and expense of the same, and issuing and selling bonds therefor, and for the care and maintenance of such Improvements, when constructed."

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

Section 1. That the Resident Associate Judge in any county in the State of Delaware shall have jurisdiction, power and authority to establish a levee or drainage district or districts in his county, and to locate and establish levees, drains or canals, and cause to be constructed, straightened, widened or deepened any ditch, drain or water course, and to build levees or embankments and erect tide water gates and pumping gates and pumping plants for the purpose of draining and reclaiming wet, swamp or overflowed lands; and it is hereby declared that the drainage of swamps and the drainage of the surface water from agricultural lands and the reclamation of tidal marshes shall be considered a public benefit and conducive to the public health, convenience, utility and welfare.

Section 2. That whenever a petition signed by a majority of the resident land owners in a proposed drainage district, or by the owners of one-half of all the lands

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LOW LANDS.

Must give
bond with
approved
security for
certain costs

Summons to
be served on
all land
owners who
have not pe-
titioned

Notice to
holders of
mortgages
shall be
given

Judge shall
appoint en-
gineer and
resident free-
holders

in acreage which will be affected by or assessed for the expense of the proposed improvements, shall be filed in the office of the Prothonotary of any county in which a part of said lands are located, setting forth that any specific body or district of land in the county or adjoining counties, described in such a way as to convey an intelligent idea as to the location of such land, is subject to overflow or too wet for cultivation, and the public benefit or utility or the public health, convenience or welfare will be promoted by drainage, ditching or leveeing the same, or by changing or improving the natural water courses, and setting forth therein, as far as practicable, the starting point, route and terminus and lateral branches, if necessary, of the proposed improvement, and there is filed therewith a bond for an amount not to exceed one hundred dollars per mile for each mile of the ditch or proposed improvement, signed by two or more sureties, or by some lawful and authorized surety company, to be approved by the Resident Associate Judge, and conditioned for payment of all costs and expenses incurred in the proceedings in case the Resident Associate Judge does not grant the prayer of said petition, the said Judge shall direct the Prothonotary to issue a summons to be served on all the defendant land owners who have not joined in the petition and whose lands are included in the proposed drainage districts. The summons may be served by publication as to any defendants who cannot be personally served as provided by law. When a mortgage is held on land within the proposed drainage district, notice shall be given to the holders of mortgages in all respects as is provided in this act for defendant land owners, and they shall have the right to appear before the commissioners in person or by counsel. Upon the return day the said Judge shall appoint a disinterested and competent civil and drainage engineer and two resident freeholders of the county or counties in which said lands are located, the freeholders being persons not named in the petition as interested and not related to any of the parties so named, as a board of viewers to examine the lands described in the petition and make a preliminary

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LOW LANDS.

report thereon. When the lands proposed to be drained and created into a drainage district are located in two or more counties the Resident Judge of either county shall have and exercise the jurisdiction herein conferred, and the venue shall be in that county in which the petition is first filed. When the Judge from either county shall have jurisdiction

The form of summons shall be determined by the said Judge. Personal service shall be made by leaving a copy with the land owner affected by the proceedings, or by leaving a copy at the usual place of abode of the said land owner in the presence of an adult person, and service shall be so made, in either case, at least ten days before the return day. The form of summons and service

The Sheriff, or any Constable of the County, shall serve all summons or notices prescribed in this act and for such service the fees shall be the same as in the service of summons in civil causes before a Justice of the Peace. Who shall serve the summons Fees

If at the time of the filing of the petition, or at any time subsequent thereto, it shall be made to appear to the court by affidavit or otherwise that the owner or owners of the whole or any share of any tract or tracts of land whose names are unknown, and cannot after due diligence be ascertained by the petitioners, or are non-residents of the county, the court shall order a notice in the nature of a summons to be given to all such persons by a publication of the petition, or of the substance thereof, and describing generally the tract or tracts of land as to which the owner or owners are unknown, with the order of the court thereon, in some newspaper published in the county wherein the land is located, or in some other county, if no newspaper shall be published in the first named county, which newspaper or newspapers shall be designated in the order of the court, and a copy of such publications shall also be posted in at least three conspicuous places within the boundaries of the proposed district, and at the court house door of the county. Such publication in a newspaper and When notice by publication shall be made Publication to be made in newspaper Publication also be posted, where, and length of time

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by posting shall be made for a period of four weeks. After the time of publication shall have expired, if no person claiming and asserting title to the tract or tracts of land and entitled to notice shall appear, the court in its discretion may appoint some disinterested person to represent the unknown or non-resident owner or owners of said lands, and thereupon the court shall assume jurisdiction of the said tract or tracts of land and shall adjudicate as to the said lands to the same extent as if the true owners were present and represented, and shall proceed against the land itself. If at any time during the pendency of the drainage proceeding the true owner or owners of the lands shall appear in person, they may be made parties defendant of their own motion and without the necessity of personal service, and shall thereafter be considered as parties to the proceeding, but they shall have no right to except to or appeal from any order or judgment theretofore rendered, as to which the time for filing exceptions on notice shall have expired.

Viewers shall make examination Section 3. That the Board of Viewers appointed under Section 2 shall at once proceed to make a careful and thorough examination of the lands described in the petition, and other lands if necessary to locate properly such improvement or improvements as are petitioned for, along the route described in the petition or any other route answering the same purpose if found more practicable or feasible, and shall see that all the lands and property within the drainage district have been included within said district, and they may make surveys necessary to determine the boundaries and elevation of the several parts of the district, and to enable them to form a tentative plan for development, and shall make and return to the said Resident Judge, to be placed on public file in the office of the Prothonotary within thirty days, unless the time shall be extended by the Resident Judge in writing, a written report which shall set forth:

Manner and
plan of
report

1. Whether the proposed drainage is practicable or not.

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LOW LANDS.

2. Whether it will benefit the public health or any public highway or be conducive to the general welfare of the community.

3. Whether the improvements proposed will benefit the lands in question sufficiently to warrant the probable expenditure.

4. Whether all the lands that will be benefited are included in the proposed drainage district.

They shall also file with their report a sketch map of the proposed drainage district, showing the general location of the ditch or ditches, or other improvements to be constructed with an approximate estimate of the cost, and the lands with a list of the owners' names so far as they can be learned, that will be affected thereby, and such other information as they may have collected that will tend to show the correctness of their findings.

Shall also
file map
with an es-
timate of
cost

Also lands
with list of
owners

Section 4. That the Resident Judge shall consider this report as soon as possible, but at least within two weeks after the same has been rendered, the engineer and other two viewers being present. If the viewers report that the drainage is not practicable or that it will not benefit the public health, or any public highway, or be conducive to the general welfare of the community, and the Resident Judge shall approve such finding, the petition shall be dismissed at the cost of the petitioners. If the report of the viewers is favorable to the project, and the Resident Judge shall so find after hearing all the evidence, he shall make such recommendations as he thinks proper to the viewers, and direct them to make a complete survey, plans and specifications, and estimate of cost for the tiles, drains or levees, or other improvements, and fix a time when said engineer and viewers shall complete and file their final reports, not exceeding sixty days, unless extended by the said Judge in writing.

Time in
which report
shall be
considered

If report
unfavorable

If report
favorable

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by posting shall be made for a period of four weeks. After the time of publication shall have expired, if no person claiming and asserting title to the tract or tracts of land and entitled to notice shall appear, the court in its discretion may appoint some disinterested person to represent the unknown or non-resident owner or owners of said lands, and thereupon the court shall assume jurisdiction of the said tract or tracts of land and shall adjudicate as to the said lands to the same extent as if the true owners were present and represented, and shall proceed against the land itself. If at any time during the pendency of the drainage proceeding the true owner or owners of the lands shall appear in person, they may be made parties defendant of their own motion and without the necessity of personal service, and shall thereafter be considered as parties to the proceeding, but they shall have no right to except to or appeal from any order or judgment theretofore rendered, as to which the time for filing exceptions on notice shall have expired.

Viewers shall
make exami-
nation

All lands
and property
included

May make
surveys

Shall make
return to
Resident
Judge

Manner and
plan of
report

Section 3. That the Board of Viewers appointed under Section 2 shall at once proceed to make a careful and thorough examination of the lands described in the petition, and other lands if necessary to locate properly such improvement or improvements as are petitioned for, along the route described in the petition or any other route answering the same purpose if found more practicable or feasible, and shall see that all the lands and property within the drainage district have been included within said district, and they may make surveys necessary to determine the boundaries and elevation of the several parts of the district, and to enable them to form a tentative plan for development, and shall make and return to the said Resident Judge, to be placed on public file in the office of the Prothonotary within thirty days, unless the time shall be extended by the Resident Judge in writing, a written report which shall set forth:

1. Whether the proposed drainage is practicable or not.

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LOW LANDS.

2. Whether it will benefit the public health or any public highway or be conducive to the general welfare of the community.

3. Whether the improvements proposed will benefit the lands in question sufficiently to warrant the probable expenditure.

4. Whether all the lands that will be benefited are included in the proposed drainage district.

They shall also file with their report a sketch map of the proposed drainage district, showing the general location of the ditch or ditches, or other improvements to be constructed with an approximate estimate of the cost, and the lands with a list of the owners' names so far as they can be learned, that will be affected thereby, and such other information as they may have collected that will tend to show the correctness of their findings.

Shall also
file map
with an es-
timate of
cost

Also lands
with list of
owners

Section 4. That the Resident Judge shall consider this report as soon as possible, but at least within two weeks after the same has been rendered, the engineer and other two viewers being present. If the viewers report that the drainage is not practicable or that it will not benefit the public health, or any public highway, or be conducive to the general welfare of the community, and the Resident Judge shall approve such finding, the petition shall be dismissed at the cost of the petitioners. If the report of the viewers is favorable to the project, and the Resident Judge shall so find after hearing all the evidence, he shall make such recommendations as he thinks proper to the viewers, and direct them to make a complete survey, plans and specifications, and estimate of cost for the tiles, drains or levees, or other improvements, and fix a time when said engineer and viewers shall complete and file their final reports, not exceeding sixty days, unless extended by the said Judge in writing.

Time in
which report
shall be
considered

if report
unfavorable

if report
favorable

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LOW LANDS.

Engineer
and Viewers
may employ
assistants

Section 5. That the engineer and viewers shall have power to employ such assistants as may be necessary to make a complete survey of the drainage district, and shall enter upon the ground and make a survey of the main drain or drains and all their laterals. The line of each ditch, drain or levee shall be plainly and substantially marked on the ground. The course and distance of each ditch shall be carefully noted and sufficient notes made, so that it may be accurately platted and mapped. A line

A full survey
to be made

of levels shall be run for the entire work and sufficient data secured for which accurate profiles and plans may be made for each of the proposed drains or levees. Frequent bench marks shall be established along the line, on permanent objects, and their elevation and full description recorded in the field books and their location shown on the map. If it is deemed expedient by the engineer and viewers, other levels may be run to determine the fall from one part of the district to another. If an old water course, ditch or channel is being widened, deepened or straightened, it shall be accurately cross-sectioned, so as to compute the amount of cubic yards saved by the use of such old channel. A drainage map of the district shall then be completed, showing the location of the ditch or ditches and other improvements, and the boundary, as closely as may be determined by the records, of the lands owned by each individual land owner within the district.

A drainage
map to be
made

Railroads,
highways,
incorporated
towns to
show on
map

The location of any railroads or public highways and the boundary of any incorporated towns or villages within the district shall be shown on the map. There shall be also prepared to accompany this map a profile of each levee, drain or water course, showing the surface of the ground, the bottom or grade of the proposed improvements and the number of cubic yards of excavation or fill in each mile or fraction thereof, and the total yards in the proposed improvement and the estimated cost thereof, and plans and specifications and the cost of any other work required to be done.

A profile of
levees

Estimated
cost to be
in report

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Section 6. That it shall be the further duty of the engineer and viewers to assess the damages claimed by any one that is justly right and due to him for land taken or for inconveniences imposed because of the construction of the improvement, and the establishment of the drainage district, or for any other legal damage sustained. Such damage shall be considered separate and apart from any benefit the land would receive because of the proposed work, and shall be paid by the Board of Drainage Commissioners when funds shall come into their hands, as hereinafter set forth.

Duty to assess damages
Damage to be considered separate from benefit

Section 7. That it shall be the further duty of the engineer and viewers to personally examine the land in the district and classify it, with reference to the benefit it will receive from the construction of the levee, ditch, drain or water course or other improvement. In the case of drainage, the degree of wetness of the land, its proximity to the ditch or a natural outlet and the fertility of the soil shall be considered in determining the amount of benefit it will receive by the construction of the ditch. The land benefited shall be separated into five classes; the land receiving the highest benefit shall be marked "Class A"; that receiving the next highest benefit "Class B"; that receiving the next highest benefit "Class C"; that receiving the next highest benefit "Class D"; and that receiving the smallest benefit "Class E". The holdings of any one land owner need not necessarily be all in one class, but the number of acres in each class shall be ascertained, though its boundary need not be marked on the ground or shown on the map. The total number of acres owned by one person in each class and the total number of acres benefited shall be determined. The total number of acres of each class in the entire district shall be ascertained and presented in tabulated form. The scale of assessment upon the several classes of land returned by the engineer and viewers shall be in the ratio of five, four, three, two and one; that is to say, as often as five mills per acre is assessed against land in "Class A", four mills per

Land to be examined and classified as to benefit
Land benefited to be in separate classes
The individual holdings shall be determined
The whole acreage shall be in tabulated form
The scale of assessment

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exceptions

acre shall be assessed against "Class B", three mills per acre in "Class C", two mills per acre in "Class D", and one mill per acre in "Class E". This shall form the basis of the assessment of benefits to the land for drainage purposes. Provided, however, that if by reason of existing conditions in any district, the viewers shall believe and shall find that substantial injustice will be done any land owner by strict conformity to the five class rule, as above set forth, the classification may be so changed by diminishing or increasing the number of classes as to conform to such conditions; in which event such explanation shall be made by the viewers as will indicate to the Judge the ratio of assessment for such changed classification as compared with the classification herein provided, and in calculating the assessment against any land owner the said Judge shall follow the classification as changed by the said viewers.

Engineers
and viewers
shall keep
accurate ex-
pense ac-
count and
make report

Section 8. That the engineers and viewers appointed under this act shall at all times keep an accurate account and report to the Resident Judge the name and number of days such person was employed on the survey, and the kind of work he was doing, and any expenses that may have been incurred in going to and from the work, and the cost of any supplies or material that may have been used in making the survey.

Final report

Section 9. That when the final report is completed and filed it shall be examined by the Resident Judge, and if it is found to be in due form and in accordance with the law it shall be accepted, and if not in due form it shall be referred back to the engineer and viewers, with instructions to secure further information, to be reported at a subsequent date to be fixed by the Resident Judge. When the report is fully completed and accepted by the Resident Judge a date not less than thirty days thereafter shall be fixed by the Resident Judge for the final hearing upon the report, and notice thereof shall be given by publication in a newspaper of general circulation in the county and

When report
is accepted

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by posting a written or printed notice on the door of the court house and at five conspicuous places throughout the drainage district, such publication to be made for at least two weeks before the final hearing. During this time a copy of the report shall be on file in the office of the Prothonotary, and shall be open to the inspection of any land owner or other person interested within the district.

Section 10. That it shall be the duty of the Prothonotary to summon or cause to be summoned all defendant land owners, who have not signed the petition, when they are known to him or to the viewers; and if it shall appear to the Prothonotary by affidavit or otherwise that the owner or owners of the whole or any share of any tract or tracts of land whose names are unknown and cannot after due diligence be ascertained by the petitioners, the Prothonotary shall give notice in the nature of a summons to be given to all such persons by publication of the petition or of the substance thereof, and describing generally the tract or tracts of land as to which the owner or owners are unknown, with the order of the commissioners thereon, in some newspaper published in the county wherein the land is located. Such notice shall name the day upon which the Resident Judge will hold the final hearing before declaring the drainage district established. This notice shall be printed at least once a week for four consecutive weeks prior to the date of the hearing.

Certain land owners shall be summoned

Prothonotary summons by publication

Notice of final hearing

Section 11. That at the date set for hearing any land owner may appear in person or by counsel and file his objection to the report of the viewers in writing; and it shall be the duty of the Resident Judge to carefully review the report of the viewers and the objection filed thereto, and make such changes as are necessary to render substantial and equal justice to all the land owners in the district. If, in the opinion of the Resident Judge the cost of construction, together with the amount of damages assessed, is not greater than the benefits that will accrue to the land affected, the Judge shall confirm the report

May file objections

Report to be reviewed

When report shall be confirmed as favorable

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of the viewers, and declare the drainage district established. If, however, the Resident Judge finds that the cost of construction, together with the damages assessed, is greater than the resulting benefit that will accrue to the lands affected, the Judge shall dismiss the proceedings at the cost of the petitioners, and the sureties upon the bond so filed by them shall be liable for such costs.

When report
is adverse

A public
record shall
be kept

Section 12. That the Prothonotary shall provide a suitable book, to be known as the "Drainage Record", in which he shall transcribe every petition, motion, order, report, judgment or finding of the Resident Judge in every drainage transaction that may come before him, in such manner as to make a complete and continuous record of the case. Two copies of all the maps and profiles are to be furnished by the engineer and marked by the clerk "Official Copies", one of which shall be kept on file by him in his office, and open to inspection, and one other copy shall be pasted or otherwise attached to his record book.

The Drain-
age Com-
mission

How
elected

How
appointed

How vacan-
cies shall be
filled

A body
corporate

Section 13. After the said drainage district shall have been declared established, as aforesaid, and the survey and plan therefor approved, the court shall appoint three persons, who shall be designated as the Board of Drainage Commissioners. Such drainage Commissioners shall first be elected by the owners of land within the drainage or levee district, or by a majority of same, in such manner as the court shall prescribe. The court shall appoint those receiving a majority of the votes. If any one or more of such proposed commissioners shall not receive the vote of a majority of such land owners the court shall appoint all or the remainder from among those voted for in the election. Any vacancy thereafter occurring shall be filled in like manner. Such three Drainage Commissioners, when so appointed, shall be immediately created a body corporate under the name and style of "The Board of Drainage Commissioners of District", with the right to hold property and convey the same, to sue and be sued, and shall possess such other powers as usually pertain to

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corporations. They shall organize by electing from among their number a chairman and vice-chairman. They shall also elect a secretary, either within or without their body. The treasurer of the county in which the proceeding was instituted, or such officer who may hereafter have the custody of the public funds of the County, shall be ex-officio treasurer of such Drainage Commissioners. Such Board of Drainage Commissioners shall adopt a seal, which they may alter at pleasure. The Board of Drainage Commissioners shall have and possess such powers as are herein granted. The name of such drainage district, whether designated by number or otherwise, shall constitute a part of its corporate name.

Section 14. That the Board of Drainage Commissioners shall appoint a competent person as superintendent of construction. Such person shall furnish a bond to be fixed and approved by the Resident Judge, conditioned upon the honest and faithful performance of his duties, such bond to be in favor of the Board of Drainage Commissioners of.....District, and of an adequate amount commensurate with the cost. They shall fix his compensation, and may terminate the contract whenever they consider his services no longer necessary.

Section 15. That after the classification of lands, and the ratio of assessment of the different classes to be made thereon, has been confirmed by the Resident Judge at the time of the final hearing, and any appeal that may have been made to the Superior Court has been adjudicated, the Board of Drainage Commissioners shall ascertain the total cost of the improvement, including damages awarded to be paid owners of land; all costs and incidental expenses; the compensation of engineer, viewers and assistants; an amount sufficient to pay the superintendent of construction; the expenses of the commissioners; the necessary expenses of maintaining in good order the drainage improvements for a period of three years after the completion of construction; the payment of the interest on the drain-

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age bonds for a period of three years, and thereupon the Board of Drainage Commissioners, under the hand of the chairman and the secretary of the board, shall certify to the Prothonotary the said total estimated cost, and the said certificate shall be recorded in the drainage record, and be open to the inspection of any land owner.

Shall make
assessments

Section 16. That when the Board of Drainage Commissioners for a district shall have made their estimate of the total cost of the improvement according to section 15, it shall be their duty immediately to prepare, in duplicate, ten assessment rolls, or drainage tax lists, to cover the period of the bond issue, giving thereon the names of the owners of land in the district, so far as can be ascertained from the public records, and a brief description of the several tracts of land assessed against each land owner.

The provi-
sions of the
several as-
sessment
rolls

The first of these assessment rolls shall provide assessments sufficient for the payment of interest on the bond issue to accrue the third year after their issue and the instalment of principal to fall due at the expiration of the third year after the date of issue, together with such amounts as shall have to be paid for collection and handling of the same. The second assessment roll shall make like provisions for the fourth year; the third for the fifth year; the fourth for the sixth year; the fifth for the seventh year; the sixth for the eighth year; the seventh for the ninth year; the eighth for the tenth year; the ninth for the eleventh year; the tenth for the twelfth year. Each of said assessment rolls shall specify the time when collectible, and shall be numbered in their order, and the amounts assessed against the several tracts of land shall be in accordance with the benefits received, as shown by the classification and ratio of assessments made by the viewers. These assessment rolls shall be signed by the chairman of the Board of Drainage Commissioners and by the secretary of the board. One copy of each of the said assessment rolls shall be filed with the drainage records, and one copy shall be delivered to a suitable person to be selected by the Drainage Commissioners, who, after having given bond to

Collector to
be selected
Must give
bond

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the Drainage Commission in its corporate name, in such amount and in such form and with such security as the Drainage Commission shall approve, shall proceed to collect the said assessment rolls, and for this purpose he shall have all the powers now vested by law in collectors of County taxes or in Receivers of Taxes and County Treasurers. The Prothonotary shall append thereto an order directing the collection of said assessments, and the said assessments shall thereupon have the force and effect of a lien as in the case of State and county taxes. These assessments shall constitute a first and paramount lien, second only to State and county taxes, upon the lands assessed for the payment of said bonds and interest thereon as they become due. The said assessments shall be due and payable on the first Monday in January each year, and if the same shall not be paid in full by the last day of April following, it shall be the duty of the collector to sell the land or lands so delinquent. The sale of lands for failure to pay such assessments shall be made at the court house door of the County in which the lands are situated, between the hours of ten o'clock in the forenoon and four o'clock in the afternoon. The existing law as to the collection of State and county taxes shall have application to the collection of drainage assessments under this act. It shall be the duty of the collector to pay over to the county treasurer or to such officer having custody of the public funds, promptly the moneys so collected by him upon said tax assessments, to the end that the said treasurer may have funds in hand to meet the payments of interest and principal due upon the outstanding bonds as they mature. It shall be the duty of the county treasurer or other officer as aforesaid, and without any previous order from the Board of Drainage Commissioners, to provide and pay the instalments of interest at the time and place as evidenced by the coupons attached to said bonds, and also to pay the annual instalments of the principal due on said bonds at the time and place as evidenced by the said bonds, and the said county treasurer, or other officer having custody of the public funds as aforesaid shall be guilty of

Powers as
collectorAssessment
as a lienAssessments
when dueSale of
landsLaw for
collectionMoney to be
promptly
paid over to
meet certain
paymentsProvisions
for payment
of interest of
and annual
instalments
on principal

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Wilful neg-
lect a misde-
meanor

a misdemeanor and subject upon conviction to a fine and imprisonment, in the discretion of the court, if he shall wilfully fail to make prompt payments of the said interest and principal upon said bonds, and shall likewise be liable in a civil action for all damages which may accrue either to the Board of Drainage Commissioners or the holder of said bonds, to either or both of which a right of action is hereby given. Should the total estimated cost of the proposed improvement to be made under this act be less than an average of twenty-five cents per acre for the total area, then in that case bonds shall not be issued but the assessment shall be collected in cash from the land owners.

When bonds
shall not be
issued

Collector to
give deed for
lands sold

In all cases of sales of land hereunder the deed of the said Collector making said sale shall be presumptive evidence of the regularity of his proceedings.

When prop-
erty other
than private
is benefited

Section 17. That should the viewers when making their examination and surveys, find that the drainage scheme when carried out will benefit any public highway or any railroad or other public property, then and in that case the viewers shall in their return assess the State, County, or corporation an amount which they consider just for the benefits which will be derived through the formation of the drainage district, with the right of appeal from this decision to the Resident Associate Judge, as in other cases provided by this Act.

When lands
located on
the drainage
district are
not benefited

Section 18. That if any lands, which will not be affected or benefited by the drainage project shall be located within the outer boundaries of the drainage district as finally established, such fact shall not prevent the formation of the district, and said lands shall not be assessed for any drainage tax; but this shall not prevent the district from acquiring a right-of-way across such lands for constructing a ditch or canal or for any other necessary purpose authorized by law.

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Section 19. That if it shall be necessary to acquire a right-of-way or an outlet over and through lands not affected by the drainage, and the same cannot be acquired by purchase, then and in such event the power of eminent domain is hereby conferred, and the same may be condemned. Such owner or owners of the land proposed to be condemned may be made parties defendant in the manner of an ancillary proceeding, and the procedure shall be substantially as provided for the condemnation of right-of-way for railroads, so far as the same may be applicable, and such damages as may be awarded as compensation shall be paid by the Board of Drainage Commissioners out of the first funds which shall be available from the proceeds of sale of bonds or otherwise.

When condemnation proceedings may be used

Plan of condemnation

Section 20. Whenever the engineer and the viewers in charge shall make a survey for the purpose of locating a public levee or drainage district or changing a natural water course, and the same would cross the right of way of any Railroad, Railway or Boulevard Company, or corporation, it shall be the duty of the engineer and viewers aforesaid to notify such company by serving written notice upon the agent of such Company, or its lessee or receiver, that they will meet the Company at the place where the proposed ditch, drain or water course crosses the right of way of such company, fixing the time of such meeting, which shall not be less than ten days after the service of the same, for the purpose of conferring with such company with relation to the place where and the manner in which such improvement shall cross such right of way. When the time fixed for such conference shall arrive, unless for good cause an extension of time is agreed upon, it shall be the duty of the viewers in charge and such company to agree, if possible, upon the place where and the manner and method in which such improvement shall cross such right of way. If the viewers in charge and the company cannot agree, or if the company shall fail, neglect or refuse to confer with the viewers, they shall determine the place and manner of crossing such right of way and shall specify

Corporations must be notified of contemplated crossing

Date of conference

In case of disagreement

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the manner and sizes of openings required and the damages, if any, to such company and shall so specify in their report. The fact that such company is required by the construction of the improvement to build a new bridge or culvert, or to enlarge or strengthen an old one, shall not be considered as damages to such company. The Engineer and viewers shall also assess the benefits that will accrue and the right of way, roadbed and other property of said company by affording better drainage or a better outlet for drainage, but no benefits shall be assessed because of the increase in business that may come to such company because of the construction of the improvement. The benefits shall be assessed at a fixed sum, determined solely by the physical benefit that the property will receive by the construction of said improvement, and it shall be reported by the viewers as a special assessment due personally from such company as a special assessment; it may be collected in the manner of an ordinary debt in any court having jurisdiction. Any railroad, railway or boulevard company, or corporation, shall have the right of appeal from the decision of the engineer and viewers to the Resident Associate Judge as in other cases provided by this Act, provided that such appeal shall be made within fifteen days after the filing of the report as required in this Section.

Benefits to
be assessed

How benefits
shall be
assessed

Right of
appeal

Notice of
final report

Right to file
objections

Section 21. The Prothonotary of the Superior Court shall have notice served upon any railroad, railway or boulevard company, or corporation, of the time and place of the meeting to hear and determine the final report of the engineer and viewers, and also shall have notice served upon such company of the time and place of the hearing before the Resident Associate Judge, in the event of the viewers and the railroad company not agreeing, as provided for in Section 20 of this Act. The said company shall have the right to file objections to said report and to appeal from the finding of the Board of Commissioners in the same manner as any land owner.

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Section 22. After the contract is let and the actual construction is commenced, if the work is being done with a floating dredge, the Superintendent in charge of construction shall notify such railroad, railway or boulevard company or corporation of the probable time at which the contractor will be ready to enter upon the right of way of said company. It shall be the duty of said company to send a representative to view the ground with the Superintendent of construction and arrange the exact time at which such work can be most conveniently done. At the time agreed upon the said company shall remove by whatever methods it may be deemed best by it the material, the removal of which is necessary for the construction of the ditch or drainage canal, and shall support the tracks of any railroad or railway over the ditch or drainage canal by stringers, or by whatever means may be deemed best by such company so as not to break the continuity of any railroad or railway to the end that the traffic of such railroad or railway will not be stopped. The cost of excavation and the removal of material from the right of way of such company shall be paid by the Board of Drainage Commissioners, provided that the cost thereof, by whatever means employed, shall not exceed the cost at which the Board of Drainage Commissioners could have the same work done and performed. The work shall be so planned and conducted as to interfere in the least possible manner with the business of such company. If the Superintendent of construction and such company shall not be able to agree as to the exact time at which such work can be done, including the time of beginning and the time to be consumed in such work, either party may give written notice thereof to the Resident Judge of the County, and thereupon the said Judge shall cause an investigation to be made, and after hearing both parties shall fix the time of beginning such work and the time to be consumed in such work of construction, and the final determination of the Judge thereon shall be binding upon the Superintendent of construction representing the District and such company, and the work shall be done in such time as may be fixed by the

Notice shall be given to certain corporations as to time of entry on right of way

The company shall send representative

Corporation shall make necessary changes

Drainage Commission shall pay amounts of necessary changes provided

In case of disagreement as to time of beginning work

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Penalty for
delaying the
work

Itemized
statement
of expense
of corpora-
tion

Superinten-
dent to audit
bill; if cor-
rect to ap-
prove

said Judge. In case such company refuses and fails to remove the material from its right of way and refuses and fails to support the tracks over the ditch or drainage canal, or in any other manner by its failure to do or perform any work which may be necessary to be done by it in order that the work of the Drainage Commissioners may proceed as agreed upon or as ordered by the Resident Associate Judge after an appeal to him, it shall be held as delaying the construction of the improvement and such company shall be liable to a penalty of Twenty-five Dollars for each day of delay, to be collected by the Board of Drainage Commissioners for the benefit of the drainage District as in the case of other penalties. Such fine or penalty may be collected before any Court having competent jurisdiction and shall inure to the benefit of the drainage District. Within thirty days after the work is completed an itemized bill for the actual expenses incurred by any railroad or railway company for the excavation and removal of materials as aforesaid shall be made and presented to the Superintendent of construction of the drainage improvement. Such bill, however, shall not include the cost of putting in a new bridge or culvert or strengthening or enlarging an old one. The Superintendent of construction shall audit this bill and if found correct shall approve the same and file it with the Secretary of the Board of Drainage Commissioners, which Board shall pay the same.

Rights and
privileges of
an owner of
land
assessed

Section 23. That the owner of any land that has been assessed for the cost of the construction of any ditch, drain or water course, as herein provided, shall have the right to use the ditch, drain or water course as an outlet for lateral drains from said land; and if said land is separated from the ditch, drain or water course by the land of other or others, and the owner thereof shall be unable to agree with said other or others, as to the terms and conditions on which he may enter their lands and construct said drain or ditch, he may file his ancillary position in such pending proceeding to the Resident Judge, we shall refer the matter

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to the Board of Drainage Commissioners, who shall make a report of their findings to the said Judge who shall approve, alter or modify the same.

Section 24. That the Board of Drainage Commissioners shall give notice for three weeks at least once a week by publication in some newspaper published in a county in which the district, or some part thereof, is situated, if there be any such newspaper, and also by posting a written or printed notice at the door of the court-house and at five conspicuous places in the district, reciting that they propose to issue bonds for the payment of the total cost of improvement, giving the amount of bonds to be issued, the rate of interest that they are to bear and the time when payable. Any land owner in the district not wanting to pay interest on the bonds may, within thirty days after the publication of said notice, pay to the county treasurer the full amount for which his land is liable, to be ascertained from the classification sheet and the certificate of the board showing the total cost of the improvement, and have his lands released from liability to be assessed for the said improvement; but such land shall continue liable for any future assessment for maintenance or for any increased assessment authorized under the law.

Certain publicty shall be given to the issue of bonds

Privilege of owner of land assessed as to paying of interest or paying of his share of the bonds issued

That at the expiration of three weeks after publication of notice of bond issue, the Board of Drainage Commissioners may issue and sell bonds of the drainage district for an amount equal to the total cost of the improvement less such amounts as shall have been paid in cash to the county treasurer, plus an amount sufficient to pay interest on the bond issue for the three years next following the date of issue. These bonds shall bear interest, payable semi-annually, and shall be paid in ten equal instalments. The first instalment of principal shall mature at the expiration of three years from the date of issue, and one instalment for each succeeding year for nine additional years. The commissioners may sell these bonds at not less than par and devote the proceeds to the payment for the work as it pro-

Drainage Commission may issue and sell bonds at expiration of certain time

Interest semi-annually

Maturity of bond

Bonds not to be sold less than par

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The uses of
the money
from sale
of bond

Bonds shall
specify the
use of pro-
ceeds

Shall be
numbered
and re-
corded

In case of
default of
payment of
principal or
interest

Certain off-
cial bonds
liable

Drainage
Commission
shall adver-
tise for bids

gresses and to the payment of the interest on said bonds for the three years next following the date of issue and to the payment of the other expenses of the district provided for in this act. The proceeds from such bonds shall be for the exclusive use of the levee or drainage district specified in their face, and shall be numbered by the Board of Drainage Commissioners and recorded in the drainage record, which record shall set out specifically the lands embraced in the district on which the tax has not been paid in full, which land is to be assessed as hereafter provided. If any instalment of principal or interest represented by the said bond shall not be paid at the time and in the manner when the same shall become due and payable, and such default shall continue for a period of six months the holder or holders of such bond or bonds upon which default has been made may have a right of action against said drainage district or the Board of Drainage Commissioners of said district, wherein the Court may issue a writ of mandamus against the said drainage district, its officers, including the tax collector and treasurer, directing the levying of a tax or special assessment as herein provided, and the collection of the same, in such sums as may be necessary to meet any unpaid instalments of principal and interest and cost of actions; and such other remedies are hereby vested in the holder or holders of such bond or bonds in default as may be authorized by law; and the right of action is hereby vested in the holder or holders of such bond upon which default has been made, authorizing them to institute suit against any officer on his official bond for failure to perform any duty imposed by the provisions of this act. The official bonds of the tax collector and county treasurer shall be liable for the faithful performance of the duties herein assigned them. Such bonds may be increased by the Resident Judge at his discretion.

Section 26. That the Board of Drainage Commissioners shall in an engineering contracting paper of wide circulation advertise for bids for the construction of the improvement either as a whole or in parts to be let to the

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lowest responsible bidder or bidders. The board shall have the right to reject any or all bids and re-advertise. They shall make such terms for payment with the contractor as they deem proper, and fix the amount of the contractor's bond which shall be given in favor of the Board of Drainage Commissioners.

Right to re-
ject bids

Contractor
to bond

Section 27. That whenever any improvement constructed under this act is completed it shall be under the control and supervision of the Board of Drainage Commissioners. It shall be the duty of the said board to keep the levee, ditch, drain or water course in good repair, and for this purpose they may levy an assessment on the lands benefited by the construction of such improvements in the same manner and in the same proportion as the original assessments were made for an amount not to exceed twenty-five per cent. of the original assessment, and the fund that is collected shall be used for repairing and maintaining the ditch, drain or water course in good order. Provided, however, that if any repairs are made necessary by the act or negligence of the owner of any land through which such improvement is constructed or by the act or negligence of his agent or employee, or if the same is caused by the cattle, hogs or other stock of said owner, employee or agent, then the cost thereof shall be assessed and levied against the lands of said owner alone, to be collected by proper suit instituted by the Drainage Commissioners. It shall be unlawful for any person to injure or damage or obstruct or build any bridge, fence or floodgate in such a way as to injure or damage any levee, ditch, drain, or water course constructed or improved under the provisions of this act, and any person causing such injury shall be guilty of a misdemeanor, and upon conviction thereof may be fined in any sum not exceeding twice the damage or injury done or caused.

Drainage
Commission
to have
control of
completed
work

The duty of
the Board

Liable for
negligence;
who

Unlawful to
damage or
obstruct

Section 28. That the engineers employed under the provisions of this act shall receive such compensation per diem as shall be agreed upon by the Board of County Com-

Compensa-
tion of engi-
neers, view-
ers and
others

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The uses of
the money
from sale
of bond

Bonds shall
specify the
use of pro-
ceeds

Shall be
numbered
and re-
corded

In case of
default of
payment of
principal or
interest

Certain offi-
cial bonds
liable

Drainage
Commission
shall adver-
tise for bids

gresses and to the payment of the interest on said bonds for the three years next following the date of issue and to the payment of the other expenses of the district provided for in this act. The proceeds from such bonds shall be for the exclusive use of the levee or drainage district specified in their face, and shall be numbered by the Board of Drainage Commissioners and recorded in the drainage record, which record shall set out specifically the lands embraced in the district on which the tax has not been paid in full, which land is to be assessed as hereafter provided. If any instalment of principal or interest represented by the said bond shall not be paid at the time and in the manner when the same shall become due and payable, and such default shall continue for a period of six months the holder or holders of such bond or bonds upon which default has been made may have a right of action against said drainage district or the Board of Drainage Commissioners of said district, wherein the Court may issue a writ of mandamus against the said drainage district, its officers, including the tax collector and treasurer, directing the levying of a tax or special assessment as herein provided, and the collection of the same, in such sums as may be necessary to meet any unpaid instalments of principal and interest and cost of actions; and such other remedies are hereby vested in the holder or holders of such bond or bonds in default as may be authorized by law; and the right of action is hereby vested in the holder or holders of such bond upon which default has been made, authorizing them to institute suit against any officer on his official bond for failure to perform any duty imposed by the provisions of this act. The official bonds of the tax collector and county treasurer shall be liable for the faithful performance of the duties herein assigned them. Such bonds may be increased by the Resident Judge at his discretion.

Section 26. That the Board of Drainage Commissioners shall in an engineering contracting paper of wide circulation advertise for bids for the construction of the improvement either as a whole or in parts to be let to the

CORPORATIONS FOR DRAINAGE AND RECLAMATION OF
LOW LANDS.

lowest responsible bidder or bidders. The board shall have the right to reject any or all bids and re-advertise. They shall make such terms for payment with the contractor as they deem proper, and fix the amount of the contractor's bond which shall be given in favor of the Board of Drainage Commissioners.

right to re-
ject bids

Contractor
to bond

Section 27. That whenever any improvement constructed under this act is completed it shall be under the control and supervision of the Board of Drainage Commissioners. It shall be the duty of the said board to keep the levee, ditch, drain or water course in good repair, and for this purpose they may levy an assessment on the lands benefited by the construction of such improvements in the same manner and in the same proportion as the original assessments were made for an amount not to exceed twenty-five per cent. of the original assessment, and the fund that is collected shall be used for repairing and maintaining the ditch, drain or water course in good order. Provided, however, that if any repairs are made necessary by the act or negligence of the owner of any land through which such improvement is constructed or by the act or negligence of his agent or employee, or if the same is caused by the cattle, hogs or other stock of said owner, employee or agent, then the cost thereof shall be assessed and levied against the lands of said owner alone, to be collected by proper suit instituted by the Drainage Commissioners. It shall be unlawful for any person to injure or damage or obstruct or build any bridge, fence or floodgate in such a way as to injure or damage any levee, ditch, drain, or water course constructed or improved under the provisions of this act, and any person causing such injury shall be guilty of a misdemeanor, and upon conviction thereof may be fined in any sum not exceeding twice the damage or injury done or caused.

Drainage
Commission
to have
control of
completed
work

The duty of
the Board

LIABLE for
negligence;
who

Unlawful to
damage or
obstruct

Section 28. That the engineers employed under the provisions of this act shall receive such compensation per diem as shall be agreed upon by the Board of County Com-

Compensa-
tion of engi-
neers, view-
ers and
others

CORPORATIONS FOR DRAINAGE AND RECLAMATION OF
LOW LANDS.

missioners. The viewers, other than the engineer, shall receive three dollars per day; the rodmen, axemen, chainmen, and other laborers shall each receive not to exceed two dollars per day. The Drainage Commissioners shall have all their actual expenses paid when actually engaged upon the work of the drainage district, but shall receive no per diem. All other fees and costs incurred under the provisions of this act shall be the same as provided by law for like service in other cases.

Drainage
Commission
to receive
expenses
only

Empowered
to accept any
U. S. Govern-
ment assist-
ance

Duty to
solicit co-
operation
U. S. Gov-
ernment

Section 29. That in the event that the United States Government makes provisions for loans to prosecute drainage and reclamation work, or provides for such work to be done in whole or in part under the supervision of the officials, the drainage districts to be created under this act are empowered to avail themselves of such provisions at any time. That it shall be the duty of the officials of this State to solicit the co-operation of the various bureaus of the United States Government in prosecuting drainage and the reclamation of agricultural lands.

Loan by the
State

Purpose of
the loan

Section 30. That the provisions of this act shall be liberally construed to promote the ditching, draining, leveeing and reclamation of wet and overflowed lands which may be made available for agriculture, and to encourage the starting of such enterprises there is hereby established a fund to be known as the "Drainage District Fund", and the sum of two thousand dollars is hereby appropriated out of any money that may be in the State Treasury and not otherwise appropriated, to be placed to the credit of that fund, from which loans can be made in sums not to exceed a total of more than two thousand dollars to any one drainage project for the payment of the expenses of the surveys, engineer, viewers, advertising and all other incidental fees and expenses connected with the project up to the time of the establishment of the drainage district, and the turning over of the work to the Board of Drainage Commissioners. The money thus loaned shall be paid out by the State Treasurer, when there is money to the credit of this fund, on

CORPORATIONS FOR DRAINAGE AND RECLAMATION OF
LOW LANDS.

warrant of the State Auditor upon the receipt of an itemized statement or statements so requesting, endorsed by the President of the Board of Drainage Commissioners and the Resident Judge of the county in which the original petition of the particular district was filed. The funds loaned by the State shall be returned to the Treasury again through the County Treasurer, who shall collect the amount loaned under a petition filed with them from the petitioners or their bondsmen in case the petition is not allowed, but should the drainage district be established, then from the Board of Drainage Commissioners out of the first proceeds of the sale of the bonds of that district charged with the loan. No greater sum shall be loaned to one district than is absolutely necessary for its use, in order that the fund may be in circulation and be available for other projects.

Loan to be repaid: how

Limit of sum loaned

Section 31. The assessment of lands embraced within the limits of any drainage district shall not be increased for County, School or Municipal purposes, for or by reason of the increase in value thereof arising from the better drainage, or better facilities for drainage afforded by the construction of drainage ditches or canals, until the bonds issued by the Board of Drainage Commissioners shall have been paid in full.

Tax rate not to be increased

Approved March 15, A. D. 1915.

FOREIGN CORPORATIONS.

CHAPTER 106.

FOREIGN CORPORATIONS.

AN ACT to amend Chapter 65 of the Revised Code of the State of Delaware by providing for the regulation of 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:

Chap. 65 of
the Revised
Code
amended

Section 1: That Chapter 65 of the Revised Code of the State of Delaware be and the same is hereby amended by adding thereto the following sections, to be styled as 2101a. Section 188; 2101b. Section 189; 2101c. Section 190; 2101d. Section 191; 2101e. Section 192; 2101f. Section 193; 2101g. Section 194; the whole to be known as ARTICLE 11, FOREIGN CORPORATIONS.

Foreign cor-
poration

2101a. Section 188: No corporation created by the laws of any other state, or the laws of the United States, shall do any business in this State, through or by branch offices, agents or representatives located in this State, until it shall have filed in the office of the Secretary of State of this State a certified copy of its Charter and the name or names of its authorized agent or agents in this State, together with a sworn statement of the assets and liabilities of such corporation, and shall have paid to the Secretary of State, for the use of the State, ten dollars; and the certificate of the Secretary of State under his seal of office, of the filing of such Charter, shall be delivered to such agent or agents upon the payment to said Secretary of State of the usual fees for making certified copies; the said certificate shall be *prima facie* evidence of such company's right to do

Must file
copy of
charter and
name of
agent

Fee

Certificate
from Secre-
tary of State

FOREIGN CORPORATIONS.

business in this State. This Section shall not apply to insurance companies doing business in this State.

Shall not
apply to In-
surance Cos.

2101b. Section 189: It shall be the duty of the Secretary of State after issuing the certificate aforesaid, and delivering the same to the agent or agents of said foreign corporation to issue a certificate to the Prothonotary of the Superior Court of each County of the State of Delaware, containing the name of the agent or agents of the said foreign corporation, and the State wherein incorporated.

Duty of Sec-
retary of
State

2101c. Section 190: The Prothonotary of the Superior Court of the State of Delaware in each County of this State shall procure and keep a book, which is hereby named "Record of Agents of Foreign Corporations," and shall enter and record therein the name of every Foreign Corporation, certified by the Secretary of State as aforesaid, the name of such person or agent, the name of the State in which said corporation is incorporated, and the date of the filing of such certificate in the office of the Secretary of State; and for making the above entries the Prothonotary making the same shall receive from each foreign corporation a fee of one dollar, to be collected from each corporation aforesaid, and paid over by the Secretary of State.

Duty of Pro-
thonotary of
Superior
Court

2101d. Section 191: All process sued out in this State in any Court of this State against such corporation, all orders made by any court of this State, all rules and notices of any kind required to be served on or given to any such corporation, may be served on or given to such person or agent so certified as aforesaid, and such service or notice shall be as effectual and shall operate as if it had been served on or given to said corporation.

All service
made
through
agent

2101e. Section 192: Any such foreign corporation, by filing a certificate of the same kind and nature, executed as aforesaid, may change such agent or person and substitute another person or agent for the purposes aforesaid, provided, however, every such person or agent shall at the

Agent may
be changed

FOREIGN CORPORATIONS.

Agent must
be a resident
of the State

Vacancy;
how filled

A misde-
meanor for
corporation
Fine on
conviction

A misde-
meanor for
an agent
Fine on
conviction

Limits of
powers for a
foreign cor-
poration

time of his appointment be a resident of this State. And provided further, however, if any person or agent designated and certified as aforesaid shall die or remove from this State, then the foreign corporation for which such person or agent had been so designated and certified shall, within ten days after the death or removal as aforesaid of such agent or person, substitute, designate and certify to the Secretary of State, the name of another person or agent for the purposes aforesaid, and all process, orders, rules and notices mentioned in the foregoing 2101d. Section 191, may be served on or given to such substituted person or agent with like effect as is perscribed in said Section.

2101f. Section 193: Any foreign corporation engaging in, prosecuting, or transacting any business of any kind within the limits of this State without first having complied with the foregoing provisions of this Chapter shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than Two hundred dollars nor more than Five hundred dollars for each and every offense. Any agent of any foreign corporation that shall transact any business within the limits of this State for any foreign corporation before such foreign corporation has complied with all the said provisions of this Chapter, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than one hundred dollars nor more than Five hundred dollars for each and every offense.

2101g. Section 194: No foreign corporation as aforesaid, shall, within the limits of this State, by any implication or construction, be deemed to possess the power of discounting bills, notes, or other evidence of debt, of receiving deposits, of buying gold or silver bullion or foreign coin, of buying and selling bills of exchange, or of issuing bills, notes or other evidences of debt upon loan for circulation as money, anything in its Charter or Articles of Incorporation to the contrary thereof notwithstanding.

All certificates issued by the Secretary of State under the foregoing provisions of this Chapter shall expressly set

FOREIGN CORPORATIONS.

forth the limitations and restrictions contained in the preceding proviso.

Section 2: The Revised Code Commission are hereby directed to print the foregoing amendment to Chapter 65 of the Revised Code as a part of said chapter, in the final printed edition of said Code. ^{Directions to Revised Code Commission}

Approved January 27, A. D. 1915.

BANKS.

CHAPTER 107.

BANKS.

AN ACT to amend Chapter 66 of the Revised Code of the State of Delaware, being an act relating to banking.

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

Chap. 66, of
the Revised
Code
amended

Section 1. That Chapter 66 of the Revised Code of the State of Delaware be, and the same is, hereby amended by adding at the end of said Chapter the following new sections, to wit,—

Deposit
made by two
or more
persons

“2115 A. Sec. 15. When a deposit in any bank, trust company, savings bank or other banking institution in this State, is made in the name of two or more persons, deliverable or payable to either, or to their survivor or survivors, such deposit, or any part thereof, or the increase thereof, may be delivered or paid to either of said persons, or to the survivor or survivors, in due course of business.”

Deposit in
trust

“2115 B. Sec. 16. When a deposit in any bank, trust company, savings bank or other banking institution in this State, is made by any person in trust for another, and no other or further notice of the existence and terms of a legal and valid trust shall have been given in writing to the bank, in the event of the death of the trustee, such deposit, or any part thereof, or the increase thereof, may be paid to the person for whom said deposit was made, or his legal representative.”

Willful and
malicious
statements
spoken or
written

“2115 C. Sec. 17. Any person who shall willfully and maliciously make, circulate or transmit to another or others, any false statement, rumor or suggestion, written, printed or by word of mouth, which is directly or by inference de-

BANKS.

rogatory to the financial condition or affects the solvency or financial standing of any bank, trust company, savings bank, or other banking institution in this State, or who shall counsel, aid, procure, or induce another to start, transmit or circulate any such statement or rumor, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not more than Two Thousand Dollars, or by imprisonment for a term of not more than two years, or both."

A misdemeanor

Fine, on conviction

"2115 D. Sec. 18. It shall be lawful for any trust company or State bank heretofore or hereafter incorporated under the laws of this State, to become a member of the Federal Reserve Bank, organized or to be organized in the Federal Reserve District in which such trust company or State bank is located, under the provisions of the act of Congress known as the 'Federal Reserve Act,' approved December twenty-third, one thousand nine hundred and thirteen; and such trust company or State bank may subscribe for, purchase, hold and surrender, from time to time, such amounts of the capital stock of such Federal Reserve Bank as such trust company or State bank may deem advisable or as may be required under said 'Federal Reserve Act,' or any amendment thereof, in order to obtain and continue such membership, and upon the purchase of such stock, to assume the liabilities and become entitled to the benefits recited in said 'Federal Reserve Act.'"

Member of Federal Reserve Bank

May hold stock

Approved March 8, A. D. 1915.

THE CITY OF WILMINGTON.

CHAPTER 108.

THE CITY OF WILMINGTON.

AN ACT to Create a Public Building Commission for the City of Wilmington and New Castle County, Prescribing its Duties and Defining its Powers.

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):

Creation of a
Public
Building
Commission
for City of
Wilmington

Section 1. There is hereby created and established a Public Building Commission for the City of Wilmington and for New Castle County to be composed and consist of three members.

How ap-
pointed

Section 2. The Levy Court of New Castle County shall appoint one of said Commissioners, the Council of "The Mayor and Council of Wilmington" shall appoint another of the said Commissioners, and thereafter the Governor of the State of Delaware shall appoint the third Commissioner.

Term of
office

The term of office of each of the said Commissioners shall be for four years. When any vacancy occurs in the said

Vacancy,
how filled

Commission, either by death, resignation, expiration of term, or otherwise, the body or officer which first appointed said Commissioner shall fill the vacancy for the unexpired term, or a new term, as the case may be. Not more than

Not of same
political
party

two members of said Commission shall be of the same political party.

Oath of
office

Section 3. The members of said Commission shall take and subscribe the oath required by law for elective officers in the State of Delaware before entering upon the duties of said office.

THE CITY OF WILMINGTON.

Section 4. Said Commission shall organize by electing Organization one of their number as Chairman and another as Secretary. The majority of said Commissioners shall constitute a quorum for the transaction of all business which may prop- Quorum erly come before said Commission. The Commission shall keep a complete and full record of its proceedings and also To keep a record of proceedings of all matters and things done and performed under the provisions of this Act.

Section 5. The Commission shall take and have entire Commission to have charge of county and municipal buildings charge of the County Building for New Castle County and the Municipal Building for the City of Wilmington now under construction when the same are finished. It shall be the duty of the Commission to keep and maintain in good and proper repair and condition both of the said buildings, their furniture and fixtures, and every part thereof; and to see that said buildings are properly furnished with heat, light and water; and for this purpose the Commission is authorized to expend out of the moneys, hereinafter provided for, such sum or sums as may be necessary in the premises.

Section 6. The Commissioners shall elect a Superintendent, who shall hold office at the pleasure of the said Com- Shall elect a superintendent mission and whose compensation shall not exceed the sum of One Thousand Eight Hundred Dollars per annum, pay- Salary of superintendent and how paid able monthly, one-half of which is to be paid by the Levy Court, and one-half by "The Mayor and Council of Wilmington." It shall be the duty of the said Superintendent, with Duty of superintendent the consent of a majority of the said Commission, to appoint and supervise and have charge of all the employees in the said County and Municipal Buildings, and it shall be his duty to see and require that the said employees do and perform their work properly and keep the said buildings and every part thereof clean and in good order.

Section 7. The salary of each Commissioner shall be Salary of each Commissioner and how paid Three Hundred Dollars per annum, payable monthly, one-half thereof payable by the Levy Court of New Castle County and the other half thereof by "The Mayor and Council of Wilmington."

THE CITY OF WILMINGTON.

CHAPTER 108.

THE CITY OF WILMINGTON.

AN ACT to Create a Public Building Commission for the City of Wilmington and New Castle County, Prescribing Its Duties and Defining Its Powers.

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) :

Creation of a
Public
Building
Commission
for City of
Wilmington

Section 1. There is hereby created and established a Public Building Commission for the City of Wilmington and for New Castle County to be composed and consist of three members.

How ap-
pointed

Section 2. The Levy Court of New Castle County shall appoint one of said Commissioners, the Council of "The Mayor and Council of Wilmington" shall appoint another of the said Commissioners, and thereafter the Governor of the State of Delaware shall appoint the third Commissioner.

Term of
office

Vacancy,
how filled

The term of office of each of the said Commissioners shall be for four years. When any vacancy occurs in the said Commission, either by death, resignation, expiration of term, or otherwise, the body or officer which first appointed said Commissioner shall fill the vacancy for the unexpired term, or a new term, as the case may be. Not more than two members of said Commission shall be of the same political party.

Not of same
political
party

Oath of
office

Section 3. The members of said Commission shall take and subscribe the oath required by law for elective officers in the State of Delaware before entering upon the duties of said office.

THE CITY OF WILMINGTON.

Section 4. Said Commission shall organize by electing Organization one of their number as Chairman and another as Secretary. The majority of said Commissioners shall constitute a quorum for the transaction of all business which may properly come before said Commission. The Commission shall keep a complete and full record of its proceedings and also To keep a record of proceedings of all matters and things done and performed under the provisions of this Act.

Section 5. The Commission shall take and have entire Commission to have charge of county and municipal buildings charge of the County Building for New Castle County and the Municipal Building for the City of Wilmington now under construction when the same are finished. It shall be the duty of the Commission to keep and maintain in good and proper repair and condition both of the said buildings, their furniture and fixtures, and every part thereof; and to see that said buildings are properly furnished with heat, light and water; and for this purpose the Commission is authorized to expend out of the moneys, hereinafter provided for, such sum or sums as may be necessary in the premises.

Section 6. The Commissioners shall elect a Superintendent, who shall hold office at the pleasure of the said Commission and whose compensation shall not exceed the sum of One Thousand Eight Hundred Dollars per annum, payable monthly, one-half of which is to be paid by the Levy Court, and one-half by "The Mayor and Council of Wilmington." It shall be the duty of the said Superintendent, with Shall elect a superintendent the consent of a majority of the said Commission, to appoint and supervise and have charge of all the employees in the said County and Municipal Buildings, and it shall be his duty to see and require that the said employees do and perform their work properly and keep the said buildings and every part thereof clean and in good order. Salary of superintendent and how paid

Section 7. The salary of each Commissioner shall be Salary of each Commissioner and how paid Three Hundred Dollars per annum, payable monthly, one-half thereof payable by the Levy Court of New Castle County and the other half thereof by "The Mayor and Council of Wilmington."

THE CITY OF WILMINGTON.

Commission
to make an
annual bud-
get of ex-
pense

To file bud-
get and
where

Appropriation made
and by
whom, to
meet ex-
penses

Warrants
and how
drawn

Section 8. The Commission shall annually on or before the first day of May in each year cause a separate estimate or budget to be made each for the County Building and for the Municipal Building for the cost of the maintenance and repair of each of the said buildings including the wages of the superintendent and employees and all other anticipated expenses for the coming year, and shall file with and present the same respectively to the Levy Court for New Castle County and The Council of "The Mayor and Council of Wilmington." In making such budget, the said Commission shall not be required under the item of wages to show more than the number of persons to be employed, the classification of their work, and the amount of their wages. Upon the approval by the Levy Court and the Council of "The Mayor and Council of Wilmington," respectively, of the said budget or estimate so submitted to its Body by the said Commission, the said Levy Court and The Council of "The Mayor and Council of Wilmington" shall make an appropriation to cover these expenses, and warrants shall be drawn against such appropriation by the said Levy Court and The Council of "The Mayor and Council of Wilmington" upon vouchers duly signed by the Superintendent herein provided for, and by the members of said Commission, or a majority of them.

Section 9. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved March 15, A. D. 1915.

THE CITY OF WILMINGTON.

CHAPTER 109.

THE CITY OF WILMINGTON.

AN ACT to amend an Act entitled "An Act to Revise and Consolidate the Statutes relating to the City of Wilmington," passed at Dover, April 13, 1883, by repealing a part of Section 47 thereof, relating to salaries and fees.

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 second paragraph of Section 47 of Chapter 207, Volume 17, Page 442, Laws of Delaware, beginning with the words "The Salaries", and ending with the words "of this Act," be and the same is hereby repealed.

Second para-
graph, Sec.
47, Chap. 207,
Vol. 17, re-
pealed

Approved March 8, A. D. 1915.

THE CITY OF WILMINGTON.

CHAPTER 110.

THE CITY OF WILMINGTON.

AN ACT to further amend an Act entitled "An Act to revise and consolidate the Statutes relating to the City of Wilmington," passed at Dover April 13, 1883, by amending Section 121 of said Act.

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 herein):

Sec. 121,
Chap. 207,
Vol. 17,
amended

Section 1. That Section 121 of Chapter 207, Volume 17, Laws of Delaware, be and the same is hereby amended as follows, to wit: By striking out the words "from the curb stone," where they occur in the twelfth line of said Section between the words "feet" and "shall."

Approved March 2, A. D. 1915.

THE CITY OF WILMINGTON.

CHAPTER 111.

THE CITY OF WILMINGTON.

AN ACT to amend an Act entitled "An Act to establish a Board of Water Commissioners for the City of Wilmington, and for other purposes," being Chapter 205, 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 all the members elected to each branch thereof concurring therein):

Section 1. That Section 2 of Chapter 205, Volume 17, Laws of Delaware, entitled "An Act to establish a Board of Water Commissioners for the City of Wilmington and for other purposes," be and the same is hereby amended by striking out all that part of the second paragraph of Section 2 of said Act, beginning with the word "the" where it occurs in the ninth line of said paragraph, and ending with the words "political party" and inserting in lieu thereof the following:

"Vacancies in the said Board shall be filled by appointment by the Mayor of the City of Wilmington for the unexpired term, but all the members of said Board shall not at any time be of the same political party."

Vacancies
filled by
Mayor

Minority
party to be
represented

Approved March 15, A. D. 1915.

THE CITY OF WILMINGTON.

CHAPTER 112.

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. 27,
 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 eighteen and nineteenth lines thereof, and the word "such" in the nineteenth line thereof the following words, to wit:

Appropriation to
 Board of
 Water
 Commissioners

"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. 1915, for the next fiscal year, July 1st, 1915, to June 30, 1916, and on or before the first day of June, A. D. 1916, for the next fiscal year July 1st, 1916, to June 30, 1917, shall not be less than an amount equivalent to Sixty per centum of the aggregate of all the water rents collected by or for the said Board for the fiscal year immediately preceding the year when said appropriation is made: and provided further, that during the fiscal years aforesaid, the said Board shall be permitted to retain and expend, in like manner and for like purposes as other moneys are expended by the said Board, one hundred per centum of all revenues and moneys collected from sources other than the sale of water."

Proviso

Approved March 8, A. D. 1915.

THE CITY OF WILMINGTON.

CHAPTER 113.

THE CITY OF WILMINGTON.

AN ACT to amend Chapter 205, Vol. 17, Laws of Delaware, entitled:
"An Act to establish a Board of Water Commissioners for the City
of Wilmington, and for other purposes."

*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
therein), as follows:*

Section 1. That Section 14 of Chapter 205, Volume 17, Laws of Delaware, entitled "An Act to establish a Board of Water Commissioners for the City of Wilmington, and for other purposes", be and the same is hereby amended by striking out of said Section 14, the following words, to-wit: "provided that in no case shall a dwelling house having one hydrant in the yard or kitchen, or both, be charged more than five dollars", said words beginning in the fourth line and ending in the seventh line of said Section.

Chap. 205,
Sec. 14,
Vol. 17,
amended

Approved March 15, A. D. 1915.

THE CITY OF WILMINGTON.

CHAPTER 114.

THE CITY OF WILMINGTON.

AN ACT to authorize the application of Chapter 180, Volume 24, Laws of Delaware, to Chapter 566, Volume 20, Laws of Delaware, in order that the City of Wilmington may borrow money for the building of sewers outside the limits of said City as the interests of the City of Wilmington may require.

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 herein):

To borrow
money for
building of
sewers out-
side city
limits

Section 1. That the authority for the borrowing of money by The Mayor and Council of Wilmington, for the building of sewers, etc., as set forth in the Act entitled "An Act to authorize 'The Mayor and Council of Wilmington,' to borrow money for the curbing, guttering, grading, widening, paving and improving of streets and avenues and the building of sewers and conduits, in the City of Wilmington, Delaware," approved March 4, 1907, being Chapter 180, Volume 24, Laws of Delaware, shall be held to apply to the building of sewers authorized under Chapter 566 of Volume 20, Laws of Delaware, entitled "An Act to authorize The Mayor and Council of Wilmington, acting through the Board of Directors of the Street and Sewer Department, to take by condemnation the right to build sewers or lay sewer pipes or to acquire the right to use such pipes already laid, or to use certain water-courses of lands outside of the said City and within one mile thereof."

Approved March 12, A. D. 1915.

THE CITY OF WILMINGTON.

CHAPTER 115.

THE CITY OF WILMINGTON.

AN ACT to authorize "The Mayor and Council of Wilmington" to borrow money for public work and improvement.

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 concurring therein):

Section 1. That the Council of "The Mayor and Council of Wilmington" shall from time to time have power and authority by ordinance to borrow money to be used for any public work or public improvement in or for said city, and shall issue negotiable bonds to secure the same in the name of "The Mayor and Council of Wilmington" to an amount inclusive of the present bonded debt, not exceeding in the aggregate ten per centum of the assessed value of the real estate of said city, such value to be based on the city assessment last preceding the borrowing of said money; provided said ordinance be passed by a vote of two-thirds of all the members elected to the council, and be approved by the Mayor. Should said ordinance be vetoed by the Mayor, then it may be passed over his veto by a vote of three-fourths of all the members elected to the Council. The sum or sums so borrowed shall be secured by the issue of negotiable bonds in the name of "The Mayor and Council of Wilmington." The provisions of this section shall not apply when it may be necessary to borrow money to refund or redeem city bonds which may from time to time mature, but in such case the Council may borrow money to refund and redeem the same by ordinance passed by vote of a majority of all members elected to the Council, and such ordinance need not be approved by

Power of
Council to
borrow
money and
issue bonds

Limit as to
amount

Proviso

Passed over
veto

Not to apply
for refund-
ing or re-
deeming
bonds

THE CITY OF WILMINGTON.

How to be
paid

the Mayor. All moneys borrowed under the provisions of this Act shall be paid off in accordance with the plans or provisions of the Sinking Fund Act, or in the manner prescribed by the ordinance authorizing the borrowing of said money. This Act shall not, however, be construed to amend

Not to
amend or re-
peal any law

or in any wise repeal any now existing law authorizing the Council of "The Mayor and Council of Wilmington", or any department of the City of Wilmington, to borrow money upon the faith and credit of the City, but shall vest in the Council the additional powers stated herein.

Approved March 12, A. D. 1915.

THE CITY OF WILMINGTON.

CHAPTER 116.

THE CITY OF WILMINGTON.

AN ACT authorizing the Board of Directors of the Street and Sewer Department of the City of Wilmington to establish Building Restrictions along Grant and Bayard Avenues, and to condemn the rights of owners along said avenues for said purpose.

Whereas, it is proposed to widen portions of Grant and Bayard Avenues in the City of Wilmington, and to develop them as a parkway for the purpose of connecting two or more parks and to furnish a line of recreation grounds through a portion of the City of Wilmington; and

Whereas, it is desirable that the lots of land along such parkway shall be developed in such manner as to best promote the objects of its establishment; therefore

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 the Board of Directors of the Street and Sewer Department of The Mayor and Council of Wilmington, upon the request of the Board of Park Commissioners of the City of Wilmington, be, and they are hereby, authorized to fix by resolution or resolutions a line or lines along Grant and Bayard Avenues in the City of Wilmington between which and the said avenues no fence or building shall be erected or placed, excepting that fences and usual projections appurtenant to the front of a building shall be allowed on such spaces within limitations to be defined by resolution or resolutions adopted by the said Board, as aforesaid.

To establish
a line for
fence and
building line

THE CITY OF WILMINGTON.

Board of
Directors of
Street and
Sewer De-
partment to
condemn

Section 2. In addition to the right to condemn the lands along the said avenues for the purpose of extending and widening the same, authority is hereby given to the Board of Directors of the Street and Sewer Department of the City of Wilmington to condemn, in the same manner as is prescribed for proceedings in respect to condemning and taking land for the purpose of extending, widening, laying out or opening streets in said city, easements on strips of land not more than thirty feet in width bordering on said avenues, upon which land no fences or buildings shall be erected or placed except in accordance with the resolution or resolutions of the said Board, as above provided.

Approved March 2, A. D. 1915.

THE CITY OF WILMINGTON.

CHAPTER 117.

THE CITY OF WILMINGTON.

AN ACT authorizing the Mayor and Council of Wilmington to repair the banks, sluices and drains, and to open, scour and cleanse the same, and to construct new banks, sluices and drains along any river or creek, or any marsh meadow within the limits of the City of Wilmington, or one mile adjacent thereto, and to assess the costs thereof upon the owners of property in proportion to the benefit conferred upon each lot and its owner.

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 concurring therein):

Section 1. The Mayor and Council of Wilmington are hereby authorized to repair the banks, sluices and drains, and to open, scour and cleanse the same, and to construct new banks, sluices and drains along any river or creek within the limits of the City of Wilmington or one mile adjacent thereto, at such times and places as to the Board of Directors of the Street and Sewer Department may seem expedient. The said department shall keep a just account of the expenses incurred under authority of this Section, during each calendar year. The said department shall within ten days after the end of each calendar year, notify the Assessor of Property for City taxes for the City of Wilmington, the amount of money expended in the preceding calendar year, for the purpose mentioned in this Section. The said Assessor shall, at the same time that other property in the City of Wilmington is assessed for city taxes, make an assessment upon the owners of property benefited by the improvements of the banks, sluices, etc., as aforesaid, in proportion to the benefit conferred upon each lot and its owner, and such assessment shall be known

Mayor and
City Council
to repair
banks,
sluices, etc.

Limits of
location

Shall keep an
expense
account

Notify City
Assessor
amount of
money
expended

Assessor
to assess
owners
benefited

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Assessment to be known as River Bank Improvement as "River Bank Improvement." The owner of any lot so assessed shall have the same right to appeal from the said assessment, as is now given to owners of land in the City of Wilmington, assessed for city taxes. The assessment being so settled as aforesaid, the same shall be laid before The Council at the same time and in the same manner as the assessment for city taxes, and The Council shall determine the rate on and upon every hundred dollars of said assessment, and so pro rata.

Assessment to be laid before Council
Council to make rate

How collected

Section 2. The special assessment for "River Bank Improvement" shall be collected in the same way as city taxes are collected.

Section 3. All acts or parts of acts inconsistent herewith are hereby repealed.

Approved March 16, A. D. 1915.

THE CITY OF WILMINGTON.

CHAPTER 118.

THE CITY OF WILMINGTON.

AN ACT to authorize the City of Wilmington to acquire by purchase or condemnation, any land on or adjacent to the banks or shores of the River Delaware, and the riparian rights of the owners thereof, within the limits of said City.

*Be it enacted by the General Assembly of the State of Delaware: (*to thirds of the members of each House concurring therein):*

Section 1. That The Mayor and Council of Wilmington be and it is hereby authorized to purchase or acquire any land on or adjacent to the banks or shore of the westerly bank of the River Delaware, and all the riparian rights of the owners thereof, within the limits of the said City of Wilmington, whenever, in the opinion of The Council of The Mayor and Council of Wilmington, such purchase or acquisition is or may be necessary to give to the said city better facilities for building docks, wharves, or piers on the said River.

Mayor and Council of Wilmington authorized to buy certain lands

Section 2. That whenever The Council of The Mayor and Council of Wilmington cannot agree with the owner or owners of any such land or riparian rights, for the purchase thereof, the same may be acquired by The Mayor and Council of Wilmington through and by condemnation proceedings, as hereinafter provided, if in the opinion of The Council such acquisition is or may be necessary or advantageous to the said city in giving to it better facilities for building docks, wharves or piers on the River Delaware. The Superior Court for New Castle County shall have jurisdiction and power over proceedings for such condemnation, and it shall be the duty of the City Solicitor of said city to cause proceedings to be commenced in said

May acquire by condemnation proceedings

Duty of City Solicitor

THE CITY OF WILMINGTON.

court within thirty days after receipt of a written request from The Council to institute such condemnation proceedings.

Appeal to
Superior
Court for
title

Section 3. That whenever it shall be made to appear to the Superior Court of this State, in and for New Castle County, or any judge thereof in vacation, upon the application of The Mayor and Council of Wilmington, that it desires to acquire certain described land situate on or adjacent to the banks or shores of the westerly bank of the River Delaware, and all the riparian rights of the owners thereof, within the limits of the City of Wilmington, to give the said City better facilities for building docks, wharves or piers on the River Delaware, and that the owner or owners of said land and riparian rights are unknown, non-residents, or minors, or from any other cause are incapable of making a perfect title to said land and riparian rights, or in case the said owners being residents and capable of conveying shall refuse to convey said land and riparian rights, to The Mayor and Council of Wilmington, it shall be the duty of the said Superior Court, or of any judge thereof in vacation, to order notice of the said application to be published in one newspaper of said City, once in each week for the space of three months, which notice shall contain an accurate description of the said land and riparian rights, intended to be condemned as aforesaid, together with the names of the owners or supposed owners, and shall require all persons interested in the said land and riparian rights to appear at the next term of the said Superior Court after the expiration of said notice, on a day to be specified in said notice, and file their objections, if any they have, to the regularity of said proceedings; and at the time specified in said notice, or as soon thereafter as the court may order, it shall be the duty of the said Superior Court to prepare an issue, in the presence of counsel for the parties, if there be any, for trial before a jury under the direction of the judge or judges of said court, and to empanel a jury to assess the value of said land and riparian rights, and the damages which the owner or owners thereof, or any person having an interest therein,

Duty of the
Superior
Court

Further duty
of the
Superior
Court

Jury to
assess values
and damages

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will sustain by reason of the condemnation and appropriation of said land and rights to The Mayor and Council of Wilmington. A special jury to assess the value of said land and riparian rights, and the damages the owner or owners thereof will sustain by reason of the condemnation and appropriation of said land and rights to The Mayor and Council of Wilmington, shall be ordered by the Superior Court upon the application of any party to the proceedings for that purpose, instead of empanelling a jury for such purpose as heretofore provided for in this section; and the mode of striking or selecting such special jury shall be as follows; namely, The party applying for the special jury shall give ten days notice to the opposite party and to the Jury Commissioners of New Castle County of the time and place of striking such jury; at which time and place the said Jury Commissioners, or if they be not indifferent between the parties, then two persons indifferent between the parties appointed by the courts or any judge thereof, shall attend with a list of thirty six indifferent and judicious citizens of the County of New Castle, qualified to serve as jurors, showing their names and the Hundred in which they reside. The party applying for the special jury, his agent or attorney, shall first strike out one of said names, and then the opposite party, his agent or attorney, shall strike out another, and so on alternately until each shall have struck out twelve. If the opposite party shall not *attend, nor any person on his behalf, or shall refuse to strike, the said jury commissioners, or the persons appointed to strike the jury, as the case may be, shall strike for the party not attending or refusing to strike. After each party shall have struck twelve names, the remaining twelve persons on said list shall be the special jury to assess the value of the land and riparian rights in question, and the damages which the parties in interest will sustain by reason of the condemnation and appropriation of said land and rights to The Mayor and Council of Wilmington. The Jurors before proceeding further shall be duly sworn or affirmed to perform their duties in the case with justice, fairness and impartiality.

Privilege of
special juryMode of
selecting the
special juryChallenge
limit of
jurors

*attend

THE CITY OF WILMINGTON.

Jury shall
view prop-
erty

Verdict of
jury re-
turned into
Court

Amount of
damages to
be paid into
the Court

Sheriff to
make deed
by order of
Court

Result of de-
lay or neg-
lect to pay
damages

The court shall order that a view of the premises and property described in said application shall be made by the jury in charge of one or more bailiffs, in the presence of the parties or their counsel before any other evidence is given in the trial of the case. After the evidence introduced by any of the parties to such proceedings shall have been heard, and after due deliberation, the jury shall return their assessment of damages, in writing, duly signed by each of them, into court; which return shall be confirmed by the court, unless within ten days, a motion for a new trial shall be made, and the reasons in support thereof filed; and all the proceedings under this Act shall be entered of record in said court. The amount of such damages, awarded in such return, after confirmation by the court, together with the entire costs of said proceedings, may be paid into court, to be deposited by the court to the credit of the owner or owners in the Farmer's Bank at Wilmington, or the said owner or owners may waive such payment in open court which waiver shall be duly entered of record and signed before the Prothonotary of said court; and thereupon the said Superior Court shall make an order directing the Sheriff of New Castle County to execute to The Mayor and Council, and deliver to its authorized agent, after, but not before, the expiration of thirty days from the date thereof, exclusive of Sundays and legal holidays, a deed of said land and riparian rights, reciting the proceedings in the case, which deed shall convey to The Mayor and Council of Wilmington, all the right, title and interest of all persons in said land and riparian rights, which had been condemned as aforesaid.

Whenever damages shall have been assessed as aforesaid, and The Council shall delay, omit or neglect to pay or render the amount of said damages to the person or persons entitled to the same or to deposit the same in the manner as herein provided, within a period of two months from the day of the approval by the court, no further application or proceeding shall be made or had for condemning the land aforesaid, until after the expiration of one year from and after the approval of said assessment by the court, as aforesaid.

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Section 4. That the Superior Court at the trial of causes arising under this Act, as occasion may require, shall render its decision upon all questions in relation to the admissibility of evidence; and, except as otherwise provided for in this Act, the practice, pleadings, forms and modes of proceeding in causes arising under the provisions of this Act shall conform, as near as may be, to the practice, pleadings, forms and modes of proceeding existing at the time in civil causes triable in the Superior Court of this State, in and for New Castle County.

Section 5. That in causes arising under this Act there shall be of right a writ of error or *certiorari* from the Supreme Court of this State to the said Superior Court to review any final judgment entered therein.

Approved March 16, A. D. 1915.

THE CITY OF WILMINGTON.

CHAPTER 119.

THE CITY OF WILMINGTON.

AN ACT providing for the Collection of Taxes 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):

Tax Collec-
tors elected

Term of
office

Location of
Tax Col-
lectors

Section 1. There shall be elected at the city election in the year 1915, and in every second year thereafter, by the qualified voters in the Districts herein described, two Collectors of Taxes for the City of Wilmington, for the term of two years each, or until their successors are elected and qualified, said term to begin on the first day of July following their election, one of whom shall reside in and be voted for and elected in and for that portion of the City North of Sixth Street, and who shall be known as "The Collector of Taxes for the Northern District of the City of Wilmington," and the other in and for that portion of the City South of Sixth Street and who shall be known as "The Collector of Taxes for the Southern District of the City of Wilmington." Whenever a street is named as a boundary in this section, the center thereof shall be understood.

Taxes to be
collected

Duty of
Collectors

Date of be-
ginning to
collect taxes

Section 2. That the taxes assessed in the City of Wilmington for City and School purposes, for the fiscal year beginning July 1st, A. D. 1916, and each and every year thereafter, shall be collected in their respective districts by the Collectors of Taxes. It shall be their duty, prior to that time, to make such bills and other records from the assessment roll furnished them, as may be necessary to enable them to begin the collection of said taxes promptly on July 1st.

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Section 3. For the purpose of aiding the Collectors of Taxes in the collection of taxes as aforesaid, they shall each appoint two deputies, which deputies shall be paid by The Council, as other city employees are paid. Deputies; how appointed and paid

Section 4. The said deputies before taking office shall subscribe to the same oath as other City officials, and shall give bond to "The Mayor and Council of Wilmington" in such amount as shall be determined by The Council, with surety to be approved by The Mayor and President of Council, conditioned for the faithful performance of their duties, with a warrant of attorney for the confession of judgment thereto annexed. Oath of office of Deputies Shall give bond

Section 5. The warrants for the collection of taxes shall be issued "To The Collector of Taxes of the City of Wilmington for the _____ District, and his successor or successors," and shall be delivered to the person holding such office. Such warrants, together with the tax lists shall be preserved by said Collector as long as he is in office, and shall be delivered by him to his successor, as other papers belonging to his office are delivered. The Collector of Taxes shall have no right or authority to collect any City or School taxes after his term of office shall expire, but the right and authority to collect any and all unpaid City or School taxes shall vest in his successor in office. Warrants, how drawn Warrants and other papers delivered to successor Right to collect taxes ceases on expiration of office

Section 6. The Collectors of Taxes for the City of Wilmington elected under this Act shall each receive a salary of Two Thousand Dollars for the year beginning July 1st, 1915 and ending on June 30th, 1916, and the sum of Three Thousand Dollars per annum for each and every year thereafter, payable as other City officials are paid. Salaries

Section 7. The said Collectors of Taxes for the City of Wilmington, before taking office, shall subscribe to the same oath as other City officials, and shall each give bond to "The Mayor and Council of Wilmington" in such amount as shall be determined by The Council, with authority to be approved by The Mayor and President of Council, con- Oath of office of Tax Collectors Bond of Tax Collector

THE CITY OF WILMINGTON.

ditioned for the faithful performance of their duties, with a warrant of attorney for the confession of judgment thereto annexed.

An itemized
statement of
taxes to be
given on re-
quest of
taxable

Section 8. At the request of any person paying a tax which has been assessed upon his property, the Collector of Taxes shall make out and deliver to him a bill, showing, in addition to the amount of the tax, how much of it is laid upon his personal property, as shown by the school assessment list, and how much of it is laid upon his real estate, and if it is laid upon more than one parcel of real estate, then how much of it is laid upon each parcel, describing each parcel according to the description thereof appearing upon the city assessment list. All books and papers filed in the office of the Board of Assessment, Collectors of Taxes or Clerk of Council, touching the assessment or collection of taxes, shall be open to the inspection of any person interested in the same.

All books
and papers
open to in-
spection of
parties in-
terested

Abatement

Section 9. All the City and School taxes paid during the month of July shall be entitled to an abatement by the Collector of Taxes of five per centum; all such taxes paid during the month of August shall be entitled to no abatement; all taxes not paid before the first day of September shall be increased by the addition of five per centum to the amount thereof: Provided, however, that in all payments made to the Collectors of Taxes for taxes on a particular piece of property it shall be his duty to apply the same on account of the City and School taxes longest outstanding on said property.

Increase
Proviso

All taxes
when due

Delinquent
when

Section 10. All City and School taxes shall be due and payable on the first day of July of the year in which the assessment was made, but the same shall not become delinquent until after the first day of May of the next succeeding year. If the same are not paid before the first day of May of the next succeeding year, the Collectors of Taxes, through their *deputies and clerks, shall use whatever †them deem to be reasonable means to collect such delinquent

*deputies

†they

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taxes without suit. The Collectors of Taxes shall, however, within the next six months after the taxes become delinquent, begin the legal proceedings hereinafter mentioned, against all delinquent taxables. Such proceedings shall be brought in time to reduce the claim for taxes to judgment before the expiration of said six months, except in cases where the trial of the cause is postponed for some reason over which they have no control, but the failure of the Collectors of Taxes to comply with the provisions of this section shall not affect the status of said taxes or the right to afterward collect the same: Provided, however, that if any Collector of Taxes shall fail or refuse to follow out the provisions of this section, it shall not affect the status of such taxes for City and School purposes, but shall be deemed a misdemeanor and upon conviction he shall be punished by a fine at the discretion of the Court. Conviction for such misdemeanor shall operate to remove the offender from office and render him ineligible to hold any position as an official or employee of the City of Wilmington for a period of five years from the date of such conviction.

Section 11. Proceedings for the collection of delinquent taxes shall be by suit in an action of debt before any Justice of the Peace in the City of Wilmington, if the amount of said taxes be not more than Two Hundred Dollars, and in the Superior Court, sitting in and for New Castle County, if the amount be greater than Two Hundred Dollars; and the said suit shall be against the person to whom the land or personal property is assessed, or in case the land or personal property is owned by any person to whom it is not assessed, then against the owner or owners of said land or personal property, or any other person whose duty it is to pay the said tax. If personal service be had upon any one of several owners of land or personal property upon which taxes are so assessed, service need not be had upon the other owner or owners of such land or personal property if a copy of the writ is left with the tenant or other person in possession or is posted upon the premises six days before the return of said process.

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Suit against
guardian or
trustee

Section 12. Suit for the *purpose of collecting City or School taxes may be brought against the guardian or trustee and judgments recovered against them shall be binding upon the land or personal property of the persons they represent. Any person owning or having any interest in any land or personal property upon which City or School taxes have been assessed, and being under the disability of infancy or incompetency of mind, and not having a guardian or trustee, may be made a defendant in any suit for collection of taxes by a guardian *ad litem* or trustee *ad litem*, to be appointed by the Court upon the petition of the Collector of Taxes.

Proceedings
against a
non-resident

Section 13. In case any owner of real or personal property who is assessed for City or School taxes is a non-resident, proceedings may be had in the Superior Court of 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 Collectors 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 City and School taxes in the sum of _____ Dollars.

Privilege of
collecting
out of either
real or
personal

Proviso

Section 14. If any person is taxed for several parcels of real estate or for personal property and real estate in the same tax, the whole of such person's taxes may be collected either out of the real or personal estate or any part thereof, provided that no land alienated shall be sold if the person taxes† has other sufficient property out of which said taxes may be lawfully collected.

Interest of
life tenant

Section 15. In the case of life tenants, the interest of the tenant for life shall be first liable for taxes.

Search of
title before
entry of suit

Section 16. The City Solicitor shall cause a search of title to be made of the property against which there is

*purpose
†taxed

THE CITY OF WILMINGTON.

unpaid taxes before entering a suit for the collection thereof in order to ascertain the owner thereof and all the liens upon said property, and the owners of such liens, and there shall be paid to the person making such search a fee not exceeding Ten Dollars (\$10.00), which shall be added as costs.

Fee for
search

Section 17. Execution may be had upon a judgment for taxes as upon other judgments in the Superior Court; provided, however, that in any case where real property is sold upon execution on a tax judgment it shall not be necessary to issue a writ of inquisition.

Execution on
judgment

Proviso

Section 18. Any real estate sold upon an execution issued upon a judgment for taxes shall vest in the purchaser all the right and title that the defendant or defendants in such judgment had in and to said land, freed and discharged from any dower or courtesy, in, and to, or against said land.

Title of real
estate sold

Section 19. Upon the return of any writ of execution for the collection of a judgment for taxes, the Superior Court may inquire into the circumstances and regularity of the proceedings relative to such sale, and either approve the sale or set it aside. If the Court approves the sale, the Sheriff shall deliver to the purchaser a certificate reciting the judgment and writ, and setting forth the facts relative to the sale, and the purchaser shall have and be possessed of all rights, subject to the right of redemption as herein provided, of the owner of said land, and the said Court shall have power to make all necessary orders and rules and to issue all processes which may be necessary to place the said purchaser in possession of said real estate. If the sale be set aside, another sale may be ordered until the judgment is collected. The Court, shall make such disposal of all proceeds of such sale, in excess of the amount necessary to satisfy such judgment, as it shall deem just. No sale shall be approved if the owner of the property or any person having an interest therein shall be ready at Court to pay the said judgment and all costs.

Decision of
the Superior
Court

Should the
Court ap-
prove sale

Should the
Court dis-
approve

The Court to
dispose of
excess

No sale to
be approved
if owner is
ready to
make settle-
ment

THE CITY OF WILMINGTON.

**Rights to re-
deem by
owner and
time limit**

**Rights of
redemption
by others
and time
limit**

Section 20. The owner of any property sold upon an execution issued upon a tax judgment, or his legal representatives, may redeem the property at any time within one year from the day the sale is approved by the Court, and if the owner or his legal representative does not redeem such property within said period, any person having any interest in said property, or lien upon such property, shall be entitled to redeem the same within eighteen months of the date of such approval by the Court, by paying to the purchaser or his legal representative the amount of the purchase price, and twenty per cent in addition thereto, or if the purchaser or his legal representative shall refuse to receive the same, by paying said amount into said Court.

**In case
owner re-
deems and
petitions**

**Redeemed
property
subject to
liens as be-
fore sale**

Section 21. If the owner or his legal representative shall redeem such property, he may prefer to said Court a petition, setting forth the fact and thereupon the Court shall cause to be entered upon the judgment a memorandum that the property therein described has been redeemed, and he shall hold such redeemed property subject to the same liens and in the same order of priority as they existed at the time of the sale thereof.

**Sheriff to
execute deed,
when**

Section 22. Any person who has a lien upon such property and who shall redeem the same within the time and in the manner prescribed in this act; or any purchaser in case the property has not been redeemed, or their *respective or representatives, may †prefer a petition to the said Court setting forth the facts and praying for a deed for said property, and the Court shall order the then Sheriff to execute and deliver a deed to the person or persons entitled thereto granting and assuring to such person or persons the same estate and title as the said owner was seized of therein at the time of the sale, free and clear of all liens existing against said property at the time of said sale.

**Taxes on real
estate a prior
lien**

Section 23. All taxes for city and school purposes which may hereafter be lawfully assessed on real estate in the

*representative
†prefer

THE CITY OF WILMINGTON.

City of Wilmington shall constitute a prior lien thereon for a period of four years from the first day of July suc-^{Term of years}ceeding the assessment of said taxes, but if the said real estate remains the property of the person to whom it is assessed, then the lien shall continue until the tax is^{When lien shall extend} collected, and may, with all incidental costs and expenses, be levied by sale thereof as herein before provided. The said tax lien shall be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation or responsibility which the real estate may become charged with or liable to.

Section 24. In case of the sale under execution process, ^{In case of sale under execution process} of any real estate upon which such tax liens shall exist, such lien shall be transferred to the fund arising from such sale in the hands of the officer making the same, and the real estate so sold shall be discharged therefrom, Provided, that if such fund shall not be sufficient to pay and discharge the said tax lien by reason of the said real estate having been sold subject to another or other lien or liens created by said taxable, then the unpaid balance of said tax shall remain a lien upon the land so sold.

Section 25. In case any property is sold under any ^{In case of sale under any provision} of the provisions of this Act, the proceeds of such sale shall first be applied to the satisfaction of the judgment and costs under which such property is sold, then to the payment of any unpaid City and School taxes assessed against such property before any of the proceeds of such sale shall be applied to any liens of record existing against said property, notwithstanding the fact that such liens may have been entered before such taxes were levied and assessed.

Section 26. The Collectors of Taxes may distrain per- ^{Sale of personal property to pay tax}sonal property and may sell the same in the manner in this act directed. In all cases the Collectors of Taxes may seize and levy upon personal property for the payment of taxes, and where personal property shall be so levied on or seized by the said Collector of Taxes, he shall, if pos-

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Notice of
levy and
sale to be
served

sible, cause a notice of such levy and a notice of the time and place of the sale to be served on the owner personally or left at his last and usual place of abode, at least five days previous to the appointed time of sale.

Advertise
sale of
personal
property

Section 27. The Collector of Taxes shall also in all cases advertise the sale of personal property, levied as aforesaid, for three successive weeks in a newspaper published in the City of Wilmington, and shall also post notices in five public places in said City at least twenty days previous to the appointed day of sale.

In case tax,
interest and
costs are not
paid

Section 28. If such owner do not pay the amount of tax with the interest or percentage 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 taxes and costs and expenses, at public auction.

Return of all
surplus to
owner

Section 29. Any property seized as aforesaid, but not sold, or any surplus of money remaining from any sale, as aforesaid, shall be returned to the owner or person entitled to receive it, after the taxes and costs have been paid. If no owner or person entitled to receive the same can be found by the Collector of Taxes, the Collector of Taxes shall forthwith make a report thereof to the Council of the City of Wilmington, and shall hold said money or property subject to the call of the owner thereof.

In case the
owner cannot
be found

Collector of
Taxes may
remove per-
sonal
property

Section 30. Any Collector of Taxes may without the consent of the owner, remove personal property for sale to any part of the City of Wilmington where it may be sold to the best advantage, giving notice, if possible, to the owner, as before provided in this act.

Collector of
Tax may fol-
low property

Section 31. If any property assessed for City and School purposes be removed out of the City before the taxes are paid, any Collector of Taxes may follow such property, and seize, levy or collect the taxes as aforesaid, with the same power as if not removed.

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Section 32. Any sale of real or personal estate or any interest therein liable for the payment of taxes by the provisions of this act may be adjourned from time to time. Sale may be adjourned

Section 33. The Collector of Taxes shall have the same right to require the aid or assistance of the person or persons in the performance of their duties which a Sheriff now has by law. Collector to have same right to call aid as Sheriff

Section *24. Any Collector Taxes may at any time notify the tenant in possession of any real estate on which any city taxes remain unpaid that such city tax is due and unpaid, and it shall be the duty of such tenant to deduct from the rent of such property the amount of tax due on such property and charge the same against the owner of the property, and if such tenant refuse or neglect to comply with such notice of the Collector of Taxes within three months from time he receives the same, he shall be personally liable for the taxes due on said property, and the same may be recovered in the same manner as is provided in this act for the recovery of taxes. When such taxes are held by such tenant, he shall pay the same to the Collector of Taxes within thirty days thereafter. A copy of this section shall accompany all notices to such tenant. Duty of tenant to pay taxes due
Penalty on refusal

Section 35. No property seized or taken as provided in this act for the payment of City and School taxes shall be liable to any exemption now provided by law. No property seized shall be exempt

Section 36. The provisions of this act, providing for the recovery of taxes, are cumulative, and the Collectors of Taxes are hereby authorized and directed to pursue any or all of said provisions until all city and school taxes are fully collected, together with costs. Authority to act

Section 37. All acts and parts of acts inconsistent with this act be and the same are hereby repealed.

Approved March 11, A. D. 1915.

THE CITY OF WILMINGTON.

CHAPTER 120.

THE CITY OF WILMINGTON.

AN ACT to amend Chapter 207, Volume 17, Laws of Delaware, entitled "An Act to Revise and Consolidate the Statutes relating to the City of Wilmington" in relation to assessors and collectors.

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):

Sec. 77
Chap. 207,
Vol. 17, of
Laws of
Delaware,
repealed

Section 1. That Section 77 of Chapter 207, Volume 17, Laws of Delaware, as amended, be and the same is hereby repealed.

Term of
office of the
present As-
sessors and
Collectors of
City of
Wilmington

Section 2. That the present Assessors and Collectors for the City of Wilmington shall continue in office until their present terms expire, and shall collect all city and school taxes now outstanding and remaining unpaid in their respective districts, or which may be assessed for the fiscal year beginning July 1, 1915, on or before the thirtieth day of June, 1917, to which time the authority of the present Assessors and Collectors shall extend, anything in this Act or any existing law, to the contrary notwithstanding.

Shall collect
school taxes

Section 3. That the present Assessors and Collectors for the City of Wilmington, shall collect the city and school taxes now outstanding and remaining unpaid in their respective districts, or which may be assessed for the fiscal year beginning July 1, 1915, by the same means or methods as is provided in an Act entitled "An Act Providing for the Collection of Taxes for the City of Wilmington," passed at Dover, March 11th, 1915.

THE CITY OF WILMINGTON.

Section 4. All of said city and school taxes now outstanding and remaining unpaid, or which may be assessed for the fiscal year beginning July 1, 1915, shall constitute a prior lien thereon until the thirtieth day of June, A. D. 1917, provided, however, that if the owner of any real estate, upon which city or school taxes remain unpaid, has transferred and delivered the same to a bona fide purchaser for an adequate consideration, nothing in this act shall revive the lien of any such tax which was not a lien against such real estate at the time of such transfer and delivery.

City and school tax a prior lien up to a certain date

Section 5. All outstanding or unpaid city or school taxes for the City of Wilmington shall be considered delinquent on the first day of May, A. D. 1915, and the city and school taxes assessed for the fiscal year beginning July 1, 1915, and remaining unpaid on the first day of May, 1916, shall thereupon become delinquent.

All unpaid city and school taxes delinquent, when

Section 6. That the present Assessors and Collectors for the City of Wilmington, respecting all City and School taxes now remaining unpaid, or which may be assessed for the fiscal year beginning July 1, 1915, in their respective districts, shall perform all the duties and be liable for all the penalties imposed upon the Collectors of Taxes for the City of Wilmington in the Act entitled: "An Act Providing for the collection of taxes for the City of Wilmington," passed at Dover, March 11th, 1915, provided, however, that nothing in this Act shall make either of the present Assessors and Collectors liable for the collection of any tax which does not appear upon his tax duplicate, unless the same is actually received by him, or his agents.

Duties and liability of present Assessors and Collectors

Section 7. Nothing in this Act shall have any effect upon the present laws and ordinances of the City of Wilmington with reference to clerks or other assistants for the present Assessors and Collectors.

Clerks and assistants not affected by this Act

Section 8. All Acts or parts of Acts inconsistent with this Act, be and the same are hereby repealed.

Repeal

Approved March 16, A. D. 1915.

THE CITY OF WILMINGTON.

CHAPTER 121.

THE CITY OF WILMINGTON

AN ACT creating a Board of Assessment for the City of Wilmington and Providing the Means and Method by which said Board shall assess Property therein for the Purpose of Raising Revenue for City and School Purposes.

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):

Board of
Assessment
created

Section 1. There is hereby created and established a Board of Assessment for the City of Wilmington, to consist of three (3) members, and which Board shall determine and do any of the acts hereinafter provided.

Mayor to
appoint
Time of ap-
pointment

Term of
office

Salary fixed
by City
Council

Payable
monthly

Duty of
Board

Minority
party to be
represented

Section 2. The Mayor of the City of Wilmington shall appoint during the month of July, A. D. 1915, two suitable persons, residents of the City of Wilmington, members of said Board of Assessment, for the term of four years from the first day of July, or until their successors shall be appointed and qualified. The salary of the above named members of the Board, and each of their successors, shall not be less than Two Thousand Dollars per annum, and not be greater than Three Thousand Dollars per annum, the same to be fixed from time to time by City Council and payable in monthly installments in the same manner as other officials of the City of Wilmington are now paid. Said members of the Board shall devote their entire time to the work of the Board, or such time as may be necessary and expedient to make good, fair, equal, faithful and complete assessments of property in the City of Wilmington. The two members of the Board above provided for shall not at any time be of

THE CITY OF WILMINGTON

the same political party and their successors shall be appointed by the Mayor. Any vacancy therein shall be filled by appointment by the Mayor for the unexpired term.

The Building Inspector shall be ex-officio a member of said Board but shall have no vote on any matter pertaining to the duties of said Board except upon the question of appeals respecting assessments, as herein provided; or in cases where the said two members cannot agree. For such service he shall receive an annual salary of One Hundred and Fifty Dollars.

Section 3. Each of the said members of the Board of Assessment shall, before entering upon the duties of his office, subscribe to an oath of office, similar to that required of other officials of the City of Wilmington, to be filed with the City Clerk.

Section 4. Any member of the Board may be removed for cause after trial, by the Mayor of the City, with the concurrence of two-thirds of all the members of The Council, after full public hearing and upon being found guilty of the charge preferred against him. The reason for the removal shall be entered in the Journal.

Section 5. The Mayor when making the said appointments shall designate one of said members as President, who shall be an ex-officio member of The Council, and, as such, shall be entitled to take part in the debates and all deliberations of that body upon the floor of The Council, but this privilege shall not entitle him to vote upon any matter whatever, coming before The Council. He shall be an ex-officio member of the Finance Committee of The Council for the purpose of advice and consultation, in regard to financial matters concerning the municipality.

Section 6. The Board of Assessment may engage the services of such assistants as it shall deem necessary for the proper performance of the work under its charge, and shall prescribe their duties and fix their compensation.

THE CITY OF WILMINGTON

Expense,
how paid

The necessary expense of the said Board of Assessment 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 paid.

Powers of
Board

Section 7. The said Board of Assessment shall have full charge of any and all assessments for city and school taxes, and shall have and be invested with all the powers of The Council to adopt all such needful and necessary rules and regulations as they may deem necessary and expedient to make good, fair, equal, faithful and complete assessments of property in the City of Wilmington for city and school purposes, and the said Board of Assessment shall have and possess the right and powers to make good, perfect, effective and operative any and all rights, powers and duties now possessed by or imposed upon the Board of Assessment, Revision and Appeals, and the Assessors and Collectors for the City of Wilmington or heretofore possessed or imposed upon the said Board of Assessment, Revision and Appeals, and the Assessors and Collectors for the City of Wilmington under and by virtue of the Charter, Laws, Ordinances, Resolutions, Rules and Regulations concerning the assessment of property for taxes for City and school purposes, required to be made by the said Board of Assessment, Revision and Appeals and the Assessors and Collectors for the City of Wilmington.

All property
to be as-
sessed

Exceptions

Section 8. All real estate within the said City shall be assessed, except real estate belonging to the United States, the State of Delaware, New Castle County, the City of Wilmington, cemeteries and burying grounds, churches and meeting houses belonging to any religious society and used for public worship, real estate belonging to charitable corporations and not held by way of investment, buildings owned and occupied by fire Companies, and such other real estate which may now, or which may hereafter be exempted by law. The assessment of real estate shall be made according to a certain rate in and upon every hundred dollars of the estimated full value of the property assessed, and

Assessment,
how made

THE CITY OF WILMINGTON

so pro rata. All assessments upon real estate shall be so made as to show separately the valuation of ground, the improvements if any, 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 will 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 affect the validity of the assessment of any tax based thereon.

Section 9. 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 exempt from taxation by law, shall be assessed as is now provided by law. ^{Assessment of public utilities}

Section 10. The said Board of Assessment shall prepare maps to be known as tax maps, covering the entire area of territory within the corporate limits of the City of Wilmington. These maps shall be substantially as follows: ^{Prepare tax maps}

An individual block and lot map for each square, triangle or tract into which the municipality is divided. Each individual block and lot map shall show: (a) the outline and the dimensions of the square or triangle or tract which it represents on a scale of not less than forty (40) feet to the inch, (b) the outline of the lots or sub-divisions thereof, as fixed by the then existing titles of the owners of such lot *of sub-division, and the dimensions of each lot or other sub-division. ^{How prepared}

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Real estate
values

Section 11. The Board of Assessment shall fix the value of each separate lot, or other sub-division of ground belonging to any individual or individuals, firm, co-partnership, corporation, or association. This value shall be of the ground alone.

Improve-
ments

The said Board of Assessment shall then fix the value of the buildings and improvements on each lot or other sub-division of ground.

Unit value

That to establish the value of each lot or sub-division of ground, the Board of Assessment shall first establish the "unit value" for each of the four City fronts of each square. Said "unit value" shall be established by taking in the centre of each square an area having a front of one foot and depth of one hundred (100) feet, and determining its value.

Front foot
value

Having established this "unit value" the Board of Assessment shall then determine the percentage of increase or decrease in value, if any, of each front foot as the lot or sub-division approach the corner.

Depth of
lot, increase
or decrease

Where a lot or sub-division is more or less than one hundred (100) feet in depth a proper addition or deduction, according to some rule established from the fixed value by the above "unit rule" shall be allowed.

Irregular
lots

Where a lot or sub-division is irregular in shape such irregularity shall be taken into consideration according to the facts in each case in applying the unit rule of value.

(Undivided
and subur-
ban lots

All tracts of ground not sub-divided, including suburban lands, shall also be valued according to some "unit" to be established for all ground similarly situated, and the assessment thereof shall, so far as possible be in accordance with the rules in this Section provided, and in each case the value of the established "unit" must appear on the map in the front line of the property at the point where the unit value is fixed.

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Section 12. The Board of Assessment shall establish rules by which to value the buildings and improvements, and all buildings and improvements must be valued according to the rules so established, so far as the same may be practicable. If, however, it should appear that the combined assessment on the land and buildings according to the rules above provided for does not represent the true value thereof, then the said Board shall place whatever value on the buildings as may be necessary to make the combined value true and correct.

Section 13. The Board of Assessment shall keep an official printed or written record of the facts appearing on each block and lot tax map, and such other information as may be necessary to enable adequate assessment to be made. This record shall show the name of the owner, the number of the lot assessed to him, and the dimension thereof, the value of the ground, and the value of the buildings and improvements, if any.

Section 14. The Board of Assessment shall complete the assessment for tax on or before the Fifteenth day of March of each year. After making such assessment the Board of Assessment shall place the same on file in the office of the Board, and shall give public notice, by advertisements printed in two newspapers and posted in the most public places within the city, that such assessment, being completed, is ready for public inspection, and also designating the time appointed by this act for the sitting of said Board to hear appeals. Such notice, by advertisement as aforesaid, shall be continued until the time for sitting of said Board for appeals as aforesaid. During the period herein provided for public inspection of said assessment, the said Board shall keep some person in its office during regular office hours, whose duty it shall be to aid the persons assessed in ascertaining the amount of their assessment. The said Board shall also furnish a copy of its assessment roll to the officer or officers designated by law to collect said taxes as soon as the same is completed, and shall furnish to him or them from time to time copies of corrections made therein.

THE CITY OF WILMINGTON

To hear
appealsDate of
hearing
appealsPower to
add or
deductNotice to
taxablesLast date of
appeals

Proviso

Extension of
power for
Public
Schools

Section 15. The Board of Assessment for the City of Wilmington shall also hear and determine all appeals respecting the assessments. The Board shall sit at its office, or some other public and convenient place in the City of Wilmington, on each secular day during the month of April in each and every year, from 9 A. M. to 12 Noon, and from 2 P. M. to 4 P. M. and from 7 P. M. to 9 P. M., and at such other times as the Board may deem necessary, for the purpose of hearing appeals from assessments, and shall continue to sit during the above mentioned time, or so long as may be necessary to adjudge appeals. Upon appeals the said Board shall have power to alter any assessment, and shall also have the power to make additional assessments or alterations whether appeal has been filed or not, but where no appeal has been filed, proper notice of such additions or alterations shall be given to the owners of their agents whenever possible; the said Board in connection with said assessment shall have power to determine and to do whatever may appertain to justice and right. Appeals shall be made in writing and in such form as the Board shall direct. No appeal shall be received or heard, or adjudication or appeal made, nor shall the assessment list be altered or added to after the thirtieth day of April; provided, however that real estate not assessed prior to the fifteenth day of March may be assessed by the said Board at any time before the assessment roll is sent to The Council, previous notice of such intended assessment, designating the time at which the same will be made, being given by the said Board, in writing, to the owner or owners, or if he, she, or they, be absent from the City, then to the person or persons in possession of the premises.

Section 16. To the end and in order that the sums necessary to be raised for public schools in Wilmington may be obtained, the Municipal Corporation shall have the following powers and authority, in extension and not in limitation of its other corporate powers, to-wit:

To assess, or cause to be assessed, in the name or names of the several owners thereof, through and by the Board of

THE CITY OF WILMINGTON

Assessment, in such manner as the Board deems advisable, or by such agents or servants as said Board shall deem proper to employ, all personal property liable to assessment and taxation for public purposes under the laws of this state.

Personal
property

The assessments for school purposes shall be collected by the same proceedings and in the same manner and by the same persons as the City tax is collected and shall constitute a part thereof. The said Board shall make the assessment, called the school assessment, in the manner following: The assessment of real estate within the City shall be taken from the assessment of real estate on the City assessment, after the completion thereof, and the assessment of personal property shall be taken from the assessment of personal property made in conformity with the provisions hereof, and shall be completed on or before the first day of June of each year.

Public
School tax
collected
same as
City tax

Date to be
completed

Section 17. The assessments being so settled as aforesaid, the said Board shall, on or before the first day of June, lay the same before the Council of Wilmington, who shall, without delay, determine the whole amount of money necessary to be raised for the use of the city by taxation during the year of said assessment, and shall apportion such amount among the several persons and estates assessed upon the city assessment, according to a certain rate in and upon every hundred dollars of the said assessment, and so pro rata. The Council shall also, at the same time, include the sum necessary to be raised for the use of the public schools of the said city by taxation during the year last aforesaid, and shall apportion such amount among the several persons and estates assessed upon the school assessment, according to a certain rate in and upon every hundred dollars of the said assessment, and so pro rata; and the amount so apportioned shall be collected under the provisions hereinafter contained as other city taxes, and shall constitute part of the city taxes, within all of the provisions of law applicable to the same. The Board shall thereupon make out correct list showing the number of persons and

City Council
to determine
amount

How appor-
tioned

Council to
make rate for
school pur-
poses

How collected

Board to
make correct
list of as-
sessments

· THE CITY OF WILMINGTON

estates assessed upon both of the aforesaid assessments, with the whole amount of tax laid upon the several persons and estates under the foregoing provisions, and the said list shall, on or before the fifteenth day of June, be delivered to the Clerk of Council who shall immediately write thereon the warrants of said Council for the collection of said taxes which said warrant shall be signed by the President of The Council, and countersigned by the said Clerk, and the said list and warrant thereon be delivered by the Clerk to the officer or officers designated by law to collect the taxes on or before the twentieth day of June.

Date when list to be delivered to Council

Warrant to collectors

Warrant how signed

Date of delivery to collectors

Assessment for 1915

Section 18. The assessment of real estate for the fiscal year beginning July 1, A. D. 1915, shall be made by the Assessors and Collectors in the manner heretofore provided by law.

Assessment for 1916

Section 19. The assessment of real estate for the fiscal year beginning July 1, A. D. 1916, and thereafter shall be made by the Board of Assessment and in the manner provided in this act.

Section 20. All acts or parts of acts manifestly inconsistent are hereby repealed.

Approved March 16, A. D. 1915.

THE CITY OF WILMINGTON

CHAPTER 122.

THE CITY OF WILMINGTON.

AN ACT to authorize the Council of "The Mayor and Council of Wilmington" to compensate the present Board of Assessment, revision, and appeals for extra work done by them.

WHEREAS, during the year of 1914 an unusual amount of Preamble work has been done by the Board of Assessment, Revision, and Appeals for the City of Wilmington; and

WHEREAS, the City Council did pay the members there- Preamble of for such extra services the sum of Fifteen Hundred Dollars; and

WHEREAS, a question has been raised as to whether Preamble under the present laws such extra compensation could be allowed to said Board of Assessment, Revision, and Appeals; and

WHEREAS, since the payment of the said sum additional Preamble work has been done by said Board of Assessment, Revision, and Appeals for which City Council may desire to compensate the said Board; now, therefore,

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. The act of said City Council in paying the sum of Fifteen Hundred Dollars to the members of the Board of Assessment, Revision, and Appeals, be and the same is hereby ratified and confirmed. Confirming
payment

THE CITY OF WILMINGTON.

Authority

Section 2. That City Council be and it is hereby authorized and empowered by ordinance to allow such additional compensation to the Board of Assessment, Revision, and Appeals for extra work done or to be done by them as in the judgment of Council may seem proper.

Section 3. That all acts or parts of acts inconsistent herewith are hereby repealed.

Approved March 15, A. D. 1915.

THE CITY OF WILMINGTON.

CHAPTER 123.

THE CITY OF WILMINGTON.

AN ACT to amend Chapter 600, Volume 17, Laws of Delaware, entitled "A Supplement to an Act to Revise an Act to Consolidate 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 Branch thereof concurring herein):

Section 1. Amend Section 1 of said Chapter 600, Volume 17, Laws of Delaware by adding at the end of said Section the following words:

Sec. 1, Chap.
600, Vol. 17 of
the Laws of
Delaware,
amended

Provided however, that that part of the East side of said King Street in said City of Wilmington, extending Northerly from a point one hundred and sixteen feet South of Tenth Street to the Southerly side of Eleventh Street, and that part of the Westerly side of said King Street lying between Tenth and Eleventh Streets shall not be used for a curbstone or a Farmers and Truckers Market or for any market purposes after the date of the passage of this Act, excepting that any persons now having permits from the Mayor and Council of Wilmington or any of its duly authorized agents, to use said part of said King Street for market purposes may use the same until the expiration of the terms of said permits and no longer.

Discontinu-
ance of cer-
tain parts of
King Street
for market
purposes

Approved March 2, A. D. 1915.

THE CITY OF WILMINGTON.

CHAPTER 124.

THE CITY OF WILMINGTON.

A Supplement to an Act entitled "An Act to provide for a Municipal Police Commission 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 of each Branch thereof concurring herein) :

In case of
death by vio-
lence to a
member of
police force
of Wilming-
ton

Relatives to
be pensioned

Section 1. That when death occurs, prior to or after the passage of this Act, to any member of the permanent police force of the City of Wilmington, from any injury received by him by the violence of another, his wife, children, or other near relative dependent upon him, shall be paid by The Council of The Mayor and Council of Wilmington, monthly, the following amounts, to wit:

Widow

To the widow, so long as she remains a widow, Twenty Dollars;

For minor
children

To the widow, or some other proper person, for the support of each minor child under the age of sixteen years, Two Dollars.

Other rela-
tives

To the mother, sister, or other near relative, an amount in the discretion of The Board of Police Commissioners, but not to exceed the maximum amount provided herein for the widow.

Payments to
be approved
by Police
Commis-
sioners

Section 2. All payments made under the provisions of this Act shall be made upon vouchers approved by The Board of Police Commissioners.

Section 3. All Acts or parts of Acts inconsistent herewith hereby are repealed.

Approved March 16, A. D. 1915.

THE CITY OF WILMINGTON.

CHAPTER 125.

THE CITY OF WILMINGTON.

AN ACT to Amend Chapter 731, Volume 19, Laws of Delaware, entitled "An Act to Provide for a Municipal Police Commission for the City of Wilmington," by providing for the appointment of Special Police 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 Branch thereof concurring therein):

Section 1. That Chapter 731, Volume 19, Laws of Delaware, entitled "An Act to provide for a municipal police commission for the City of Wilmington," be and the same is hereby amended by adding to Section 6 of said chapter the following:

"In addition to officers heretofore named, the said Board of Police Commissioners are hereby authorized and empowered to appoint and cause to be sworn in, any number of special police officers to do duty at any place in the city designated by and at the charge and expense of the person or persons who may ask for such appointment, and may change or remove them at pleasure. They shall be subject to and obey orders, rules and regulations governing city constables and conform to the general discipline and special regulations of the Board of Police Commissioners. The Board of Police Commissioners shall be and they are hereby authorized and empowered to appoint and cause to be sworn in any employee of the City of Wilmington as a special police officer. Any city employee who shall be so appointed and qualified shall be subject to and obey orders, rules and regulations governing city constables and conform to the general discipline and special regulations of the

Chap. 731,
Vol. 19,
amended

Appointment
of special
police

Under the
supervision
of the Board
of Police
Commis-
sioners

THE CITY OF WILMINGTON.

Removed
upon request

Board of Police Commissioners so long as he shall continue to act as a special police officer. Such special police officer shall be removed by the Board of Police Commissioners upon the request of the department by which he is employed."

Section 2. All acts or parts of acts inconsistent with this act be and the same are hereby repealed.

Approved March 12, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 126.

CITIES AND TOWNS.

AN ACT to incorporate the Town of Bellefonte, 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 all the members elected to each Branch thereof concurring therein):

Section 1. That the inhabitants of the Town of Bellefonte, situate in Brandywine Hundred, New Castle County and State of Delaware, are hereby constituted a corporation or body politic by the name and style of "THE COMMISSIONERS OF BELLEFONTE" and by such name shall be able and capable to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended in all Courts of judicature whatsoever in this State and elsewhere, and may have and use a common seal, with such device or devices as they shall think proper, with power to alter and change the same as may be deemed expedient; to purchase, take, hold, receive and enjoy any messuage, lands, tenements or hereditaments in fee simple or otherwise, and also goods and chattels, rights and credits, and to alien, grant, sell, convey and dispose of the same in such manner and form and for such estates as they may deem expedient.

The Commissioners of Bellefonte to be corporate name

Provided, Nevertheless, that there is hereby reserved to the General Assembly of the State of Delaware, the power and authority to repeal this Act or any part thereof, or any other law which may hereafter be enacted concerning and respecting the said Town of Bellefonte.

General Assembly reserves the power to repeal

Section 2. The boundaries of said Town of Bellefonte shall be as follows:—

CITIES AND TOWNS.

Boundaries of
Town of
Bellefonte

Beginning at the intersection formed by the Westerly boundary of the property of Wilmington and Philadelphia Traction Company, at the Southerly boundary of a road or highway known as Rodman's Road in Brandywine Hundred, New Castle County and State of Delaware aforesaid; thence in a Southeasterly direction along the Southerly boundary of said Rodman's Road a distance of one thousand three hundred and fifty feet more or less to the intersection formed by this line and the extended Westerly boundary of property now of Harold P. Keen; thence along said Westerly boundary of said property of said Harold P. Keen in a Northeasterly direction, a distance of one thousand two hundred and sixty feet more or less to the Northerly boundary of the property of said Harold P. Keen; thence along said Northerly boundary of said property in a Southeasterly direction a distance of ninety one feet and four inches more or less to the intersection formed by said Northerly boundary of said Keen's property and a line extended of the Westerly boundary of property now of Eugene Mowlds, said extended line of said Mowlds' property last mentioned, running North forty seven degrees fifty four and one-half minutes East and thence along said Westerly line of said Mowlds' property a distance of three hundred and forty feet, more or less to the Northerly boundary of property of said Eugene Mowlds; thence South forty five degrees sixteen and one half minutes East, a distance of three hundred feet more or less to the Westerly side of a certain County Road, known as "The River Road"; thence along said Westerly side of said River Road in a general Northeasterly direction a distance of six hundred and four feet and three inches more or less to the Southerly boundary of property now of H. B. Duncan; thence along the said Southerly boundary of said property of said Duncan in a Northwesterly direction to the line of property of said Wilmington and Philadelphia Traction Company; thence along a line running at right angles to the line of said Wilmington and Philadelphia Traction Company, and in a general Northwesterly direction a distance of five hundred and fifty two feet and five inches more or less to the Westerly side of a certain road known as "Wynnbrook Road"; thence in a

CITIES AND TOWNS.

general Northwesterly direction a distance of one thousand feet more or less to the Easterly side of the Wilmington and Philadelphia Turnpike Road in a direction parallel to a certain Avenue known as "Bellefonte Avenue"; thence in a Southwesterly direction along the Easterly boundary of said Wilmington and Philadelphia Turnpike Road a distance of nine hundred and fifty feet more or less to the intersection of said road and the Southerly side of said road known as Bellefonte Avenue (laid out at twenty-five feet wide); thence in a Southeasterly direction along said Southerly side of said Bellefonte Avenue a distance of one thousand one hundred and fifty feet more or less to the Westerly boundary of property of said Wilmington and Philadelphia Traction Company; thence in a Southwesterly direction along said Westerly boundary of said property of said Wilmington and Philadelphia Traction Company a distance of one thousand two hundred and fifty feet more or less to the point of Beginning.

The Commissioners of Bellefonte may at any time hereafter cause a survey and plot to be made of the lands and premises contained within the boundaries of the said Town as hereinabove set forth, and the said plot when so made, and approved by the said Commissioners, shall be recorded in the Office for the Recording of Deeds in and for New Castle County, and shall be evidence in all Courts of law and equity in this State.

Section 3. Joseph J. Lawrence, Winfield S. Clark, Thomas C. Pierce, Carl Snellenberg and Harry A. Hurst, shall be Commissioners for the said Town of Bellefonte until the first Wednesday after the first Tuesday in the month of June in the year of our Lord one thousand nine hundred and sixteen or until their successors are elected and qualified. The said commissioners shall soon as possible after the passage of this Act, meet at some place to be agreed upon by them and choose a President and Secretary from their number, and shall also choose an alderman, treasurer and an assessor. The said alderman, treasurer and assessor so chosen shall hold office until the expiration of the terms of the Commissioners appointed by this Act.

Survey and
plot may be
made

Commission-
ers named

Organization
and selection
of officers

CITIES AND TOWNS.

First town
election

Section 4. An election shall be held in said Town of Bellefonte for an alderman, five Commissioners, a Treasurer, and an Assessor on the first Tuesday in June in the year of our Lord one thousand nine hundred and sixteen at such time of the day, and at such place as shall be determined and fixed by the Town Commissioners, due notice whereof containing the time and place of said election and the offices to be filled thereat, and the names of the candidates therefor, shall be given by the said Commissioners at least five days before said election.

Eligibility

Three of said Commissioners, and the said Town Treasurer shall be freeholders and citizens of said Town, and two of said Commissioners and the said assessor may be citizens not freeholders of said Town. On the Monday following said election, the said Commissioners so elected as aforesaid, shall meet immediately at some place, to be agreed upon by them and choose by lot, three of their number to serve for one year, and two to serve for two years, or until their successors are duly elected; and yearly thereafter on the first Tuesday in June, an election shall be held in said Town of Bellefonte for an alderman, treasurer, and assessor to serve for one year, and three or two Commissioners as the case may be, to serve for two years.

Terms of
commission-
ers under
first electionAnnual elec-
tionFiling of
notice of
candidates
for office

No person shall be voted for as a candidate for any of said offices at said election, unless at least ten days before the date set for said election he shall have filed with the secretary or president of said Town Commissioners, a letter or other certificate setting forth that he will be a candidate for a certain designated office for the designated term of said office.

Elections to
be held by
Alderman
and two Com-
missioners

Section 5. The first election held under this Act shall be held by the alderman and two Commissioners selected by him from those named in Section 3 of this Act; all subsequent elections shall be held by the alderman and two of the Commissioners holding over, and in case there are three Commissioners holding over, the said alderman shall select two of said three to assist him in holding said election. At

CITIES AND TOWNS.

the first election held under this Act, to wit, on the first Tuesday in June, A. D. 1916, all persons living within the boundaries as hereinabove set forth of said Town of Bellefonte, and who were entitled to vote at the General election held in the State of Delaware in the year 1914, shall have a right to vote; and at all subsequent elections every male citizen of said Town who shall have attained the age of twenty one years and shall have paid the Town tax last assessed to him, shall have the right to vote. The alderman and the two commissioners selected by him shall be judges of the election, and shall decide on the legality of the votes offered. Immediately after the election is closed, the votes shall be read and counted by the alderman and his two assistants, and the persons having the highest number of votes shall be declared duly elected, and shall continue in office until their successors are duly elected and qualified. In case of a tie of persons voted for, the result of said election shall be determined by the alderman whose decision shall be final. Immediately after said election, the persons under whose superintendence the election is held shall enter in a book, to be provided for that purpose, a minute of such election, containing the names of the persons chosen Alderman, Assessor, Treasurer and Commissioners and shall subscribe the same, and shall give to the Alderman, Assessor, Treasurer and Commissioners election certificates of their election. The book containing such minutes shall be preserved by the said Commissioners and shall be evidence in all Courts of law and equity of this State.

Qualification
of voterJudges of
electionA record of
electionCertificates
of election

Section 6. That the person elected as Alderman aforesaid of said Town shall have, within the limits of said Town, all the powers, authority, jurisdiction and cognizance of a Justice of the Peace of and over all breaches of the peace and other offenses committed within the corporate limits of said Town and shall have authority to arrest and hold to bail, or fine and imprison all offenders, and of and over all fines, forfeitures and penalties which may be prescribed by any law of this State or by ordinances of the said Town Commissioners regularly passed and established for the government of the said Town, and of any or all

Powers of
Alderman

CITIES AND TOWNS.

Proviso	neglects, omissions or defaults of the Town Bailiff, Assessor, Collector of Taxes, or Treasurer or any other person or officer whose duty may be to collect, receive, pay over, or account for any monies, or other effects belonging to the said Town, or to execute or obey any law or ordinance thereof; provided that said Alderman shall not impose any fine exceeding Ten Dollars, nor have jurisdiction in any civil matter other than to carry out the provisions in this Act, and of the rules, regulations and ordinances that may be adopted for the government of said Town by the persons authorized to adopt the same under this Act. The
Fees of Alderman	fees of said Alderman shall be the same as are allowed Justices of the Peace for similar services under the law of
Duties of Alderman	this State. It shall be the duty of the Alderman to keep a book of record or docket to be called the "Alderman's Docket of Bellefonte," said docket to be provided by the Commissioners aforesaid at the expense of said Town, in which said docket all the official acts and decisions of said Alderman shall be entered by him, and he shall, upon the
Turn over to successor all books and property of office	expiration of his term of office, deliver over to his successor, all the books, papers and other property or effects pertaining to his said office of Alderman, within ten days after the election and qualification of his successor and in default of so doing, he shall forfeit and pay for the use of
Penalty	said Town the sum of Twenty Dollars, to be recovered before the succeeding Alderman, or any Justice of the Peace residing in said Town or in Brandywine Hundred, or in any Hundred adjoining said Brandywine Hundred.
Oath of office how administered	Section 7. That the Alderman, Commissioners, Treasurer and Assessor aforesaid, so elected before entering upon the duties of their respective offices, shall be sworn or affirmed, by the Alderman or by any one of the said holding over Commissioners, to perform the duties of their offices respectively to the best of their knowledge, and without
Organization of commissioners after election	favor or partiality. The said Commissioners so elected as aforesaid, at their first regular meeting after each election shall choose a President and Secretary from their number
Term of office	who shall hold office for one year, or until their successors are elected; if by death or otherwise, the office of

CITIES AND TOWNS.

President or Secretary shall become vacant, the Commissioners or a majority of them, at their next regular meeting, or at a special meeting to be by them called for that purpose, are hereby authorized to fill said vacancy; if any vacancy shall occur in the office of Alderman, Treasurer, Bailiff, Collector of Taxes, Commissioners or Assessor, by death or otherwise, the said Commissioners or a majority of them for the time being at the next regular meeting thereafter, or at a special meeting, are hereby authorized to fill said vacancy by appointing an Alderman, Assessor, Treasurer, Bailiff, Collector of Taxes, Commissioners or either as the case may be, to fill the unexpired term of said office or offices. All the Commissioners shall act, but the decision of a majority shall govern. The officer or officers so appointed, after being duly qualified as aforesaid, shall have the same powers, duties and authority and be subject to all penalties as those duly elected to said office or offices. The Commissioners shall receive no compensation for their services as Commissioners. It shall be the duty of the President chosen as aforesaid to preside at all meetings of said Commissioners and in case of his absence from any meeting, an officer pro tempore shall be appointed in his place. The President shall receive no compensation for his services as President.

Vacancy, how filled

No compensation
Duty of the President

It shall be the duty of the Secretary to record all the proceedings of the Commissioners and keep a correct journal of the same in a book or books to be provided at the expense of said Town for that purpose; said journal must show all bills approved by the Commissioners, the amount of said bills and to whom payable; and also the Secretary shall have custody of all papers and documents relative to said Town, all of which are to be carefully preserved and to be delivered by him to his successor in office. The Commissioners shall fix the compensation, if any, to be received by the Secretary for his services as such. It shall be the duty of the Treasurer to deposit all monies in his possession, belonging to said Town in the name of the Town of Bellefonte in a banking institution selected by the Commissioners. The said Treasurer shall be the custodian of

Duties of the Secretary

Duties of the Treasurer

CITIES AND TOWNS.

all monies belonging to said Town and shall pay out of any of said monies in his possession, all bills approved in writing by the Commissioners, or a majority of them and presented to him for payment, and take a receipt for the same to be preserved and delivered to his successor in office. He shall settle his accounts with said Commissioners annually, in the month of May, and at such other times as said Commissioners may require.

Treasurer to
give bond

The said Treasurer shall also within fifteen days after the date of his election and qualification for said office, and before entering upon the duties of the same give bond to "The Commissioners of Bellefonte," with sufficient security, to be approved by the Commissioners of said Town in the penal sum of double the amount of what may be likely to come into his hands, conditioned for the faithful discharge of the duties of said office, and for the delivery to his successor in office of all books, papers and documents relating to his said office, and of all sums of money, belonging to said Town which may remain in his possession upon the expiration of his said term of office and upon the settlement of his final account; the cost of said bond shall be paid by the said Town of Bellefonte.

Cost of bond
to be paid by
town

If Treasurer
fails to give
bond

If the Treasurer shall fail to give bond as required by this Section, he shall thereby forfeit his office, and the same shall become vacant, and such vacancy may be filled by the said Commissioners by appointment of a Treasurer to serve for the unexpired term. The compensation of the Treasurer, if any, shall be fixed by said Commissioners.

Auditors to
be appointed
by Commis-
sioners

The Commissioners are hereby authorized to appoint one or more suitable and capable persons to audit the accounts of said Treasurer of said Town annually in the month of May, and at such other times as said Commissioners may require. It shall be the duty of the said auditors to make and post in at least three public places within the limits of the said Town of Bellefonte, a statement showing all receipts and disbursements and balance remaining in the hands of said Treasurer at the time of said audit. The said

Duties of
Auditors

CITIES AND TOWNS.

auditor or auditors shall receive a reasonable compensation to be fixed by the Commissioners and to be paid by said Town. Compensation of Auditors

Section 8. That the Commissioners for the time being, or a majority of them, shall have the entire superintendence and oversight of all roads and streets, lanes, alleys and gutters now open or hereafter to be opened within the corporate limits of said Town, and shall have power and authority to cause the streets, lanes, alleys, bridges and gutters in said Town to be repaired, regulated, supported, removed and amended in any manner they may deem most proper for the convenience, interest and welfare of the citizens and inhabitants of said Town. Supervision over streets, etc.

Said Commissioners shall cause a fund to be raised by way of tax upon persons authorized to vote for Commissioners at the first or subsequent elections provided for by this Act; said tax also to be levied and assessed upon all lands and tenements and interest in such lands and tenements within the corporate limits of said Town. Said fund so raised as aforesaid to be used to discharge the expenses of repairing the said streets, lanes, alleys, bridges and gutters within said Town, or for any other purpose that will contribute to the safety, convenience, welfare and prosperity of said Town. Tax to be levied
Properties to be assessed
Tax how expended

Said Commissioners for the time being, or a majority of them shall have power and authority upon the application of a majority of the whole number of citizens of said Town who were qualified to vote at the next preceding Town election, by petition to them for that purpose to re-open all streets that have been previously opened, to locate, lay out and open any new street or streets, allowing to the persons respectively through or over whose grounds such new streets may run, such compensation or damages 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 monies of said Town on warrants drawn upon him by said Commissioners aforesaid. Opening new streets
Damages

CITIES AND TOWNS.

Notice to
owners

Section 9. That whenever said Commissioners shall have proceeded to locate and lay out any new street in said Town, and shall have fixed and determined said compensation or damages for said opening, it shall be their duty immediately thereafter to notify in writing the owner or owners of the real estate through or over which such new street may run, of their determination and decision to open the same, to furnish a general description of the location thereof, to furnish also information as to the amount of such compensation or damages allowed to each of such owners, and if such owner be not a resident within said Town of Bellefonte, to give said notice to the holder or possessor or tenant of said real estate.

Appeal by
owner

If any owner be dissatisfied with the decision to lay out and open said street, or with the amount of compensation or damages awarded as aforesaid, he, she or it may, within ten days after receiving such notice from said Commissioners as aforesaid, appeal from the said determination or assessment of said compensation or damages or both, by serving written notice to that effect upon said Commissioners or upon some one of them.

Alderman to
submit list of
Freeholders

In order to prosecute said appeal such owner or owners shall, within ten days after the expiration of the said period of ten days allowed for such appeals, apply to the Alderman of said Town, who shall within three days after said application, and upon notice to the said Commissioners or some one of them, select and write down on a list, the names of twenty-one judicious and impartial freeholders, nine of whom shall be freeholders, resident in Brandywine Hundred owning no real estate in said Town and not residing within its corporate limits, and the remaining twelve so selected as aforesaid, shall be freeholders owning real estate in said Town and residing within its said corporate limits.

Commission-
ers to notify
parties to
appeal, when
and where

The said Commissioners shall, upon receiving said notice from the Alderman, immediately notify all persons owning real estate on the said street or streets to be opened as aforesaid, and residing in said Town, who have given notice

CITIES AND TOWNS.

as aforesaid of their intention to appeal, of the time and place when and where said names will be selected by said Alderman and at said time and place mentioned in said notice, said Alderman, said Appellants and said Commissioners shall attend. Said Appellants, their agent or attorney, shall first strike out one of said names from said list, and said Commissioners or one of them, their agent or attorney, shall likewise strike out another name from said list, until said Appellants and said Commissioners shall each have struck out seven names from said list, such striking out shall be so confined and regulated as to leave seven remaining freeholders located as follows, viz;

All parties
interested in
appeal shall
attend

Manner of
selecting the
final appeal

Four to be residents in said Town of Bellefonte and three to be residents in said Brandywine Hundred and outside the corporate limits of said Town. These seven freeholders so selected as aforesaid, shall constitute a Board of Freeholders who shall determine concerning the necessity of said street to be opened, and shall also determine and assess the compensation or damages of all owners of real estate through or over whose ground the said streets shall run, who shall have given notice as aforesaid of their intention to appeal from the decision and determination of said Board of Commissioners and the award, finding and assessment of said seven freeholders shall be final and conclusive and a copy thereof shall be delivered to all parties, Appellants and Commissioners.

Powers of
Board of
Freeholders

In case either side, Commissioners or Appellants, do not appear, and are not represented before said Alderman, or shall refuse to strike, said Alderman shall strike for the said party so absent, neglecting or refusing. Any party, Appellant or a Commissioner, may, within ten days after the appointment of said seven freeholders, and upon five days' notice to the other parties resident in said Town, or in case of non-residents, said notice to be given to the holders, possessors or tenants of any such real estate, call out said seven freeholders aforesaid, who shall thereupon proceed, upon oath or affirmation, to inquire of the necessity of such street, and in case said street be found necessary to assess

Alderman to
act, when

CITIES AND TOWNS.

Assessment
of damages

said damages to said several owners appealing as aforesaid. The award of said seven freeholders shall be made within twenty days from the time of their receiving notice to meet as aforesaid. If any one of said seven freeholders thus appointed and notified, shall refuse or decline to serve, he shall forfeit the sum of Twenty Dollars to be recovered by said Commissioners in an action of debt before any Justice of the Peace of New Castle County in the name of "The Town Commissioners of Bellefonte," for the use of said Town.

Forfeited for
refusal to
serveBars second
petition
under present
commis-
sioners

In any case in which the award of said seven freeholders shall be against the necessity of opening any such new street, then no petition for any such new street so awarded against, shall be entertained by said Commissioners then acting during the balance of the terms for which they were elected to office. The acts of a majority of said seven freeholders shall be as good as the acts of the whole in making any such finding, award or assessment of damages.

Right to pay
damages

Section 10. After said damages shall be fixed and ascertained by said seven freeholders as aforesaid, the Commissioners aforesaid shall have the right and option to pay said damages so assessed as aforesaid, and to proceed with said opening of said new streets, or said Commissioners upon payment of the costs only of said proceedings for the opening of said new streets may abandon the proposed improvements.

Town may
abandon pro-
ceedings

Paving

Section 11. That said Commissioners or a majority of them, be and they are hereby authorized and may in their discretion, upon the petition of a majority of the whole number of citizens of said Town, who were qualified to vote at the next preceding Town Election, direct in writing, the owner or owners of any houses or lands within the corporate limits of said Town of Bellefonte, before or in front of which lands said Commissioners may deem proper that a pavement or pavements should be made and laid, to lay a pavement of bricks, smooth stones, concrete or other suitable paving material of such length and width as said Com-

CITIES AND TOWNS.

missioners may specify in said written direction. And if such owner or owners shall neglect or refuse, for the space of three months after being directed as aforesaid, to make and lay such pavement, it shall and may be lawful for the said Commissioners, and they, or a majority of them, are hereby authorized to cause such pavement to be made and laid, and to recover the costs of such making and laying by distress and sale of any goods and chattels, lands and tenements belonging to such owner or owners, either within or without the limits of said Town. If any pavement already made shall at any time by said Commissioners, be deemed an insufficient or improper pavement, they, shall have power to direct, in writing, the owner or owners thereof to make and lay a sufficient pavement or pavements, and upon neglect or refusal so to do for the space of three months, said Commissioners shall cause the same to be done, and recover the costs of so doing by distress and sale in like manner as above described in case of new pavement. Notice to one joint owner, shall be notice to all, and in case no owner shall reside in said Town of Bellefonte, notice shall be sent by registered mail to such owner or owners, directed to him or them at his or their last known post office address, and if no address is known, notice to the occupant of said lands shall be deemed a sufficient notice to the owner.

Penalty for
neglect

Notice to one
owner suff-
cent

Said Commissioners may cause such sidewalks or portions thereof, as are unpaved to be improved with suitable material, if they deem them not proper or necessary to be paved, and shall cause them to be put in good order for the convenience of the citizens of said Town, and may cause curbs to be laid and flag-stones to be put down at the crossings of said streets, wherever they may deem the same to be necessary, and the cost of so doing shall be defrayed out of the funds of said Town. The cost for making and laying said pavements shall be a lien on the premises in front of which the said work was done, by said Commissioners, and shall have priority over any lien, incumbrance, or conveyance suffered or made by the said owner or owners during or after the completion of said pavements.

Repairs to
pavements

Curblings and
crossings

Paving
claims a lien

CITIES AND TOWNS.

Sanitary
measuresNotice to
abate nul-
sance

Penalty

Section 12. That the said Commissioners shall have authority to make such regulations and ordinances for government of the Town as they shall deem proper and necessary, and they are hereby authorized and required to provide sanitary measures for the health of the citizens, and to prevent the introduction into the Town of infectious or contagious diseases, cause all obstructions and nuisances that may at any time exist within the limits of said Town, whether in the streets, lanes, alleys, or gutters, on the sidewalk, or in any other place within the limits aforesaid, to be removed and abated. The said Commissioners, or a majority of them, may proceed either upon their own view or upon complaint of any other citizen, in writing, stating the character of the nuisance or obstruction and where the same exists. If the said Commissioners, or a majority of them, either upon such information or upon view, shall determine that an obstruction or nuisance exists and ought to be removed, they shall give notice in writing to the person causing such obstruction or nuisance, or who is responsible for its existence or continuance, to remove or abate the same and if such person shall refuse or neglect, for the space of five days after such notice to remove or abate the said obstruction or nuisance, he shall forfeit and pay the sum of Ten Dollars with costs, to be recovered by the Commissioners for the use of the Town in the same manner as debts of that amount are recoverable, and for every additional day the same shall remain unabated and unremoved he or she shall forfeit the further sum of Ten Dollars, to be recovered in the same manner.

Tax on dogs

Penalty

The Town Commissioners shall also have the authority and power to enact ordinances in relation to the keeping or harboring of dogs, to provide for the registration of the same, and to regulate their running at large, and may impose annual tax not exceeding fifty cents on every male dog, or one dollar on every female dog, and may provide for the collection of the same from each and every person owning or harboring any dog or dogs, and also shall have power to impose fines and penalties of not less than one dollar nor

CITIES AND TOWNS.

more than five dollars for the enforcement of any of said ordinances.

The Town Commissioners shall have and are hereby vested with power and authority to prosecute for violations of any of the provisions of this Act, or of the ordinances ^{Ordinances} which they may enact in pursuance thereof, and which are not specially provided for in this Act. All fines and penalties which may be imposed either by this Act or the ordinances enacted as aforesaid may be collected before the Alderman of said Town, or any Justice of the Peace in Brandywine Hundred or an adjoining Hundred and in default of payment, said Alderman or Justice of the Peace may commit for any time not exceeding thirty days.

Section 13. That the Assessor of the Town for the time being shall, annually, in the month of June make a true, just, and impartial valuation or assessment of the real ^{Assessment} estate within said Town; said assessment shall be made personally by the Assessor, and after a view of the premises; an assessment of all the male citizens residing in said Town above the age of twenty-one years, as well as those owning as those not owning real estate within its limits, and also an assessment of all live stock and dogs within said Town. And the Assessor shall forthwith after making such assessment deliver to the Commissioners for the time being a duplicate containing the names of all the persons assessed ^{Duplicate} and the amount of their assessments, distinguishing the real and personal assessments of each. The Commissioners shall assess the real estate and person of the Assessor. If any change be made in assessment by Commissioners the owner must be given notice in writing. The Commissioners shall, between the first and fifteenth days of July, cause a full and complete transcript of said duplicate to be posted in a public place in said Town, there to remain for the space of twenty days thereafter for public inspection; and said Commissioners shall on the Wednesday next after the expiration of the said twenty days, hold a court of appeal, ^{Court of Appeal} which shall continue open from one o'clock P. M. until seven o'clock P. M. of the said day, when they shall hear and

CITIES AND TOWNS.

determine appeals from said assessment. Notice of the posting of the list, and also at the same time notice of the time and place of hearing appeals shall be given by notices posted in at least six public places in said Town. The decision of the Commissioners upon any appeals shall be final and conclusive. No Commissioner shall sit upon his own appeal, but the same shall be heard and determined by the other Commissioners.

Tax levied After the valuation and assessment shall be examined and adjusted by the said Commissioners, all taxes shall be levied, assessed and raised on the real estate and persons thus valued and assessed in just and equal proportions and rates.

Exemption
from tax Provided that it shall and may be lawful for the Commissioners of Bellefonte aforesaid, to exempt from assessment and taxation, for the period of ten years, for municipal or Town purposes, the real estate of any person or persons or body corporate, within the limits of said Town, upon which any manufactory or other industrial improvement for the employment of labor may after the passage of this Act be erected.

Assessor to
be sworn The Assessor, immediately after his election and before entering upon the duties of his office, shall be sworn or affirmed, before one of the Commissioners or the Alderman to diligently, faithfully and impartially perform the duties of his office to the best of his ability, knowledge and judgment, and a certificate shall be made by the person administering the oath or affirmation, in the record book of the Commissioners containing the certificate of the election of the Alderman, Commissioners and Assessors. The compensation of the Assessor shall be fixed by the Commissioners.

Tax collector Section 14. That the Commissioners shall elect some suitable person Tax Collector for the Town; and after having ascertained the sum necessary to be raised for the use of the said Town, and have apportioned the same on

CITIES AND TOWNS.

the assessment and valuations aforesaid, shall, yearly, on or before the tenth day of August, furnish the Tax Collector of the said Town with a list containing the names of the taxables, as well the owners of real estate as those not owning real estate, and opposite the names of each the amount of the real estate and his personal assessment, distinguishing between them, and also the tax levied on each person, and also the tax levied on the whole valuation and assessment, and the rate per hundred dollars. The list shall be signed by the Commissioners or a majority of them.

List of tax-
ables to be
furnished

Tax rate

The Tax Collector, on the tenth day of August shall proceed to collect the taxes mentioned in the said list and in collecting the same shall have the same powers as are given by law to the collectors of the rates and levies for New Castle County. All taxes shall be due and payable on the tenth day of August of the year during which said taxes are levied. A discount of five per centum shall be allowed on all taxes paid on or before the last day of September; five per centum shall be added to all taxes paid after the last day of December. No legal proceedings shall be instituted for the collection of taxes until after the last day of February following the year during which said taxes are levied, provided, that if any person or persons shall remove from said Town after the tenth day of August his or their taxes shall become immediately due and payable. The said tax Collector shall also before entering upon his duties give bond to "The Commissioners of Bellefonte," with sufficient surety, to be approved by the Commissioners of said Town in the penal sum of double the amount of what may be likely to come into his hands conditioned for the faithful discharge of the duties of his office. The cost of said bond shall be paid out of money belonging to said Town.

Powers of
Tax Collector

Taxes when
due

Rebate

Additional
per centum
to be added

Time limit
without legal
process

Tax Collector
to give bond

Bond to be
approved by
Commission-
ers

Town to pay
for bond

The said Tax Collector shall render an account, and pay unto the Town Treasurer all money in his hands, on the first Monday of every month and upon the expiration of his term of office and at such other time or times as the

Collector to
make
monthly
settlement

CITIES AND TOWNS.

Delinquents Commissioners, or a majority of them, shall require. The Commissioners may allow such delinquents as they, or a majority of them, may think proper. The citizens of the Town of Bellefonte are hereby exempted from the payment of all Hundred and Road Taxes. The compensation of the Tax Collector shall be fixed by the Commissioners.

Town Bailiff Section 15. That the said Commissioners shall appoint some discreet and judicious citizen, a resident of Bellefonte, Town Bailiff. The said Bailiff shall have all the powers and authority, within the limits of said Town, of a constable of the State of Delaware in and for New Castle

Powers of Bailiff County as to the cognizance of all breaches of the peace and other offences within said Town, and shall hold his office subject to the option of the Commissioners, and his fees and emoluments shall be the same as those of a constable for like services, provided that he shall not serve any civil process except to carry out the provisions of this Act. It

Duty of Alderman, Commissioners and Bailiff

To suppress riots, etc.

shall be the duty of said Alderman, Commissioners and Bailiff, or of any Justice of the Peace and Constable of New Castle County residing in said Town, to suppress all riotous, turbulent, disorderly or noisy conduct of any person or persons, or disorderly or noisy assemblages or gatherings of any person or persons in the streets, lanes, or alleys of the said Town or in any house situated therein, after night or on the Sabbath day, or at any other time or season whatever, and for this purpose it shall be the duty of said Bailiff, or any Constable, upon the requisition of the Alderman, or of any one of the said Commissioners, and without further warrant, forthwith to seize and arrest any such person or persons so offending, and to carry him or them before said Alderman or any Justice of the Peace resident in Brandywine Hundred and upon conviction before the said Alderman, or Justice of the Peace as afore-said (whose duty it shall be to hear and determine the case), the said Alderman or Justice of the Peace shall sentence any such person or persons so convicted to pay a fine not exceeding ten dollars, and commit the party to the New Castle County Workhouse for any period not exceeding five days, or until said fine and the costs be paid. It

Fine

CITIES AND TOWNS.

shall be the duty of the said Alderman or Justice of the Peace upon complaint made before him of any such riotous or turbulent conduct as aforesaid, or noisy assemblages, to issue his warrant to the said Bailiff, or Constable, commanding him to bring any such person or persons so offending as aforesaid before him for trial.

Section 16. That it shall be the duty of the said Alderman, Commissioners, or Bailiff, to suppress, extinguish and prevent all bonfires on the public squares or 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 fireworks, or the making or throwing fire-balls within the limits of the said Town; and the said Commissioners may enact and publish ordinances with reasonable penalties for preventing the same and punishing persons guilty of their violation. Any fine imposed by any such ordinance may be collected before the said Alderman or Justice of the Peace in Brandywine Hundred aforesaid and in default of payment the said Alderman or Justice of the Peace may commit to the public jail or workhouse of the county for any time not exceeding five days. All fines and forfeitures realized under the provisions of this Act by the Alderman or Justice of the Peace as aforesaid shall be paid over to the Treasurer for the use of the Town. If any constable shall neglect or refuse to perform the duties above enjoined on him by this Act, he shall be deemed guilty of a misdemeanor in office, and it shall be the duty of the Commissioners to present him to the grand jury of New Castle County, and upon conviction he shall forfeit his office, and be further punished by fine or imprisonment as the Court may deem proper.

Section 17. That there shall be twelve stated meetings in every year of the said Commissioners, viz; on the second Thursday of every month, and special meetings, upon two days' notice, at such times as the same shall be called by any three of the Commissioners, at which meetings they may pass all such ordinances or rules for the good government of the said Town, the improvement of the streets,

CITIES AND TOWNS.

the paving or other improvements of the sidewalks, the planting and protection of ornamental trees, the repair and making of public pumps or water works, and for all other matters, relating to the said Town, its police, improvements, ornaments and general welfare, as by the Commissioners may be deemed proper; provided the same be not repugnant to the Constitution or Laws of this State, and provided further that no ordinance shall be passed until presented and considered at two meetings of the Commissioners either regular or special and approved by a majority of the Commissioners. The said Commissioners shall have full power and authority to impose fines, penalties and forfeitures and provide for their collection, for the violation of any provision of this Act or any ordinance enacted in pursuance thereof.

Proviso

Power of
Commission-
ers

Supervision
of streets

Section 18. That the Commissioners shall have full power and authority to pass such ordinances and prescribe such rules and regulations for persons or corporations or the vehicles of either crossing or passing over and upon all roads and streets within the limits of said Town as will best protect the citizens thereof; also, relative to the standing and placing of railway and railroad cars, carts, carriages, wagons, and other vehicles, or other obstruction in and upon said roads, streets, lanes, alleys and sidewalks; also, as to the running about or otherwise straying or ranging around of any horse, cow, hog, or other brute animals, or greese, in said roads, streets, alleys, lanes and sidewalks in said Town, which they, or a majority of them, may deem proper, in order to secure a free and unobstructed enjoyment and use of the same.

Use of
moneys

Section 19. That the Commissioners, or a majority of them, shall have authority to use the monies in the treasury of the Town for the general improvement, benefit and ornament of the said Town as they, or a majority of them, may deem advisable; but no money shall be paid out by the Treasurer until an itemized bill showing the price or prices at which, the date when, the place where, the purpose for which, by whose order, and by whom the work or labor was

All bills must
be approved

CITIES AND TOWNS.

performed and the materials were furnished for said Town, has been presented at a regular or special meeting of the Commissioners and approved in writing by a majority of the Commissioners.

Section 20. It shall be unlawful for any Commissioner of said Town to furnish labor or material, either directly or indirectly for any improvement of said Town of Bellefonte, or to furnish anything whatsoever to said Town that requires the approval of the Commissioners before payment can be made. Unlawful for any Commissioner to make any contract whereby he may be benefited directly or indirectly

Section 21. That this Act shall be deemed and taken to be a public Act. Public act

Approved March 9, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 127.

CITIES AND TOWNS.

AN ACT to Authorize "The Board of Town Commissioners of Newport" to borrow money and issue bonds to secure the payment thereof, for the purpose of providing a water and sewerage system, 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 all the members elected to each branch of the legislature concurring therein):

Board of
Town Com-
missioners
authorized to
borrow
money for
water and
sewer system

Section 1. That "The Board of Town Commissioners of the Town of Newport," a municipal corporation of the State of Delaware, be and they are hereby authorized and empowered to borrow on the faith and credit of the said Town a sum of money not exceeding Twenty Five Thousand Dollars (\$25,000), which shall be applied, appropriated and expended to build, construct, maintain and operate, under such rules and regulations as said "The Board of Town Commissioners of Newport" may deem necessary and proper, a water and sewer system for the use and benefit of the said Town and its inhabitants.

Authority to
locate, con-
struct and
operate water
works and
establish a
sewer system

Section 2. That "The Board of Town Commissioners of the Town of Newport" be and they are hereby authorized and empowered to do all things necessary for the location, construction and operation of Water Works for furnishing the said Town with an ample supply of pure water as afore-said, and "The Board of Town Commissioners of Newport" shall have full power and authority to lay mains and branch pipes for the conveyance and distribution of Water, and to make and establish receivers, reservoirs and fire hydrants in such parts of the streets of the said Town, and to build, construct and maintain sewers, as the "Board of Town Com-

CITIES AND TOWNS.

missioners of Newport" shall, from time to time, deem expedient, and shall grant to all persons whomsoever, the privilege of using the water conveyed and distributed by them in said town, and the sewers of said town in such manner, and on such terms and conditions as to them may seem just and proper, and shall pass such ordinances touching the said water, its distribution through said town, and the streets thereof, the regulations of its use in case of fires, its general management and control and the use of sewers, as to them, the said "The Board of Town Commissioners of Newport" shall, at any time, seem most expedient.

Section 3. That the said "The Board of Town Commissioners of Newport," for the purpose of carrying into effect the provisions of this act, are hereby authorized and empowered to issue bonds of the said Municipal Corporation, of such denominations as the said, "The Board of Town Commissioners of Newport" may deem best; said bonds shall be known as Newport Water and Sewer Bonds, and shall bear the legal rate of interest, payable semi-annually on the first days of February and August of each year, at such bank or trust company in the said Town of Newport as said Municipal Corporation may designate; the principal of said bonds shall be made payable at the expiration of twenty years from the date of the issue thereof, the said "The Board of Town Commissioners of Newport" 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 Board of Town Commissioners of Newport" 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 Board of Town Commissioners of Newport" in at least four issues of Two Newspapers in City of Wilmington, in calling said bonds for redemption and payment they shall be called consecutively, commencing 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

Authorized
to issue
bonds

Rate of
interest

Interest;
when and
where paid
Principal;
when payable

Privilege of
redeeming

Plan of
redemption

CITIES AND TOWNS.

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 Board of Town Commissioners of Newport" 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.

Shall direct
and effect
preparation
of bonds

Section 4. That the said "The Board of Town Commissioners of Newport" shall direct and effect the preparation and printing of the bonds authorized by this act and shall also prescribe the form of bonds which shall be signed by the President of the said "The Board of Town Commissioners of Newport" 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 Board of Town Commissioners of Newport" shall direct.

Shall nego-
tiate sale of
bonds

Section 5. That the said "The Board of Town Commissioners of Newport" 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; provided however, that in the sale of said bonds, the said "The Board of Town Commissioners of Newport" are required and directed to advertise said bonds for sale in at least four issues of two newspapers published within New Castle County, inviting bids for the same, and in which said advertisements shall be stated the denominations of said bonds, rate of interest, the place and date of opening said bids and the conditions of said bonds. The said "The Board of Town Commissioners of Newport" shall have the power to require each bid for said bonds to be accompanied by a certified check for the amount which they may deem proper and after the bonds are awarded, the said "The Board of Town Commissioners of Newport" shall return to the unsuccessful bidder or bidders the certified check or checks so filed by

Plan of sale
of bonds

CITIES AND TOWNS.

said unsuccessful bidders with their bids. The said "The Board of Town Commissioners of Newport" 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.

May reject
all bids

Section 6. That "The Board of Town Commissioners of Newport" be and they are hereby directed and required to apply all the water rents and other revenues which may be derived from the water works provided for by this act, and paying the expenses of properly keeping up and operating said water works as directed by this act, and shall apply the surplus, if any remains, to the payment of the interest accruing on the bonds issued in accordance with the provision of this Act, and if, after the payment of said interest, there should still remain a surplus from the revenue of said water works, the said surplus shall be used for redemption of said bonds in the manner provided for by this Act, and "The Board of Town Commissioners of Newport" are hereby authorized and required to levy upon all assessable real estate and other property now subject to assessment by law in the Town of Newport, annually, a special tax sufficient to pay all the interest accruing on said bonds and on the expense of properly keeping up and operating the said Water Works as aforesaid, which the rents and revenues derived from said Water Works may be inadequate to meet. From and after four years from the date this Act becomes a law "The Board of Town Commissioners of Newport" 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 provision 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 Twelve Hundred and Fifty Dollars in any one year. The sinking fund provided by this Act shall be deposited in any Bank or Trust Company of the State of Delaware, until

How the
water rents
and other
water revenue
shall be
applied

Special tax:
purpose of

Special tax
for sinking
fund

CITIES AND TOWNS.

such time as it may be needed for the redemption of any or all of said bonds.

Power and
authority for
laying of
water pipes

Supervision
and control
of all public
water pipes

Shall regulate
the laying of
public sewers

Authorized
to employ
help

To hold
special elec-
tion for issue
of bonds

Section 7. That "The Board of Town Commissioners of Newport" shall have full power and authority to enter into any public street or road within the limits of said Town, for the purpose of laying pipes for the conveyance and distribution of water, and establishing a sewer system under the provisions of this Act. That "The Board of Town Commissioners of Newport" shall have the supervision and control of all public pipes, sewers and drains within the corporate limits of the said Town of Newport, and may alter, repair or remove the same, and may cause new mains and sewers to be made and opened. That "The Board of Town Commissioners of Newport" may cause such 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 materials as they, "The Board of Town Commissioners of Newport" may deem proper. That "The Board of Town Commissioners of Newport" shall make rules regulating the tapping of public sewers by the owners of abutting land, and shall provide for the granting of permits for the same, and for the payment of such tapping fees or sewer rental charges as the said "The Board of Town Commissioners of Newport" 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 8. That "The Board of Town Commissioners of Newport" are authorized to engage the service of such agents and servants as the said "The Board of Town Commissioners of Newport" may deem necessary for the work herein devolved upon said Municipal Corporation.

Section 9. That the said "The Board of Town Commissioners of Newport" shall not, at any time, have authority or power to issue any of said bonds until a special election has been called by the said "The Board of Town Commissioners of Newport" and held by the officers provided for

CITIES AND TOWNS.

in this Act, and a majority of the legal votes cast at such election has been ascertained to be "For issuing bonds for Municipal Water Works and Sewer System." That "The Board of Town Commissioners of Newport" are hereby authorized to call and provide for such special election whenever they shall deem it expedient to do so, provided that such special election 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 said votes cast at said special election, the said "The Board of Town Commissioners of Newport" are authorized and empowered to call a special election or elections at any time thereafter, in like manner and for the same purpose, provided that a majority of the commissioners of the said "The Board of Town Commissioners of Newport" shall deem it expedient to do so, and 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 Citizens of the said Town of Newport; the said citizens shall be selected and appointed for that purpose by the said Alderman of the Town of Newport and must be residents thereof for at least one year. The said Alderman shall be the presiding officer at any such special elections. If for any cause, said Alderman shall not perform the duties of presiding officer at any such special elections, "The Board of Town Commissioners of Newport" shall elect and appoint some other male qualified voter of the said Town of Newport, to be the presiding officer at such special election. The voting at such special elections shall be by ballot. Such special election or elections shall be held according to the law governing the annual Town Election of the said Town of Newport. Due notice of the time and place of such special elections shall be given by the said "The Board of Town Commissioners of Newport" by advertisements posted in at least ten public places in the said Town of Newport, and in two newspapers published within New Castle County, at least ten days prior to any such special elections. At such elections every male citizen of said Town who shall have attained the age of twenty-one, as well as non-residents who

May call
other special
elections; but
not more
than one in
any one year

Special elec-
tions, held
by whom

Special elec-
tions held
under the
law of annual
town election

CITIES AND TOWNS.

are the owner of real estate within the corporate limits of Newport, and shall have paid the Town tax last assessed to him or her, shall have one vote.

Illegal voting
or receiving
illegal votes

Section 10. Any person who shall wilfully vote or attempt to vote illegally at such special elections, or any person acting as an election officer at such special elections, who shall wilfully receive or consent to receiving an illegal vote, or who shall wilfully refuse or consent in refusing 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 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.

A misde-
meanor
penalty on
conviction

Challenge for
non-payment
of tax

Faith of
town pledged
for payment
of bonds

Treasurer
shall give
surety

Section 11. That the faith of the said "The Board of Town Commissioners of Newport" is hereby pledged for the payment of the bonds authorized to be issued under this Act. That the Treasurer of the Town of Newport, shall, to secure the said Town against loss on account of the said money so derived from said bonds, enter into a special bond with surety in such an amount as shall be fixed by the Commissioners of Newport.

Public act

Section 12. That this Act shall be deemed and taken to be a public Act.

Approved March 2, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 128.

CITIES AND TOWNS.

AN ACT to amend an Act entitled "An Act to Re-incorporate the town of Newport."

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):

Section 1. That an Act entitled "An Act to Re-incorporate the Town of Newport," being Chapter 195, Volume 24, Laws of Delaware, be and the same is hereby amended by adding at the end of Section 6 thereof, the words following, to wit:

Chap. 195,
Vol. 24, Laws
of Delaware,
amended

"The Commissioners of Newport may, by resolution, vacate all or any portion of any street of said town, but no such resolution shall become effective until it shall have been published at least three times each week for four consecutive weeks in two daily newspapers published in New Castle County. If any person interested be dissatisfied with the determination of said Commissioners of Newport to vacate such street, he may, at any time within thirty days after such resolution shall have become effective, apply to the Resident Associate Judge of the Superior Court resident in New Castle County for the appointment of three disinterested and impartial persons to place a value on the damages he has sustained. The said Judge shall, in the order making such appointment, fix a time when said Commissioners shall make return to him of their findings and awards. Said Judge may extend the time for making returns under this Act. Any person interested may, within fifteen days after the filing of such return, make application for the appointment of a Commission of Review, and

Commission-
ers may
vacate any
street; when;
how

CITIES AND TOWNS.

the authorities and duties of said Judge and of said Commissioners of Review shall be the same as in the case of the first mentioned Commission. If no application be made for the appointment of a Commission of Review, the award and findings of the first Commission shall be final. When returns are made by said original Commission and said Commission of Review, the said Judge may approve and confirm whichever return he shall deem just and right and his decision shall be final. The damages so ascertained as above and all costs shall be paid by the Commissioners of Newport."

Approved March 2, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 129.

CITIES AND TOWNS.

A Supplement to an Act entitled "An Act to Re-incorporate the town of Newport."

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):

Section 1. That the Commissioners of Newport be and they hereby are authorized, by resolution of said Commissioners, to vacate Water Street in said town of Newport from the line of the westerly boundary of John Street to the line of the easterly boundary of Mary Street. Such resolution shall not become effective until it shall have been published at least three times each week for four consecutive weeks in two daily newspapers published in New Castle County. If any person interested be dissatisfied with the determination of said Commissioners of Newport to vacate such street, he may, at any time within thirty days after such resolution shall have become effective, apply to the Resident Associate Judge of the Superior Court resident in New Castle County for the appointment of three disinterested and impartial persons to place a value on the damages he has sustained. The said Judge shall, in the order making such appointment, fix a time when said Commissioners shall make return to him of their findings and awards. Said Judge may extend the time for making returns under this Act. Any person interested may, within fifteen days after the filing of such return, make application for the appointment of a Commission of Review, and the authorities and duties of said Judge and of said Commissioners of Review shall be the same as in the case of the first mentioned Commission. If no application be made for

Commissioners to vacate Water Street; when; how,

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the appointment of a Commission of Review, the award and findings of the first Commission shall be final. When returns are made by said original Commission and said Commission of Review, the said Judge may approve and confirm whichever return he shall deem just and right and his decision shall be final. The damages so ascertained as above and all costs shall be paid by the Commissioners of Newport.

Approved March 2, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 130.

CITIES AND TOWNS.

AN ACT to Amend Chapter 195, Volume 24, Laws of Delaware, entitled, "An Act to Re-incorporate the Town of Newport."

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 herein):

SECTION 1. That Section 12, Second Paragraph of Chapter 195, Volume 24, Laws of Delaware, be and the same is hereby amended by inserting after the word "are" and before the word "given" in the third line thereof, "now or Sec. 12, Second paragraph, Chap. 195, Vol. 24, Laws of Delaware, amended may hereafter be."

Approved March 12, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 131.

CITIES AND TOWNS.

AN ACT to authorize the Council of Newark to redeem certain bonds and to issue other bonds in place thereof.

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

Council
authorized to
redeem
certain
bonds, by
issuing new
series

Section 1. That "The Council of Newark," Delaware, be and it is hereby authorized and empowered, for the purpose of paying and redeeming certain bonds heretofore issued by the said "The Council of Newark" to the amount of Thirty-five Thousand Dollars, which will be due and payable on the First day of December, A. D. 1916, and certain other bonds heretofore issued by the said "The Council of Newark," to the amount of Twenty-five Hundred Dollars, which are now overdue and unpaid, to issue new bonds of and in the name of "The Council of Newark," to the amount of Thirty-seven Thousand and Five Hundred Dollars, said new bonds so to be issued to be in such form and of such amount or denominations as the Council of "The Council of Newark" shall determine, and shall bear interest at a rate not exceeding five per centum per annum, payable semi-annually, the principal of said new bonds shall be made payable in twenty years from the date of the issue thereof, and shall reserve to "The Council of Newark" the right and authority to pay and redeem all or any part of said bonds at and after the expiration of five years from the date of the same; provided, however, that if the said "The Council of Newark" elects to redeem any of the said bonds after the expiration of five years from the date thereof, as aforesaid, such redemption shall be effected on the First days of December or June, in any year, and in pursuance

Rate of
interest

Principal
when payable

Reserves the
right to
redeem

CITIES AND TOWNS.

of a notice to that effect published by the said "The Council of Newark" for thirty days prior to said First days of December or June, when said bonds are to be redeemed, in two newspapers, one published in the Town of Newark, and one in the City of Wilmington, giving the number and amount of said bonds so to be redeemed and paid, in calling said bonds for redemption and payment they shall be called consecutively, commencing with the lowest number. The interest on all of said bonds so called shall cease from the date fixed for the redemption and payment thereof, and said bonds when so redeemed and paid shall be cancelled.

Section 2. The said "The Council of Newark" and all of the officers and departments thereof shall be taken and deemed to have and are hereby expressly given full power and authority to do and perform any and all acts, matters or things not herein specifically granted, but which it may be necessary to do and perform in relation to the redemption and payment of said bonds and the issuing of said new bonds, as aforesaid, to make said new bonds a good and valid obligation of "The Council of Newark."

Approved March 15, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 132.

CITIES AND TOWNS.

AN ACT appropriating Five Hundred Dollars to Aetna Hose, Hook and Ladder Company, of Newark, Delaware.

Preamble WHEREAS Aetna Hose, Hook and Ladder Company, of Newark, Delaware, (a Corporation of the State of Delaware), is an organization of Firemen supported by voluntary contributions, and

Preamble WHEREAS no member of said Company receives any compensation for services rendered, and

Preamble WHEREAS valuable buildings have recently been erected by the State of Delaware in connection with the Womans Affiliated College and the State Farm, also a State Armory, at Newark, Delaware; and

Preamble WHEREAS the buildings of Delaware College are situated in the said Town; and

Preamble WHEREAS the said Company has recently purchased a valuable, expensive and modern Auto Fire Engine by the individual efforts of its members; and

Preamble WHEREAS the State of Delaware now receives and has received for more than twenty-five years past fire protection from the said Company;

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):

Appropriation

Section 1. That the sum of Five Hundred Dollars is hereby appropriated and authorized to be paid out of the

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treasury of this State to Aetna Hose, Hook and Ladder Company, of Newark, Delaware, for the purpose of maintaining its fire apparatus.

Approved March 15, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 133.

CITIES AND TOWNS.

AN ACT to amend Section 10 of Chapter 227, Volume 27, Laws of Delaware, entitled "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 all the members elected to each Branch of the Legislature concurring therein):

Chap. 227,
Vol. 27, Laws
of Delaware,
amended

Certain costs
and fees of
Alderman
and Con-
stable paid
by Levy
Court

Section 1. That Section four of Chapter 227, Volume 27, Laws of Delaware, entitled "An Act to Re-incorporate the Town of St. Georges in New Castle County," be and the same is hereby amended by inserting after the figures \$10. at the end of the second paragraph of said Section 10, the following: All costs and fees of said Alderman and Constable for committing such offenders to the Work-house of New Castle County shall be paid by the Levy Court of said County in the same manner as provided as when such commitments are made by a Justice of the Peace.

Approved March 15, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 134.

CITIES AND TOWNS.

AN ACT Altering and Revising the Charter of the City of New Castle by Creating the Office of City Clerk and Designating his Duties.

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 branch thereof):

Section 1. The office of City Clerk for the City of New Castle is hereby created and established. No person shall be eligible for said office who is not a citizen of the State and a resident of the City. Office of City Clerk created

The City Clerk shall be elected by ballot at the regular City election on the second Tuesday in April, A. D., 1915, and thereafter biennially at the regular City election held under the terms of the Charter of the City. He shall serve for the term of two years or until his successor is legally qualified. Such officer shall be voted for in each ward or district, and the person receiving a plurality of the votes cast throughout the City for said office shall be deemed and declared elected. His election shall be ascertained and certified, and he shall qualify by oath or affirmation, as in the case of other City officers. He shall give bond to the corporation in such amount as may be fixed by The Council of the City, with surety or sureties to be approved by The Council, conditioned for the faithful performance of all of the duties of his office. Failure to give bond within two weeks from the date of his election shall render his election void. In case of a vacancy through failure to give bond or otherwise, The Council shall at once fill the vacancy so caused for the remainder of the term. City Clerk elected at regular city election, biennially
Shall give bond, with surety, to be approved
Failure to give bond in certain time
Council to fill vacancy

CITIES AND TOWNS.

CHAPTER 133.

CITIES AND TOWNS.

AN ACT to amend Section 10 of Chapter 227, Volume 27, Laws of Delaware, entitled "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 all the members elected to each Branch of the Legislature concurring therein):

Chap. 227,
Vol. 27, Laws
of Delaware,
amended

Certain costs
and fees of
Alderman
and Con-
stable paid
by Levy
Court

Section 1. That Section four of Chapter 227, Volume 27, Laws of Delaware, entitled "An Act to Re-incorporate the Town of St. Georges in New Castle County," be and the same is hereby amended by inserting after the figures \$10. at the end of the second paragraph of said Section 10, the following: All costs and fees of said Alderman and Constable for committing such offenders to the Work-house of New Castle County shall be paid by the Levy Court of said County in the same manner as provided as when such commitments are made by a Justice of the Peace.

Approved March 15, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 134.

CITIES AND TOWNS.

AN ACT Altering and Revising the Charter of the City of New Castle by Creating the Office of City Clerk and Designating his Duties.

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 branch thereof):

Section 1. The office of City Clerk for the City of New Castle is hereby created and established. No person shall be eligible for said office who is not a citizen of the State and a resident of the City. Office of City Clerk created

The City Clerk shall be elected by ballot at the regular City election on the second Tuesday in April, A. D., 1915, and thereafter biennially at the regular City election held under the terms of the Charter of the City. He shall serve for the term of two years or until his successor is legally qualified. Such officer shall be voted for in each ward or district, and the person receiving a plurality of the votes cast throughout the City for said office shall be deemed and declared elected. His election shall be ascertained and certified, and he shall qualify by oath or affirmation, as in the case of other City officers. He shall give bond to the corporation in such amount as may be fixed by The Council of the City, with surety or sureties to be approved by The Council, conditioned for the faithful performance of all of the duties of his office. Failure to give bond within two weeks from the date of his election shall render his election void. In case of a vacancy through failure to give bond or otherwise, The Council shall at once fill the vacancy so caused for the remainder of the term. City Clerk elected at regular city election, biennially
Shall give bond, with surety, to be approved
Failure to give bond in certain time
Council to fill vacancy

CITIES AND TOWNS.

Duties and
salary

He shall attend regularly at the office of the City at such regular hours as may be fixed by The Council, and he shall be paid an annual salary to be fixed by The Council, but not less than one thousand dollars nor more than twelve hundred dollars, payable monthly. The above salary shall be in full payment and compensation for the performance of all the duties devolving upon him.

Shall act as
assessor

Section 2. The City Clerk shall act as Assessor for the City and shall make the assessment for the City in each year in accordance with the provisions of Section 19, of Chapter 216, Volume 27, laws of Delaware, entitled "An Act amending, revising and consolidating the Charter of the City of New Castle." He shall perform all the duties laid upon the Assessor under the terms of the said Charter of the City, and the office of Assessor as now existing under the said Charter is hereby abolished.

Failure in
making as-
sessment
shall not in-
validate

In case of delay on the part of the City Clerk in making and posting the assessment in accordance with the Charter of the City through failure to give bond or otherwise, the assessment and collection of taxes shall not be thereby invalidated, but the assessment shall be made and posted, appeals heard and the tax rate fixed and laid as soon as can reasonably be done, and such assessment and levy of taxes shall be legal and valid.

Shall act as
collector of
taxes, with
all rights
and powers

Section 3. The City Clerk shall act as Collector of Taxes, and the office of Collector of Taxes as now provided for by the Charter of the City is hereby abolished. In the collection of said taxes he shall have all the rights, powers and remedies and be subject to all the duties of the Collector of Taxes as provided in Sections 20 and 21 of Chapter 216, Volume 27, Laws of Delaware, entitled "An Act amending, revising and consolidating the Charter of the City of New Castle", it being the purpose and intention of this Act that the rights, powers and remedies for the collection of taxes shall be as they are now or may hereafter be provided for under the Charter of the said City; Provided, however, that all actions, suits and proceedings taken for the collection

Proviso

CITIES AND TOWNS.

of any tax due the City shall be in the name of "The Mayor and Council of New Castle," instead of in the name of the Collector of Taxes as heretofore.

The City Clerk and his sureties shall be liable upon his bond for the collection of all taxes due the City that it may be his duty to collect and that he may be required by the Council to collect, and for the accounting and payment to the City of all moneys received by him.

City Clerk
and sureties
liable for all
taxes

The City Clerk shall act as Collector of Taxes until his successor is qualified when his duties shall cease, it being the intention of this Act that all taxes due and not paid shall be payable to the City Clerk in office when payment is made; Provided, however, that the City Clerk and his sureties shall be liable on his bond for negligence on his part in the collection of taxes, or in carrying out the directions of the Council.

Shall act as
Collector of
taxes until
successor is
qualified

Section 4. The City Clerk shall act as Clerk of The Council, and shall keep the minutes of The Council and the records of the City. He shall perform all the duties heretofore performed by the Clerk of Council, and the office of Clerk of Council as now provided under the Charter of the City is hereby abolished.

Shall act as
Clerk of
Council

Section 5. Nothing in this Act shall be taken to affect in any way the Assessor now in office, or the City assessment heretofore made, or to affect the Clerk of Council or Collectors of Taxes now in office or heretofore elected. 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 heretofore assessed and levied and uncollected shall continue in full force and effect until all of the said taxes shall be fully collected and paid; and the official bonds of said Collectors of Taxes heretofore given shall not be affected or the remedy thereon impaired by this Act, and they and each of them

This act shall
not affect
present As-
sessor, Clerk
of Council
or Collector
of Taxes

CITIES AND TOWNS.

and their surety or sureties shall be and continue liable for any default or breach of the conditions of their respective bonds.

Approved March 12, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 135.

CITIES AND TOWNS.

AN ACT to amend Chapter 216, Volume 27, Laws of Delaware, entitled "An Act Amending, Revising and Consolidating the Charter of the City of New Castle," in relation to the collection of taxes for said City.

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 20 of Chapter 216, Volume 27, Laws of Delaware, entitled "An Act amending, revising and consolidating the Charter of the City of New Castle," be amended by striking out of the fourth paragraph of said Section the words "and the owner or owners of the same, are unknown or cannot be found or ascertained," where they occur in the second and third lines of said paragraph. Chap. 216, Sec. 20, Paragraph 4, Vol. 27, amended

Section 2. That Section 20 of said Chapter 216, Volume 27, Laws of Delaware, be further amended by striking out all of the fifth paragraph of said Section and inserting in lieu thereof the following: "The Collector of Taxes may bring suit to recover the amount of any personal or poll tax or tax on personal property against the person or persons taxed in an action of debt before any Justice of the Peace of New Castle County, when the amount is not more than Two Hundred Dollars, and in the Superior Court of New Castle County, when the amount is over Two Hundred Dollars, and it shall be sufficient to set forth that the action is to recover a specified sum of money, being a tax or taxes assessed against the defendant, and the time of assessment. The right of appeal shall be the same as in other civil actions. If judgment is rendered in favor of the Collector, Sec. 20, Chap. 216, Vol. 27, further, amended Collector of Taxes may bring suit to recover Right of appeal

CITIES AND TOWNS.

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."

Approved March 15, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 136.

CITIES AND TOWNS.

AN ACT to amend an Act entitled "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., being Chapter 219, Volume 27, Laws of Delaware.

WHEREAS, by an Act of the General Assembly, passed at ^{Preamble} Dover, March 31st, 1913, the title to the Market Square and Garden in New Castle was vested to the commission having charge of the old state or Court House, Gaol, Gaol's House Yard, etc., and

WHEREAS, by the same Act of the General Assembly, ^{Preamble} George Gray and John H. Rodney, surviving trustees, were authorized and directed to execute a Deed for the lot described in the preamble of the Act of March 31st, 1913, to certain Trustees and their successors elected under the provisions of Chapter 191, Volume 24, Laws of Delaware; and

WHEREAS, it was intended by said Act that the lot cov- ^{Preamble} ered by the said deed should be the lot described in Section 5 of the preamble of Chapter 219 of Volume 27, Laws of Delaware; and

WHEREAS, John H. Rodney died before the above named ^{Preamble} surviving Trustees had executed said deed; therefore

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

Section 1. That George Gray, surviving Trustee, as re- ^{George Gray surviving Trustee authorized to execute deed} cited in the preamble of the Act of March 31st, 1913, be and he is hereby authorized and directed to execute a Deed

CITIES AND TOWNS.

for the lot recited in Section 5 of said preamble of said 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: David Boulden, Harry G. Cavanaugh, William Deakyne, William J. Ferris and James G. Shaw.

Approved February 26, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 137.

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 Commissioners of the Town of Middle- Preamble
town," were authorized and empowered by an Act of the
General Assembly passed at Dover February 11th, 1895,
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 Six Thousand Dollars, and

WHEREAS, bonds were issued under the authority of said Preamble
act and the amount of bonds outstanding and falling due
March 1, 1915 is Six Thousand Dollars and it is necessary
to borrow the sum of Six Thousand Dollars, for the purpose
of paying off said bonds at maturity,

*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, "The Commissioners of the Town of Commission-
ers of the
town of the
Middletown to
issue bonds;
for what
purpose
Middletown," be and they are hereby authorized and em-
powered for the purpose of redeeming and paying off the
bonds heretofore issued by "The Commissioners of the Town
of Middletown," by virtue of an Act of the General Assem-
bly of the State of Delaware, passed at Dover, February
11th, 1895, to issue the bonds of the said "The Commis-
sioners of the Town of Middletown," to the amount of Six
Thousand Dollars. The bonds shall be of such denomina-
tion as the said "The Commissioners of the Town of Middle-
town" may deem best and shall bear interest at a rate not

Amount of
bonds

CITIES AND TOWNS.

Rate of interest; when and where paid	exceeding six per centum per annum payable semi-annually at any bank or trust company in the Town of Middletown.
Bonds when payable	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 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.
Proviso	
Redemption of bond procedure	
Bonds to be paid consecutively	
May redeem on presentation	
Preparation 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,
Form	
Exempt from tax	
Cancellation of bonds	

CITIES AND TOWNS.

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. ^{Proceeds of sale, with whom deposited} 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, ^{Publication of notice for bids} 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 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 ^{Certified check to accompany bids} 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, ^{May reject 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.

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. ^{To levy special tax for interest} 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 ^{Sinking fund tax} 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 ^{Limiting amount per annum of sinking fund tax}

CITIES AND TOWNS.

Sinking fund
tax to be de-
posited

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.

Approved February 8, A. D. 1915.

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CHAPTER 138.

CITIES AND TOWNS.

AN ACT to Authorize "The Commissioners of the Town of Middletown," to borrow money and issue bonds to secure the payment thereof, for the purpose of providing a sewerage system disposal works 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 all the members elected to each branch of the Legislature concurring therein):

Section 1. That, "The Commissioners of the Town of Middletown," a municipal corporation of the State of Delaware, be and they are hereby authorized and empowered to borrow on the faith and credit of the said Town a sum of money not exceeding Twenty-five Thousand Dollars, which shall be applied, appropriated and expended to build, construct, maintain and operate, under such rules and regulations as the said "The Commissioners of the Town of Middletown" may deem necessary and proper, a sewer system and sewage disposal works, for the use and benefit of the said Town and its inhabitants.

Section 2. That the said "The Commissioners of the Town of Middletown," for the purpose of carrying into effect the provisions of this Act, are hereby authorized and empowered to issue bonds of the said municipal corporation, of such denominations as the said, "The Commissioners of the Town of Middletown," may deem best. Said bonds shall be known as Middletown Sewer Bonds, and shall bear interest at a rate not exceeding six per centum per annum, payable semi-annually on the first days of February and August of each year, at such bank or trust company in the said Town of Middletown, as said municipal corporation

Commissioners of the town of Middletown authorized and empowered to borrow money to construct, maintain and operate a sewer system

Authorized and empowered to issue bonds

Shall be known as Middletown sewer bonds Rate of interest, when and where paid

CITIES AND TOWNS.

Principal, when paid	may designate. The principal of said bonds shall be made payable at the expiration of 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 payment they shall be called consecutively, commencing with the lowest number of the issue, the interest on said bond so called shall cease from the date fixed in the said notice for the redemption thereof, and the said bonds when paid shall be canceled. 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.
Term: when bonds may be redeemed	
Notice of redemption	
Shall be re- deemed con- secutively	
Shall direct preparation, printing and form of bond	Section 3. 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 canceled in such manner as the said "The Commissioners of the Town of Middletown," shall direct.
Exempt from tax	

CITIES AND TOWNS.

Section 4. That the said "The Commissioners of the Town of Middletown" 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. 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 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.

Section 5. 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

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Sinking fund to be deposited

establishing said sinking fund for the redemption of said bonds shall not exceed the sum of Twelve Hundred and Fifty 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.

Authorized and empowered to locate, construct, equip and operate sewer system

Power to lay pipes in any street

To purchase land when necessary

Shall have control of all public pipes

Shall regulate tapping of public sewers

Section 6. That the said "The Commissioners of the Town of Middletown" are hereby authorized and empowered to do all things necessary for the location, erection, construction, equipment and operation of said sewer system and sewage disposal works and to provide for the care and maintenance of the same, and to purchase all such instruments, appliances and supplies, as may be necessary for establishing said sewer system and sewage disposal works in said Town, and for furnishing the citizens and inhabitants thereof with the sewerage facilities and to effect the same, the said "The Commissioners of the Town of Middletown" shall have the power to lay pipes and conduits under or along any of the streets, lanes, or highways of said Town or any road adjacent thereto, and also to construct 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 said "The Commissioners of the Town of Middletown," shall have the supervision and control of all public pipes, sewers and drains within the corporate limits of the said Town of Middletown, and may alter, repair or remove the same, and may cause new mains and sewers to be made and opened. The said "The Commissioners of the Town of Middletown," may cause such 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 "The Commissioners of the Town of Middletown" may deem proper. The said, "The Commissioners of the Town of Middletown," shall make rules regulating the tapping or public sewers by the owners of abutting land, and shall provide for the granting of permits for the same and for the payment of such tapping fees or sewer rental charges as the said "The Commis-

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sioners of the Town of Middletown" 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 Commissioners of the Town of Middletown", are authorized to engage the services of such agents and servants as the said "The Commissioners of the Town of Middletown," may deem necessary for the work herein devolved upon said municipal corporation. Authorized to employ help

Section 8. That the said "The Commissioners of the Town of Middletown," are hereby authorized and empowered to pass such ordinances as they may deem necessary for the operation, management and control of said sewer system and sewage disposal works, and shall grant to all persons and corporations in the said Town of Middletown whomsoever, the privilege of using the said sewers in such manner and on such terms and conditions as to them the said "The Commissioners of the Town of Middletown," may seem just and proper. May pass any necessary ordinances

Section 9. That the said "The Commissioners of the Town of Middletown" shall not, at any time, have authority or power to issue any of said bonds until a special election has been called by the said "The Commissioners of the Town of Middletown," 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 municipal sewer system and sewage disposal works." The said "The Commissioners of the Town of Middletown," are hereby authorized to call and provide for such special election, whenever they 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. Special election before issuing bonds; how called

If the issuing of said bonds should not be approved by a majority of said votes cast at said special election, the said "The Commissioners of the Town of Middletown" are authorized and empowered to call a special election or elections, at any time thereafter, in like manner and for the Time limit for holding special election

Should issue of bonds not be approved at special election, a provision for other special elections

CITIES AND TOWNS.

same purpose, provided that all the Commissioners of the said "The Commissioners of the Town of Middletown," shall deem it expedient to do so, and 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 Commissioners of the said Town of Middletown, the said Commissioners shall be selected and appointed for that purpose by the said "The Commissioners of the Town of Middletown." 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 "The Commissioners of the Town of Middletown," shall elect and appoint some other male qualified voter of the said Town of Middletown. 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, such special election or elections shall be held according to the law governing the annual Town elections of the said Town of Middletown. Due notice of the time and place of such special election shall be given by the said "The Commissioners of the Town of Middletown," by advertisements posted in at least ten public places in the said Town of Middletown at least ten days prior to any such special election. At such election each taxpayer shall have one vote for every dollar and fractional part of a dollar paid by him, her or it respectively as Town tax for the year next preceding said election, and all taxpayers shall have the right to vote at such election in person or by proxy duly signed and witnessed; provided, however, that the owner of real estate at the time of said election shall possess the right of voting the tax upon property acquired during the preceding year; and provided further that poll taxables, who shall have ceased to be residents of the said town, shall not be entitled to vote at said election.

Special elections held according to the law governing annual town elections

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

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shall wilfully receive or consent to receiving an illegal vote, ^{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 ^{Shall be guilty of a misdemeanor} 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 ^{In case a voter shall be challenged for cause} challenged to swear that he or she has paid all the town tax assessed against him 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 ^{Penalty for perjury} guilty of perjury, and suffer all its penalties.

Section 11. That the faith of the said "The Commissioners of the Town of Middletown," is hereby pledged ^{Faith of the town pledged} for the payment of the bonds authorized to be issued under this Act.

Section 12. That this Act shall be deemed and taken to be a public Act.

Approved March 2, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 139.

CITIES AND TOWNS.

AN ACT authorizing The Town of Clayton to borrow money and to issue bonds to secure the payment thereof, for the purpose of establishing water works, or a sewer system, or both, and to control and regulate the same, when so established.

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):

Council of
the town of
Clayton au-
thorized and
empowered
to establish
and maintain
water works
or sewer
system or
both

Section 1. That the Council of The Town of Clayton be and they are hereby authorized and empowered to establish and maintain municipal water works, or a sewer system for said town, or both, as they shall deem advisable.

Council au-
thorized and
empowered
to borrow
money

Section 2. That for the purpose of providing funds to defray the expenses of establishing water works, or a sewer system, or both, as provided in Section 1 of this Act, the said Council are hereby authorized and empowered to borrow upon the faith and credit of the said The Town of Clayton any sum of money not exceeding Twenty Thousand Dollars (\$20,000.00) which they shall deem necessary therefor, and to this end the said Council are hereby authorized and empowered to issue and sell bonds of The Town of Clayton, said bonds to be known as "Clayton Improvement Bonds" to an amount not exceeding in the aggregate the sum of Twenty Thousand Dollars (\$20,000.00).

To issue
bonds not
exceeding
\$20,000

Bonds to be
known as
Clayton im-
provement
bonds

Denomina-
tion of
bonds

Shall fix rate
of interest

The said bonds shall be issued in such denominations as the said Council of The Town of Clayton may deem proper, and shall be numbered consecutively beginning with number one, and shall bear interest at such rate per annum as said Council of The Town of Clayton shall determine,

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not exceeding six per centum per annum, payable semi-annually at The Clayton Bank, at Clayton, Delaware, on the presentation of the coupons attached to such bonds representing the said semi-annual interest.

Interest payable, when, where

The principal of the said bonds shall be payable at the said The Clayton Bank at the expiration of thirty-five years from the date of said bonds, but the said bonds or any of them, may be redeemed at the option of the said Council of The Town of Clayton, at par and accrued interest, at any interest period after the expiration of ten years from the date of said bonds; provided, however, that if the Council of The Town of Clayton shall, at any time, after the expiration of ten years from the date of said bonds, elect to redeem any of said bonds, such redemption shall be made in pursuance of notice signed by the President of said Council of The Town of Clayton and by the Treasurer thereof, published once a week for three consecutive weeks in one daily newspaper published in the City of Wilmington, and in one weekly newspaper published in Kent County, Delaware. Such notice shall indicate the bonds called, and in making such calls the Council of The Town of Clayton shall call the bonds according to their number beginning with the lowest number, and the interest on any of the said bonds shall cease from the date named in any of said calls for redemption.

Principal, when payable, and where

Privilege of redemption

Plan of redemption

Section 3. That the said Council of The Town of Clayton shall direct and effect the preparation and printing and sale of said bonds authorized by this Act, at such time or times and on such terms as the said Council may deem expedient, but all moneys, the proceeds of such sales, shall be applied to carrying into effect the provisions of this Act.

Council shall prepare the bonds, direct and effect sale of same

Section 4. That the form of said bonds with the coupons thereto attached, shall be prescribed by the said Council of The Town of Clayton, and the said bonds shall be signed by the President of The Town of Clayton and by the Treasurer thereof, and sealed with the corporate seal of

Form of bond; how executed

CITIES AND TOWNS.

said corporation, and shall be exempt from State, County and Municipal taxation.

Council shall
direct can-
cellation;
when paid

As the said bonds and coupons thereto attached shall be paid, the same shall be cancelled as the said Council of The Town of Clayton shall direct.

Interest on
bonds to be
raised by
taxation

Section 5. That the said Council of The Town of Clayton are hereby authorized and required to levy and raise by taxation in each year a sum of money sufficient to pay all interest accruing on said bonds or any of them, whilst any of said bonds shall remain unpaid; and the said Council of The Town of Clayton are further authorized and empowered to levy and raise by taxation from time to time such sum or sums as shall be necessary to create a sinking fund adequate for the redemption of said bonds at or before the maturity of all the bonds which may be issued under the provisions of this Act. The taxes for the said interest and for the said sinking fund shall be levied and collected as other taxes in said town are, 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 Council of The Town of Clayton are authorized by any other law to raise by taxation.

To create a
sinking fund
by taxation

Sinking fund
available
only for re-
demption of
bonds

The sinking fund provided for by this Act shall be deposited in The Clayton Bank and shall not be available for any other purpose, but the same may be invested at any time in good interest bearing securities upon the vote of two-thirds of all the members elected to the Council of The Town of Clayton.

May be in-
vested

Faith of the
town pledged

Section 6. The faith and credit of The Town of Clayton is hereby pledged for the payment of all the bonds that may be issued under the provisions of this Act.

Bonds may
be issued at
different
dates

Section 7. 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 Council of The Town of Clayton shall determine.

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Section 8. That if the said Council of The Town of Clayton shall determine to establish a municipal water works under the provisions of this Act, then and in such event the said Council of The Town of Clayton shall be deemed and taken to be authorized and empowered to do all things necessary for the location, erection, construction, equipment and operation of a municipal water works, and of all pipes, mains and conduits, and of all other things necessary to the supplying of water to the inhabitants of the said town of Clayton, and to make, adopt and promulgate all rules and regulations concerning the same, and the use of the water supplied thereby including charges or rentals therefor that the said Council shall deem expedient. The said Council of The Town of Clayton shall have the further power to adopt ordinances prescribing penalties for any injury to the said water works, or any part thereof, or for any abuse of any privilege granted in connection therewith.

Should Council decide to establish water works, said Council shall have full charge and control

Section 9. The said Council of The Town of Clayton shall have power to lay pipes, mains and conduits under or along any of the streets, lanes, or highways, of said town, or any public road extending to said town, 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.

Power to lay pipes in any street in town or road to said town

The said Council shall have all such other and further powers as may be necessary and proper for the establishment, maintenance and operation of a municipal water works, and the equipment thereof, and the repair, alteration and improvement of the same.

Further powers

Section 10. If the said Council of The Town of Clayton shall determine to establish a sewer system under the provisions of this Act, then and in such event the said Council of The Town of Clayton shall be deemed and taken to be authorized and empowered to lay all such sewers, mains, and pipes, as they shall deem advisable, under or along

Should Council decide to establish a sewer system said Council shall have full charge and control

CITIES AND TOWNS.

May use any
streets in
the town or
road extend-
ing to

any of the streets, lanes or highways, of said town, or any public road extending to said town, 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.

Further
power

Section 11. The said Council of The Town of Clayton shall have the further power to do, or cause to be done, any and all acts, matters and things necessary or proper for the establishment and maintenance of an effective sewer system in the said town. The said Council shall have the further power to make, adopt and promulgate all rules and regulations relative to the use of any sewers established under this Act, and the tapping thereof, including the charge or fee therefor, as they shall deem proper, and they may also adopt ordinances prescribing penalties for any injury to the said sewer system, or any part thereof, or for any abuse of any privilege granted in connection therewith.

The said Council of The Town of Clayton shall have the further power to prescribe the material of all private drains or sewers which shall hereafter enter into any municipal sewer and shall direct the manner they shall be laid.

All power
and manage-
ment vested
in Council

Section 12. The entire supervision and control of any water works, or of any sewer system, established under the provisions of this Act, shall be vested in the said Council of The Town of Clayton, and the said Council are given every power necessary or proper for the establishment, maintenance, operation, repair, alteration and improvement thereof.

Authorized
to employ
expert help

Section 13. That the said Council of The Town of Clayton are authorized to engage the services of a practical engineer and such agent and servants as the said Council may deem necessary for the work done under this Act, and to pay them reasonable and proper compensation therefor.

CITIES AND TOWNS.

Section 14. That no water works or sewer system shall be established under this Act, nor any money borrowed for either or both of said purposes, until the borrowing of such money shall be approved at a special election called for that purpose by the Council of The Town of Clayton, as hereinafter provided.

Must be approved at special election; before any money shall be borrowed

Section 15. That if the said Council of The Town of Clayton shall at any time after the approval of this Act, resolve that it is advisable that a municipal water works, or a sewer system, or both water works and sewer system, be established in the said town, then and in such event the said Council shall provide for the submission of the question of the borrowing of money therefor at a special election to be held in said town. Such election shall be held at such time and place as the said Council shall determine. The said Council shall give notice of the same by advertisements posted in ten or more public places in the said town at least ten days before the date of said election. The advertisement shall state the time and place of the election, the amount of money (not exceeding Twenty Thousand Dollars), that the Council propose to borrow, and whether the money so borrowed is to be used for a water works, or for a sewer system, or for both. Such special election 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 the said 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 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 shall be by ballot, upon which shall be printed or written either the words "For Clayton Improvement Bonds", or the words "Against Clayton Improvement Bonds". Except as otherwise provided by this Act, such special election shall be held according to the laws governing the annual town election of the said The Town of Clayton.

Provisions of this Act to be approved by voters at special election

Council shall advertise the holding of the election

Who shall hold the election

Wording of the ballots

CITIES AND TOWNS.

Who may
vote; qual-
ification

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

If a majority
of voters
favor

of assessment shall be considered. If a majority of the votes cast at such special election shall be "For Clayton Improvement Bonds", then and in such event the Council of The Town of Clayton shall be deemed and held to be authorized and empowered to borrow any sum of money not exceeding the sum stated in the advertisement of such special election, and in no event exceeding the sum of Twenty Thousand Dollars (\$20,000.00), and said Council shall further be deemed and held to be authorized and empowered to issue the bonds provided for in this Act, and to do all things proper to be done under the provisions hereof. If a majority of the votes cast at such special

If a majority
of voters
oppose

election shall be "Against Clayton Improvement Bonds", then and in such event the Council of The Town of Clayton shall take no further step under this Act, except that they may at such time or times thereafter, as they shall deem proper, again submit the question of the borrowing of any sum of money, not exceeding Twenty Thousand Dollars

Other special
elections,
when may be
held

(\$20,000.00), to a vote of the taxables of said town at a special election called and advertised as hereinbefore prescribed, provided that not more than two special elections shall be called in any one year under the provisions of this Act.

Illegal vot-
ing or wil-
fully receiv-
ing illegal
vote

Section 16. 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,

CITIES AND TOWNS.

who shall wilfully receive or consent to receiving an illegal vote, or who shall wilfully refuse 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.

A misdemeanor

Penalty on conviction

Section 17. That the Act entitled "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", being Chapter 229, Volume 27, Laws of Delaware, approved March 12, 1913, be and the same is hereby repealed.

Chap. 229,
Vol. 27,
Laws of
Delaware,
repealed

Section 18. This Act shall be deemed and taken to be a public Act.

A public act

Approved March 15, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 140.

CITIES AND TOWNS.

AN ACT appropriating Two Hundred and Fifty Dollars to the Robbins
Hose Company, of Dover, Delaware.

Preamble WHEREAS, Robbins Hose Company, of Dover, Delaware,
(a corporation of the State of Delaware), is an organiza-
tion of Firemen supported by voluntary contributions, and

Preamble WHEREAS, no member of said Company receives any
compensation for services rendered, and

Preamble WHEREAS, valuable buildings are erected in Dover, in-
cluding the State House, State Library—Archives and
Valuable Volumes, State Armory, etc.; and

Preamble WHEREAS, the said Company has recently purchased
a valuable, expensive and modern Auto Fire Engine by the
individual efforts of its members; and

Preamble WHEREAS, the State of Delaware now receives and has
received for more than twenty-five years past fire protection
from the said Company; 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):*

Appropriation to the
Robbins
Hose Com-
pany

Section 1. That the sum of Two Hundred and Fifty
Dollars is hereby appropriated and authorized to be paid
out of the treasury of this State to Robbins Hose Company,
of Dover, Delaware, for the purpose of maintaining its fire
apparatus.

Approved March 15, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 141.

CITIES AND TOWNS.

AN ACT to amend an Act entitled "An Act to re-incorporate the town of Wyoming," being Chapter 182 of Volume 23 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 of the said General Assembly concurring therein):

Section 1. That Section 5 of the Act entitled "An Act to Re-incorporate the Town of Wyoming," being Chapter 182 of Volume 23 of the Laws of Delaware, be and the same is hereby amended by striking out the word "or" appearing in the fifth line of said Section 5, and that the said Section 5 be further amended by inserting between the word "water-drain" and the word "within" appearing in the fifth line of said Section 5 the words, "or sewer."

Sec. 5, Chap. 182, Vol. 23, amended

Section 2. That Section 8 of the Act aforesaid, as said Section 8 was amended by Chapter 226 of Volume 26 of the Laws of Delaware, be and the same is hereby amended by striking out all of the eighth line of said Section 8 and by inserting in lieu thereof the following: "year not exceeding Fifteen Hundred Dollars (\$1500.00), exclusive of dog."

Sec. 8, Chap. 182, Vol. 23, as amended by Chap. 226, Vol. 26, be further amended

Section 3. That the Act aforesaid be further amended by striking out all of Section 9 thereof between the words "Section 9" appearing in the first line of said Section and the words "and shall also" appearing in the sixth line of said Section, and by inserting in lieu thereof the following:

Sec. 9, Chap. 182, Vol. 23, amended

CITIES AND TOWNS.

"That the assessor shall immediately after the annual meeting make a just, true and impartial assessment and valuation of all the real and *person property situated or being within the limits of the said town of Wyoming, which is assessable for public purposes, under the provisions of Section 1098 of the Revised Code of the State of Delaware, being Section 1 of Chapter 44 of said Code, and of all the male citizens residing in said town of the age of twenty-one years, and upwards."

Said Act be
further
amended

Section 4. That the Act aforesaid be further amended by striking out all of Section 11 thereof, and by substituting a new Section 11 in lieu thereof as follows:

Pavements,
making new
or repairing
shall be as
prescribed or
directed by
the Com-
missioners

"Section 11. The said Commissioners shall have power and authority to direct the owner or holder of any lands within the limits of the town of Wyoming to construct new side-walks with pavements thereon and with side curbing thereto, or to alter or repair old side-walks and the pavements thereon and the side curbing thereto, along or in front of said lands; the said side-walk and the pavement thereon and the said side curbing thereto to be constructed, or altered or repaired, as the case may be, at such grade or height and of such breadth and in such manner and of such materials as the said Commissioners shall direct or prescribe. If any such owner or holder of lands shall neglect or refuse, for the space of twenty days after being directed as aforesaid, to construct the said side-walk and to lay the pavement thereon, and to construct the side curbing thereto, as the case may be, in accordance with the said directions, the said owner or holder shall forfeit and pay "The Commissioners of Wyoming," for the use of said town the sum of Five Dollars for each day thereafter during which said work shall remain undone as aforesaid; and also upon the neglect or refusal aforesaid, it shall and may be lawful for the said Commissioners to cause the work aforesaid to be done and to recover the cost of the same, with the penalty above prescribed, in an action of debt, brought in the name of "The Commissioners of Wyoming;" and judgment recovered in favor of said cor-

Daily fine
for refusal

Town may
pave; when

Cost, how
recovered

*personal

CITIES AND TOWNS.

poration, upon entry in the office of the Prothonotary of the State of Delaware, in Kent County, shall be 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; if the aforesaid owner or holder be a non resident of the State of Delaware, the proceedings aforesaid may be by foreign attachment. If the amount claimed does not exceed Two Hundred Dollars, an action of debt to recover the same way be instituted before a Justice of the Peace in Kent County in the corporate name of said corporation, which said judgment may be executed and collected as are other judgments of Justices of the Peace and may be made a lien on the real estate of such owner or holder in the County in the same manner as other judgments of a Justice of the Peace may be made such lien.

Approved March 13, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 142.

CITIES AND TOWNS.

AN ACT to amend Chapter 236, Volume 27, Laws of Delaware, entitled "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 6th, 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):

Chap. 236,
Vol. 27,
amended by
inserting
the word
"sixteen"

Section 1. That Chapter 236, Volume 27, Laws of Delaware, be, and the same is hereby amended by striking out the word "Twelve" in the fourth line of Section 1 thereof, and inserting in lieu thereof the word "Sixteen."

Approved February 26, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 143.

CITIES AND TOWNS.

AN ACT to Amend Chapter 237, Volume 27, Laws of Delaware, entitled "An Act to amend an Act, entitled 'An Act to reincorporate 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):

Section 1. That Chapter 237, Volume 27, Laws of Delaware, be, and the same is hereby amended by striking out <sup>Chap. 237,
Vol. 27,
amended</sup> all of Section 2 of said Act.

Approved March 8, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 144.

CITIES AND TOWNS.

AN ACT to Amend an Act entitled, "An Act to Incorporate the Town of Little Creek by Increasing the 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. 16, Chap.
283, Vol. 21
amended

Section 1. That Chapter 283, Volume 21, Laws of Delaware, entitled, "An Act to Incorporate the Town of Little Creek", be and the same is hereby amended by striking out all of said Section 16 thereof, and inserting in lieu thereof the following:

Control of
all streets
and roads

"Section 16. 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 three 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 County."

Appropriation by the
Levy Court

CITIES AND TOWNS.

Section 2. The increased appropriation from seventy-five dollars to three 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 Little Creek shall be the sum of seventy-five dollars annually.

Appropriation in-
creased for
limited time
only

Approved March 15, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 145.

CITIES AND TOWNS.

AN ACT authorizing the Town Commissioners of Frederica to borrow money and issue Bonds to secure the payment thereof for the purpose of establishing and maintaining, or acquiring in any manner a Water Plant for the Town of Frederica 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 all the members elected to each branch thereof concurring therein):

Council au-
thorized to
borrow
money

For what
purpose

Section 1. That the Town Commissioners of Frederica be and it is hereby authorized and empowered to borrow on the credit of the Town of Frederica a sum of money not exceeding Fifteen Thousand Dollars (\$15,000.), which shall be applied, appropriated and expended for the purpose of establishing, maintaining, purchasing or acquiring a Water Plant and appurtenances thereto for the Town of Frederica.

Bond issue

Maximum
rate of
interest

Bonds, when
payable

The Town Commissioners of Frederica for the purpose of carrying into effect the provisions of this Act shall have power and authority to issue Bonds of the Town of Frederica of such denomination as it shall deem best, bearing interest at a rate not exceeding five per centum per annum, payable semi-annually at such Bank or Trust Company as the Town Commissioners of Frederica shall designate. The Principal of such Bonds shall be payable in thirty years from the date of the issue thereof.

Council to
prepare
bonds

Section 2. The Town Commissioners of Frederica shall direct and effect the preparation and printing of the Bonds which shall be signed by such officers as it may by resolution designate and shall be sealed with the corporate

CITIES AND TOWNS.

seal of the corporation; and such Bonds shall be exempt from all State, County and Municipal taxation. ^{Exempt from tax}

As the said Bonds and coupons thereon are paid the same shall be cancelled in such manner as the Town Commissioners of Frederica shall direct and the Town Commissioners of Frederica shall negotiate the sale and delivery of the same and the proceeds of the sale thereof shall be deposited with the Treasurer of the Town Commissioners of Frederica and shall be drawn out and appropriated by warrant of the Town Commissioners of Frederica the form of which shall be as prescribed by the Town Commissioners of Frederica. The Town Commissioners of Frederica shall make a special deposit of said money so arising from the sale of said Bonds and none of such money shall be used or appropriated for any other purpose or object than to carry out the provisions of this Act. ^{Council to negotiate sale of bonds}
^{Money from sale of bonds to be used for certain purpose}

Section 3. The Town Commissioners of Frederica is authorized to levy upon the persons and property of persons now subject to assessment by the Charter of the Town of Frederica annually a special tax sufficient to pay the interest accruing on said Bonds which the rents and revenues derived from the said Water Plant may be inadequate to meet and to provide a sinking fund for the payment of the Bonds at the maturity thereof, provided that this special tax shall not exceed the sum of Six Hundred Dollars (\$600.) in any one year. ^{To levy a special tax}
^{To provide a sinking fund}

Section 4. The sinking fund provided for by this Act shall be deposited in some Bank or Trust Company as the Town Commissioners of Frederica may by resolution designate or may be invested by the Town Commissioners of Frederica until such time as it may be needed for the redemption of the Bonds on such surety as the Town Commissioners of Frederica by resolution may approve. The Treasurer or other person acting as Treasurer of the Town of Frederica shall give additional Bond with sufficient surety for such sum as the Town Commissioners of Frederica may determine. ^{Care of the sinking fund}
^{Treasurer to give additional surety bond}

CITIES AND TOWNS.

Faith of the
town
pledged

Section 5. The faith of the Town of Frederica is hereby pledged for the payment of the Bonds authorized to be issued under this Act.

Empowered
to pass cer-
tain ordi-
nances for
operation,
management
and control
of water
works

Section 6. The Town Commissioners of Frederica is hereby authorized and empowered to pass such ordinances as it may deem necessary and proper for the operation, management and control of the Water Plant to be established or acquired and the distribution of the water through the streets, lanes and alleys of the Town of Frederica and the regulation of its use in case of fire; and shall grant to all persons in said Town the privilege of using the said water in such manner and on such terms and conditions as may be deemed just and proper. The Town Commissioners of Frederica shall by ordinances 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 shall keep an accurate record of all the business transacted by the Town Commissioners of Frederica in relation to the operation and management of said Water Works.

Power to
impose fines
and penalties

The Town Commissioners of Frederica shall have power to impose fines and penalties for the violation of any ordinances passed by it touching the operation, management and control of such Water Works.

Penalty for
obstructing
or polluting
the water

Section 7. Any person designedly or negligently injuring the said Water Plant 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 the Town Commissioners of Frederica a fine not exceeding One Hundred Dollars to be recovered by the Town Commissioners of Frederica before any Justice of the Peace in Kent County.

CITIES AND TOWNS.

Section 8. In case a Water plant or Water Works shall not be established and equipped for service or acquired, or purchased, within two years from the approval of this Act, this Act shall be null and void.

Limit of
time of this
Act to es-
tablish a
water plant

Approved March 8, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 146.

CITIES AND TOWNS.

AN ACT to amend Chapter 186, Vol. 23, Laws of Delaware, being an Act entitled "An Act to Incorporate the Town of Ellendale," passed at Dover March 30, A. D. 1905, by regulating the amount to be raised in the Town of Ellendale, and to regulate the sum that the Levy Court of Sussex County shall annually appropriate for the repairs of the roads and streets 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 all the members elected to each branch thereof concurring therein:

Sec. 5, Chap.
186, Vol. 23,
amended

Section 1. That Section 5, Chapter 186, Vol. 23, Laws of Delaware, as amended, be hereby amended by striking out in line 4 thereof, between the words "exceeding" and "hundred," the word "two" and inserting in lieu thereof the word "three."

Sec. 8, Chap.
186, Vol. 23,
amended

Section 2. That Section 8, Chapter 186, Vol. 23, Laws of Delaware, as amended, be hereby amended by striking out in line 8 thereof, after the word "of" in the seventh line of said Section, and before the word "Hundred" in line 8 of said Section, the word "two" and insert in lieu thereof the word "three."

Approved March 13, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 147.

CITIES AND TOWNS.

AN ACT to Amend Chapter 238, of Volume 26, Laws of Delaware, entitled "An Act to Re-incorporate the Town of Georgetown," by providing for the Taxation of Telegraph and Telephone Companies 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 all the members elected to each Branch thereof concurring therein):

Section 1. That Section 17 of Chapter 238, of Volume 26, Laws of Delaware, be, and the same is, hereby amended by inserting at the end of the first paragraph of said Section 17, the following:—The assessor shall enumerate the poles owned or used by any Telegraph or Telephone Company doing business in the Town of Georgetown, and Town Council of Georgetown is hereby authorized and empowered to levy upon each pole so as aforesaid enumerated a tax; provided the same shall not exceed the sum of One Dollar for each pole so as aforesaid enumerated and returned by the assessor as being owned or used by any Telegraph or Telephone Company, and provided that this act shall not apply to telegraph and telephone poles erected on land exempt by law from assessment and taxation.

Sec. 17, Chap.
238, Vol. 26,
amended

Assessor to
ascertain
number of
poles

Council to
levy tax

Poles
exempt

Approved March 13, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 148.

CITIES AND TOWNS.

AN ACT to Amend Chapter 238, Volume 26, Laws of Delaware, entitled "An Act to Re-incorporate the Town of Georgetown," by providing for the Recovery of Amounts due the Town in cases of Compulsory Paving.

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 concurring therein):

Sec. 11, Chap.
238, Vol. 26,
amended by
adding new
paragraph

To recover
judgment on
paving costs
of work hav-
ing been
done by
Town
Council

Section 1. That Section 11, of Chapter 238, Volume 26, Laws of Delaware, be, and the same is, hereby amended by adding a new paragraph to said Section 11, as follows:—
"In addition to the remedies herein above given it shall be lawful for Town Council of Georgetown to institute suit before any Justice of the Peace residing in the Town of Georgetown, and in an action of debt to recover judgment for the amount of any paving bill incurred by Town Council of Georgetown under the provisions of this Section, and execution may be issued thereon as in case of like judgment before a Justice of the Peace. This provision shall apply to all persons who are, or shall be, indebted to Town Council of Georgetown for or by reason of work or labor done or expense incurred in the paving of any property in the Town of Georgetown."

Approved March 13, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 149.

CITIES AND TOWNS.

AN ACT to amend Chapter 220 of Volume 24 Laws of Delaware, entitled "An Act to Re-incorporate the Town of Lewes," changing the Boundaries of said Town and further Regulating the election of Commissioners.

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 Section 1, of Chapter 220, of Volume 24 Laws of Delaware, entitled "An Act to Re-incorporate the Town of Lewes", be and the same is hereby amended by striking out all of the first paragraph of said Section 1 and inserting in lieu thereof the following: That the limits and bounds of the town of Lewes shall be as follows: Beginning at a point on the Bay shore at the mouth of Broadkln River and following said river to a point where the Lewes River intersects; thence following said Lewes River until it reaches the mouth of Canary Creek; thence following said Canary Creek until it intersects a line drawn from Greenhill Light-house to a point on the Southwest side of Block House Pond and Market Street; thence following said Market Street until it strikes a division line between the lands of Sarah C. Wright and Eliza Metcalf; thence following said division line to South Street; thence running the same course between the lands of Dr. Hiram R. Burton and Virginia L. Mustard across King Street to a point in George Robinson's field about five hundred feet from King Street; thence in an Easterly direction until it strikes the division line between the lands of Robert Arnell and lands formerly of Dr. David Hall; thence following said course until it strikes a ditch through Miss McIlvaine's lands, following said ditch to Lewes Creek; thence following said Creek in a Southeasterly direction until it strikes the former cor-

Sec. 1, Chap.
220, Vol. 24,
amended

Corporate
limits

CITIES AND TOWNS.

poration line; thence following said line to the Bay shore, thence following the low water mark along said Bay shore to the place of Beginning.

Paragraph 2,
Sec. 2, Chap.
220, Vol. 24,
amended

Section 2. That Chapter 220 Volume 24, Laws of Delaware, be further amended by inserting between the word "of" and the word "their" in the twenty-eighth line of the second paragraph of Section 2 of said chapter the following words: "the said town of Lewes for". And further amend said Section 2 by striking out the words "their respective districts" in the sixth line of the third paragraph of said Section 2, and inserting in lieu thereof the words "the town of Lewes".

Approved March 12, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 150.

CITIES AND TOWNS.

AN ACT ratifying, approving and confirming a certain agreement executed by the Commissioners of Lewes and The Delaware, Maryland and Virginia Railroad Company, relative to certain lands near Lewes, Delaware.

WHEREAS, The Delaware, Maryland and Virginia Railroad Company, by authority conferred by Chapter 354, Volume 11, Laws of Delaware (passed February 13, A. D. 1857) and by authority conferred by Chapter 142, Volume 15, Laws of Delaware (passed March 4, A. D. 1875) claimed the right to hold, use, occupy and enjoy certain lands commonly called shore, cape or marsh lands, in or near the town of Lewes, Sussex County, and State of Delaware, and

Preamble

WHEREAS, the said Railroad Company, in the month of July, A. D. 1883, caused the said lands mentioned in the first Act hereinbefore referred to, to be re-surveyed, and also caused the lands mentioned in the second Act hereinbefore referred to, to be surveyed; and caused a plot of both parcels of said lands, with a full and complete description of each, together with a duly certified copy of the proceedings of the board of directors of said Railroad Company relating thereto, to be recorded in the office of the Recorder of Deeds at Georgetown, in and for the County of Sussex and State of Delaware, on the twenty-fourth day of July, A. D. 1883, all of which now remains of record in the office of said Recorder of Deeds in Deed Record B. Y., No. 98, Folio 140, etc., and

Preamble

WHEREAS, the said Commissioners of Lewes also claimed all of said lands hereinbefore referred to, by authority conferred upon it by Chapter 220, Volume 24, Laws of Delaware (approved April 11, A. D. 1907) and filed in the Court of Chancery of the State of Delaware in and

Preamble

CITIES AND TOWNS.

for Sussex County, its Bill of Complaint to obtain possession of both of said tracts of land, and

Preamble

WHEREAS, the said Railroad Company and the said Commissioners of Lewes have compromised, adjusted and settled their differences relative to the said lands as evidenced by a certain agreement dated the eighth day of March, A. D. 1915, and executed and delivered by them, therefore,

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:

Agreement
ratified

Section 1. That the said agreement executed by the said Railroad Company and the Commissioners of Lewes, be and the same is hereby ratified, approved and confirmed, and the right of the said Railroad Company, and its predecessor, The Junction and Breakwater Railroad Company, of entering upon, holding, using, occupying and enjoying the two tracts of land mentioned in said agreement, one containing about twenty-seven acres and eight hundred and ninety-nine one-thousandths of an acre, and the other containing about thirty-nine acres and eight hundred and fifteen one-thousandths of an acre, be and the same is hereby ratified, approved and confirmed; and in addition to the right of the said The Delaware, Maryland and Virginia Railroad Company to enter upon, hold, use, occupy and enjoy said two tracts of land last hereinbefore mentioned, it shall also have the right to enter upon, hold, use, occupy and enjoy any portion of the harbor of the Delaware Breakwater, contiguous to said two tracts of land last hereinbefore mentioned for the use and benefit of said The Delaware, Maryland and Virginia Railroad Company, and thereon, and on said two tracts of land last hereinbefore mentioned to make and construct such piers, wharves, docks, roads, houses and other needful buildings, structures and improvements as may be conducive to the interests and objects of the said The Delaware, Maryland and Virginia Railroad Company.

Additional
rights

CITIES AND TOWNS.

PROVIDED, NEVERTHELESS, that nothing in this Act shall ^{Proviso} be construed to authorize the said The Delaware, Maryland and Virginia Railroad Company to unnecessarily diminish or obstruct the navigation of any part of the harbor of the said Delaware Breakwater. The remainder of said lands described in said plot recorded as aforesaid in the office of the said Recorder of Deeds in Deed Record B. Y. No. 98, Folio 140, etc., and not embraced in said two tracts, (one containing about twenty-seven acres and eight hundred and ninety-nine one-thousandths of an acre, and the other containing about thirty-nine acres and eight hundred and fifteen one-thousandths of an acre), as described in said agreement, shall be vested in the said Commissioners of Lewes under the same terms and conditions as are provided by said Act of Assembly, approved April 11, 1907, being Chapter 220, Volume 24, Laws of Delaware, by which certain other lands are vested in the said Commissioners of Lewes. ^{Rights of other lands vested in Commissioners of Lewes}

Approved March 12, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 151.

CITIES AND TOWNS.

AN ACT to Amend Chapter 649, Volume 18, Laws of Delaware, being an Act entitled "An Act to incorporate the Town of Ocean View, in Sussex County, Delaware," by authorizing the Town of Ocean View to borrow One Thousand Dollars and to Issue Bonds to secure the payment thereof.

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 concurring therein):

Chap. 649,
Vol. 18, Laws
of Delaware,
amended

Section 1. That Chapter 649, Volume 18, Laws of Delaware, be, and the same is hereby amended by adding to said Chapter a new Section to be known as Section 25, as follows:—

Council au-
thorized and
empowered
to borrow
money

"Section 25. The Council of the Town of Ocean View is hereby authorized and empowered to borrow upon the faith and credit of the said Town a sum of money not to exceed the sum of One Thousand Dollars and to issue Bonds to secure the payment thereof.

Amount
Issue bonds

Money shall
be used for

The money so borrowed shall be used for the maintenance and repair of streets, for lighting of the Town and for such other corporate needs and purposes as the said Council shall by resolution determine.

Bonds pre-
pared, form,
interest, re-
demption,
registration

The Bonds shall be prepared under the direction of said Council and shall have such form and bear such rate of interest not to exceed the legal rate, and may contain such provisions for redemption before maturity, registration and have such date of maturity as the said Council may determine.

CITIES AND TOWNS.

The said Bonds shall be sold as and when the Council ^{Bonds to be sold} may determine and upon such terms as shall be most advantageous for the Town of Ocean View.

The Council of the Town of Ocean View is hereby authorized and empowered to impose and levy a special tax upon ^{Special tax} the persons and the property of persons subject to assessment for the purpose of defraying the annual interest upon said Bonds and an adequate sinking fund for the redemption thereof at maturity, provided, that the said special tax shall not in any one year exceed the sum of Two Hundred Dollars." ^{Sinking fund}

Approved March 8, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 152.

CITIES AND TOWNS.

AN ACT to amend an Act entitled "An Act to Re-incorporate the Commissioners of Rehoboth," being Chapter 240, Volume 26, Laws of Delaware, by increasing the amount of tax which may be levied and collected by the said The Commissioners 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):

Sec. 13, Chap.
240, Vol. 26,
amended

Section 1. That Chapter 240, Volume 26, Laws of Delaware, be and the same hereby is amended by striking out of line four in section 13, the word "four", following the word "year" in said line four of said section 13, and inserting in lieu thereof the word "seven"; and that the said Chapter 240, Volume 26, Laws of Delaware, be further amended by striking out of line twenty-six in section 15, the word "four" between the words "of" and "thousand" in said line twenty-six, and inserting in lieu thereof the word "seven."

Sec. 15, Chap.
240, Vol. 26,
amended

Approved February 26, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 153.

CITIES AND TOWNS.

AN ACT to amend an Act entitled "An Act to Re-incorporate the Commissioners of Rehoboth," being Chapter 240 of Volume 26, Laws of Delaware, by giving the Commissioners of Rehoboth power and authority, under certain conditions, to vacate a Street or Avenue known as Surf Avenue in the Town of Rehoboth; and by giving the said The Commissioners of Rehoboth power and authority to determine and establish Bulkhead, Curb and Building lines along said Avenue, and to compel the owners of Real Estate fronting thereon to erect and maintain Bulkheads, Curbing and Terracing along said Avenue in front of their respective properties.

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 240 of Volume 26, Laws of Delaware, entitled "An Act to Re-incorporate The Commissioners of Rehoboth," be and the same hereby is amended by adding to section 12 thereof the following: "That if at any time by reason of the encroachment of the ocean, or for any other cause, it becomes necessary or expedient in the judgment of the said The Commissioners of Rehoboth, to vacate and abandon the street or avenue in said town of Rehoboth running parallel to and along the Atlantic Ocean, known as Surf Avenue, the said The Commissioners of Rehoboth may by resolution and proclamation posted in five or more of the most public and conspicuous places in the town of Rehoboth, or advertised in such other manner as to the said The Commissioners of Rehoboth may seem wise, vacate and abandon all or any portion of said Surf Avenue as a street, and close the same to vehicular traffic. And the said The Commissioners of Rehoboth shall have full power and authority to determine and establish bulkhead, curb and building lines along said Surf Avenue, and to compel the owners of real estate fronting or abutting

Chap. 240,
Vol. 26,
amended

Commis-
sioners may
abandon
Surf Avenue

Power to es-
tablish bulk-
head and
building and
curb line

CITIES AND TOWNS.

Further
powers

on said Surf Avenue to erect and maintain good, adequate and sufficient bulkheads, curbing and terracing along and in front of their respective properties; and may prescribe the materials to be used in the construction of the same, and the manner in which they shall be constructed. And in order to enable the said The Commissioners of Rehoboth to enforce the foregoing provisions relative to the building, constructing and maintaining of said curbing, terracing and bulkheads, it, the said The Commissioners of Rehoboth, shall be and hereby is clothed with and given the same power and authority as it is clothed with and given by the provisions of said section 12 of Chapter 240, Volume 26, Laws of Delaware, with relation to the building and maintaining of pavements in said town of Rehoboth; and all the provisions of said section 12 of Chapter 240, Volume 26, Laws of Delaware, shall be and they hereby are made to apply with like force to the construction, repair and maintenance of the curbing, terracing and bulkheads in front of and along properties fronting on said Surf Avenue as herein provided."

Approved March 12, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 154.

CITIES AND TOWNS.

AN ACT authorizing the Commissioners of Rehoboth to borrow money and issue bonds to secure the payment thereof for the purpose of improving and protecting the streets and ocean front of 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 all the members elected to each house concurring therein):

Section 1. That the Commissioners of Rehoboth, a municipal corporation of the State of Delaware, is hereby authorized and empowered to borrow on the faith and credit of the town of Rehoboth the sum of Twenty Thousand Dollars (\$20,000.00), for the purpose of repairing and permanently improving the streets and ocean front of the said town of Rehoboth.

Authorized and empowered to borrow on the faith of the town

Section 2. For the purpose of carrying into effect the provisions of this Act, the said The Commissioners of Rehoboth is hereby authorized and empowered to issue bonds of the said municipal corporation to the amount of Twenty Thousand Dollars (\$20,000.00); 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 six per centum per annum, payable semi-annually. Said bonds shall be numbered consecutively from one to forty and the principal of the same shall be payable at a time not less than five years and not exceeding thirty years from the date of their issue, the exact date of payment to be determined by The Commissioners of Rehoboth.

To issue bonds

Limit of amount
Denominations
Rate of interest not to exceed
Bonds numbered consecutively
Principal, when payable

Section 3. The said The Commissioners of Rehoboth shall prescribe the form of the said bonds, determine the date of issue of the same, and the rate of interest thereon,

Commissioners to prescribe form of bond

CITIES AND TOWNS.

To effect the publishing, printing, negotiating sale and delivery, receive proceeds, and apply same

Execution of bonds

direct and effect the publishing 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 and the Secretary of said The Commissioners of Rehoboth, and shall be sealed with its corporate seal.

Commissioners authorized and empowered to levy and collect annually a tax for paying of interest on and principal of bonds

Section 4. For the purpose of raising funds necessary for the redemption of said bonds and the payment of the interest thereon, the said The Commissioners of Rehoboth is hereby authorized, empowered and directed to levy and collect annually in the same manner as other town taxes in said town of Rehoboth are levied and collected, such further sum of money as shall be necessary and sufficient to meet the interest of said bonds as the same shall accrue, and to pay the principal of said bonds when due.

Faith of the Commissioners pledged

Section 5. The faith and credit of the said The Commissioners of Rehoboth are hereby pledged for the payment of the bonds authorized to be issued under this Act.

Approved February 26, A. D. 1915.

CITIES AND TOWNS.

CHAPTER 155.

CITIES AND TOWNS.

AN ACT to incorporate the Town of Blades.

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 concurring therein):

Section 1. That the limits, streets, alleys, lanes and side-walks of the Town of Blades in Sussex County, shall be and they are hereby declared to be established as follows: Beginning at a point on the Southern side of the Nanticoke River at the property line of the Delaware Division of the Pennsylvania Railroad; thence running by and with said river to the Eastern line of the property known as the Jacob Morgan property; thence South with the said Jacob Morgan property line to a white oak standing in the field at a corner known as the Hall & Tull's line; thence from said white oak in a South-westerly direction to the boundary of the Mechanic's Cemetery; from thence in a straight line to the Delaware Division of the Pennsylvania Railroad; thence Northerly, by and with said railroad, to the place of Beginning. And the Council of the Town of Blades may at any time hereafter cause a survey and plot to be made of the said Town as its limits are established by this act, and the said plot when so made and approved by the said Council shall be recorded in the Recorder's Office in and for Sussex County, and shall be evidence in all courts of law and equity in this State.

Section 2. There shall be a Council of the Town of Blades to be composed of five members, one of whom shall, by said Council, be chosen President of said Council for the term of one year, or until his successor shall be elected. The Councilmen to serve for one year or until their successors

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Commissioners named, and term of office	shall be elected and qualified are as follows:—Thomas F. Allen, James E. Lloyd, Samuel J. Moore, Luther H. Clifton and George F. Marine. The Mayor to serve for one year or until his successor shall be elected and qualified shall be Henry C. Riffin. On the first Monday in March, A. D. 1916, an election shall be held at the store house of Samuel J. Moore in the Town of Blades, or at such other place as may be designated by the present Council of the Town of Blades, at which said election a Mayor and five Councilmen shall be elected by the qualified electors of the said Town of Blades. The Mayor chosen at such election shall be elected for the term of one year, or until his successor shall be elected and qualified; and three of the Councilmen voted for at said election shall be elected for the term of two years, or until their successors are elected and qualified; and two of said Councilmen shall be elected for the term of one year, or until their successors are elected and qualified; and thereafter on the first Monday in March of each and every year a Mayor shall be elected for the term of one year, and Councilmen shall be elected for the term of two years, to succeed those whose terms have expired. The Mayor and each of said Councilmen shall be resident freeholders of said Town of Blades, but any married man resident of said Town whose wife is a freeholder therein may be elected Mayor or Councilman, although he may not be the owner in his own right of any real estate within said Town. The election shall be opened at one o'clock P. M., and closed at four o'clock P. M. At such election every male person of said Town of Blades of the age of twenty-one years or upwards, who shall have paid the Town tax last assessed to him or who shall have become a citizen of said Town since the last previous assessment of taxes of said Town; and every female person of said Town of the age of twenty-one years or upwards, who is a freeholder in said Town, and who shall have paid the Town tax last assessed to her, or who shall have become a freeholder in said Town since the last previous assessment made in said Town, shall have the right to vote for Mayor, Councilmen and all other elective officers of said Town.
Mayor named and term of office	
Election, when and where held	
Terms of office as elected	
Qualifications of Mayor and Council	
Hours of election	
Qualification of male electors	
Qualification of female electors	

CITIES AND TOWNS.

The election to be held on the first Monday in March, A. ^{Judges of elections} D. 1916, shall be held in the said Town of Blades by three members of the Council to be chosen by the Council, but all subsequent elections shall be held and conducted by such persons as the holding over members of the said Council shall designate, either from among themselves or among the taxables of the said Town of Blades. Immediately after the election shall be closed the votes shall be counted, and the person or persons resident in said Town having a plurality of votes shall be declared elected. But in case the vote for Mayor, Councilman or other officer to be chosen at such election shall be a tie, then the Judge or presiding ^{Tie vote} officer of said election shall cast the deciding vote. After the result of the election shall have been ascertained, the election officers shall make out certificates of election and ^{Certificates of election} deliver one to the Mayor elect and to each Councilman elect, which said certificates shall be delivered to the Secretary of the Council at the first regular meeting after such election.

Before entering upon the duties of their respective offices ^{Oath of office} the Mayor elect and Councilmen elect shall be sworn by one of the holding over members of the Council of said Town of Blades, to perform the duties of their respective offices with fidelity. If any of the officers chosen and designated to conduct such election shall not be present at the time designated ^{Vacancies} for the holding of said election, it shall be lawful for the qualified voters present at the place of holding said election to elect, from among themselves, a person or persons to fill the vacancy or vacancies in such election board caused by the absence of such person or persons.

A minute of such election containing the names of the ^{Minutes of election} Mayor and Councilmen chosen thereat shall be entered immediately after said election in a book provided for that purpose and subscribed by the persons holding said election. Such book shall be preserved by the Town Council, and shall be evidence. If any vacancy shall occur in the ^{Vacancies} office of Mayor or Councilman by death, resignation or removal from the Town, refusal to serve, failure to elect or

CITIES AND TOWNS.

otherwise, the same may be filled by the Council of said Town. The person or persons so chosen to fill such vacancy or vacancies shall be qualified as hereinbefore provided, and shall hold office until the next annual election, when such vacancy or vacancies shall be filled for the remainder of the unexpired term.

Compensation for attendance

Each of the Councilmen of the Town of Blades shall be allowed, for his service, the sum of Fifty Cents for each regular monthly meeting of said Council in full compensation therefor; provided that no Councilman shall receive pay for any of said regular meetings which he does not attend.

Duties of the Mayor

Section 3. It shall be the duty of the Mayor to execute all laws enacted for the government of said Town, and to carry into effect all the orders and directions of the Town Council made in pursuance of any law of this State or of any ordinance that the said Town Council may legally make and establish; he shall have all the powers of a Justice of the Peace within the Town, and shall have jurisdiction and cognizance of all breaches of the peace and other offenses in the said Town, so far as to arrest and hold to bail or fine and imprison offenders, and also of all fines, forfeitures and penalties which may be prescribed by any law of this State or by any ordinance of the Town Council regularly passed and established for the government of the Town, and also all neglects, omissions or defaults of any Town constable, collector, assessor, treasurer, town clerk or any other officer or person whose duty it may be to collect, receive, pay over or account for any money belonging to said Town, or to execute or enforce any law or ordinance thereof; provided that he shall not impose any fine exceeding Twenty-five Dollars or have jurisdiction in civil matters. His fees for any service under this Section shall be the same as those of a Justice of the Peace for a like service, and for any service or duty for which no fee may be provided by law, the fee may be established by ordinance of the Town Council. He shall deliver to his successor in office within two days after the election of his successor, all books and papers

Limit of fine

Fees of Mayor

Shall deliver to successor all books and papers

CITIES AND TOWNS.

belonging to his office, and shall pay over to the Treasurer ^{Pay to treasurer} of the Town all moneys in his hands belonging to the Town, within five days after he vacates his office; upon his neglect or failure to pay over to the Treasurer of the Town, within the time aforesaid, all moneys belonging to the Town, he ^{Failure to do so a misdemeanor} shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than Twenty, nor more ^{Penalty on conviction} than One Hundred Dollars.

Section 4. The Mayor shall issue and sign all licenses ^{Mayor to issue and sign licenses} for every exhibition within the Town of Blades for which by Section 1, Chapter 51 of the Revised Code, a license is required, and shall collect the fees for the same; he shall at ^{Collect fees} every stated meeting of the Town Council, report to the Council all fines and penalties imposed by him, and fees for ^{Report to Council} licenses collected by him since their last meeting, and pay to the Treasurer of the Town of Blades all such fines, penalties and fees received by him during the said time, and in default of making such report or paying such fines, penalties and fees for a period of twenty days after such report ^{Default in reporting and paying a misdemeanor} should be made and such fines, penalties and fees should be paid as aforesaid, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less ^{Penalty upon conviction} than Twenty nor more than One Hundred Dollars.

Section 5. The President of Council shall preside at all ^{Duties of the president} meetings of the Council, appoint all committees, receive complaints of nuisances, and other complaints of citizens of violations of laws and ordinances, and present the same to the Council at their first meeting thereafter for their action, and such infraction or violation of the law or ordinances as requires immediate action to cause the same to be proceeded on before the Mayor. He shall sign all warrants on the Treasurer for the payment of any money, and shall perform such other duties as may be prescribed by any ordinance of the Town Council.

Section 6. The Councilmen, as hereinbefore provided ^{The Councilmen may sue and be sued} for, shall be and they are hereby created a body politic and corporate in law and equity, and shall be able and capable

CITIES AND TOWNS.

Corporate
seal

to sue and be sued, plead and be impleaded, in Courts of law and equity in this State, by the corporate name of "The Town of Blades," and shall have a corporate seal, which they may alter, change, or renew at their pleasure; and may purchase, take, hold, and enjoy lands, tenements and hereditaments in fee simple or otherwise, and also goods and chattels, rights and credits, alien, grant, demise and dispose of the same as they may deem proper, and may do all other things which a body politic and corporate may lawfully do to carry out and effect the objects and purpose of this Act.

Oversight
of roads and
streets

Section 7. The Councilmen for the time being shall have the superintendence and oversight of all the roads and streets now open or hereafter to be opened within the limits of said Town; and no overseer of any such roads or streets shall be appointed by the Levy Court of Sussex County, but said Levy Court shall annually appropriate for the repair of said roads and streets a sum of money not less than Three Hundred Dollars, and shall make an order for the payment thereof to the Treasurer of the Town of Blades, for the use of said Town; the said sum annually appropriated by the said Levy Court of Sussex County to be used exclusively for the purpose of repairing and improving the streets of said Town.

Appropriation by the
Levy Court
for use of
streetsPower to
open or
widen streets
on petition

Section 8. The Town Council shall have power, upon the application of ten citizens of the Town, by petition for the purpose, to locate, lay out and open any new street or streets, lane or lanes, alley or alleys, or widen any street, lane, or alley heretofore laid out or hereafter to be laid out in said Town, or reopen any old street or streets, lane or lanes, 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 or over whose lands such street or streets, lane or lanes, alley or alleys may pass, such compensation therefor as they shall deem just and reasonable under all circumstances; which compensation, if any

Compensation allow-
able, when

CITIES AND TOWNS.

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 Council aforesaid. Paid by Treasurer

Section 9. Whenever the Town Council 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 a street, lane or alley may run, of their determination to open and widen the same, and to furnish a general description of the location thereof; also the amount of the compensation or damages 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 Town Council 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 written notice upon the President of the Council of the Town of Blades to the effect that he or she is dissatisfied with the amount of said compensation or damages, and that it is his or her intention to 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 in order to prosecute said appeal such owner shall within fifteen days after serving said notice upon the President of Council as aforesaid, make written application to said Associate Judge of the Superior Court of this State resident in Sussex County for the appointment of such a commission; and thereupon the said Associate Judge shall issue a commission, under his hand, directed to five freeholders of said County, three of whom shall be residents of said Town of Blades, 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 Notice to property holders in condemnation proceedings

Appeal

Appeal, how prosecuted

Associate Judge shall appoint a commission

Qualifications of the commission

CITIES AND TOWNS.

Instruction to the commission	alley shall pass, who shall have notified the said Town Council of his or her intention to appeal, may incur by reason thereof, and to make return of their proceedings to the Associate Judge at a time therein appointed. The freeholders
Commission to take oath of office	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 Town Council, 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 Town Council 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 is or are absent from the Town during the said period of one month, then the same may be deposited, to his or her credit, in the Farmers Bank of the State of Delaware, at Georgetown, within said time, and thereupon the said property or lands 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 cost of the appeal shall be paid by the Treasurer of the Town out of any money in his hand belonging to the Town; but if said damages shall not be increased the cost of appeal shall be paid by the party appealing. The fees to the freeholders 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, the Town Council 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 the costs only may abandon the proposed improvements.
Return to be final Vacancy; how filled Damages, how paid, when	
When may be deposited in bank	
Costs of appeal, how borne	
Fees to the freeholders	
Option of Council	

Ordinances for good government and welfare of the town

Section 10. That the said Council of the Town of Blades for the good government and welfare of said Town, shall have power to make, establish, publish and modify, amend or repeal ordinances, rules, regulations and By-laws for the following purposes:

CITIES AND TOWNS.

To prevent vice, drunkenness and immorality; to preserve Vice
 peace and good order; to prevent and quell riots, disturb-
 ances and disorderly assemblages; to restrain and suppress
 disorderly and gaming houses, and houses of ill fame; all Gaming
 instruments and devices for gaming; and to prohibit all houses, etc.
 gaming and fraudulent devices; to prohibit, restrain and
 regulate all sports, exhibitions of natural and artificial curi- Sports
 osities, moving pictures, merry-go-rounds, caravans of
 animals, theatrical exhibitions, circuses or other public per-
 formances and exhibitions for money, and fix the sum to be
 paid for such licenses to the Town; to ascertain and estab- Licenses
 lish the boundaries of all streets, avenues, highways, lanes Boundaries
 and alleys in said Town, and prevent and remove all en-
 croachments on said streets, avenues, highways, lanes or
 alleys; to regulate, clean and keep in repair the streets, Regulate and
 highways, avenues, parks, lanes and alleys, wharves and keep clean
 docks in said Town, and to prevent and remove obstruc- Obstructions
 tions and encumbrances in and upon all streets, avenues,
 highways, lanes and alleys, parks, sidewalks, crosswalks,
 sewerdrains, aqueducts, water-courses, wharves or docks in
 any manner whatsoever; to prescribe the manner in which
 corporations or persons shall exercise any privilege granted Personal
 to them in the use of any street, avenue, highway, lane or privilege
 alley in said town, or in digging up any street, avenue,
 highway, lane or alley for the purpose of laying down pipes, Laying pipes
 or for any other purposes whatsoever, and to prohibit and
 prevent any such use or work at such times and seasons of
 the year as they may designate; to direct and regulate the
 planting, rearing, trimming and preserving of ornamental
 shade trees in the streets, avenues, parks and grounds of Shade trees
 said Town, and to authorize or prohibit the removal or
 destruction of such shade trees, and to enforce the removal
 of snow, ice or dirt from the sidewalks and gutters by the Snow and ice
 owner or occupants of the premises fronting thereon; to
 level, grade, flag or re-flag, curb or re-curb, gutter or re- Grade and
 gutter, pave or re-pave, macadamize, gravel or shell the pave streets
 streets, avenues, highways, lanes and alleys of said Town,
 and the sidewalks and gutters thereof, or any of them, or
 any parts or sections of the same, and to prescribe the
 manner in which any such work shall be performed; to

CITIES AND TOWNS.

Drainage	direct the digging down, draining, filling up or fencing of lots, pieces or parcels of ground in said Town, which shall be by said commissioners deemed dangerous or unwholesome, or when such digging down, draining, filling up or fencing shall be deemed necessary to carry out any improvement authorized by this Act, to prescribe the manner in which said work shall be performed and to cause the expenses thereof to be assessed on such lots, tracts, pieces or parcels of ground, whether improved or unimproved, and to determine the time and manner in which such assessment shall be collected; to prevent or regulate the erection of any porch, step, platform or bay window, cellar door, gate, area, descent into a cellar or basement, sign or any post or erection, or any projection or otherwise, in, over or upon any street, sidewalk, lane, alley or avenue, and to remove the same where already erected, at the expense of the owner or occupant of the premises; to prevent and punish horse racing and immoderate driving or riding in any street, highway or alley, and to authorize the stopping and detention of any person who shall be guilty of immoderate driving or riding in any street, highway or alley; to prevent the driving of any drove or droves of horses, mules, cattle, sheep or swine through any of the streets of the Town, on the first day of the week, commonly called Sunday, and to regulate the same at other times; to regulate, protect and improve the public grounds of said Town; to provide lamps and to light the streets and public places of every description in said Town; to make and regulate wells, pumps, aqueducts and cisterns in the public streets; to establish and regulate one or more pounds, and to restrain the running at large of horses, cattle, swine, goats and other animals, geese and other poultry, and to authorize the impounding and sale of the same, for the penalty incurred, and the cost of keeping impounding and sale; to regulate and prevent the running at large of dogs; to authorize the destruction of dogs running at large, and to impose taxes on the owners of dogs; to locate, regulate and remove slaughter houses and hog pens, privies and water closets; to prescribe and regulate the places of vending or exposing for sale wood, hay, straw and other articles from wagons or other
Porches, steps, etc.	
Signs	
Horse racing	
Driving stock on Sunday	
Lighting	
Pumps and wells	
Stock at large	
Dogs	
Slaughter houses and hog pens, etc.	

CITIES AND TOWNS.

vehicles; to regulate or prohibit any practice having a tendency to frighten animals or to annoy persons passing in the streets or on the sidewalks in said Town; to restrain drunkards, vagrants, mendicants and street beggars; to prescribe the manner in which all contracts for performing work or furnishing materials for the Town shall be made and executed; to abate or remove nuisances of every kind, at the expense of those maintaining the same and to compel the owner or occupant of any lot, house, building, shed, cellar or place wherein may be carried on any business or calling, or in or upon which there may exist any matter or thing, which is or may be detrimental in the opinion of the Council or local Board of Health to the health of the inhabitants of the Town, to cleanse, remove or abate the same, under the directions of the Council or local Board of Health as they may deem necessary for the protection and preservation of the health of the inhabitants of the Town; or in a summary manner to cause the same to be done at the expense and proper cost of such owner or occupant; and such owner or occupant is hereby expressly made liable for said cost and expenses, to be collected in such manner as the Council may by ordinance direct, from such owner or occupant, in addition to any fine or penalty to which he or she may be liable for maintaining the said nuisance. To regulate and control the manner of building, or materials used therein, or removal of dwelling houses or other buildings and to provide for granting permits for the same; to establish a building line for buildings hereafter to be erected, provided that such building line shall not be established more than twenty feet back from the front line of the lots. To exempt from taxation for municipal purposes for a period not to exceed ten years any manufacturing industries which may hereafter be located in said Town of Blades. To prohibit within certain limits to be from time to time prescribed by ordinances, the building or erection of stables; to regulate the construction of chimneys, to compel the sweeping thereof, to prevent the setting up or construction of furnaces, stoves, boilers, ovens or other things in such manner as to be dangerous; to prohibit the deposit of ashes in unsafe places, to authorize any Town officer or person

Drunkards,
vagrants,
beggars, etc.

Town contracts

Nuisances

Board of Health

Owner liable for cost

Building permits

Building line

Manufacturing industries exempt from taxation

Stables

Chimneys

Furnaces, etc.

Ashes

CITIES AND TOWNS.

Fire escapes	whom they may designate for that purpose, to enter upon and inspect any place or places for the purpose of ascertaining whether the same is or are in a safe condition, and if not, to direct or cause the same to be made so; to compel the erection or maintenance of proper and adequate fire-escapes on all public buildings; to regulate or prohibit the carrying on of manufactories dangerous in causing or promoting fires; to regulate or prohibit the manufacture, sale or use of fireworks, and the use of fire-arms in said town; to regulate or prohibit the use of candles and lights in barns, stables and other buildings. To establish, regulate and control a suitable sewer and drainage system for said town; to regulate or prohibit swimming or bathing in the river in front of or contiguous to said Town, or in the waters within the limits of said Towns; to provide sanitary measures for the health of the citizens, and to prevent the introduction of infectious or contagious diseases; for which purpose their jurisdiction shall extend to any distance within one mile of the limits of said Town. To make and establish such other ordinances, regulations, rules and by-laws, not contrary to the laws of the State or of the United States, as they, the said Council, may deem necessary to carry into effect the powers and duties conferred and imposed upon them by this Act or any other law of this State, and such also as they may deem necessary and proper for the good government, protection of person and property, and for the preservation of the public health and property of said Town and its inhabitants. To contract with, or to grant franchises, concessions or rights to any person, persons, firm, partnership or corporation who may apply for the privilege of erecting wharves or piers, or for the use of any street, highway, avenue, lane or alley, for the construction and operation of steam, motor or electric railways.
Fireworks, etc.	
Sewer and drainage system	
Bathing	
Sanitary	
Other ordinances	
Franchises	
Paving	Section 11. Whenever the said Town Council shall have determined that any paving, graveling, curbing or any or either or all of them shall be done, they shall notify the owner or owners of the land along or in front of whose premises the same is to be done, particularly designating the nature and character thereof, and thereupon it shall be
Notify owner	

CITIES AND TOWNS.

the duty of such owner or owners to cause such paving, graveling and curbing to be done in conformity with said notice. In the event of any owner or owners neglecting to comply with said notice for the space of thirty days, the said Council may proceed to have the same done, and when done the Treasurer of the Town shall, as soon as convenient thereafter, present to the owner or owners of such lands a bill showing the expenses of such paving, graveling and curbing; if such owner or owners be not resident in the Town of Blades such bill may be presented to the occupant or tenant of said lands, or if there be no occupant or tenant resident of said Town of Blades, such bill may be sent by mail to such owner or owners, directed to him, her or them at the post-office nearest his, her or their residence. If such bill be not paid by the owner or owners of such lands within sixty days after the presentation thereof as aforesaid, then it shall be the duty of said Town Council to issue a warrant in the name of the Town of Blades, under the hand of the President of the Town Council and seal of the said corporation, and attested by its Secretary, directed to the Treasurer of the Town of Blades, commanding him that of the goods and chattels, lands and tenements of such owner or owners, he should cause to be levied and made the amount of said bill, together with all costs. It shall be the duty of the Treasurer of the Town of Blades, as soon as convenient after the said warrant shall be delivered to him, and after ten days' notice to the owner or owners of such lands, and after posting five or more notices of sale in at least five public places in the Town of Blades, at least ten days before the day of sale, to sell the goods and chattels of said owner or owners at public auction, or so much thereof as may be necessary to pay the amount of said bill with all costs. If no goods and chattels of such owner or owners can be found within said Town sufficient to satisfy the amount of said bill with all costs, then it shall be the duty of the said Treasurer of the said Town of Blades, after ten days' notice to such owner or owners as aforesaid, and after posting five or more notices of sale in at least five public places in the Town of Blades, for at least ten days before the day of sale, and after causing such notice of sale

Town may
have, when

Collection of
expenses
thereof

Owner not a
resident

Bill not paid
in certain
time

Shall collect
by legal
process

Duty of
treasurer

Personal
property
sold first

CITIES AND TOWNS.

to be published twice in one newspaper printed in the said Town of Blades or if there be no newspaper printed in the said Town of Blades then in a newspaper printed anywhere in Sussex County, to sell the lands and tenements of such owner or owners along or in front of which such paving, graveling and curbing or either of them, have been done, or so much of said lands and tenements as may be sufficient to satisfy the amount of said bill with costs, and a deed from the Treasurer of said Town of Blades shall convey to the purchaser or purchasers of such lands and tenements as full and complete title, in fee simple or otherwise, as if the same were executed by the owner or owners thereof. The claim for paving, graveling and curbing shall be a lien on the premises along or in front of which said work was done, and shall have priority over any lien, incumbrance or conveyance suffered or made by the owner or owners after the presentation of the said bill as aforesaid; provided that within thirty days after the completion of said improvements a certificate under the corporate seal of the Town of Blades, signed by the President of the Council and attested by the Secretary, setting forth the amount of the bill, the date of the completion of the improvements and a description of the property affected by said lien with the name or names of the owner or owners shall be recorded in the Office of the Recorder of Deeds at Georgetown, in and for Sussex County; and the record of such certificate, or a duly certified copy thereof shall be evidence in all Courts of law and equity in this State. Any such lien heretofore acquired shall be continued, provided that a certificate as above described shall be recorded in the said Office of the Recorder of Deeds within ninety days after the approval of this Act. It shall be the duty of the Treasurer of the said Town from the purchase money of the said goods and chattels or lands and tenements, sold as aforesaid, to pay all costs arising from the proceeds of said sale to the parties entitled thereto, and to retain for the use of said Town the amount of the said bill as aforesaid, and the residue of the said purchase money, if any, shall be deposited in the Farmers Bank of the State of Delaware at Georgetown, to the credit of the said owner or owners. The

When real
estate is to
be sold

Treasurer to
give title

Paving
claims a lien

Record of
lien; where
made

Further duty
of Treasurer

Shall pay all
costs

Residue de-
posited in
bank

CITIES AND TOWNS.

Treasurer of the said Town shall be entitled to receive Five ^{Fees for} Dollars for every sale of personal property under this ^{Treasurer} Section, and Ten Dollars for every sale of real estate under this Section, together with such additional sum as may be reasonable and proper for the keeping, taking care of such personal property, for selling the same and for advertising, all of which shall be part of the costs to be paid out of the purchase money as aforesaid. Any notice, required by this ^{One notice} Section, to one co-owner shall be notice to all, and in case ^{sufficient} no owner shall reside in the said Town, notice served upon the occupant or tenant shall be sufficient, or if there be ^{Notice to} no owner, or occupant or tenant of said premises resident ^{tenant, when} in the Town, it shall be sufficient to send notice by mail to ^{Notice by} any owner or owners of said premises, directed to him, her ^{mail} or them at the post-office nearest his, her or their place or places of residence; the provisions hereinbefore contained in this Section shall apply to any order made by the Council of the said Town in respect to any pavement, sidewalk or curb heretofore made or done, which the said Council may deem insufficient or to need repairing. The said Council, in ad- ^{Further} dition to the provisions of this Section hereinbefore con- ^{power and} tained, shall have power and authority to enforce by ordi- ^{authority} nance, all the requirements of this Section, by imposing such fines and penalties as shall, in the judgment of said Council, be necessary and proper.

Section 12. The Town Council of said Town shall have ^{Ordinances} power and authority to make, establish and publish such ^{may be made} ordinances as they may deem beneficial for the good govern- ment of the said Town, at any stated meeting. There shall be twelve stated meetings to be held on the second Tuesday ^{Stated} of each month. They shall have and are hereby vested ^{meeting} with power and authority to prescribe the fines and pen- alties for violations of any of the provisions of this Act, ^{Fines and} or of the ordinances which may be imposed, either by ^{penalties for} this Act or the ordinances enacted as aforesaid, which may ^{violations} be collected before the Mayor of said Town, or any Justice ^{How col-} of the Peace of said Town, and in default of payment said ^{lected} Mayor or Justice of the Peace may commit to the Town ^{May commit} lockup or the public jail of Sussex County for any time not

CITIES AND TOWNS.

exceeding thirty days, or until such fine and costs shall be paid; and all ordinances so made, established and published shall be in full force and effect immediately upon the publication of them by said Council.

May appoint
town con-
stables

Section 13. The Council of said Town may appoint such number of Town Constables as shall be deemed necessary, who with the Constables of Sussex County residing in said Town, shall constitute the Town police. The Council of said Town shall also have power and authority to remove any of the Town Constables at any time, and appoint others in the place of those removed, if it shall be deemed necessary to make such appointments.

May remove
town con-
stables

Auditors

Make annual
audit of all
town affairs

Detailed re-
port of
auditors

Report to be
published in
detail

Section 14. The Council of said Town shall annually elect two auditors who shall be taxables of said Town, not members of the Council, who shall during the month of January of each year examine and audit the books and accounts of the Council, Collector, Treasurer, Water Superintendent and Mayor, of the fiscal year ending the thirty-first day of the previous December. After having completed such examination and audit, the said auditors shall submit a full detailed report thereof to the Council, and the same shall be spread in full upon the minutes of the Council. The said auditors shall also cause a full detailed statement of said examination and audit to be published in at least one newspaper printed or published in said Town, or posted in at least ten of the most public places in said Town of Blades at least ten days prior to the annual election; which said statement shall show the amount of taxes remaining unpaid; the amount of money received by the Treasurer and when and from what source; and the amounts paid out by the Treasurer upon orders; the amounts received by the Water Superintendent and from what source, and the amounts paid out by him and for what purpose; the amount of fines imposed by the Mayor, and the actual amount of fines received by said Mayor, and the amount of license fees collected by said Mayor, and the number and amounts of all orders drawn by the Council and the

CITIES AND TOWNS.

nature of the bills for which said orders were drawn. The auditors shall receive a reasonable compensation for their services to be determined by the Council. ^{Compensation of auditors}

Section 15. It shall and may be lawful for the Council of said Town to use the jail of Sussex County for the purpose of carrying into effect any judgment or sentence pronounced under the provisions of this Act, or for carrying into effect any ordinances or regulations adopted under the provisions of this Act; and it shall be the duty of the keeper of said jail to receive and lock up in said jail any person committed to his custody under the provisions of this Act, or under the provisions of any ordinance of the Council of said Town. ^{Use County jail} ^{Duty of jailor}

Section 16. The Council of said Town shall have the power and authority to use the money in the Treasury of said Town, or any portion thereof, for the improvement, benefit and ornament of said Town, as they may deem advisable. In the general performance of their duties the acts, doings and determinations of a majority of the Council of said Town shall be as good and binding as the acts, doings and determinations of the whole. In case of vacancy or vacancies in the Council of said Town, the remaining members, until such vacancy or vacancies shall be filled as hereinbefore provided, shall have the same power and authority as the whole. A majority of the Council shall constitute a quorum for the transaction of business. ^{Authority to use the money} ^{Action of the majority binding} ^{Vacancy} ^{Majority a quorum}

Section 17. It shall be the duty of the Mayor of said Town and Council of said Town, and of the Constables of Sussex County residing in said Town, and of the Town Constables, to suppress all riotous, turbulent, disorderly or noisy assemblages or gatherings, of persons in or about any buildings used for any fair, festival, concert or any other social, literary or religious meeting, or any entertainment whatsoever, or in the streets, lanes, squares or alleys of said Town at any time or season whatever; to prevent all gatherings whatever which may obstruct or interfere with free use of the streets, lanes, alleys or sidewalks, and for this ^{Duty of Mayor and constables}

CITIES AND TOWNS.

Fine upon
conviction

Further duty
of the
constables

Mayor may
use his dis-
cretion

Fees to the
Mayor and
constable and
keeper of the
jail

Board of the
prisoners

purpose it shall be the duty of any of said Constables to seize and arrest any such persons so offending and carry him or them before the Mayor of said Town, whose duty it shall be to hear and determine the case, and upon conviction before him the Mayor shall sentence any such person so convicted to pay a fine not exceeding Ten Dollars, and may commit the party or parties to prison for a period not exceeding thirty days, or until said fines and costs shall be paid. It shall be the duty of the Mayor 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 any of the Constables 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 Constables aforesaid, or any one of them, to arrest any drunken or disorderly person they may see on the streets of said Town and take such person so arrested before the Mayor 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 Mayor of said Town for violation of this Section, it shall appear to the Mayor that in his judgment such person or persons is or 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 Mayor 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. In case of commitment, the Constable shall receive an additional fee of Two Dollars, and the keeper of said jail or lockup shall be entitled to a fee of Fifty Cents, for each commitment whether by a Constable or by the Mayor of said Town, and he shall be entitled to the same pay for board of the person so committed as is allowed by the Levy Court of Sussex County for board of prisoners. Provided the Town

CITIES AND TOWNS.

shall pay for the board of all persons committed to jail for violations of the charter or By-Laws of the Town of Blades.

Section 18. The Mayor of said Town, the Council of said Town, and the Town Constable shall have power and authority to suppress, extinguish and prevent all bonfires in any of the streets, lanes, alleys or squares of the said Town, and to suppress and prevent the firing of guns or pistols, or the setting off of firecrackers or other fireworks, or the making and throwing of fireballs, within the limits of said Town, and the Council of said Town may by ordinance or ordinances impose fines and penalties upon the person violating the provisions of this Section and may provide for the collection of such fines and penalties so imposed.

Further powers of the Mayor and constables

Penalty

Section 19. The Council of said Town are hereby authorized and required to cause all obstructions and nuisances that may at any time be and exist within the limits of said Town, whether on the public squares or in the streets, lanes or alleys, or on the sidewalks, or in any other place within the limits aforesaid, to be removed and abated. The Council of said Town, or a majority of them, may proceed either on their own view, or upon complaint of any other citizen, in writing, stating the character of the obstruction or nuisance and where the same exists. If the Council of said Town, or a majority of them, either of themselves and upon view, or upon such information, shall determine that an obstruction or nuisance exists and ought to be removed, they shall give notice, in writing, signed by the President of said Council, to the person causing the obstruction or nuisance, or who is responsible for its existence or continuance, to remove or abate the same; and if such person shall refuse or neglect for the space of two days after such notice to remove or abate such obstruction or nuisance, the Council of said Town shall have power and authority to cause such obstruction or nuisance to be removed or abated, and for this purpose the Council of said Town may issue a warrant in the name of the Town of Blades, under the hand of the President of the Council and the seal of the said

Power to abate nuisances

Notice in writing

In case of refusal

Manner of procedure

CITIES AND TOWNS.

Expense of
abatement
paid by
whom

May collect
by legal pro-
cedure

Shall forfeit
and pay
daily

corporation, and directed to any constable of the Town of Blades, commanding him forthwith to remove or abate such obstruction or nuisance; whereupon the Constable to whom the said warrant may be delivered shall forthwith proceed to remove or abate the same, and for this purpose he shall have full power and authority to enter into and upon any lands and premises within the Town of Blades, and to take with him such assistance, implements, horses, carts, wagons or other things as may be necessary and proper, and do and perform all matters and things, right and proper to be done for the removal of such obstruction or the abatement of such nuisance. The cost and damages of all the proceedings shall be determined and adjudged by the Council of said Town for the use of the Town, and shall be paid by the person causing the obstruction or nuisance, or who is responsible for its existence or continuance, within ten days after a bill stating the amount of such cost and damages, shall have been presented to such person. Then the Council of said Town may proceed to collect the same out of the goods and chattels of such person, by warrant issued to the Treasurer of said Town in the same manner as is provided in Section 11 of this Act for the collection of the expenses of any paving, graveling, etc., and the Treasurer of said Town upon the receipt of such warrant shall have all the powers to sell the goods and chattels of such person conferred, and shall proceed in the same manner as directed by said Section 11 of this Act on warrants directed to him under said Section to collect the expenses of paving, graveling, etc., except that nothing in this Section contained shall confer any power upon the Treasurer of said Town to sell any lands and tenements. If the person causing such obstruction or nuisance or who is responsible for its existence or continuance shall neglect or refuse to remove or abate the same for the space of two days after such notice as aforesaid, he shall in addition to the provisions hereinbefore in this Section in that behalf contained, forfeit and pay to the Treasurer of said Town, for the use of the Town, the sum of Five Dollars, and One Dollar additional for each and every day such obstruction or nuisance shall continue unremoved or unabated after the expiration

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of the two days' notice as aforesaid, to be recovered with cost of suit in the name of the Town of Blades, before the Mayor of said Town, or any Justice of the Peace residing in said Town, as debts of like amount are recoverable. In ascertaining the amount of the judgment the person before whom the case is heard and determined shall compute the time beginning with and including the day following the expiration of the said two days' notice up to and including the day on which judgment is rendered, if the obstruction or nuisance be then not abated or removed, or if then removed or abated, up to and exclusive of the day on which such obstruction or nuisance was removed or abated, and One Dollar for every such day shall be added to the Five Dollars and judgment rendered accordingly. If the amount of the sum demanded, exclusive of costs, shall exceed One Hundred Dollars, the case shall not be cognizable before the Mayor or a Justice of the Peace, but in such case suit in the name of the Town of Blades may be brought in the Superior Court of the State of Delaware in and for Sussex County. These shall be cumulative and additional to the provisions heretofore in this Section contained.

Amount of judgment, how ascertained

Where suits may be entered

Section 20. If any Constable shall neglect or refuse to perform any of the duties required of him by this Act, he shall be deemed guilty of a misdemeanor, and it shall be the duty of the Council of said Town to present him to the Grand Jury of Sussex County, and upon conviction he shall be fined in a sum not less than ten nor more than One Hundred Dollars, and may be imprisoned in the discretion of the Court for any term not exceeding one year, and upon such conviction he *ipso facto* forfeits his office.

Constable refusing to act, guilty of a misdemeanor

Penalty upon conviction

Section 21. The Town Council shall also elect, at their stated meeting in March, annually, as hereinbefore provided, by ballot, a Treasurer, Secretary and Assessor for said Town, who shall hold their offices for the term of one year, or until their successors shall be duly elected. The Treasurer and Secretary may or may not be the same person. The Assessor shall be a freeholder, resident in said

Officers to be elected annually

Qualifications

CITIES AND TOWNS.

May elect a collector	Town, and may or may not be a member of said Council.
Treasurer shall take oath of office	The said Council shall also have authority to elect, by ballot, a Collector of Taxes in any year they may think proper to do so. The Treasurer before entering upon the duties of his office shall be sworn or affirmed faithfully, honestly and diligently to perform the duties of his office, which oath or affirmation may be administered to him by the President of said Council or by any member thereof, or by any Justice of the Peace or Notary Public. He shall, also, before entering upon the duties of this office, give bond to the Town of Blades with sufficient surety to be approved by the Council of said Town, in the penal sum of double the amount of what may be likely to come into his hands, conditioned for the faithful performance of the duties of his office and for the payment to his successor in office all sums of money belonging to said Town which may remain in his hands upon the settlement of his accounts, to which said bond and condition 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 Council and signed by the President and Secretary thereof out of any moneys in his hands belonging to said Town. He shall settle his accounts with the said Council annually in the month of February, and oftener and at such other times as the said Council may require. The said Treasurer shall also, in any year when no Collector of Taxes shall be elected by the Council of said Town, and when required to do so by said Council, collect all the taxes assessed in said Town as hereinafter provided. It shall be the duty of the Secretary of said Council to keep a true and faithful record of all the proceedings of the Council of said Town at all meetings held by it, and to do and perform such other matters and things as may be required of him by this Act, or which may be prescribed by any ordinance or ordinances enacted by said Council. The Treasurer, Secretary and Assessor of said Town shall each receive reasonable compensation for their services, to be determined by the Council of said Town. Provided the compensation of the said Treasurer as such shall not exceed two per
Shall give bond with surety	
Penal sum of bond	
Shall contain confession of judgment	
Orders, how drawn	
Shall settle annually	
Shall collect taxes, when required	
Duty of sec- retary	
Compensa- tion	
Provido	

CITIES AND TOWNS.

centum on all moneys received by him belonging to said Town, and of the Treasurer acting as Collector shall not exceed ten per centum of the taxes collected by him.

Section 22. It shall be the duty of the Assessor of said ^{Duty of Assessor} Town annually to assess every male citizen of the Town above the age of twenty-one years One Dollar per capita, and also the real and personal property of every citizen subject to County assessment and taxation; also non-residents who may own real estate in the Town of Blades, all of which shall be assessed at its actual value. Provided that all single lots, pieces and parcels of land included within the limits of the Town as herein set forth, exceeding one acre in quantity shall be assessed as farm land of the said Town of ^{Farm lands} Blades, if said lots, pieces and parcels of land have no dwelling houses thereon; but every such lot, piece and parcel of land exceeding one acre as aforesaid and having a dwelling ^{Town lots} house thereon shall be assessed as if it were a single town lot; unless such lands are plotted and laid out into building ^{Plotted lands} lots, in which event each lot shall be assessed at its actual value. The said Assessor shall make such assessments to the best of his knowledge and belief, and return the same to the Council of said Town within six weeks next after the election of said Assessor. The Council of said Town shall within five days next after receiving said assessment ^{Assessment, when re-} list cause a full and complete transcript of said assessment ^{turned to Council} list to be hung up in the post-office in said Town, there to ^{Assessment list to be hung up} remain for the space of ten days thereafter for public inspection, and the said Council shall, on the Monday next after the expiration of the said ten days, hold a Court of Appeals which shall continue open from two o'clock P. M. ^{Court of Appeals, when} until four o'clock P. M. of said day, when they shall hear and determine appeals from said assessment. Notice of the hanging up of the said assessment list, and also at the same time notice of the time and place of hearing appeals shall ^{Notice of appeal day} be given by posting such notice in at least five public places in said Town of Blades. The determination of the Council of said Town upon any appeal or upon any matter relating to such assessment, shall be final and conclusive. No member of Council of said Town shall sit upon his own appeal,

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but the same shall be heard and determined by the other members of said Council. After the said valuation and assessment shall be examined and adjusted by the Council of said Town, all taxes shall be levied, assessed and raised on the real estate, personal property and persons thus valued and assessed, in just and equal proportions and rates, over and above the One Dollar per capita on each male citizen of said Town as hereinbefore provided. The Assessor before entering upon the duties of his office shall be sworn or affirmed diligently, faithfully and impartially to perform the duties of his office to the best of his ability, knowledge and judgment, which oath or affirmation may be administered to him by the President of said Council, or by any member thereof, or by any Justice of the Peace or Notary Public.

Section 23. The Council of said Town, after having ascertained the sum necessary to be raised in the said Town for the purposes of this Act, which sum shall in no year exceed Five Hundred Dollars, clear of dog tax and all delinquencies and expenses of collecting, and after having apportioned the same on the assessment and valuation aforesaid, shall annually in the month of May, or as soon thereafter as convenient, cause to be delivered to the Collector of Taxes, if there be one elected by the Council of said Town in said year, or if there be none to the Treasurer of said Town, a list containing the names of the taxables, as well the owners of real estate as those not owning real estate, and opposite the name of each the amount of the real estate, his poll or per capita and assessable personal property and the tax on the whole valuation and assessment, and the rate per hundred dollars, and which list shall be signed by the President of said Council. The Collector of Taxes, or if there be none elected in said year, the Treasurer of said Town, immediately after receiving said list, and in collecting the same, shall have all the powers conferred by law on the Collectors of the County rates and levies. In the collection of said taxes, the Council of said Town shall have the power and authority to order the Collector of Taxes, or if there be none, the Treasurer, to deduct five per centum

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from the amount of tax assessed against the person or property of any one who will pay such tax by the first day of August in any year following the assessment of the same. The Collector of Taxes, before entering upon the duties of his office, shall give bond to the Town of Blades, with sufficient surety to be approved by the Council of said Town in a penal sum of twice the amount likely to come into his hands, conditioned for the faithful performance of the duties of this office and the payment to the Treasurer of said Town of all money collected by him belonging to said Town, and for the settlement of his accounts with the Council and the Treasurer of said Town in the month of February next following his election as Collector of Taxes, and at such other times as the Council of said Town may require, to which said bond and conditions there shall be annexed a warrant of attorney for the confession of judgment for said penalty. The Collector of Taxes shall receive a reasonable compensation for his services, to be determined by the Council of said Town; provided, that he shall not receive more than ten per centum of the taxes collected by him. The Council shall have power to make just allowances for delinquencies in the collection of taxes.

Collector to
bond

Penal sum

Settle with
Treasurer,
when

Compensa-
tion

Section 24. That the Town Council shall not have authority to issue bonds without express authority of the General Assembly.

Shall not
issue bonds

Approved March 10, A. D. 1915.

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CHAPTER 156.

CITIES AND TOWNS.

AN ACT to Incorporate the Town of North Laurel, Sussex County, Delaware.

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

Body politic
and corpora-
tion

Name

Common seal

Section 1. That the inhabitants of the village of North Laurel are hereby constituted a municipal corporation and body politic. The name and style of said corporation shall be "The Commissioners of North Laurel," 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 North Laurel, shall be as follows; viz:

Boundaries

Beginning at the East Side of a proposed Poplar Street and the North side of Laurel River; thence following up the North side of said river to and across Records Mill Dam; thence up the North side of Records Mill Pond to a branch on the North side of said Mill Pond; thence up with the said branch in a Northerly direction to a new public road leading to Georgetown; thence in a Westerly direction along and with the South side of said public road to the public road leading from Laurel to Bethel; thence along and with the South-East side of Poplar Street to the place of beginning.

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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. 1915. William L. Torbert, William L. James and Robert Waller shall be the Commissioners of said corporation.

Section 4. A town election shall be held on the last Saturday in March, A. D. 1915, and on the same date in each and every year thereafter in the said town of North Laurel, at a place to be selected by the Commissioners, 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.

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 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. 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 and is a free holder therein.

Section 5. That there shall be four stated meetings in every years* 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

*year

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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 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 violations of the laws and ordinances, and present the same to the commissioners at the first stated meeting for action, and such violation or infractions 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.

May impose
fines

Special meet-
ings and the
rights of

President
and his
duties

Determine
amount of
tax to be
raised

Assessor,
Collector and
Treasurer
shall be
appointed

Duty of
assessor

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.

The Collector and Treasurer may be the same person. It shall be the duty of the assessor of said town, within two

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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 those owning real estate as those not owning real estate, at least fifty 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 one acre in quantity, shall be exempt from taxation for the uses and purposes of said town of North Laurel, but all such lots and pieces and parcels of land exceeding an acre as aforesaid, having a dwelling thereon shall be assessed and taxed as 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 North Laurel, 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.

When certain
land shall
be exempt
from taxa-
tion

Appeal
notice

Turn list
over to
Collector

Powers of
Collector

Proviso

Property
exempt

CITIES AND TOWNS.

Authority to
use money

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

How money
shall be paid

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.

Shall not
create debts
in excess of
receipts

Pavements

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 other improvements where the same shall be ordered. If such ordinance be not complied with within three months the commissioners may procure the materials and work to be found and done and collect the expense of the same from the owner of said property in an action at law.

When the
Commis-
sioners may
do the pav-
ing

Superinten-
dence of
Streets

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 Sussex 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 North Laurel for the use of said town.

Annual ap-
propriation
from Levy
Court

Duties of the
Collector and
Treasurer

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 North Laurel, with sufficient surety to be approved by the commissioners of

Shall bond

CITIES AND TOWNS.

said town, in the penal sum of double the amount of what ^{Amount of bond} 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 commis- ^{Make annual settlements} sioners annually in the month of March and at such other times as the said commissioners may require.

The treasurer, clerk, and assessor of said town shall receive each a reasonable compensation for their services, to ^{Compensation} 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.

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 North Laurel who ^{Alderman} 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 ^{Term} successor shall be duly elected, subject, however, to be removed from office at any time by vote of two-thirds of all ^{Removal from office} the commissioners. Before entering upon the duties of his office he shall be sworn or affirmed by the president of the ^{Oath of office} commissioners, or by any one of the commissioners, to perform the duties of his office honestly, faithfully and diligently.

Section 12. That the commissioners shall appoint a town ^{Town Clerk, his duties} 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.

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Town Con-
stable

Section 13. That the Commissioners shall appoint a town constable.

Duties of the
Alderman
and Con-
stable

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 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

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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.

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.

Section 16. That this act shall be deemed and taken to be a public act.

Approved March 8, A. D. 1915.

TITLE TEN

Religious, Reformatory and Charitable Institutions

CHAPTER 157.

RELIGIOUS SOCIETIES.

AN ACT authorizing and empowering "The Wyoming Methodist Episcopal Church" of the Town of Wyoming, Kent County and State of Delaware to sell at public or private sale certain lands belonging to it, situate in the Town of Wyoming, Kent County and State of Delaware and to make, execute and deliver good and sufficient deed or deeds therefor conveying the same to the purchaser or purchasers in fee simple.

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):

Wyoming
M. E. Church
authorized
and empow-
ered to sell
certain lands

Section 1. That "The Wyoming Methodist Episcopal Church" of the town of Wyoming, Kent County and State of Delaware, a corporation duly incorporated under the laws of the State of Delaware, be and the same is hereby authorized and empowered to sell at public or private sale or sales, from time to time as it may deem best, certain lands belonging to it situate in the town of Wyoming, Kent County and State of Delaware, and to make, execute and deliver good and sufficient deed or deeds conveying the same to the purchaser or purchasers thereof, in fee simple.

Approved March 2, A. D. 1915.

OLD FOLKS' HOME.

CHAPTER 158.

OLD FOLKS' HOME.

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):

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. Appropriation for maintenance for Old Folks' Home, at Dover

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 sufficient voucher therefor. Appropriation, how drawn, and to whom paid

Section 3. That the said sum of Three Thousand Dollars shall be paid in two instalments, the first during the year A. D. one thousand nine hundred and fifteen, and the second during the year A. D. one thousand nine hundred and sixteen. Amount appropriated annually

Approved March 15, A. D. 1915.

TITLE ELEVEN

Education

CHAPTER 159.

FREE SCHOOLS.

AN ACT to amend Chapter 71 of the Revised Code of the State of Delaware, relative to the Commissioner of Education.

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

2274, Sec. 2,
Chap. 71, of
the Revised
Code
amended

Section 1. That Chapter 71 of the Revised Code of the State of Delaware be, and the same is hereby amended by the repeal of 2274, Section 2, to be styled as 2274, Section 2.

Governor to
appoint
Commissioner of
Education
Term, when
shall begin

Secretary of
State Board
of Education

Salary

2274 Section 2. Beginning on or before the first day of May A. D. 1913, and biennially thereafter, the Governor shall appoint some suitable person Commissioner of Education. The term of office of said Commissioner shall be two years, or until his successor is qualified. The duties of his office shall begin on the first day of May following his appointment. He shall be Secretary of the State Board of Education. His salary shall be three thousand dollars per annum, payable at least quarterly.

Qualifica-
tions

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.

FREE SCHOOLS.

His duties 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 appropriated to defray the travelling expenses incurred by said officer as Commissioner of Education and Secretary of the State Board of Education; all other expenses, incurred by the 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, how prescribed

Sum appropriated for traveling expense

Other expenses, how paid

Section 2. That Chapter 71 of the Revised Code of the State of Delaware be, and the same is hereby amended by the addition thereto of the following new section to be styled 2274A, Section 2A.

Chap. 71 of the Revised Code, amended

2274A. Section 2A. The salary provided in Section 1 of this Act shall only be paid to the Commissioner of Education while said office is held by the present incumbent and should the office of Commissioner of Education be filled by any other person than the present incumbent the salary shall be Two Thousand Dollars per annum.

Conditions of the salary to be paid

Approved March 12, A. D. 1915.

FREE SCHOOLS.

CHAPTER 160.

FREE SCHOOLS.

AN ACT to amend Chapter 71 of the Revised Statutes of the State of Delaware by Providing an Appropriation to cover Expenditures of the State Board of Education.

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

2275, Sec. 3,
Chap. 71, Re-
vised Code,
amended

Section 1. That Chapter 71 of the Revised Statutes of the State of Delaware be, and the same is, hereby amended by adding at the end of Section 3 of said Chapter, being Code Section 2275, the following new sentence:

Appropriation to State
Board of Education

"The sum of Two Thousand Dollars annually is appropriated out of any moneys in the State treasury for the purpose of paying the bills of the State Board of Education under this Section".

Approved March 12, A. D. 1915.

FREE SCHOOLS.

CHAPTER 161.

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 seventeen hundred and fifty dollars (\$1750.00) annually for two years is hereby appropriated from the State Treasury for the purpose of repairing, enlarging, building and furnishing 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 Seven Hundred and Fifty Dollars (\$750.00) to New Castle county.

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,

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and before the commencement of the work shall determine the amount that is to be appropriated to the particular district.

How moneys
shall be paid

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 February 26, A. D. 1915.

FREE SCHOOLS.

CHAPTER 162.

FREE SCHOOLS.

AN ACT to Amend Chapter 71 of the Revised Statutes of the State of Delaware by Increasing the Contingent Funds of the County Superintendents of Schools.

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

Section 1. That Chapter 71 of the Revised Statutes of the State of Delaware be, and the same is, hereby amended by striking out the words "The sum of Three Hundred Dollars for each of the County Superintendents is," appearing in the sixty-ninth and seventieth lines of Section 26 of the said Chapter, being Code Section 2298, and by inserting in lieu thereof the following:

"The sum of Five Hundred Dollars for the County School Superintendent for New Castle County; the sum of Four Hundred Dollars for the County School Superintendent for Kent County; and the sum of Six Hundred Dollars for the County School Superintendent for Sussex County are"

2298, Sec. 26,
Chap. 71, Re-
vised Code,
amended

Increasing
the contin-
gent funds
of County
Superin-
tendents of
Schools

Approved March 2, A. D. 1915.

FREE SCHOOLS.

CHAPTER 163.

FREE SCHOOLS.

AN ACT to amend Chapter 71 of the Revised Statutes of the State of Delaware, relative to State assistance to persons attending normal schools.

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

2301, Sec. 29,
Chap. 71, of
the Revised
Code
amended

Section 1. That Chapter 71 of the Revised Statutes of the State of Delaware be and the same is hereby amended by striking out all of Section 29 of said Chapter, being Code Section 2301, except the Section numbers thereof.

Approved March 2, A. D. 1915.

FREE SCHOOLS.

CHAPTER 164.

FREE SCHOOLS.

AN ACT to amend Chapter 71 of the Revised Statutes of the State of Delaware relative to the alteration of the boundaries of school districts by union or otherwise, and making certain provisions concerning school districts so altered.

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

Section 1. That Chapter 71 of the Revised Statutes of the State of Delaware be and the same is hereby amended by repealing Sections 9 and 10 of said Chapter, being Code Sections 2281 and 2282. ^{2281, Sec. 9, and 2282, Sec. 10, Chap. 71, of the Revised Code amended}

Section 2. That the said Chapter 71 of the Revised Statutes of the State of Delaware be further amended by inserting after Section 39 of said Chapter, being Code Section 2311, the following new Sections: ^{Chap. 71, further amended}

2311.A. Section 39 A. By the Term "District" as used in Sections 39 A. to 39 X inclusive of this Chapter shall be deemed to be intended any School District in this State, whether single, united, consolidated or incorporated. ^{Term, "District"}

The alteration of a District under the provisions of Section 39 X of this Chapter shall be deemed to consist of the annexation to one or more Districts of any land not embraced at the time of such annexation in the boundaries of any District, or of the transfer of a single farm or of a single lot or parcel of land from one District to another. The alteration of a District under the provisions of Sections 39 B to 39 W inclusive of this Chapter shall be deemed to consist of any other change in the area of any District, whether by the union or consolidation of two or more Districts, or by the apportionment of the area of one or more ^{Alteration} ^{Change by union or consolidation}

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Appor-
tion-
ment of one
or more dis-
tricts or new
districts

Districts between two or more other Districts, or by the creation of one or more new Districts, out of some or all of the area of one or more old Districts, or by the detachment of a portion of the area of a District, or by the addition to the area of a District, or in any other manner whatsoever.

Number of
necessary
petitioners

Shall inves-
tigate

Notice to all
interested in
alteration

Notices, how
made and
posted

Date of
posting
notices

Duty of State
Board of
Education

Meeting may
adjourn

When a de-
cision may
be rendered

2311 B. Section 39 B. Whenever five or more residents of any District shall petition the State Board of Education to consider the advisability of altering such District, the said Board shall investigate the subject. If, after such investigation, the said Board shall deem an alteration of the District advisable, it shall formulate a tentative plan of such alteration, and shall notify the residents of, and owners of, property in every District to be affected by such alteration, including both the District in which the petitioners aforesaid shall reside, and also every other District which, under the tentative plan of the Board aforesaid, would be involved in such alteration. Such notice shall be by written or printed advertisement posted in five or more public places in each of the Districts aforesaid, designating a day, hour and place at which the residents of and owners of property in the said Districts may appear before the said Board and give their reasons for or against an alteration of said District. The said notices shall be posted as aforesaid at least ten days before the date of such meeting of the Board.

It shall be the duty of the State Board of Education to sit, at the time and place designated in the advertisement, and then and there to hear the opinions of those who shall attend such meeting, relative to the matter under consideration. Such meeting may be adjourned from time to time as the said Board shall deem proper.

2311 C. Section 39 C. After the meeting aforesaid and after such further investigation as the State Board of Education shall deem proper, the said Board shall determine whether in its opinion any alteration of the District or Districts named in any of the advertisements aforesaid

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should be made, and if it shall deem an alteration advisable, ^{If decision favors alteration} the said Board shall decide upon the character and extent of such alteration, and shall keep a record of such decision and shall indicate thereon the proposed alteration in such manner that the boundaries of or territory within an altered District may be ascertained.

2311 D. Section 39 D. In deciding upon the character ^{May apportion assets and liabilities} and extent of the alteration of a District as provided in Section 39 C of this Chapter, the State Board of Education may, in its discretion, include in its proposed plan for such alteration an apportionment of the school property and assets and of the debts and liabilities of the several Districts affected by such alteration; among said Districts, and shall indicate the nature of such decision, if any, upon the aforesaid record.

2311 E. Section 39 E. In deciding upon the character and ^{Option of new building or repairing} extent of the alteration of a District as provided in Section 39 C of this Chapter, the State Board of Education may, in its discretion, include in its proposed plan for such alteration, the erection and equipment of a new school building or buildings, or the repair, alteration or remodeling of an old school building or buildings, and the equipment thereof, for the use of the altered District or Districts, ^{May provide for borrowing money} may provide in said plan for the borrowing of a specified sum or sums of money by the altered District or Districts for the cost thereof; and in such case if the said plan of alteration shall be approved by the school voters as in this Chapter hereinafter provided, the local Board of Education ^{Local Board to borrow money, when required} of the altered District or Districts, shall be deemed to be empowered and required to borrow such sum or sums, or so much thereof as may be necessary for the purpose aforesaid. In borrowing any such sum, the local Board of Education shall have full power and authority to secure the payment of the same by the giving of bonds or of mortgages, ^{Authority to bond or mortgage} or of bonds and mortgages in the name of the altered District and may pledge the faith and credit of the altered District thereby. Each of said bonds and each of said mortgages ^{Bonds, how executed} shall be signed by the President of the said local

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Description	<p>Board of Education and attested by the Clerk thereof. The writing of the word "seal" upon any of said instruments, with a scroll around the same, shall be deemed to be the affixing of the corporate seal of the District. The date, number and amount of said bonds and mortgages, the form thereof, the rate of interest, (not exceeding six per centum) the time of payment of interest, and the date of the maturity of the principal sum or debt shall be prescribed by the local Board of Education. The local Board of Education of the District is authorized and directed in each year after any sum of money has been borrowed as aforesaid and until the full payment of the sum or sums so borrowed, with interest, to provide for the payment of interest on the indebtedness and for the establishment of a sinking fund to pay the principal thereof, by fixing and levying a tax sufficient for this purpose.</p>
Rate of interest	
Provision for payment of interest and principal	
Tax, how levied and collected	<p>The tax levied and collected for the interest and sinking fund as aforesaid shall be levied and collected as other school taxes in the District, and shall be in addition to the amount which the District is authorized to raise by taxation for other purposes.</p>
May sell school property	<p>2311 F. Section 39 F. In deciding upon the character and extent of the alteration of a District, as provided in Section 39 C of this Chapter, the State Board of Education may, in its discretion, include in its proposed plan for such alteration, the sale of any school property, real or personal, situated in the area embraced by the altered District, and in such case, if the said plan of alteration shall be approved by the school voters, as in this Chapter hereinafter provided, the local Board of Education of the altered District or Districts, shall be deemed to be empowered to sell such property, either at public or private sale, and to execute all deeds, or other assurances, necessary or proper to vest the absolute title thereto in the purchaser or purchasers, without liability for the application of the purchase money; and the money received therefor shall be held by the said local Board of Education for the use and benefit of the altered District, or shall be by said Board paid or applied</p>
Public or private sale	
Proceeds of sale, benefit of altered district	

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as in said plan shall be directed. Every deed or other instrument given under this Section shall be signed by the President of the local Board of Education and attested by the Clerk. The word "seal" with a scroll written around it, shall be deemed the corporate seal of the District.

Deeds, how
signed

2311 G. Section 39 G. After the State Board of Education shall determine in favor of the alteration of a District as provided in Section 39 C of this Chapter, the said Board shall arrange for the submission of such alteration to the school voters as follows:—

Submission
to school
voters

The said Board shall cause to be posted in five or more public places in each of the Districts affected a written or printed advertisement stating in substance that the said Board recommends the alteration of the Districts whose names or numbers appear in said advertisement, and that a meeting of the school voters of said Districts is called for a day, hour and place, or places, set out in said advertisement to hear the plan recommended by said Board in regard to the same, and to ascertain the sense of the said school voters concerning the same. Said advertisements shall be posted at least ten days before the date fixed for the meeting of the school voters as aforesaid. At the time fixed for said meeting and at the place stated in said advertisements, or at each of the places, if more than one, the said Board shall make known, through any of its members, officers or agents, to the school voters then and there assembled, its recommendation as to such alteration, and the character and extent thereof. The place or places of such meeting or meetings shall be within the area affected by such alteration. If there shall be more than one place of meeting, the Board shall make division of the area affected by the alteration and shall assign to each division a particular place for the meeting of the school voters in such division, and shall designate such division in the advertisement aforesaid. Every meeting of the school voters as aforesaid shall be organized by the election of a Chairman and a Secretary. After the explanation by the State Board of Education as aforesaid, an opportunity shall be

Meeting of
school voters
called by no-
tices posted

Date of
posting

Board to
recommend
alterations

Place of
meetings

Organization
of meeting

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Matters may be discussed	given to the school voters present to discuss such alteration. The school voters present shall then express their approval or disapproval of the recommendation of the said Board by
Vote by ballot	written or printed ballots containing either the words "For the Alteration" or the words "Against the Alteration." The Chairman of the said meeting, or of each of said meetings, if more than one, shall appoint two tellers, who, together with the Secretary of the meeting, shall conduct said
Tellers and secretary conduct election	election, shall count the ballots cast and shall announce the results of said election to the Chairman of said meeting. The said Chairman shall within three days thereafter certify in writing the result of said election to the State Board of Education and shall within said time deliver or mail said
Result of election	certificate to the Secretary of said Board. The neglect or failure of any Chairman, Secretary or teller at any such
Penalty for neglect of duty	meeting to perform any of these duties, shall subject him to a penalty of One Hundred Dollars (\$100.00), to be recovered in the name of the State of Delaware, before any Justice of the Peace in the County in which such meeting is held. Said penalty shall be for the use of the State. Any such
Enforced payment of penalty	Justice shall have power to enforce the payment of such penalty by imprisonment in the jail of the County for any period not exceeding ten days.
Qualification of voters	Every male person and every female person above the age of twenty-one years, residing at the time of said election in any of the Districts affected by said alteration, who shall have paid a tax assessed during the twelve months then next preceding in the District where such person shall reside at the time of said election for the use of the public schools affected by said alteration, shall be entitled to vote
Color line	at said election, but no white person shall vote at any election affecting schools for colored children and no colored person shall vote at any election affecting schools for white children, and no person shall cast more than one ballot concerning said alteration, and if there shall be more than one place of meeting, no person shall be entitled to vote at any place other than the particular place assigned as the meeting place for the particular area or division of area in which such person shall reside.

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Any person who shall commit any fraud in the making or altering of any certificate provided for in this Section, or who shall commit any fraud relating to any meeting of the school voters, or to any election held under the provisions of this Section, or who shall vote, or attempt to vote, at more than one meeting, where different meeting places have been set by the said Board as aforesaid, or who shall cast an illegal vote at any meeting held under the provisions of this Section, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined, not exceeding One Thousand Dollars (\$1,000.00), or be imprisoned, not exceeding six months, or both, in the discretion of the Court.

Fraud of any character a misdemeanor

Penalty upon conviction

2311 H. Section 39 H. After the State Board of Education shall receive the certificate or certificates of the results of the election at the meeting or meetings called to consider the alteration aforesaid, the said Board shall examine said certificate or certificates, and shall ascertain the results of the election in each of the Districts affected. If from the said certificates it shall appear that a majority of the votes cast in each District affected were in favor of the alteration, then and in such event, the State Board of Education is hereby authorized and directed to declare said alteration to be effective from and after such date as it shall set for this purpose, and the said Board shall give notice of such alteration to the Districts affected by informing the School Committee or Board of Education of each of the Districts affected of such alteration. If a majority of the votes cast in any of the Districts affected shall be against the alteration, then such District shall not be declared to be altered as aforesaid, but this shall not defeat the alteration of other Districts affected if a majority of the votes cast in each of said other Districts shall be in favor of the alteration, and if the State Board shall deem an alteration still advisable.

State Board to ascertain result of election

If decision is favorable

If decision is unfavorable

2311 I. Section 39 I. If the plan of alteration so ratified as aforesaid shall include an apportionment of the property and assets, and debts and liabilities, of the Districts affected,

If apportionment is included

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such apportionment shall be deemed to be effective from and after the date fixed by the said Board in the declaration aforesaid without any further or other conveyance, transfer, or assignment of said property and assets, or assumption of said debts and liabilities, and from and after said date, the said property and assets, and the said debts and liabilities shall be deemed and taken to be the property and assets, and debts and liabilities of the respective Districts affected by the alteration in accordance with the apportionment aforesaid.

Certify to
Clerk of the
Peace

A record

2311 J. Section 39 J. The said Board shall also certify to the Clerk of the Peace of the County or Counties within which any of the affected Districts shall lie the nature and character of such alteration of the said Districts, and the said Clerks of the Peace shall preserve such certificates among the records in their respective offices pertaining to the boundaries of School Districts.

Resub-
mission,
when

2311 K. Section 39 K. If the results of the election as ascertained by the said Board as aforesaid, shall show that a majority of the votes cast in any District were against the alteration, then and in such event, the State Board of Education shall not again submit such alteration to the school voters of that particular District until after the expiration of eleven (11) months from the date of said election.

Legal school
district

Board to
decide on
name and
number of
district

2311. L. Section 39 L. When the State Board of Education shall declare to be effective the alteration of any District or Districts after the same has been approved by the school voters as in this Chapter hereinbefore provided, the District or Districts as altered by the said Board, with the approval of the school voters as aforesaid, shall be deemed and held to be a legal School District or School Districts of this State from and after the date fixed in the declaration of the said Board, as hereinbefore prescribed. The name or number of every District so altered shall be prescribed by the said Board and may be the old name or number of said District, or a new name or number as the

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said Board shall determine. The name or number so fixed ^{Corporate name} by said Board shall be stated and set forth in the declaration of the said Board as aforesaid, and shall from and after the date fixed in said declaration be deemed and held to be the corporate name of such District.

Every District in this State altered as aforesaid, shall ^{Shall be a corporation} be deemed and taken to be a corporation by the name designated as aforesaid, shall be capable of suing and being sued in law or in equity, and of receiving and holding any property, real or personal, which may be given, granted, ^{Powers} leased, devised or bequeathed to it for school purposes, or for Library purposes, or for both, without restriction or limitation as to amount or value. Every such District shall, in general have such other and additional powers as may be necessary or proper for the establishment and maintenance of adequate and efficient public schools and school buildings therein, and shall, in particular, have all such powers, not inconsistent with the provisions of this Chapter relating expressly to altered Districts, which are or hereafter may be vested in School Districts generally by the laws of this State.

No District shall be deemed to be affected, or its rights ^{District succession as to assets and liabilities} impaired, or the powers and duties of its School Committee or Board of Education, altered until the date fixed by the State Board of Education in its declaration of the alteration of a District as the date from and after which such alteration shall become effective, but from and after said date the Districts, as altered shall take the place of and succeed to the rights, property and assets and the debts and liabilities of the Districts they shall respectively supplant, in accordance with and subject to the exceptions contained in the plan of the State Board of Education hereinbefore in this Chapter specified, and it shall thereupon ^{Duty of every school committee} be the duty of every School Committee or Board of Education of an original District affected by the alteration to effectuate the aforesaid plan of the State Board of Education by the transfer and delivery of school moneys and ^{Transfer of all properties} other school property in their hands in compliance with the

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particulars of said plan. Any member of a School Committee or Board of Education, who shall neglect or refuse to transfer and deliver school moneys or other school property in his possession or under his control, in accordance with said plan, shall be deemed to be guilty of a misdemeanor and upon conviction thereof, shall be fined in any sum not exceeding One Thousand Dollars (\$1,000) or be imprisoned for any term not exceeding two years, or both, in the discretion of the Court, and shall also be liable in a civil action for the amount or value of the money or property aforesaid, together with damages for the detention of the same.

Refusal or neglect shall be deemed a misdemeanor

Penalty upon conviction

Local Board: its duty

Subject to State Board

Local Boards of altered districts; its powers and duties

Liability of individual members

2311 M. Section 39 M. The affairs of every District altered as aforesaid shall be managed by a local Board of Education, composed of five members. It shall be the duty of every such local Board, and it is hereby expressly empowered, to establish and maintain public schools within the District sufficient for the accommodation of the children entitled to attend schools therein. Subject to the rules and regulations of the State Board of Education, every such local Board shall have the full management and control of all the public schools in its District, of the teachers and instructors employed in said schools and of the children in attendance thereat.

Every such local Board of Education of an altered District shall possess all the powers and be required to perform all the duties which are prescribed for School Committees or Boards of Education of School Districts generally by the laws of this State, now or hereafter enacted, except so far as such powers and duties are inconsistent with the provisions of this Chapter, relating expressly to local Boards of Education of altered Districts. Every member of a local Board of Education of an altered District who shall fail to perform any duty imposed by law upon School Committees generally, when such duty is not inconsistent with the provisions of this Chapter, relating expressly to altered Districts, shall be subject in the same manner and to the same penalties as is provided by law for members of School Committees generally.

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Every such local Board of Education shall have the power and authority to make contracts for the transportation of all or any number of the children of the District to the school thereof, without charge to the parents or guardian of such children.

Power to contract for transportation, without cost to parent or guardian

2311 N. Section 39 N. Whenever any District altered under this Chapter shall deem it necessary or proper that the said District shall be provided with a new school building or buildings, or that an old school building or buildings be altered, repaired or remodeled, or that any new or old school building be furnished and equipped, or re-furnished and re-equipped, the said local Board may submit the matter to a special meeting of the school voters of said District called by it for the purpose and advertised for, at least ten days by public notices posted in five or more public places in the District. At such meeting every resident of the District, who would be entitled to vote for a member of the local Board of Education, at either the preceding or succeeding regular school election of the District, shall be entitled to vote upon the matter aforesaid. At such meeting, the local Board of Education shall submit to the voters present the proposal to borrow money for any of the purposes aforesaid, and shall specify the sum to be borrowed. At such meeting the said proposal shall be voted upon by ballot containing either the words 'For Better School Buildings' or the words 'Against Better School Buildings.' The President and Clerk of the local Board of Education, or in his absence, any other two members of the said Board, shall conduct the said meeting. The President, or in his absence, any other member of the Board taking his place, shall appoint two tellers who shall count the ballots and announce the result. It shall be the duty of the Clerk of the local Board, or in his absence, the duty of any other member of the Board taking his place, to keep a record of the submission of the proposal aforesaid to the school voters, of the sum of money specified in such proposal and of the result of the ballots cast thereat. Such record shall be conclusive evidence of such submission, of the sum speci-

Matter of building or rebuilding, furnishing or repairing a school building submitted to the voters

Submission by call of a special meeting, said meeting to be advertised

Qualified voter

Board shall submit the proposal to borrow money for what purpose, and amount

Vote by ballot

Who shall conduct the meeting

Appoint tellers, their duty

Duty of the clerks or any one acting as such

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fied in the proposal and of the results of the election, except in the case of fraud shown to have been committed in the keeping of such record.

If result of
the election
should be
favorable

If a majority of the ballots lawfully cast at said meeting shall be for better buildings, the local Board shall have full power and authority to borrow any sum not in excess of that specified in the proposal aforesaid for the purpose aforesaid. The payment of such sum and the interest thereon shall be secured as is provided in Section 39 F of this Chapter, and all the provisions of Section 39 F relative to the giving of bonds and mortgages, and the form and execution thereof, and the levying and raising of money by taxation for payment thereof, shall be deemed and taken to apply to the cases provided for in this Section 39 N, as if the same were expressly repeated herein.

Power of
condemning
real estate
for school
purposes

2311 O. Section 39 O. Whenever a local Board of Education of an altered District shall resolve that a lot or parcel of land is necessary for school purposes for the District, but are unable to agree with the owner or owners thereof on a price for the same, it shall and may be lawful for the said local Board to take proceedings for the condemnation thereof under the provisions of Section 2290 of the Revised Statutes of the State of Delaware, being Section 18 of Chapter 71 of said Code, but the restriction as to the quantity of land to be taken in such proceedings shall not be deemed applicable, provided said local Board shall not seek to condemn more land than is necessary for the public use of the District; or the said local Board may proceed under any other statute of this State, providing for condemnation proceedings for school Districts generally.

Proviso

Board may
sell real or
personal
property at
public or
private sale,
or lease same

2311 P. Section 39 P. If the local Board of Education of an altered District shall, at any time, deem any school property of the District, real or personal, to be no longer needed by the District, the said local Board may sell the same at private or public sale, or may lease the same, as the said local Board shall deem best. The said local Board is authorized and empowered in such case to give deeds or

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other instruments of writing necessary or proper to vest title in the purchasers or lessees, without liability for the application of the purchase money. Such deeds or other instruments may be executed by the President and attested by the Clerk of said local Board, and the word "seal" with a scroll around it shall be deemed the corporate seal of the District.

2311 Q. Section 39 Q. It shall be the duty of every local Board of Education of an altered District to levy and raise by taxation annually such amount as they shall deem proper for the current expenses of the District, provided such amount shall not be less than an amount equal to One Hundred Dollars (\$100.00) for each teacher to be employed in the schools of the District for the succeeding school year, and provided further that such amount shall not be greater than an amount equal to Three Hundred Dollars (\$300.00) for each teacher employed in the schools of such District in the succeeding school year. Provided, however, that if at the time of an alteration of a District, any original District affected by such alteration be vested with power to levy and raise by taxation for school purposes any sum in excess of One Hundred Dollars (\$100.00), then and in such event, the local Board of Education of an altered District embracing any part of the area of such an original District shall be deemed to be vested with power and authority to levy and raise by taxation annually a like sum beside and in addition to the sum which such local Board is directed to levy and raise as first above stated.

It shall be the duty of every such local Board to levy and raise by taxation a sum in excess of that required as aforesaid whenever authorized so to do *any any regular annual meeting of the school voters of the altered District by a majority vote of the school voters present at such meeting. The provisions of this Chapter relative to the levy, assessment and collection of school taxes for school Districts generally, shall be deemed and taken to apply to altered Districts, where not inconsistent with the provisions of this Chapter, relating expressly to altered Districts.

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Every power and authority invested in an original district is transferred to the altered district

Every power and authority vested in an original District, or its Board of Education or School Committee, by any general or special law at the time an alteration takes effect shall be deemed and held to be vested by said alteration in the local Board of Education of an altered District which embraces any portion of the area of said original District.

School house may be used for public purpose, subject to approval of local Board

2311 R. Section 39 R. The school houses of every School District, may be used, out of school hours, for any public purpose that is educational in its nature, subject to such rules and regulations as shall be prescribed by the local Board and approved by the State Board of Education.

Number in local Board of Education

First Board shall be elected as designated by the State Board

Term of office of first Board elected

Annual elections

Vacancies; how filled

Local Board power to fill vacancies

2311 S. Section 39 S. The local Board of Education for each altered District shall be composed of five members. The first local Board of Education of an altered District shall be elected at a meeting of the school voters of the altered District at a time and place designated by the State Board of Education, and advertised by the posting of written or printed notices of such meeting and the time and place thereof in five or more public places in such altered District at least ten days before such election. At said election, all of the five members of the said local Board shall be voted for and have the full terms of office, one for five years, one for four years, one for three years, one for two years and one for one year, reckoning from the date of the next regular annual school election in the District, in addition to the period intervening between the date of their election and the date of the next regular annual school election. Annually thereafter, at the regular annual school election in the District, vacancies in the local Board caused by the expiration of the term of a member, by death, resignation, removal from the District or otherwise, shall be filled by the school voters; such vacancy, if arising from the expiration of the term of a member, shall be filled for the term of five years, and if arising from any other cause, shall be filled for the residue of the term for which the member producing such vacancy was elected. The local Board shall have power to fill a vacancy until the next

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annual school election. In every case, a member of a local Board of Education shall continue to hold office until his successor shall be duly elected and qualified, even though such continuance involve the holding over after the term for which he was elected, as hereinbefore prescribed. The persons first elected members of a local Board of Education shall organize within one week after such election.

When Board shall organize

It shall be the duty of every local Board of Education to hold at least one meeting during each month of the year, except July and August, and the failure of any member to attend two successive meetings, unless excused by the Board, shall, at the option of the Board be deemed a vacancy and may be filled as other vacancies.

Regular Board meetings

Non-attendance of a member may create a vacancy

Every person above the age of twenty-one years, residing in the altered District, may be elected a member of the local Board of Education. Removal of the residence of a member from the District at any time shall cause a vacancy.

Who may be elected a member of the Board
Removal from district shall cause a vacancy

The officers of a local Board shall consist of a President and a Clerk. Beside the usual duties pertaining to such officers, every such President and Clerk shall have such other duties as by the laws of this State, relative to school Districts generally, now or hereafter enacted, are prescribed for such officers.

Officers of the Board

Duties

Before entering upon the duties of his office every member of such local Board shall be sworn or affirmed to perform the duties of his office with fidelity. Any member of the Board may administer every oath or affirmation to his colleagues.

Every member shall take oath of office

2311 T. Section 39 T. The regular annual meetings of the school voters of an altered District shall be held at the time prescribed in this Chapter for the regular annual meetings in school Districts generally. Such regular meetings may be adjourned by those present. Special meetings may be called at any time by the local Board of Education

Regular annual meeting of voters

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Special meet- upon posting notices of the time and place and of the pur-
ing may be pose thereof in five or more public places in the District at
called by least one week prior to the date of such special meeting.
posting notices

Any business may be transacted at such special meeting,
transacted the nature of which was indicated in the advertisement
if advertised therefor.

Every al-
tered dis-
trict entitled
to share in
school fund

2311 U. Section 39 U. Every altered District shall be entitled to share in the annual apportionment of the School Fund, as is now or hereafter may be provided by law for School Districts generally, but in no case shall the alteration of a District as hereinbefore provided work a reduction of the State dividend to such altered District. If the alteration shall consist of the union of two or more Districts, and if the number of teachers employed in said altered District shall, in any year, be less than the aggregate of all of the teachers employed in the several Districts composing such altered District, at the time the alteration became effective, then and in such event, the Trustee of the School Fund shall apportion to said altered District as its share of the School Fund a sum equal to that to which it would be entitled if the number of teachers had not been reduced, unless the State Board of Education shall certify to the said Trustee of the School Fund that the number of teachers employed in said altered District is inadequate. If the alteration of a District be in any other manner, and if at any time after such alteration, the total number of teachers employed in all of the Districts, which were affected by said alteration, shall be less than the total number of teachers which were employed in all of said affected Districts at the time said alteration went into effect, the Trustee of the School Fund shall in his apportionment of the annual School Fund set aside for the affected Districts a sum equal to the aggregate of the several sums which the several Districts affected would have been entitled to if the number of teachers had not been reduced and the alteration had not been made; and he shall apportion the sum so set aside among the affected Districts as they shall exist after such alteration, upon the basis certified to him by the State Board of Education, as being equitable for such Districts.

Conditions
of applying
to an altered
district; its
share of
school fund

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2311 V. Section 39 V. If the plan of the State Board of Education for the alteration of a District as hereinbefore set forth shall include a new school building or buildings, or the alteration, repair or remodeling of an old school building or buildings, or the furnishing and equipment thereof; or if at any time after a District has been altered as provided in this Chapter, the said Board shall deem a new school building or buildings, or the alteration, repair or remodeling of an old school building or buildings, or the furnishing and equipment thereof, necessary or proper to meet the requirements of said altered District, then and in either of such events, the said State Board may, for and on behalf of the State of Delaware, agree with the local Board of Education of such District to contribute for any of the purposes aforesaid any sum, not in excess of twenty per centum (20%) of the cost thereof, at such times and in such manner, and upon such conditions as the said State Board of Education shall prescribe; State Board of Education may contribute certain per cent. of the cost of for school improvement Provided that no District shall receive more than Two Thousand Dollars (\$2,000.00) under this Section; and Proviso Provided further, that the aggregate of the sums actually paid out under this Section shall not exceed the sum of Ten Thousand Dollars (\$10,000.00) in any one year. Further proviso

The State Treasurer is hereby authorized and directed to honor the orders of the State Board of Education, drawn under this Section. Such orders shall be signed by the President of said Board and attested by its Secretary. The sum of Ten Thousand Dollars (\$10,000.00) is hereby appropriated annually, beginning with the year nineteen hundred and fifteen to carry out the provisions of this Section. State Treasurer authorized and directed to honor orders of State Board How orders shall be signed Amount appropriated

If after the State Board of Education shall have made agreements under this Section, by the terms of which the State is required to pay out an aggregate of Ten Thousand Dollars (\$10,000.00) in the same year, the said State Board shall believe that there are other altered Districts entitled to the benefit of this Section, then the said State Board shall have the right and power to make agreements as in Should the whole amount of appropriation be used in one year, State Board may act

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this Section before set forth with the local Boards of such other Districts, provided that the time of the payment of the State money under the agreements with such other Districts shall be postponed to some succeeding year and so that not more than Ten Thousand Dollars (\$10,000.00) shall fall due and be payable by the State under this Section in any one year. In honoring the orders of the State Board of Education, drawn under this Section, the State Treasurer shall give such preferences in time of payment to particular orders as may be designated by the said Board in such orders.

State Treasurer shall give preference

High school appropriation by the State

Maximum amount

Limit of appropriations for high schools, \$5,000 annually

Orders on State Treasurer; how signed

Annual appropriation of \$5,000, beginning with year 1915

Alteration of boundaries

Transfers

2311 W. Section 39 W. Whenever any altered District shall, with the approval of the State Board of Education, establish a High School with a four year course of study therein, the said State Board is hereby authorized to agree, for and on behalf of the State of Delaware, with the local Board of Education of said District, to contribute annually to the support of such High School a sum not in excess of One Thousand Dollars (\$1,000.00), payable at such times and upon such conditions as the said State Board shall prescribe; Provided that the said State Board shall not make agreements under this Section requiring the payment of more than Five Thousand Dollars (\$5,000.00) in any one year. The State Treasurer is hereby authorized and directed to honor the orders of the State Board of Education drawn under this Section. Such orders shall be signed by the President of said State Board and attested by its Secretary. The sum of Five Thousand Dollars (\$5,000.00) is hereby appropriated annually, beginning with the year nineteen hundred and fifteen, to effectuate the object and purposes of this Section.

2311 X. Section 39 X. Sections 39 B to 39 W inclusive of this Chapter shall not be deemed to apply to the alteration of the boundaries of a District by the transfer of a single farm or of a single lot or Parcel of land from one District to another, or by the addition to the area of any District of real estate not then included within the limits or boundaries of any District. The transfer of a single

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farm or of a single lot or parcel of land from one District to another, or the addition to the area of a District of real estate not then included within the limits or boundaries of any District, may be made from time to time by the County School Commission of the County in which such real property is situated, upon its own motion or upon petition of the owner or owners thereof, but no such transfer or addition shall be made until the said County School Commission shall have given ten days' notice to the School Committee of any District affected, through its Clerk or Secretary, by mailing to said Clerk or Secretary a letter stating that the said County School Commission would consider making the transfer or addition at its meeting to be held at a time and place specified therein, and no transfer or addition under this Section shall be deemed effective until approved by the State Board of Education. When the County School Commission shall have determined in favor of a transfer or addition, it shall immediately report its finding to the State Board of Education, which shall, as soon as conveniently may be, approve or disapprove the action of the County School Commission, and shall certify the same to such Commission. If the transfer or addition shall be approved by the State Board of Education, the County School Commission shall certify the same to the Clerk of the Peace of the proper County and to the School Committee or Board of Education of every District affected.

Notice must be given before transfers can be made

All transfers under this section must be approved by the State Board

County School Commission shall report favorably findings to State Board

State Board may approve or disapprove and so report to Commission

If State Board approves the County Commission shall certify to Clerk of the Peace

Approved March 12, A. D. 1915.

FREE SCHOOLS.

CHAPTER 165.

FREE SCHOOLS.

AN ACT to authorize The Board of Public Education in Wilmington to borrow One Hundred and Fifty Thousand Dollars to be expended for the erection and equipment of an addition to the Wilmington High School 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):

Power to
borrow
money for
erection and
equipment of
high school
addition

Section 1. That the Board of Public Education in Wilmington is hereby authorized and empowered to borrow the sum of One Hundred and Fifty Thousand Dollars to be expended for the erection and equipment of an addition to the Wilmington High School 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.

To issue
bonds

Rate of
interest

Interest,
semi-annual

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

Class, amounts and maturity of bonds	CLASS	AMOUNT	YEAR OF MATURITY
	A	\$15,000	1936
	B	\$15,000	1938
	C	\$15,000	1940
	D	\$15,000	1942
	E	\$15,000	1944
	F	\$15,000	1946

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CLASS	AMOUNT	YEAR OF MATURITY
G	\$15,000	1948
H	\$15,000	1950
I	\$15,000	1952
J	\$15,000	1954

Said bonds may at the option of the Board of Public Education in Wilmington, contain a provision for the 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 exceeding five per cent.

Option of
Redemption

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.

Bonds shall be prepared under supervision of Board of Public Education of Wilmington, shall be under corporate seal; and signed by whom

Shall keep a record of the 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.

Bonds may be sold, when and as the Board of Public Education may direct

Until sold shall be in custody of City Treasurer

Bonds must be advertised before sold

No compensation shall be paid for sale of bonds

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Where principal and interest shall be paid, and how

Board of Public Education authorized and directed to pay interest and principal

Shall annually set aside a certain sum for paying bonds and interest

Date and number of bonds

Where money shall be deposited, to the credit of whom, and how paid out

Proviso

Section 5. Said bonds, principal and interest shall be paid at the Union National Bank in Wilmington in gold coin of the United States of America equal in weight and 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, provided 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.

Section 6. All of said bonds shall bear the same date and shall be numbered from one to one hundred and fifty 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 Wilmington, provided that no part of the

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money so obtained except as in this section provided shall be used for any other purpose than for the erection and equipment of an addition to the Wilmington High School 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.

Further
proviso

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_____percentum 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 One Hundred and Fifty Bonds aggregating One Hundred and Fifty Thousand Dollars (\$150,000) by virtue of and in strict compliance with an act of the General Assembly approved A. D. 1915, entitled, "An Act to authorize the Board of Public Education in Wilmington, to borrow One Hundred and Fifty Thousand Dollars (\$150,000.00) to be expended for the erection and equipment of an addition to the Wilmington High School in the City of Wilmington," and in pursuance to a resolution of the Board of Public Education in Wilmington, adopted_____A. D. 19_____.

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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 thereof 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——.

Other provisions not inconsistent with this act may be inserted

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 16, A. D. 1915.

FREE SCHOOLS.

CHAPTER 166.

FREE SCHOOLS.

A Supplement to Chapter 92, Volume 23, Laws of Delaware, entitled "An Act to provide for the Organization and Control of the Public Schools of the City of Wilmington," as amended by Chapter 125, Volume 24, Laws of Delaware, and as further amended by Chapter 104, Volume 25, 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 members elected to each house concurring):

Section 1. That the Council of "The Mayor and Council of Wilmington" be and the same is hereby authorized to transfer from the item of appropriation known as "The Incidental and Miscellaneous Account" for the fiscal year beginning July 1, A. D. 1914, to the Board of Public Education in Wilmington, for current school expenses, the sum of Five Thousand Two Hundred and Fifty Dollars (\$5,250.00), which said sum shall be in addition to the money heretofore appropriated to said board for said purpose and for said fiscal year: Provided, however, that the said Council shall have the power and authority to designate what proportion, if any, of the said Five Thousand Two Hundred and Fifty Dollars (\$5,250.00) shall be used for the purpose of adjusting, equalizing, and increasing the salaries of principals and teachers employed by said Board, and so much of said funds so designated by the Council shall thereupon be used for no other purpose than to adjust, equalize, and increase such salaries of principals and teachers.

Section 2. The transfer of the said sum shall be by ordinance passed by a majority vote of all the members of the said Council.

Approved February 17, A. D. 1915.

FREE SCHOOLS.

CHAPTER 167.

FREE SCHOOLS.

AN ACT to Amend Chapter 92, Volume 23, Laws of Delaware, entitled "An Act to provide for the Organization and Control of the Public Schools of the City of Wilmington," as Amended by Chapter 125, Volume 24, Laws of Delaware, and Chapter 104, Volume 25, 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 the Members elected to each House concurring therein):

Chap. 92,
Vol. 23,
further
amended

Section 1. That Chapter 92, Volume 23, Laws of Delaware entitled "An Act to provide for the organization and control of the Public Schools of the City of Wilmington," as amended by Chapter 125, Volume 24, Laws of Delaware and Chapter 104, Volume 25, Laws of Delaware, be and the same is hereby amended by striking out all of Section 11 of said act as amended and substituting in lieu thereof the following:

Council shall
determine
sum neces-
sary for
current year

"Section 11. The Council shall, every year, when determining the amount necessary to be raised on the persons and estates in the City of Wilmington for public use, also include the sum necessary to be raised on the persons and estates for executing the foregoing provisions; provided, that the amount to be raised for current school expenses as aforesaid in any one year shall be exclusive of the amount designated for the erection or extension of school houses and for furniture and heating apparatus for the same. The amount collected for school purposes shall be paid into the city treasury as other taxes are paid. At the time of making the annual appropriation for public use, the Council shall also make an appropriation for current school expenses equal in amount to the amount an-

Sum exclu-
sive of
amount
designated
for erection
of school
building and
furniture

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nually computed and agreed upon by the said Council and the 'Board of Public Education in Wilmington'; provided that the sums so computed and appropriated shall be exclusive of the amount designated for the erection or extension of school houses and for furniture and heating apparatus for the same. The Council shall appropriate annually for the erection or extension of school houses and for furniture and heating apparatus for the same the amount estimated by said Board therefor not to exceed Twenty Thousand Dollars per annum.

Council to appropriate annually for school houses and furniture
Amount limited

Provided, however, if the amount appropriated by the Council for the erection or extension of school houses, and for furniture and heating apparatus shall not be sufficient to meet the expenses for which it was appropriated the said Board shall have the right to meet such deficit by using other money in their hands appropriated by said Council for school purposes, provided they shall not use an additional sum of more than Ten Thousand Dollars for any one year."

Proviso
Right to use other moneys
Limit of amount

Approved March 16, A. D. 1915.

FREE SCHOOLS.

CHAPTER 168.

FREE SCHOOLS.

AN ACT appropriating money for tuition of Non-resident pupils to the Board of Public Education in Wilmington.

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

State Treas-
urer to pay
to Board of
Public Edu-
cation of
Wilmington

Tuition, for
non-resident
pupils

Section 1. That the State Treasurer is hereby authorized and directed to pay the "Board of Public Education in Wilmington", Delaware, upon the passage and approval of this Act, the sum of Forty-six Hundred and Thirty-eight Dollars and Thirty Cents, being the aggregate of the amounts due for tuition of Non-resident pupils for the school year ending June 30th, 1913, in the amount of Twenty-nine Hundred and Ninety-eight Dollars and Sixty Cents, and the balance due for the tuition of Non-resident pupils for the school year ending June 30th, 1914, in the amount of Sixteen Hundred and Thirty-nine Dollars and Seventy Cents, as per the provisions of Chapter 219, Volume 21 of the Laws of Delaware, and subsequent amendments thereto.

Approved March 9, A. D. 1915.

FREE SCHOOLS.

CHAPTER 169.

FREE SCHOOLS.

AN ACT in Reference to Elections for Members of "The Board of Education of the Newark Public Schools."

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 elected thereto and concurring therein):

Section 1. That at all Elections held in the Town of Newark for members of "The Board of Education of the Newark Public Schools" uniform ballots shall be used.

Section 2. Any person intending to become a candidate for a member of "The Board of Education of the Newark Public Schools" at any annual election held pursuant to the charter of the said Board, or any amendment thereof shall, at least ten days before said election, file with the Secretary of the said Board of Education (in case of his absence with the President of the said Board) a written notice of his intention to become a candidate and paying the fee herein provided for.

Section 3. It shall be the duty of the Secretary of the said "The Board of Education of the Newark Public Schools" (or in his absence, the President of the said Board) to prepare and have printed a sufficient number of ballots to be used at each Election mentioned aforesaid, using only the names of Candidates who have complied with the provisions of Section 2 of this Act, said ballots to be of uniform size, the candidates to be arranged alphabetically, with instructions thereon,—how many persons are to be voted for. Two hundred and fifty ballots for each name appearing on the said ballot as a candidate,

Uniform
ballots shall
be used

A candidate
for office at
annual elec-
tion must
file his notice
as such, so
many days
before

Duty of cer-
tain officers
to furnish
printed
ballots

Ballots
printed uni-
form size,
with instruc-
tions thereon

Number of
ballots for
each name

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shall be delivered on the morning of election day to the Inspector holding said election, without charge, and as many to any candidate as he may desire, charging said candidate the actual cost of printing said ballots, said candidate being entitled to receive the same, at least two days before Election day.

Candidate to
pay cost of
ballots
should he
desire any

Manner of
voting

Voter to ex-
press his
choice

No votes
counted out-
side of
official ballot

Section 4. A voter designating the candidate who he wishes to vote for shall leave unmarked such name or names on the ballot, and those he does not wish to vote for, he will draw a line through their name or names using pencil, ink or crayon. Inspectors and Judges of Election shall not canvass or count any ballots that are cast for any person not on the official ballot herein provided for.

Fee for fil-
ing name as
candidate

Section 5. When filing their names, as provided in Section 2 of this act, candidates shall pay to the Secretary of the said "The Board of Education of the Newark Public Schools" the sum of \$1.00, which shall be turned over to the Treasurer of the said Board.

In case of
insufficient
number of
candidates

Section 6. In case of the death of a candidate whose name has been printed on the official ballot and there be remaining an insufficient number of candidates to fill the vacancies in said Board, it shall be lawful in that case to vote at the said Election for any legally qualified person, regardless of the fact that he has not previously filed his name pursuant to the provisions of this Act.

Approved March 8, A. D. 1915.

FREE SCHOOLS.

CHAPTER 170.

FREE SCHOOLS.

AN ACT to Authorize the Board of Education of the Newark Public Schools to determine the amount to be raised by Taxation for School Purposes.

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 Board of Education of The Newark Public Schools be, and it is, hereby authorized and empowered to determine and fix the amount of money to be raised by taxation for school purposes, in School Districts Nos. 39, 39½, 41 and 41½, of New Castle County, united and incorporated under the name of The Newark Public Schools; provided, however, that the total amount to be raised in any one year under the provisions hereof shall not exceed Twelve Thousand Dollars.

Board of Education of Newark Public Schools authorized and empowered to fix amount of money to be raised by taxation
 Newark Public Schools authorized and empowered to fix amount of money to be raised by taxation
 Provide

Approved March 15, A. D. 1915.

FREE SCHOOLS.

CHAPTER 171.

FREE SCHOOLS.

AN ACT appropriating the sum of One Hundred Fifty-five Dollars and Forty Cents to the Board of Education of the Newark Public Schools to cover an insufficiency in the amount applicable out of the sum appropriated to carry out the provisions of "An Act Providing Graded School Facilities for the children of this State," being Chapter 219, Vol. 21, Laws of Delaware.

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

Appropriation under the graded school act

That the sum of One Hundred Fifty-five Dollars and Forty Cents be and the same is hereby appropriated to be paid to the Board of Education of the Newark Public Schools to carry out the provisions of "An Act Providing Graded School Facilities for the children of this State."

Approved March 8, A. D. 1915.

FREE SCHOOLS.

CHAPTER 172.

FREE SCHOOLS.

AN ACT in reference to Elections for members of "The Board of Public Education for the City of New Castle."

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 elected thereto and concurring therein):

Section 1. That at all Elections held in the City of New Castle for members of "The Board of Public Education for the City of New Castle" uniform ballots shall be used.

Uniform
ballots shall
be used

Section 2. Any person intending to become a candidate for a member of "The Board of Public Education for the City of New Castle" at any annual election held pursuant to the charter of the said Board, or any amendment thereof shall, at least ten days before said election, file with the Secretary of the said Board of Education (in case of his absence with the President of the said Board) a written notice of his intention to become a candidate and paying the fee herein provided for.

All candi-
dates shall
file notice

Section 3. It shall be the duty of the Secretary of the said "The Board of Public Education for the City of New Castle" (or in his absence the President of the said Board) to prepare and have printed a sufficient number of ballots to be used at each Election mentioned aforesaid, using only the names of Candidates who have complied with the provisions of Section 2 of this Act, said ballots to be of uniform size, the candidates to be arranged alphabetically, with instructions thereon,—how many persons are to be voted for. Two hundred and fifty ballots for each name appearing on the said ballot as a candidate, shall be delivered

Ballots shall
be prepared;
by whom

Number of
ballots to be
prepared

FREE SCHOOLS.

Ballots to be delivered to Inspector and candidates; when

A voter to designate his choice; how

Must be on official ballot

Fee for filing name as candidate

Proviso, in case of not being sufficient number of eligible candidates

on the morning of Election day to the Inspector holding said election, without charge, and as many to any candidate as he may desire, charging said candidate the actual cost of printing said ballots, said candidate being entitled to receive the same, at least two days before Election day.

Section 4. A voter designating the candidate who he wishes to vote for shall leave unmarked such name or names on the ballot, and those he does not wish to vote for, he will draw a line through their name or names, using pencil, ink or crayon. Inspectors and Judges of Election shall not canvass or count any ballots that are cast for any person not on the official ballot herein provided for.

Section 5. When filing their names, as provided in Section 2 of this act, candidates shall pay to the Secretary of the said "The Board of Public Education for the City of New Castle" the sum of \$1.00, which shall be turned over to the Treasurer of the said Board.

Section 6. In case of the death, resignation or when from any other cause a candidate whose name has been printed on the Official Ballot, cannot serve if elected, and there be remaining an insufficient number of candidates to fill the vacancies in the said Board, it shall be lawful in that case to vote at the said Election for any legally qualified person, regardless of the fact that he has not previously filed his name pursuant to the provisions of this Act.

Approved February 9, A. D. 1915.

FREE SCHOOLS.

CHAPTER 173.

FREE SCHOOLS.

AN ACT to appropriate the sum of One Hundred Ninety-two Dollars to Mt. Pleasant School District No. 2, New Castle County, to cover an insufficiency in the amount allowed to said District in the distribution of the State School Funds.

WHEREAS Mt. Pleasant School District No. 2, New Castle County, is now employing an additional teacher and should be entitled to One Hundred Ninety-two Dollars for such teacher so employed,

Preamble

AND WHEREAS by an oversight on the part of the Commissioners of said school district, the said school district is not receiving any dividend from the State for the additional teacher so employed;

Preamble

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 One Hundred Ninety-two Dollars be and the same is hereby appropriated to be paid to the said Mt. Pleasant School District No. 2, 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.

State appropriation to Mount Pleasant School District No. 2

Approved March 15, A. D. 1915.

FREE SCHOOLS.

CHAPTER 174.

FREE SCHOOLS.

AN ACT to empower The Board of Directors of the Smyrna Public Schools to acquire title to certain real property situate in the Town of Smyrna, for public school purposes.

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):

Board of Directors of The Smyrna Public School authorized and empowered to take title to real estate

Section 1. That The Board of Directors of the Smyrna Public Schools, a corporation of the State of Delaware, is hereby authorized and empowered to purchase, take and hold, in fee simple and without limit as to acreage, title to any real property situate in The Town of Smyrna, Kent County and State of Delaware, adjoining and abutting upon any real property vested in said corporation, as The Board of Directors of The Smyrna Public Schools may deem necessary and proper for the enlargement and extension of public school premises and the maintenance of good public schools in United School District, Nos. 3, 77, 5 and 107, in Kent County.

Conditions under which condemnation proceedings may be instituted

Section 2. That to enable The Board of Directors of The Smyrna Public Schools to acquire title in fee simple to real property for public school purposes, in every case where the owner or owners of such real property are unknown, non-residents, or minors, or from any other cause are incapable of making a perfect title to such real property, or where the said owner or owners being residents and capable of conveying shall from disagreement in price or from any other cause whatever refuse to convey said real property in fee simple unto The Board of Directors of the Smyrna Public Schools, The Board of Directors of the Smyrna Public Schools may apply by petition to the

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Levy Court of Kent County, who shall thereupon appoint three judicious and impartial freeholders of said County, residing without the limits of said United School District, Nos. 3, 77, 5 and 107, in Kent County, to go upon and to appraise the value of the real property intended to be taken and appropriated for public school purposes and to condemn the same, and when such condemnation shall have been made and the condemnation money paid or deposited as hereinafter provided, the title in fee simple to the real property so condemned shall forthwith vest in The Board of Directors of the Smyrna Public Schools.

May petition to Levy Court to appoint freeholders

When title may be vested in Board of Directors of the Smyrna Public Schools

Section 3. The Board of Directors of the Smyrna Public Schools shall, as soon as conveniently possible after the appointment of said freeholders, notify the said freeholders and fix a day when they shall go upon and view the real property intended to be taken and appropriated for public school purposes, and shall also give notice to the owner or owners of the real property of the time so fixed, by notice mailed to each owner at his or her last known post-office address, or by notices posted in five of the most public places in The Town of Smyrna at least ten days before the time so fixed. The said freeholders shall, on the day fixed, proceed to view the real property intended to be taken and appropriated for public school purposes, taking with them a surveyor, if necessary, and shall cause a plot and description of said real property to be made out and delivered to The Board of Directors of the Smyrna Public Schools, who shall, within thirty days after such delivery, lodge the same in the office of the Recorder of Deeds, Etc., in and for Kent County, to be recorded. The said freeholders shall also, at the time of viewing the real property, assess the damages of the owner or owners, taking into consideration all circumstances of convenience or injury, but in making such assessment, they shall allow at least the cash value of the land taken, and they shall certify their award to both parties, the owner or owners and The Board of Directors of the Smyrna Public Schools, whereupon, on payment of the damages, so assessed, the said land and premises so taken shall forthwith become

Shall appoint a day when the freeholders shall go upon and view the real property

Also shall notify the owner of time fixed

Freeholders may take a surveyor, and shall have a plot and description delivered to the Board of Education of the Public Schools

Plot and description to be recorded in office of Recorder of Deeds for Kent Co.

Freeholders shall certify their award to both parties

FREE SCHOOLS.

CHAPTER 174.

FREE SCHOOLS.

AN ACT to empower The Board of Directors of the Smyrna Public Schools to acquire title to certain real property situate in the Town of Smyrna, for public school purposes.

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):

Board of Directors of The Smyrna Public School authorized and empowered to take title to real estate

Section 1. That The Board of Directors of the Smyrna Public Schools, a corporation of the State of Delaware, is hereby authorized and empowered to purchase, take and hold, in fee simple and without limit as to acreage, title to any real property situate in The Town of Smyrna, Kent County and State of Delaware, adjoining and abutting upon any real property vested in said corporation, as The Board of Directors of The Smyrna Public Schools may deem necessary and proper for the enlargement and extension of public school premises and the maintenance of good public schools in United School District, Nos. 3, 77, 5 and 107, in Kent County.

Conditions under which condemnation proceedings may be instituted

Section 2. That to enable The Board of Directors of The Smyrna Public Schools to acquire title in fee simple to real property for public school purposes, in every case where the owner or owners of such real property are unknown, non-residents, or minors, or from any other cause are incapable of making a perfect title to such real property, or where the said owner or owners being residents and capable of conveying shall from disagreement in price or from any other cause whatever refuse to convey said real property in fee simple unto The Board of Directors of the Smyrna Public Schools, The Board of Directors of the Smyrna Public Schools may apply by petition to the

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Levy Court of Kent County, who shall thereupon appoint three judicious and impartial freeholders of said County, residing without the limits of said United School District, Nos. 3, 77, 5 and 107, in Kent County, to go upon and to appraise the value of the real property intended to be taken and appropriated for public school purposes and to condemn the same, and when such condemnation shall have been made and the condemnation money paid or deposited as hereinafter provided, the title in fee simple to the real property so condemned shall forthwith vest in The Board of Directors of the Smyrna Public Schools.

May petition to Levy Court to appoint freeholders
When title may be vested in Board of Directors of the Smyrna Public Schools

Section 3. The Board of Directors of the Smyrna Public Schools shall, as soon as conveniently possible after the appointment of said freeholders, notify the said freeholders and fix a day when they shall go upon and view the real property intended to be taken and appropriated for public school purposes, and shall also give notice to the owner or owners of the real property of the time so fixed, by notice mailed to each owner at his or her last known post-office address, or by notices posted in five of the most public places in The Town of Smyrna at least ten days before the time so fixed. The said freeholders shall, on the day fixed, proceed to view the real property intended to be taken and appropriated for public school purposes, taking with them a surveyor, if necessary, and shall cause a plot and description of said real property to be made out and delivered to The Board of Directors of the Smyrna Public Schools, who shall, within thirty days after such delivery, lodge the same in the office of the Recorder of Deeds, Etc., in and for Kent County, to be recorded. The said freeholders shall also, at the time of viewing the real property, assess the damages of the owner or owners, taking into consideration all circumstances of convenience or injury, but in making such assessment, they shall allow at least the cash value of the land taken, and they shall certify their award to both parties, the owner or owners and The Board of Directors of the Smyrna Public Schools, whereupon, on payment of the damages, so assessed, the said land and premises so taken shall forthwith become

Shall appoint a day when the freeholders shall go upon and view the real property
Also shall notify the owner of time fixed
Freeholders may take a surveyor, and shall have a plot and description delivered to the Board of Education of the Public Schools
Plot and description to be recorded in office of Recorder of Deeds for Kent Co.
Freeholders shall certify their award to both parties

FREE SCHOOLS.

When the property shall become the property of the Board of Directors of the Public Schools of Smyrna

In case of refusal or otherwise of the award, the amount may be deposited in the Farmers' Bank at Dover

Failure of the freeholders to meet, may be called again

Decision of majority

Fees of the freeholders

and be the property in fee simple of The Board of Directors of the Smyrna Public Schools. In case any such owner or owners be unknown, a non-resident, minor, or from any other cause be incapable of receiving, or unwilling, or neglecting to receive said damages, The Board of Directors of the Smyrna Public Schools may deposit the same to the credit of such owner or owners, in the Farmers' Bank of the State of Delaware, at Dover, Delaware, and such deposit shall operate as payment.

Section 4. In case the said freeholders should fail to meet on the day fixed and to perform the duties hereinbefore prescribed, The Board of Directors of the Smyrna Public Schools may call said freeholders out again upon like notice or notices to the owner or owners of the real property as prescribed in Section 3 of this Act. The said freeholders shall have power to adjourn from time to time. The decision of the majority shall be as valid as that of the whole.

Section 5. The fees of the freeholders shall be one dollar per day and mileage. All the expenses shall be borne by The Board of Directors of the Smyrna Public Schools.

Section 6. This shall be deemed and taken to be a public Act.

Approved March 2, A. D. 1915.

FREE SCHOOLS.

CHAPTER 175.

FREE SCHOOLS.

AN ACT to authorize the Board of Education of The Dover Public Schools to provide additional school facilities for its School District and for that purpose to acquire additional grounds for the use of said district and to improve its school buildings, or to erect new school buildings, and to issue bonds and to sell and convey its present school property, or any of it, to provide the payment therefor.

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 thereof concurring therein):

Section 1. That the Board of Education of the Dover Public Schools be and the same is hereby authorized and empowered to acquire additional grounds for the use and benefit of its school district, and to provide additional school facilities by the improvement of its present school buildings, or of any other buildings on lands so purchased as aforesaid, or by the erection of new buildings, and fully to furnish and equip such buildings or any of them suitably for the purpose of said school district.

Section 2. That the said The Board of Education of the Dover Public Schools shall have full and free right and authority to enter upon any lands in the said District aforesaid and into any buildings being on such land for the purpose of inspecting and surveying the same in order that said Board may determine whether the acquisition of the same under the power conferred by Section 1 of this Act would be expedient. The said Board shall have authority to purchase any real property in the said District which it shall select for the purpose aforesaid from the owner or owners thereof, upon such terms as may be agreed upon. In case the said The Board of Education

Board of Education of the Dover Public Schools authorized and empowered to acquire additional grounds and provide additional school facilities

Authority to enter on lands and buildings in district

Authority to purchase any real property in district

FREE SCHOOLS.

For any reason the Board of Education of the Dover Public Schools is unable to purchase, then may petition for condemnation procedure of the Dover Public Schools shall be unable to agree with the owner or owners of any real estate selected as aforesaid for the purchase thereof, either by reason of inability to agree upon the terms of such 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 aforesaid The Board of Education of the Dover Public Schools, a good and perfect title to the real property aforesaid in fee simple, said Board may apply to the Associate Judge of this State, resident in Kent County, by petition, and the said Judge shall appoint five judicious and impartial freeholders of Kent 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 freeholders shall not reside in the School District affected by this Act nor shall they own any real estate situated within the limits of said School District. 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 (5) days before the presenting of said petition, if such owner or owners be within the School District affected by this Act, but if such owner or owners shall not be within said District 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 (10) 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 the town of Dover in one issue thereof, which shall appear at least five (5) days before the time of presenting the petition aforesaid. The freeholders 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 freeholders shall give notice of the time of their meeting to view the premises. Such notice shall be given

Shall appoint five freeholders to assess damages

Qualifications of the selected freeholders

Owner of property shall have notice of the petition

How notice shall be served, and when

Other provisions for serving notices

Freeholders to be sworn or affirmed, by whom

Freeholders shall give notice of meeting to view premises

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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 School District aforesaid at such time, but if such owner or owners shall not be within said School District 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 the town of Dover. The said free-holders shall also certify their finding and award to The Board of Education of the Dover Public Schools by serving a copy thereof upon the President of the said Board, or if said President shall not be within the School District aforesaid at such time, then by leaving a copy of said finding and award at the dwelling house or usual place of abode of said President. If either party be dissatisfied with the damages assessed, the party so dissatisfied may, within twenty (20) 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 this State, resident in Kent County, first giving notice to the other party or parties affected. If the party dissatisfied be The Board of Education of the Dover Public Schools, 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 shall be any owner or owners of said real property, the notice of the presenting of the petition for review shall be given to the President of the said Board of Education or shall be left at his dwelling house or usual place of abode. Upon the presentation of any such petition for review, the said judge shall appoint five other judicious and impartial free-holders of Kent

Notices same
as notice of
petition

Freeholders
to certify
to their find-
ings and
serve same
on owners or
their ten-
ants

If there be
no tenant,
then pub-
lish same

Freeholders
shall certify
their finding
to Board of
Education;
how

In case
either party
is dissatis-
fied with
findings, may
petition for
a review

If the Board
of Education
of the Pub-
lic Schools
of Dover be
dissatisfied

If the owner
of the real
property
should be
dissatisfied

Petition for
review;
Judge to ap-
point free-
holders un-
der like con-
ditions as
the first

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County, not residing in the School District aforesaid and not owning any real property situated in said District. The said freeholders 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 free-holders appointed on the first petition, and the said free-holders or a majority of them, shall certify their finding and award to the several parties affected, in the same manner as in this Section is prescribed with respect to the certifying of the finding and award of the first set of free-holders. The finding and award of the freeholders appointed on the petition for review, or a majority of them, shall be final.

Award must
not be less
than cash
value

In assessing the damages, either under the first petition or under the petition for review, the free-holders shall in no case award a sum less than what in their opinion is the actual cash value of the real property condemned.

Acts of the
majority
binding

The acts, doing and findings of a majority of the free-holders shall be as binding and effectual as the acts, doings and findings of all, both in the case of those free-holders first appointed and in the case of those appointed on the petition for review.

Who may
act, in case
the Associate
Judge resi-
dent in Kent
County
cannot

In case the Associate Judge of this State, resident in Kent County, shall be unable to act under the provisions of this Section, by reason of illness or absence from the County, or otherwise, then either the Chief Justice or the Chancellor of this State shall and is hereby authorized and directed to act in the place and stead of said Associate Judge.

Failure to
present pe-
tition or
upon final
assessment
of damages
under peti-
tion of re-
view, the

Section 3. Upon failure to present a petition for review, after due notice, as prescribed in Section 2, of this Act, or upon the final determination of the damages assessed under a petition for review duly made under the provisions of Section 2 of this Act, the said The Board of

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Education of The Dover Public Schools shall, within twenty (20) days after such failure or such final determination as aforesaid, decide whether such damages shall be paid and such real property acquired, and if it shall decide that such real property shall be acquired, it shall cause the said damages so assessed to be paid within twenty (20) 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 Kent County or to the Prothonotary of said Court in vacation, for the use of the owner or owners of the real property condemned as aforesaid. Upon payment of said damages as aforesaid, the title to the real property condemned shall be vested in The Board of Education of the Dover Public Schools and shall be and become its absolute property for the purpose set forth in Section 1 of 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 Board of Education of the Dover Public Schools. Each freeholder appointed under the provisions of Section 2 of this Act, who shall perform his duties as prescribed by this Act, shall be entitled to a fee of Three Dollars (\$3.00) which shall be paid him by The Board of Education of the Dover Public Schools within ten (10) days after the completion of his duties.

Board of Education shall decide whether damages shall be paid

Process of payment of damages

Title vested in the Board of Education, when

All fees and costs in the condemnation proceedings shall be paid by the Board of Education

Fee for the service of the freeholder; paid by whom

Section 4. In case The Board of Education of the Dover Public Schools shall pay any damages awarded in the condemnation proceedings authorized by this Act into the Superior Court of the State of Delaware, in and for Kent County or to the Prothonotary of said Court 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 funds 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 as aforesaid.

In case any damages awarded, shall be paid in Court

Court to make order of paying out funds as said Court shall determine proper

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Authorized
and empow-
ered to bor-
row money
by the issue
of bonds

Limit of
amount

Denomina-
tion of
bonds, and
how num-
bered

Rate of
interest

Interest pay-
able semi-
annually

Date of
bonds, prin-
cipal, when
due, where
paid

Proviso

Privilege and
plan of re-
demption of
bonds

Section 5. To provide, such funds as shall be required by The Board of Education of the Dover Public Schools under the provisions of this Act, the said The Board of Education of the Dover Public Schools is hereby authorized and empowered to borrow sums, not exceeding in the aggregate Fifty Thousand Dollars (\$50,000.), and to issue bonds for the payment thereof in such quantities and at such times as it shall deem expedient.

Section 6. 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 six per centum per annum, as the said Board of Education may determine, and the said rate so determined shall be stated in the terms of said bonds. The interest upon said bonds shall be payable semi-annually in each and every year from the date of issue thereof.

Section 7. The said bonds shall bear date as of the date of their issue and the principal thereof shall be payable at the Farmers Bank of the State of Delaware, at Dover, at the expiration of thirty years from such date; but the said bonds, or any of them, may, if the said Board of Education shall deem expedient, contain a provision for the redemption of such bonds at the option of the said Board of Education at such period prior to the expiration of thirty years from their date as the said Board of Education shall fix and designate in said bonds; provided, however, that if The Board of Education of the Dover Public Schools shall elect to redeem any of said bonds within the period of thirty years from the date, the said Board of Education shall give notice, signed by the President of said Board of Education and by the Treasurer of said Board of Education, 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 Board of Education shall call the bonds

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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 8. The Board of Education of the Dover Public Schools 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 it may deem expedient.

Board of Education of Dover Public Schools shall direct and effect the preparation, printing and sale of the bonds

The said bonds shall be signed by the President of said Board of Education and by the Treasurer thereof and sealed with the Corporate Seal of the said corporation and shall be exempt from State, County and Municipal taxation.

How bonds shall be signed, with seal

Exempt from tax

As said bonds shall be paid, the same shall be cancelled as the said Board of Education shall direct.

Board to direct cancellation, when paid

Section 9. 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. The said Board of Education is hereby authorized and directed to pay the interest on said bonds at the said Farmers Bank when and as the same shall become due, and to pay said bonds at said Bank when and as the same shall mature.

Board authorized to pay interest on and principal of bonds when due, where

The said Board of Education in fixing the rate of taxation in the united school district governed by said Board 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 Board of Education, be set apart by him in a separate account to be opened for that purpose, and the

Board of Education shall annually provide by taxation for interest and principal of bonds

Same shall be paid to the Treasurer and set apart by him for payment of interest and redemption of bonds

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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.

Board of Education authorized and empowered to create by taxation a sinking fund for bond redemption

The said Board of Education 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 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 United School District aforesaid 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 Board of Education is authorized by any other law to raise by taxation.

All money received from sale of bonds to be deposited, where, to the credit of whom, what purpose

Section 10. 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 Board of Education at the Farmers Bank at Dover, to the credit of The Board of Education of the Dover Public Schools, and shall be used for the purposes set forth in Section 1 of this Act. 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.

Faith and credit of the Board and united school district pledged

Section 11. The faith and credit of the Board of Education of The Dover Public Schools and of the united school district governed by said Board are hereby pledged for the payment of all the bonds that may be issued under the provisions of this act.

How the bonds may be issued

Section 12. 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 Board of Education of the Dover Public Schools shall determine and the authority

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to issue and sell any 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 Fifty Thousand Dollars, (\$50,000.).

Section 13. The bonds to be issued shall be in the ^{Form of} following form, to wit:

UNITED STATES OF AMERICA

STATE OF DELAWARE

Number.....

DOVER SCHOOL IMPROVEMENT BONDS

\$1000.00

\$1000.00

The Board of Education of the Dover Public Schools in Kent County and 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 Dover, 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 fifty bonds, aggregating Fifty 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 Fifteen, entitled An Act to authorize the Board of Education of The Dover Public Schools to provide additional school facilities for its school district and for that purpose to acquire additional grounds for the use of said district and to improve its school buildings, or to erect new school buildings, and to issue bonds, and to sell and convey its present school property, or any of it, to provide the payment therefor, and in pursuance of a resolution of The Board of Education of the Dover Public Schools, adopted in that behalf.

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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 Board of Education of The Dover Public Schools and of the united school district governed by said Board 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 Board of Education of The Dover Public Schools and the Treasurer of the said The Board of Education of The Dover Public Schools have hereunto respectively set their hands and the corporate seal of the said The Board of Education of The Dover Public Schools, at Dover, in the State of Delaware, this day of A. D. Nineteen Hundred and

The Board of Education may provide for redemption of bonds prior to maturity.

May register bonds

Section 14. If the Board of Education of the Dover Public School shall so desire, the said bonds may contain a provision, giving such Board the option to redeem said bonds at some stated date, prior to their maturity, as set forth in Section 7 of this Act. The said Board of Education 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 Board of Education shall prefer. The said bonds shall further contain such provisions in addition to those set forth in Section 13 of this Act and not inconsistent with the requirements of this Act as the said Board of Education shall determine, and may be with or without Coupons as said Board of Education shall prefer.

Authorized and empowered to sell lands and give title

Section 15. That the said The Board of Education of The Dover Public Schools be and it is hereby authorized to sell the lands with the improvements thereon now owned by the said District, or any part thereof, and to convey the same in fee simple, to the purchaser or purchasers thereof, executing and acknowledging the deed therefor in the name of the said corporation under the hand of its President, and the corporate seal. And that

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the proceeds of any such sale or sales, shall be applied by The Board of Education of The Dover Public Schools towards the purchases and new buildings, or any of them, authorized in Section 1 of this Act, or in the payment of any of the bonds issued under the provisions of this Act, as to the said Board of Education shall seem best, and the purchaser or purchasers of any such property shall be in nowise liable for the proper application of the said purchase money, or any of it.

How the proceeds from sale of lands shall be applied

Section 16. That before the said The Board of Education shall contract for expenditures exceeding the sum of Twenty-five thousand dollars under the provisions of this Act and before it shall sell and convey its present school property, or any of it as hereinbefore provided, it shall call a special election for the school voters to vote upon such increased expenditure above the said sum of Twenty-five Thousand Dollars and upon said proposed sale of the present school property, which said proposals may be voted upon at one or at separate elections, which said election shall be called for such place in the said District and shall be held between such hours and conducted under such regulations as the said Board shall announce in said call, which said call shall be published in at least three issues of three of the newspapers published in the said District, and at said election all the then qualified voters of the said District shall be entitled to vote, and a majority of those voting shall be necessary to carry the said increased expenditures or the said sale or sales as the case may be. And in the event that at any such election any proposals then made shall not carry, then the said Board may, at its discretion, call other such special elections. And when the same shall be carried by the affirmative vote of a majority of those voting at any such special election, then the said Board, may at its discretion, proceed with the said increased expenditure, or with such sale, as the case may be.

Board of Education shall call a special election to vote on the expenditure of money beyond certain amount and sale of land

How the call of special election shall be made, and qualification of voter

May call other special elections

Section 17. That before authorizing the issue of bonds under the provisions of this act, or after such issue and pending the sale thereof, the said The Board of Education

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Board of
Education
may raise
money by
temporary
loans

of the Dover Public Schools, may raise moneys for any of the purposes of this act by temporary loans secured by the notes or other obligations of said corporation.

Chap. 105,
Vol. 26,
repealed

Section 18. That the authority conferred on the Board of Education of The Dover Public Schools under Chapter 105 Volume 26 of the Laws of Delaware, be and the same is hereby revoked, and the said Chapter 105 Vol. 26 be and the same is hereby repealed.

Approved March 2, A. D. 1915.

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CHAPTER 176.

FREE SCHOOLS.

AN ACT to Amend an Act entitled "An Act to Incorporate the Board of Education of the Dover Public Schools," passed at Dover, February 26, 1877, as the same has been amended, increasing the amount that may be raised by taxation.

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 thereof concurring therein):

Section 1. That the act entitled "An Act to Incorporate the Board of Education of the Dover Public Schools," passed at Dover, February 26, 1877, as the same has been amended, be and the same is hereby amended by striking out the words "Ten Thousand" in the eleventh line of Section 7 thereof as formerly amended and inserting in lieu thereof the words "Fifteen Thousand."

Act to incorporate the Board of Education of Dover Public Schools passed February 26, 1877, amended

Approved March 2, A. D. 1915.

FREE SCHOOLS.

CHAPTER 177.

FREE SCHOOLS.

AN ACT to amend Chapter 224 of Volume 21 of the Laws of Delaware, being in relation to the Board of Education of the Public Schools of Milford.

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):

The Act forming the public schools of Milford, Chap. 224, Vol. 21, amended

Section 1. That the Act entitled "An Act Consolidating United School District Nos. 65 and 66 and United School District 42, 43, 68 and 70 in Kent County, now Consolidated under the Name of 'The Public Schools of Milford, Kent County,' and School Districts Nos. 2, 100, 103 and 104 in Sussex County, Now Consolidated under the name of 'The Board of Public Education for South Milford,' into one United School District by the name of 'The Public Schools of Milford,'" being Chapter 224 of Volume 21 of the Laws of Delaware, as amended, be and the same is hereby amended by striking out all of Section 4 of said Section and by inserting in lieu thereof a new Section as follows:

After certain date, the Board of Education of Public Schools of Milford shall be composed of six members

Members and term of office as named

"Section 4. That on and after the twenty-eighth day of June in the year nineteen hundred and fifteen, the Board of Education of the Public Schools of Milford shall be composed of six members. That the membership of said Board shall be constituted as follows: William V. Sipple and Albert B. Peet shall be members of said Board for the term of one (1) year from the twenty-sixth day of June in the year nineteen hundred and fifteen, or until their successors are duly elected and qualified, as herein-after provided; that George B. Hynson and William G. Abbott shall be members of said Board for the term of two years from the said twenty-sixth day of June in the

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year nineteen hundred and fifteen, or until their successors are duly elected and qualified, as hereinafter provided, and the two persons who shall be elected at the annual school election to be held on the twenty-sixth day of June in the year nineteen hundred and fifteen in the United School District known as The Public Schools of Milford, shall be members of said Board for the term of three years from the said twenty-sixth day of June in the year nineteen hundred and fifteen, or until their successors are duly elected and qualified, as hereinafter provided. The six persons aforesaid shall organize as such Board of Education on the twenty-eighth day of June in the year nineteen hundred and fifteen, or as soon thereafter as practicable. That nothing in this Act contained shall affect the membership of the Board of Education of the Public Schools of Milford or the powers of said Board until the twenty-eighth day of June, in the year nineteen hundred and fifteen.

Two members to be elected, and term of office

Board to organize, when

That annually, on the last Saturday in June, beginning with the last Saturday in June in the year nineteen hundred and fifteen, the school voters in the United School District aforesaid shall meet at such time and place as shall be designated by the Board of Education aforesaid for the purpose of electing members of said Board of Education, and at such meeting shall vote for and elect two members of said Board of Education, to hold office for the term of three years respectively, from the date of their election or until their successors are duly elected and qualified. In case of a tie vote at any such election, the presiding officer of the election shall have an additional vote. The notice, manner of holding and conduct of said election,* the qualifications for voting and the penalties for illegal voting shall be as is now or hereafter may be provided by the general school law of this State.

Annual election, date of

In case of tie vote

Manner of holding and conducting the election

Section 2. That this Act shall be deemed and taken to be a public Act.

Approved February 24, A. D. 1915.

*election

FREE SCHOOLS.

CHAPTER 178.

FREE SCHOOLS.

AN ACT to Amend Chapter 105, Volume 23, Laws of Delaware, entitled "An Act to re-incorporate The Board of Commissioners of the Public Schools of Georgetown, Sussex County" and for other Purposes, by giving Females owning Taxable Property the right to vote at School Elections.

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 concurring therein):

Sec. 3, Chap.
105, Vol. 23,
amended

Section 1. That Section 3 of Chapter 105, Volume 23, Laws of Delaware, be, and the same is, hereby amended by striking out after the word "districts" in the forty-fifth line of said Section the words "and having right to vote for representatives in the General Assembly," and by inserting in lieu thereof the following, "including females who are assessed and taxed for school purposes."

Approved March 13, A. D. 1915.

FREE SCHOOLS.

CHAPTER 179.

FREE SCHOOLS.

AN ACT to amend Chapter 105 of Volume 23 of the Laws of Delaware, as amended by Chapter 114 of Volume 26 of the Laws of Delaware, further increasing the amount that may be raised by taxation for school purposes in said United School Districts, Number 67, 96, 106, 107 in Sussex 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 of the General Assembly concurring therein):

Section 1. That Chapter 105 of Volume 23 of the Laws of Delaware, entitled "An Act to reincorporate 'The Board of Commissioners of the Public Schools of Georgetown, Sussex County,' and for other purposes," as amended by Chapter 114, of Volume 26 of the Laws of Delaware, be and the same is hereby amended by striking out the word "four" where the same occurs between the words "of" and "thousand" in the tenth line of Section five of said act, as amended, and inserting in lieu thereof the word "five."

Chap. 105, Vol. 23, relating to an Act to Incorporate the Board of Commissioners of the Public Schools of Georgetown, amended

Section 2. That Chapter 105 of Volume 23, of the Laws of Delaware, as amended, be and the same is hereby further amended by striking out the word "four," the last word in the fifth line of Section Six of said act, as amended, and inserting in lieu thereof the word "six," and by striking out the word "five," first word in line eight of Section six of said act, as amended, and inserting in lieu thereof the word "six."

Chap. 105, Vol. 23, further amended

Approved March 2, A. D. 1915.

FREE SCHOOLS.

CHAPTER 180.

FREE SCHOOLS.

AN ACT to Amend Chapter 45, Volume 15, Laws of Delaware, entitled, "An Act to Consolidate School Districts Numbers 70, 102, 70 $\frac{1}{2}$ and 102 $\frac{1}{2}$ in Sussex County and for other purposes."

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):

Chap. 45,
Vol. 15, Sec.
7, Laws of
Delaware,
amended

Section 1. That Chapter 45 of Volume 15, Laws of Delaware, be and the same is hereby amended by striking out the word "two" where it appears in next to the last line of Section 7 and inserting in lieu thereof the word "four."

Chap. 45,
Vol. 15, Sec.
11, Laws of
Delaware,
amended

Section 2. That Section 11 of Chapter 45, Volume 15, Laws of Delaware, be and the same is hereby amended by striking out the words "three-quarters of one per centum" where they appear in the fifth and sixth lines of said section and inserting in lieu thereof the words "sixty cents on the hundred."

Approved March 2, A. D. 1915.

FREE SCHOOLS.

CHAPTER 181.

FREE SCHOOLS.

AN ACT Appropriating the sum of One Hundred and Ninety-three 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, ^{Preamble} 70½, 102, 102½ is now employing eleven teachers and should be entitled to One Hundred Ninety-three Dollars for each teacher so employed;

AND WHEREAS, By an oversight on the part of the Com- ^{Preamble} missioners 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:

Section 1. That the sum of One Hundred and Ninety- ^{Appropriation to Seaford Graded School} three 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 March 12, A. D. 1915.

FREE SCHOOLS.

CHAPTER 182.

FREE SCHOOLS.

AN ACT appropriating the sum of Three Hundred Twenty-five Dollars and Forty Cents to Seaford Graded School District No. 70, 70½, 102, 102½ to cover an insufficiency in the amount applicable out of the sum appropriated to carry out the provisions of "An Act providing Graded School facilities for the children of this State."

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

Appropriation to Seaford Graded School

Section 1. That the sum of Three hundred Twenty-five Dollars and Forty cents be and the same is hereby appropriated to be paid to the Seaford Graded School District No. 70, 70½, 102, 102½ to cover an insufficiency in the amount applicable out of the sum appropriated to carry out the provisions of "An Act Providing Graded School facilities for the children of this State," and that the sum shall be paid to the said Graded School District.

Approved March 15, A. D. 1915.

FREE SCHOOLS.

CHAPTER 183.

FREE SCHOOLS.

AN ACT to amend Chapter 113, Volume 27, Laws of Delaware, being 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):

Section 1. That Section 2 of Chapter 113, Volume 27, Laws of Delaware, be, and the same is hereby amended by striking out after the word "Following", in the fourth and fifth lines of said Section 2 the words "A sum not less than Three Thousand Dollars (\$3,000.00) and not more than Five Thousand (\$5,000.00)", and by inserting in lieu thereof the following:—"A sum not more than Six Thousand Dollars (\$6,000.00)."

Sec. 2, Chap.
113, Vol. 27,
amended

Approved March 16, A. D. 1915.

FREE SCHOOLS.

CHAPTER 184.

FREE SCHOOLS.

AN ACT appropriating money for the tuition of non-resident pupils to Lewes Board of Education, the Board of Public Education for Frankford, Rehoboth Beach High School, Board of Education Wyoming Public Schools, Alexis I. duPont School and Millville High School District No. 181.

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

State appro-
priation to
Lewes Board
of Education
for balance
due

Section 1. That the State Treasurer is hereby authorized and directed to pay to Lewes Board of Education the sum of Eight Hundred Eighty-seven Dollars and forty cents, being the balance due for tuition of non-resident pupils for the school years ending 1912, 1913 and 1914.

State appro-
priation to
Frankford
Board of
Education
for balance
due

Section 2. That the State Treasurer id* hereby authorized and directed to pay to the Board of Public Education for Frankford the sum of One Hundred Eighty-four Dollars and eighty cents, being the amount due the Board of Public Education for Frankford for tuition of non-resident pupils for the school years 1912, 1913 and 1914.

State appro-
priation to
Rehoboth
Beach High
School for
balance due

Section 3. That the State Treasurer is hereby authorized and directed to pay to Rehoboth Beach High School the sum of Fifty-two Dollars and sixty cents, being the amount due Rehoboth Beach High School for tuition of non-resident pupils for the years 1911, 1912 and 1913.

State appro-
priation to
the Board of
Education of
Wyoming,
balance due

Section 4. That the State Treasurer is hereby authorized and directed to pay to the Board of Education of Wyoming Public Schools the sum of One Hundred seventy-five Dollars and eighty cents for tuition of non-resident pupils for the school years 1912 and 1913.

FREE SCHOOLS.

Section 5. That the State Treasurer is hereby authorized and directed to pay to the Alexis I. du Pont School the sum of One Hundred five Dollars and sixty cents for tuition of non-resident pupils for the school years 1912, 1913 and 1914.

State appropriation to the Alexis I. du Pont School, balance due

Section 6. That the State Treasurer is hereby authorized and directed to pay to the Millville High School District No. 181, the sum of Four Hundred and forty-seven Dollars for tuition of non-resident pupils for the school years 1912, 1913 and 1914.

State appropriation to the Millville High School District No. 181, balance due

Approved March 13, A. D. 1915.

FREE SCHOOLS.

CHAPTER 185.

FREE SCHOOLS.

AN ACT to Incorporate the public schools at Rehoboth, and for other purposes.

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):

School Dis-
tricts Nos.
111 and 226,
of Sussex
County, shall
be united

Board of five
members

Commis-
sioners
named and
term of office

Created a
body politic
and corpo-
rate under
name of Re-
hoboth Pub-
lic Schools

Section 1. That School Districts Nos. 111 and 226 in Sussex County, as now bounded, or as they may hereafter be bounded, shall form one united school district, and shall be governed and its affairs managed and controlled by a Board of Public Education consisting of five members to be elected as hereinafter provided.

Section 2. That John A. Lingo, Frederick S. Williams, Joseph F. Hudson, Irving B. Steele, and Frank L. Chase, shall be and they are hereby declared to be the first commissioners and shall continue to serve as such commissioners for the terms following, to-wit: The said John A. Lingo until the next annual school election to be held on the last Saturday in June, A. D. 1915; the said Frederick S. Williams and Joseph F. Hudson until the regular annual school election to be held on the last Saturday in June in the year 1916; and the said Irving B. Steele and Frank L. Chase until the regular annual school election to be held on the last Saturday in June, A. D. 1917; and until their successors shall have been duly elected and qualified as hereinafter provided.

Section 3. That said united school districts and Board of Public Education and their successors, shall be and they hereby are created a body politic and corporate under the

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name and style of "Rehoboth Public Schools." The Board of commissioners shall have the direction and superintendence of the public education of children in said united school districts between the ages of six and twenty-one years, and for that purpose shall have full power and authority to devise, establish and modify from time to time a plan and system of education for children between the ages aforesaid in the said united districts, and to superintend the same; to appoint, suspend and remove teachers and to provide school houses; to make by-laws and regulations for their own government and for the government of teachers and and* schools under their superintendence; to designate and elect officers of said board and to fill vacancies in the board in whatever manner caused, and to take and acquire, receive, hold and enjoy for the purpose aforesaid, money and real and personal property by bargain, sale, gift, grant, contract, devise, bequest, or otherwise; and by the name of "Rehoboth Public Schools" may sue and be sued, plead and be impleaded in any court of law or equity in the State of Delaware or elsewhere; and have a common seal with power to alter the same, and otherwise generally shall be clothed with all the rights, powers and privileges incident to corporations and necessary and convenient for carrying out the purposes of their creation. The commissioners shall receive no compensation for their services.

To be under the direction and superintendence of the Board of Commissioners

Power and authority

Shall receive no compensation

Section 4. At the regular school election to be held on the last Saturday of June, A. D. 1915, one commissioner shall be elected to serve for three years; at the regular school election to be held on the last Saturday of June, A. D. 1916, two commissioners shall be elected to serve for three years; and at the regular school election to be held on the last Saturday of June, A. D. 1917, two commissioners shall be elected to serve for three years; and annually thereafter commissioners shall be elected to fill the vacancies of those whose terms have expired and until their successors shall have been duly elected and qualified as hereinafter provided. The board of commissioners shall have power to fill any vacancy or vacancies that may occur

Plan of election of Commissioners, and term of office

Power to fill vacancies

*so passed.

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in their number by death, resignation, removal from the district, refusal to serve, or otherwise, and the person or persons so chosen to fill such vacancy or vacancies shall serve until the term or terms of the person or persons in whose place or places he or they is or are chosen in accordance with this section, expires or expire.

First meeting, place of

Section 5. That the board of commissioners named in the second section of this Act shall meet at the school house in said district within fifteen days from the passage and approval of this Act, and proceed to organize the board by electing one of their number president and another secretary, and the person so elected President shall swear or affirm the other members to perform their duties with fidelity, and one of the other members shall in like manner qualify the person so elected president; and on the first Monday after any regular annual school election in every year hereafter the persons composing the said board of commissioners shall meet at the school house or some other place in said district that the said board by resolution shall designate, at two o'clock in the afternoon, and organize and qualify in like manner.

Must qualify by oath of office, how done

Meeting after annual election, time and place

Date of annual election

Section 6. The regular annual election of commissioners in said school district shall be held on the last Saturday of June at the school house in said district. The election shall be held in the afternoon and polls shall be open at two o'clock or within thirty minutes thereafter, and closed at four o'clock. The board shall give ten days' notice of said election and of the day, hour, and place of holding the same, and of the inspectors appointed by them to hold the same, and of the number of commissioners to be elected thereat, by written or printed handbills posted in five or more of the most public and conspicuous places in said district. They shall appoint, at least ten days before the holding of said election, an inspector and an assistant inspector, who shall preside at said election. The inspectors shall not be members of the board of commissioners, and before opening the polls each of said inspectors shall take

Time of open polls

Notice of election

Who shall preside at the election

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an oath or affirmation as follows: "I,....., do solemnly swear (or affirm) that in holding the election this day for members of the board of commissioners of Rehoboth Public Schools, I will faithfully and impartially discharge my duties and make true certificates of the result thereof and deliver the same according to law, so help me God. (or so I solemnly affirm)." This oath may be administered by the inspector, assistant inspector, a Justice of the Peace or a Notary Public. The inspectors shall appoint two clerks, one to be appointed by the inspector and the other by the assistant inspector, who shall keep true and correct lists of the persons voting at said election. The inspectors shall as soon as the polls have closed, proceed to count the votes and ascertain the result and shall immediately upon ascertaining the result of said election, make out and sign certificates thereof and shall deliver without delay one of said certificates to the secretary of the board of commissioners, one to each of the persons elected, and one other to the Clerk of the Peace of Sussex County, to be kept as a public record. The Commissioners shall be elected by ballot and by a plurality vote, and shall hold their offices for the terms aforesaid and until their successors be duly chosen and qualified. Every person residing within the said united districts and having the right to vote for representative in the General Assembly shall be a school voter of said united districts and shall have a right to vote at said school election, provided he has paid all school taxes levied against him in said district, and if any person not being so qualified shall vote at any meeting of school voters therein, he shall be deemed guilty of a misdemeanor and upon conviction shall be fined the sum of ten dollars. If a vote is objected to, the inspector and assistant inspector must unite in rejecting it, or the vote shall be accepted. If any one who shall be appointed by the board of commissioners either inspector or assistant inspector, shall neglect or refuse to serve without rendering an excuse to be accepted by the board, he shall forfeit and pay to the said board the sum of five dollars to be recovered by the board in an action before any Justice of the Peace. If the board shall fail to appoint an inspector or assistant in-

Officers to
take oath of
office
Form of
oath

Election to
be by ballot

Qualification
of voters

Illegal voting
a mis-
demeanor

Penalty upon
conviction

Refusal or
neglect to
serve as
Election
Officer

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When the voters may choose Election Officers, and School Commissioners

Should Election Officers accept an illegal vote or neglect or refuse to certify, a misdemeanor

Penalty upon conviction

Fine for benefit of schools

Shall appoint a treasurer who shall give bond, with surety

The right to draw dividends from State

Shall annually assess, levy and collect a school tax

Limit of amount

Levy on real and personal property

Power of collection

spector, or both, ten days before said election, or if the inspector or assistant inspector or both, shall be absent from the place of election at the time of opening the same, the school voters there present shall proceed forthwith without ballot, to choose from the voters there an inspector, or assistant inspector, or both, as the case may be. If the board of commissioners shall in any way fail to give written or printed notice of said election as herein required, the school voters of said united districts shall, notwithstanding said failure, meet on the day and at the time and place herein appointed and proceed to elect inspectors and commissioners as herein provided in case of notice duly given. If any inspector or assistant inspector, or both of them, shall knowingly take the vote of a person not having the right to vote, or shall neglect or refuse to make and deliver certificates of any election as herein required, he or they shall be guilty of a misdemeanor, and upon indictment and conviction shall forfeit and pay the sum of fifty dollars, the said fine to be paid to the board of commissioners aforesaid for the benefit of the schools under their charge.

Section 7. The Board shall appoint a treasurer who shall be required to give bond with sufficient surety for the faithful performance of his duty. The board shall have the right to draw from time to time upon an order signed by the president and secretary pursuant to the terms of the general school law, on the dividends to which the said united school districts shall be entitled as their part of the state school fund, and shall annually assess, levy and collect for school purposes from the taxables of said united school districts a sum not to exceed the sum of three thousand dollars; and the taxes levied and collected for educational purposes in said united school districts shall be levied upon all real estate in said districts, which is not by law exempt from taxation, at its actual value, all assessable personal property within said districts, including motor vehicles, and upon persons in said districts; and in enforcing collection of taxes so levied the said board shall have the same power as collectors of county taxes

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now have. The board may elect or appoint a collector of taxes, but the collector of county taxes for the Tenth Representative District of Sussex County shall receive the warrant with the duplicate of assessment list whenever the board of commissioners shall offer and deliver them to him and shall collect all the taxes upon said duplicate which have not been paid at the time of its delivery to him.

Board may elect or appoint a collector
Collector of County Taxes shall collect the tax, when

Section 8. The board of commissioners shall annually, before the first day of August, publish in one or more newspapers published in Sussex County, a statement of the receipts and expenditures during the year showing sources from which the receipts have been obtained and the objects for which they were expended. They shall also settle with the auditor as other school commissioners do.

Shall publish annually the receipts and disbursements in detail
Shall settle with auditor

Section 9. The school voters of said united school districts at any annual school election by a majority vote to be taken by ballot, may authorize and empower the board of commissioners to raise for school purposes an additional sum over and above the said sum of three thousand dollars, provided that the two sums do not in the aggregate amount to more than the sum of four thousand dollars. The school purposes herein mentioned shall include the necessary repairs or alterations of the present school building, and the payment of any indebtedness which now exists or which may hereafter be created. If said additional sum shall be authorized to be raised, two certificates of the proceedings of the meeting shall be made and signed by the inspector and assistant inspector, one of which shall immediately be delivered to the secretary of the board of commissioners, and the other to the Clerk of the Peace of Sussex County to be kept as a public record.

A majority of school voters by ballot may increase amount raised by taxation for school purposes
School purposes
Election officers shall certify, to whom

Approved March 1, A. D. 1915.

DELAWARE COLLEGE.

CHAPTER 186.

DELAWARE COLLEGE.

AN ACT to Amend Chapter 72 of the Revised Code of the State of Delaware, by repealing 2328, Section 2, and by substituting in lieu thereof a new section.

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

2328, Sec. 2,
Chap. 72, of
Revised Code,
amended

Section 1. That Chapter 72 of the Revised Code of the State of Delaware be, and the same is hereby amended by repealing 2328, Section 2 thereof, and by substituting in lieu thereof the following section, to be styled "2328. Section 2."

Objects of
College

2328. Sec. 2. Objects of College:—The leading object of said College shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanical arts, and such other subjects as will best promote the liberal and practical education of the youth of all classes in the several pursuits and professions in life.

Shall be es-
tablished and
maintained,
by whom

A college for the instruction and education of women, affiliated with Delaware College, shall be established and maintained by The Trustees of Delaware College.

May estab-
lish a normal
department

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. The courses of study for this department shall be arranged by the Trustees of Delaware College in cooperation with the

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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.

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. The sum of Two Thousand Five Hundred Dollars is 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, on the First day of July in each and every year, and shall be used exclusively for the purposes of this paragraph.

Shall establish a summer school for teachers
Shall include instruction in agriculture
The courses, how arranged
Tuition to be free
Appropriation annually
Appropriation paid to whom and when

13 Del. Laws, Ch. 513, paragraph 2; 27 Del. Laws, Ch. 117, paragraphs 1, 2 & 7; 27 Del. Laws, Ch. 122.

Approved March 15, A. D. 1915.

DELAWARE COLLEGE.

CHAPTER 187.

DELAWARE COLLEGE.

AN ACT Appropriating Money for the Maintenance and Equipment of the Women's College, affiliated with Delaware College, at Newark, Delaware.

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

Appropriation to repay the Trustees of Delaware College for maintenance of and equipment of the Woman's College up to certain date and further maintenance and equipment to another certain date

Section 1. That to repay the Trustees of Delaware College for the amounts expended for the maintenance and equipment of the Women's College, affiliated with Delaware College, at Newark, Delaware, up to September 1, A. D. 1914, and for the further maintenance and equipment of said College up to September 1, A. D. 1916, the sum of Forty-three Thousand Five Hundred and Eighty-seven Dollars is hereby appropriated out of any moneys in the Treasury of the State of Delaware not otherwise appropriated, to be paid by the Treasurer of the State of Delaware to the Trustees of Delaware College, at the times and in the amounts as follows, to-wit:

Dates of payments of the appropriation

Seventeen Thousand, Six Hundred and Thirty-one Dollars on the first day of April, A. D. 1915; Eight Thousand Six Hundred and Fifty-two Dollars on the first day of July, A. D. 1915; Eight Thousand Six Hundred and Fifty-two Dollars on the first day of January, A. D. 1916, and Eight Thousand Six Hundred and Fifty-two Dollars on the first day of July, A. D. 1916.

Approved March 16, A. D. 1915.

DELAWARE COLLEGE.

CHAPTER 188.

DELAWARE COLLEGE.

AN ACT to appropriate money 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 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 of said College 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 Fourteen Thousand Dollars, is hereby appropriated annually 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, on the First day of July in each year.

Annual appropriation for general improvements not otherwise provided for

Approved March 16, A. D. 1915.

DELAWARE COLLEGE.

CHAPTER 189.

DELAWARE COLLEGE.

AN ACT Appropriating money for Agricultural Extension.

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

Appropriation to Trustees of Delaware College so as to better secure the National appropriation for agricultural extension work

Amount,
\$3,028

Section 1. That in order to secure to the State of Delaware the full benefit of the appropriation provided in the Act of Congress of the United States, approved by the President on the Eighth day of May, A. D. 1914, entitled "An Act to Provide for Co-operative Agricultural Extension work between the Agricultural Colleges in the Several States receiving the benefits of the Act of Congress approved July 2, 1862, and of Acts supplementary thereto and the United States Department of Agriculture," the sum of Three Thousand, Six Hundred and Twenty-eight Dollars is hereby appropriated out of any moneys in the Treasury of the State of Delaware not otherwise appropriated, to be paid by the State Treasurer to the Trustees of Delaware College, at the times and in the manner as follows:—

Dates of payment

One Thousand, Two Hundred and Eighty-one Dollars to be paid on the First day of July, A. D. 1915, and Two Thousand, Three Hundred and Forty-seven Dollars to be paid on the first day of July, A. D. 1916.

Money shall be used for co-operative agricultural extension work

Section 2. The money hereby appropriated shall be used and applied by the Trustees of Delaware College, for co-operative agricultural extension work in the State of Delaware, in connection with the United States Department of Agriculture.

Approved March 15, A. D. 1915.

DELAWARE COLLEGE.

CHAPTER 190.

DELAWARE COLLEGE.

AN ACT to appropriate money towards the maintenance of The Agricultural Experiment Station at 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 members elected to each house concurring therein) :

Section 1. That to better enable the Board of Trustees of Delaware College to carry into effect the purposes as provided in the Acts of Congress, appropriating money to the several States for agricultural investigation, and known as the Hatch and Adams Acts, and for such purposes as are not provided for in said Acts of Congress, the sum of Five Thousand Dollars, is hereby appropriated annually, 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, on the First day of July in each year.

Annual appropriation to Board of Trustees of Delaware College to carry into effect the National appropriation under the Hatch and Adams Act
Amount, \$5,000
Date of payment

Approved March 15, A. D. 1915.

STATE COLLEGE FOR COLORED STUDENTS.

CHAPTER 191.

STATE COLLEGE FOR COLORED STUDENTS.

AN ACT to repay to State College for Colored Students expenses incurred in holding Summer Schools.

Preamble

WHEREAS to provide better equipped teachers in the colored schools of the State of Delaware, a summer school for teachers was instituted and established at State College for Colored Students, in 1907, which school was maintained during the first two years thereof by private subscriptions, and during the remaining five years thereof out of the funds of said State College for Colored Students at an expense of approximately five hundred dollars annually.

Preamble

AND WHEREAS the appropriation to said College did not contemplate the holding of a summer school, whereby a shortage has arisen in the funds of said institution.

Preamble

AND WHEREAS it is wise and right that the State make provision for the better preparation of colored teachers to the end that the standard of education amongst the colored people of the State be raised, 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 elected to each House concurring therein):

Appropriation to State College for Colored Students

Amount,
\$2,000

Sec. 1,—That the sum of Two Thousand Dollars, (\$2,000.) be and the same is hereby appropriated to be paid to The Trustees of State College for Colored Students, to repay to said Institution monies expended in maintaining and operating a Summer School for the instruction of colored teachers in the State of Delaware.

STATE COLLEGE FOR COLORED STUDENTS.

Sec. 2,—That said sum shall be paid in two annual installments of One Thousand Dollars each, to the Treasurer of the Board of Trustees of the said The Trustees of State College for Colored Students, out of any money not otherwise appropriated. <sup>How the ap-
propriation
shall be paid</sup>

Approved March 15, A. D. 1915.

STATE COLLEGE FOR COLORED STUDENTS.

CHAPTER 192.

STATE COLLEGE FOR COLORED STUDENTS.

AN ACT appropriating Five Hundred Dollars, (\$500.00) annually for the maintenance of a Summer School for colored teachers at State College for colored students.

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 the Trustees of State College for Colored Students, for Summer School

Amount, \$500

That in order to provide more efficient instruction for the Colored Schools of the State of Delaware, the sum of Five Hundred Dollars, (\$500.00) be and the same is hereby appropriated to be paid annually to the Trustees of State College for Colored Students, to be applied and used in maintaining a Summer School for the instruction of those desiring to teach in the Colored Schools of the State of Delaware.

Approved March 15, A. D. 1915.

TITLE TWELVE

Fish, Oysters and Game

CHAPTER 193.

FISH, OYSTERS AND GAME. GAME.

AN ACT to amend Chapter 74, Title 12, Fish, Oysters and Game of the Revised Code of the State of Delaware, A. D. 1914.

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

Section 1. That Chapter 74 of the Revised Code of the State of Delaware of A. D. 1914 be and the same is hereby amended by inserting immediately after Paragraph 2360 of said Code and Section 3 of said Chapter the following:—

“2360A. Sec. 3A. FUNDS PAID TO STATE TREASURER; WHEN; HOW EXPENDED:—The said Board shall, in each month of each and every year, pay over to the Treasurer of the State of Delaware, and at the same time deliver to said Treasurer a statement of all funds arising from the sale of hunting and fishing licenses and from fines and forfeitures imposed for violations of the game and fish laws of this State. The said Treasurer shall keep all such monies in a separate fund and shall pay over or expend said fund or any part thereof only on the warrant of said Board.

2360, Sec. 3,
Chap. 74,
Revised Code,
repealed

Funds paid
to State
Treasurer,
when, how
expended

Approved March 12, A. D. 1915.

FISH, OYSTERS AND GAME.

CHAPTER 194.

FISH, OYSTERS AND GAME.
GAME.

AN ACT to amend Section 2375 of the Revised Statutes of the State of Delaware by changing the open season for the Hunting and Killing of Squirrels.

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

2375, Sec. 18,
Chap. 74, of
the Revised
Code,
amended

That 2375 Sec. 18, Chapter 74 of the Revised Statutes of the State of Delaware be and the same is hereby amended by striking out all of said Section and inserting in lieu thereof the following:

2375 Sec. 18. Game, Open Seasons:—The open seasons on the following birds and animals shall respectively be as follows:

Open season for Partridges	Quail (bob-white partridges) from November 15th to December 31st, next following; partridge from November 15th to December 31st, next following;
Reed birds	reed bird from September 1st to November 1st, next following;
Rail birds	rail bird from September 1st to November 1st, next following;
Wild goose	wild goose from October 1st to March 15th, next following;
Brant	brant from October 1st to March 15th, next following;
Summer duck	summer duck from September 1st to October 31st, next following;
Other wild duck	other wild duck from October 1st to March 15th, next following;
Woodcock	woodcock from November 15th to December 31st, next following;
Dove	dove in Kent and Sussex Counties from August 1st to December 31st, next following;
Hare and rabbit	hare and rabbit from November 15th to December 31st, next following;
Muskrat in New Castle County	muskrat in New Castle County, skunk, mink and otter from December 1st to March 10th, next following;
Skunk, mink and otter	muskrat in Kent and Sussex Counties from November 20th to March

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15th, next following; fox from October 1st to April 30th, Fox
 next following; raccoon from October 1st to February 15th, Raccoon
 next following; opossum from October 1st to February 15th, Opossum
 next following; fox squirrel, black squirrel and gray squirrel Squirrels
 from September the 1st to October the 15th, next following; fox, black,
 gray
 frog from July 1st to December 31st, next following. The
 above open seasons shall include the days defining them.
 Provided, however, that any person may protect his prop- Proviso
 erty and premises from the ravages and depredations of
 any wild birds or animals protected by law, at any time
 and in any way; and provided further that landlords and Landlords
 and tenants
 tenants and their respective children may trap rabbits in and children
 may trap
 the open seasons on their freeholds and leaseholds, respec- rabbits
 tively.

Approved February 18, A. D. 1915.

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CHAPTER 195.

FISH, OYSTERS AND GAME.
GAME.

AN ACT to Amend Chapter 74 of the Revised Code of the State of Delaware providing for the Shipment and Sale of Rabbits from other States Into 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 elected to each branch thereof concurring therein):

Chap. 74, of
the Revised
Code,
amended

That Chapter 74 of the Revised Code of the State of Delaware be and the same is hereby amended by the insertion therein of the following Sections:—

2389 A Sec. 32 A.

2389 B Sec. 32 B.

2389 C. Sec. 32 C.

2389 D. Sec. 32 D.

2389 E. Sec. 32 E.

When it is
lawful to
have in pos-
session, or to
sell rabbits
shipped from
outside of
the State

2389 A. Sec. 32 A. That from and after the approval of this Act it shall be lawful for all grocerymen, provision dealers, merchants, hucksters and all other persons, firms and corporations within the State of Delaware, to have shipped to him, her, them or it from other States and to have in his, hers, theirs or its possession and to expose, offer and to sell the animal commonly called "Rabbit" at any and all places within the State of Delaware from the fifteenth day of November up to and including the thirty-first day of December in any year.

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2389 B. Sec. 32 B. That such groceryman, provision dealer, merchant, huckster or any other person, firm or corporation so having had Rabbits shipped to him, her, them or it and having them in his, hers, their or its possession for the purpose of selling the same within the State of Delaware shall not be required to take out or have any special license therefor.

License not
necessary to
sell rabbits

2389 C. Sec. 32 C. That all persons, firms, or corporations availing himself, herself, themselves or itself of the provisions of this Act of having shipped to him, her, them or it and of exposing for sale Rabbits, shall mark on a card not less than twelve by eight inches in readable letters the following words "Shipped Rabbits," the name of the State from where said Rabbits were shipped and the name of the Shipper.

Rabbits
shipped for
sale, shall be
so advertised
by the seller

2389 D. Sec. 32 D. That all persons, firms or corporations so having Rabbits in his, hers, their or its possession and offering them for sale shall on demand from any constable, police officer or game warden show to said constable, police officer or game warden the Bill of Lading and all other memoranda of the shipment, so as to satisfy the said constable, police officer or game warden that said Rabbits were not killed or shipped from any place within the State of Delaware.

Shall on de-
mand show
bill of lading

2389 E. Sec. 32 E. That any person, firm or corporation violating any of the provisions of 2389 C. Sec. 32 C. and 2389 D. Sec. 32 D. of this Act shall be guilty of a misdemeanor and upon conviction before any Justice of the Peace or the Municipal Court of the City of Wilmington shall be fined for each offense not less than Ten or more than Twenty Dollars.

Violation a
misdemeanor

Penalty upon
conviction

Approved February 24, A. D. 1915.

FISH, OYSTERS AND GAME.

CHAPTER 196.

FISH, OYSTERS AND GAME.
GAME.

AN ACT to amend Chapter 74 of the Revised Code of the State of Delaware by abolishing Resident Hunters' Licenses.

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

Chap. 74, of
the Revised
Code,
amended by
repealing
2413, Sec. 56,
thereof

That Chapter 74 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 2413, Section 56 thereof.

Charles H. Grantland,

Speaker of the House.

John M. Walker,

President Pro Tem of the Senate.

Became a law
without ap-
proval of the
Governor

This Act became a law on February 22, A. D., 1915, without the approval of the Governor, in accordance with Sec. 18, Article 3, of the Constitution of Delaware.

Thomas W. Miller.

Secretary of State.

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CHAPTER 197.

FISH, OYSTERS AND GAME.

WILD BIRDS OTHER THAN GAME BIRDS.

AN ACT to amend Chapter 74 of the Revised Code of the State of Delaware, by Permitting the Shooting or Destruction of Turkey Buzzards in any manner.

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

Section 1. That Chapter 74 of the Revised Code of the State of Delaware be, and the same is, hereby amended by repealing 2416, Section 59 thereof, and inserting in lieu thereof the following Section, to be styled 2416, Section 59: 2416, Sec. 59, Chap. 74, of the Revised Code, amended

"2416, Section 59. No person shall within the State of Delaware kill or catch, or have in his or her possession living or dead, any wild bird other than a game bird, nor shall purchase, offer or expose for sale any such wild bird after it has been killed or caught; provided, however, that it shall be lawful for any person to kill any bird commonly known as a turkey buzzard in any manner whatsoever." Lawful to kill turkey buzzard

Approved February 26, A. D. 1915.

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CHAPTER 198.

FISH, OYSTERS AND GAME.

OYSTERS.

AN ACT to Amend Chapter 74 of the Revised Code of the State of Delaware, Code Section 2431, Providing for the Planting and Propagating of Oysters in Sussex County.

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

Chap. 74, of
the Revised
Code,
amended

That Chapter 74 of the Revised Code of the State of Delaware, Code Section 2431, be amended by striking out all of Section 74 of said Chapter, and inserting in lieu thereof as said Section 74, Code Section 2431, the following words:

May appropriate certain acreage for personal use for boats of certain tonnage

Certain other acreage for boats of certain other tonnage

Description of boundary lines

Exception: certain territory, and why

How grounds shall be marked

"2431. Section 74. Any person or persons may appropriate to his or their own use a part not exceeding fifty acres for boats or vessels to be used by him or them of a larger tonnage than nine tons (custom house measurement), and a part not exceeding thirty acres for boats or vessels to be used by him or them of nine tons and under (custom house measurement) of the bottom of Delaware Bay, South of Mahon River and West of Blake's Channel, embraced and lying between the two following parallel lines, to-wit: One drawn due East from the end of the old Mahon's Road, and the other due East from a point on the shore at ordinary high-water mark, three miles South of the middle of the mouth of Murderkill River, saving and excepting however, that part of the bottom of the Delaware Bay lying between the two aforesaid parallel lines and extending three hundred yards into the Bay from the ordinary low-water mark, unless the same be then appropriated according to law, which part shall be designated by him or them by stakes not more than fifty yards apart to show at least two

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feet above the ordinary high water, and not to be obstructive of navigation; it shall be the possession of the planter or planters, and the oysters to be deposited therein and their increase shall be his or their private property. But before any one shall avail himself of this privilege, he shall apply in writing to the said Collector for a license for that purpose and pay to the said Collector the sum of twenty-five dollars as the fee or price thereof for boats or vessels to be used by him or them of a larger tonnage than nine tons (custom house measurement), and the sum of fifteen dollars as the fee or price thereof for boats or vessels used by him or them of nine tons and under (custom house measurement), and also the sum of three dollars and fifty cents per ton (custom house measurement) for the boat or vessel to be employed in the business of planting, if he be a resident of this State, and three dollars and fifty cents per ton (custom house measurement) if he be a non-resident of this State. The said license shall last only to the first day of April following the date thereof, and must be renewed by the first day of April of each year, and the like sum be paid at the time of each renewal; provided that nothing in this Article contained, except as provided in Sections 131 and 132, shall be construed to authorize the appropriation by any one person of so many parts as shall exceed in the aggregate fifty acres for boats or vessels over nine tons (custom house measurement), and thirty acres for boats or vessels (custom house measurement), or under. The privileges granted by this and the preceding section shall not embrace any portions of the bottom of the Bay which is a natural oyster bed and has hitherto been used and worked as such, nor shall be extended beyond the mere right to plant oysters and hold them as property.

Private
property

Shall apply
for license,
when

Fee for
license for
larger boats
than nine
tons

Fee for
license for
smaller boats

Together
with a per
tonnage fee

Date of
license

Limit of
acreage
granted to
any one for
boats over
nine tons,
also limit of
acreage for
boats less
than nine
tons

The privilege
does not ap-
ply to natural
oyster beds

And any person or persons who are bona fide citizens of the State of Delaware, may, for the purpose of planting oysters and catching the same by means of dredges, tongs or rakes, appropriate to his or their own use a part of the bottom of Lewes River and Rehoboth Bay where there is no natural growth of oysters; which shall not exceed fifty acres in area; and which part shall be designated by him or them

Lewes River
and Rehoboth Bay,
privilege of
residents of
the State

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by stakes driven at the several corners or angles of the line bounding the part of the river so occupied, which said stakes shall have some distinctive mark indicating the ownership of the grounds and shall be so placed as not to be obstructive to navigation or to interfere with the rights of fishermen.

Private prop-
erty, when

The bottom of the River, and Rehoboth Bay, so planted and occupied shall be the possession of the planter or planters and the oysters to be deposited therein and their increase shall be his or their property; but, before any person or persons shall avail himself or themselves of this privilege, he or they shall apply to the Collector of the Oyster Revenue for a license for that purpose and shall pay to the said Collector the sum of two dollars per acre for each and every acre to be by him or them staked off for the purpose aforesaid, which said payment shall be in lieu of any and all other taxes or charges for the purposes herein mentioned. The said license shall last only one year and must be renewed by the first day of April of each year and the like sum to be paid at the time of each renewal.

Shall apply
for license,
when

Acreage fee

No other
charges

Term of
license, when
shall begin

May take
oysters any
time

Legal pro-
tection

The possessor or possessors of the oysters so deposited as aforesaid shall be entitled to take the same at any time or season; shall be under the jurisdiction of the Collector of the Oyster Revenue, and shall have the same protection in law in the possession of the said oysters so planted and propagated as is by law extended to persons planting oysters in the Delaware Bay or on the bottom thereof.

Approved March 15, A. D. 1915.

FISH, OYSTERS AND GAME.

CHAPTER 199.

FISH, OYSTERS AND GAME.

OYSTERS.

AN ACT to Amend Chapter 74 of the Revised Code of the State of Delaware, Relative to the State Watch Boat.

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

Section 1. That Chapter 74 of the Revised Code of the State of Delaware be, and the same is, hereby amended by the addition thereto of the following to be styled, 2438 A. Chap. 74, of the Revised Code, amended
Section 81 A.:

"2438 A. Section 81 A. That the Governor of the State of Delaware is hereby authorized to appoint two suitable persons, who, together with the said Governor, shall constitute a Commission to provide a suitable Watch Boat for the Oyster Revenue Service. Governor authorized to appoint a commission to provide watch boat

The said Commission is hereby authorized to have repaired and made seaworthy the watch boat now employed, if, in the judgment of the Commission, it shall be deemed expedient. If the said Commission shall deem a new watch boat necessary it is hereby authorized to purchase, build or cause to be built a new watch boat for the use aforesaid, and the said Commission may sell the watch boat now employed. In making said sale the Commission may remove the engine and other machinery if the same can be profitably used in the boat to be purchased or to be built. Commission may repair old or purchase new watch boat

The amount which the said Commission is authorized to expend for the purpose aforesaid is hereby limited to the sum of Seven Thousand Dollars, and the said sum of Seven Amount to expend

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Payments,
how made

Thousand Dollars is hereby appropriated from any money in the State Treasury not otherwise appropriated for the purpose aforesaid. Payments made under the provisions of this Section shall be by order or warrant to the State Treasurer, signed by the said Commission."

Approved March 16, A. D. 1915.

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CHAPTER 200.

FISH, OYSTERS AND GAME.

OYSTERS.

AN ACT Authorizing and Directing the Oyster Revenue Collector to Plant Snub Posts on each side of Mahons River.

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

Section 1. That the Oyster Revenue Collector be, and he is hereby authorized and directed to plant white oak snub posts on each side of Mahons River, for the use of the oyster boats when laying at anchor in said river. ^{Authorized to plant snub posts}

Section 2. That the said collector shall not expend, in purchasing and planting in position the said posts, more than Three Hundred Dollars (\$300.00). ^{Limit to expenditure}

Section 3. That the collector shall take receipts for all moneys expended in planting said posts, and they shall be his vouchers for the same. ^{Must take receipts for money used}

Section 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed. ^{Repeal}

Approved March 9, A. D. 1915.

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CHAPTER 201.

FISH, OYSTERS AND GAME.

CLAMS.

AN ACT to Amend Chapter 74 of the Revised Statutes in Relation to the taking of Oysters and Clams from the Bottoms of the Delaware Bay.

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

Chap. 74, of
Revised Code,
amended

Section 1. That Chapter 74 of the Revised Code be, and the same is, hereby amended by adding thereto a new Section to be known as 2495-A. Section 138-A., as follows:—

Acreage Tax
in addition
must be paid
before re-
ceiving tem-
porary
license

“2495-A. Section 138-A. That from and after the approval of this Act every person making application for a portion of the bottom of the Delaware Bay within the jurisdiction of Delaware for the purpose of planting and propagating oysters shall in addition to the Two Dollars and Fifty Cents (\$2.50) for each corner now required by law to be paid, pay to the Oyster Revenue Collector the acreage tax of Fifty Cents per acre before he shall receive a temporary license to use and occupy said bottom. The Captain of the Watchboat and the applicant shall be the sole judges of the number of acres within the boundaries applied for and said payment shall be based upon the acreage estimated by them. If it should appear upon making a survey of such grounds at the time required by law that the applicant has paid for a greater number of acres than the survey shows then it shall be the duty of the Oyster Revenue Collector to reimburse such applicant for the overpayment, and should it appear that the applicant has not paid, under this Act, for the number of acres allotted to him, as shown by the survey then the Oyster Revenue Collector is empowered to collect from the lessee the difference between the amount paid upon the application being made and the amount due as shown by the survey.

Who shall
judge the
number of
acres

Duty to
reimburse in
case of over-
payment

Shall pay the
deficit in case
the estimate
of acres is
too low

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Any person violating the provisions of this Section shall be guilty of a misdemeanor and upon conviction thereof shall forfeit and pay a fine of Fifty Dollars for each offense and in default of the payment of said fine, shall be imprisoned for a period not exceeding thirty days at the discretion of the Court." ^{Penalty upon conviction}

Approved March 12, A. D. 1915.

FISH, OYSTERS AND GAME.

CHAPTER 202.

FISH, OYSTERS AND GAME.

LOBSTERS.

AN ACT to amend Title 12, Fish, Oysters and Game, Chapter 74 of the Revised Code of the State of Delaware of 1914.

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

2498, Sec. 144,
Chap. 74, of
the Revised
Code,
amended

Section 1. That Chapter 74 of the Revised Code of the State of Delaware of 1914 be and the same is hereby amended by striking out Paragraph 2498 of said Code, Section 141 of said Chapter, and inserting in lieu hereof the following:—

Lobsters,
taking of
regulated

“2498. Sec. 141. LOBSTERS; TAKING REGULATED:—It shall be unlawful for any person or persons to take from the salt waters of this State by means of boats, pots or otherwise, or to have in their possession, or to buy or sell, or to offer to buy or sell, any lobster the length of which shall measure less than nine inches, or any spawning lobster.”

Unlawful for
non-resident
or alien to
take lobsters

Section 2. “2498A. Sec. 141A. NON-RESIDENT; ALIEN; UNLAWFUL TO TAKE LOBSTERS:—It shall be unlawful for any non-resident of the State of Delaware or any alien to take lobsters of any kind from the waters of this State at anytime or in any way.”

Penalties

Section 3. “2498B. Sec. 141B. PENALTIES:—Any person convicted of having violated any of the provisions of 2498, Sec. 141 and 2498A, Sec. 141A. of this Chapter shall be fined not less than twenty dollars and costs for each lobster unlawfully taken, sold or had in possession, and failing to pay forthwith any such fine, to-gether with the

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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; and for any violation by a non-resident of the State of Delaware or alien the minimum fine for each lobster unlawfully taken shall be fifty dollars, together with the costs of prosecution."

Approved March 8, A. D. 1915.

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CHAPTER 203.

FISH, OYSTERS AND GAME.
FISH.

AN ACT to amend Sections 2500 to 2525 of the Revised Statutes of the State of Delaware in relation to the catching and taking of fish in the waters of the Delaware River and Bay lying between the States of Delaware and New Jersey.

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

Paragraphs
2500 to 2525,
Revised Code,
repealed

That Paragraphs 2500 to 2525, both inclusive, of the Revised Statutes of A. D. 1914, be and the same are hereby repealed, and that there shall be substituted in lieu thereof the following:

Limitation of
application

"2500. Sec. 143. LIMITATION OF APPLICATION OF SECTIONS 143 TO 168: The provisions of Sections 143 to 168, inclusive, of this Chapter shall affect and apply only to the catching and taking of fish in the waters of the Delaware River and Bay lying between the states of Delaware and New Jersey."

Common
right of fish-
ing in Dela-
ware River

"2501. Sec. 144. COMMON RIGHT OF FISHING OF DELAWARE AND NEW JERSEY IN DELAWARE RIVER, BETWEEN THE TWO STATES: The inhabitants of the States of Delaware and New Jersey shall have and enjoy a common right of fishery throughout, in and over the waters of said river between low water marks on each side of said river between the said States, except so far as either State may have heretofore granted valid and subsisting private rights of fishery."

Exception

Territorial
limits and
rights,
unaffected

"2502. Sec. 145. TERRITORIAL LIMITS, RIGHTS AND JURISDICTION UNAFFECTED; OYSTER AND SHELL FISH INDUSTRY UNAFFECTED: Nothing herein contained shall affect the

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territorial limits, rights or jurisdiction of either of said States of, in or over the Delaware River, or the ownership of the subaqueous soil thereof, except as is expressly set forth in the compact between the said States; nor shall anything herein contained affect in any way the planting, catching or taking of oysters, clams, or other shell fish, or interfere with the oyster industry, as now or hereafter carried on under the laws of either of said States. And nothing herein contained shall be construed to give to the inhabitants of the State of New Jersey a common right of fishery with the inhabitants of the State of Delaware in the waters of the Delaware Bay." Oyster and shell fish industry unaffected

"2503. Sec. 146. DESIGNATION OF FISH, FOR THE PURPOSE OF THIS ACT: For the purposes of this act the following fish shall be designated as game fish, to wit: black bass or small mouth bass; large mouth bass, otherwise called Oswego or yellow bass; strawberry or calico bass; rock bass, otherwise known as red eye or goggle eye; white bass, crappie, pike-perch, otherwise called wall-eyed pike or Susquehanna salmon; pike, pickerel, charr, commonly called brook or speckled trout. The following shall be designated as bait fish, to wit: All species of minnows, killi-fishes and stone catfish. All other species or varieties of fish whatsoever shall be designated as food fish." Designation of game fish

"2503-a. Sec. 146-a. DEVICES PERMITTED IN CATCHING GAME FISH: It shall be unlawful to catch or fish for any game fish in any part of the Delaware River and Bay lying between the States of New Jersey and Delaware with any device or by any means or method whatsoever, excepting with rods and lines or hand-lines, commonly called dipsey or throw-lines, each having not more than three hooks, or with trolling-lines with spoon or artificial bait, having not more than one burr of three single hooks attached. The number of rods and lines or the number of trolling-lines, not to exceed two of one or the other device named, and said lines must be under the direct and immediate supervision of the person fishing therewith. Any person violating any of the provisions of this section shall, on conviction thereof, be subject to a fine of twenty dollars." Devices permitted in catching game fish

Penalty

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Devices per-
mitted in
catching bait
fish

"2504. Sec. 147. DEVICES PERMITTED IN CATCHING BAIT FISH: It shall be unlawful to fish for bait fish in the waters aforesaid except with the following devices, to wit: rods and lines and hand-lines with not more than three hooks attached; a minnow seine not more than one hundred feet in length; a dip net not more than five feet square; a minnow trap, the opening of which shall not be more than one and one-quarter inches in diameter; a scoop net with a single handle and with a diameter of not more than two feet. Any person who uses any other device, method or means for catching bait fish, other than those specified in this section, shall, on conviction thereof, be subject to a fine of twenty dollars."

Penalty

Devices per-
mitted in
catching food
fish

"2505. Sec. 148. DEVICES PERMITTED IN CATCHING FOOD FISH: It shall be unlawful to fish for food fish in the waters aforesaid with any device, method or means, excepting by the following devices, and under regulations and restrictions hereinafter described, to wit: A seine, a gill net, an eel pot or fyke net, each without wings, a parallel net, or stake net at the edge of low water, and rods and lines, or hand-lines, otherwise known as dipsey or throw-lines, each having not more than three hooks. Any person who shall use or employ any method or device for catching food fish other than those named in this section, or shall use or employ any device named in this section contrary to the regulations and restrictions hereinafter mentioned, shall be subject to a fine of fifty dollars."

Penalty

Devices for
the catching
of sturgeon

"2506. Sec. 149. STURGEON FISHING; SIZE OF MESH; SIZE OF FISH; FISHING SATURDAY AFTERNOON AND SUNDAY PROHIBITED; CLOSED SEASON: It shall be unlawful for any person to catch and take or attempt to catch and take any sturgeon from the waters aforesaid with any device excepting a seine or gill net, the meshes of which shall be less than thirteen inches stretched measure while being fished; provided, however, that where a sturgeon not under the size hereinafter prohibited shall become entangled in a shad or other net which is being bona fide used for the catching of shad or other fish, the said sturgeon so caught may be

Proviso and
exception

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retained. It shall further be unlawful for any person to catch and take or attempt to catch and take, from the waters aforesaid, any sturgeon or mammosse under five feet in length, and if any such sturgeon or mammosse under five feet in length should be caught, it shall be immediately returned to the waters uninjured. It shall be also unlawful for any person to catch and take, or to attempt to catch and take sturgeon or mammosse from the waters aforesaid in any manner whatever between the hours of two o'clock p. m. of every Saturday and twelve o'clock midnight of the Sunday next ensuing, and also between the thirtieth day of June in each year and the first day of March thence next ensuing. Any person violating any of the provisions of this section shall, upon conviction thereof, be subject to a fine of one hundred dollars together with a forfeiture of all nets, boats and other appliances used."

Minimum length of sturgeon to be caught and taken

Closed hours during open season

Closed season

Penalty

"2507. Sec. 150. SHAD FISHING; SIZE OF MESH; SATURDAY AFTERNOON AND SUNDAY FISHING PROHIBITED; CLOSED SEASON; NETS; KINDS ALLOWED; TAKING SHAD AT MOUTH OF RIVERS OR CREEKS PROHIBITED: It shall be unlawful for any person to catch and take, or to attempt to catch and take, shad from the waters aforesaid with a seine or net of any character, the meshes of which shall be less than five and one-quarter inches stretched measure. It shall also be unlawful for any person to catch and take, or to attempt to catch and take, any shad from the said waters in any manner whatsoever between the hours of two o'clock p. m. of every Saturday and twelve o'clock midnight of the Sunday next ensuing, and also between the tenth day of June in each year and the first day of March thence next ensuing. It shall also be unlawful for any person at any time to set, place or use a net of any kind, except a drifting net, for the purpose of catching and taking shad within one-half mile of the mouth of any river, creek or stream emptying into the said waters. Any person violating any of the provisions of this section shall, upon conviction thereof, be subject to a fine of one hundred dollars together with a forfeiture of all nets, boats and other appliances used."

Minimum size of mesh for seine to catch shad

Closed hours during open season

Closed season

Unlawful to use only certain kind of seine near mouth of any tributary

Penalty

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Lawful to
catch carp

"2508. Sec. 151. CARP FISHING: It shall be lawful for any person to catch and take carp from the waters aforesaid at any time and with any kind of net."

Devices for
the catching
of rock fish

"2509. Sec. 152. ROCK FISHING; SIZE OF MESH; SATURDAY AFTERNOON AND SUNDAY FISHING PROHIBITED; SIZE OF FISH; CLOSED SEASON: It shall be unlawful for any person to catch and take, or attempt to catch and take, rock fish from the waters aforesaid excepting with a shore or hauling seine, the meshes of which shall be less than two inches stretched measure, or with a drifting gill net the meshes of which shall be less than two and three-quarter inches stretched measure. It shall also be unlawful for any person to catch and take, or to attempt to catch and take, any rock fish in any manner whatsoever between the hours of two o'clock p. m. of every Saturday and twelve o'clock midnight of the Sunday next ensuing.

Closed hours
during open
season

Minimum size
and maxi-
mum weight
to be taken

It shall also be unlawful for any person to catch and take, or to attempt to catch and take, from the waters aforesaid, in any manner whatever, any rock fish weighing more than twenty pounds or measuring less than ten inches in length; and should any such fish weighing over twenty pounds, or measuring less than ten inches in length, be caught, it shall be immediately returned to the waters uninjured. It shall also be unlawful for any person to catch and take, or to attempt to catch and take, rock fish in any manner whatever between the first day of May and the first day of November thence next ensuing. Any person violating any of the provisions of this section shall, upon conviction thereof, be subject to a fine of one hundred dollars together with a forfeiture of all nets, boats and other appliances used."

Closed season

Penalty

Trout

Devices for
catching
trout fish

"2510. Sec. 153. TROUT FISHING; SIZE OF FISH; SATURDAY AFTERNOON AND SUNDAY FISHING PROHIBITED: It shall be unlawful for any person to catch and take, or to attempt to catch and take, from the waters aforesaid, any trout or weak fish with a net of any character, excepting with a shore or hauling seine the meshes of which shall be less

FISH, OYSTERS AND GAME.

than two inches stretched measure, or with a drifting gill net the meshes of which shall be less than two and three-quarter inches stretched measure. It shall also be unlawful for any person to catch and take, or to attempt to catch and take, any trout or weak fish from the waters aforesaid, with a net of any character, between the hours of two o'clock p. m. of every Saturday and twelve o'clock midnight of the Sunday next ensuing. It shall also be unlawful for any person to catch and take, or to attempt to catch and take any trout or weak fish from the waters aforesaid under ten inches in length. Any person violating any of the provisions of this section shall, upon conviction thereof, be subject to a fine of one hundred dollars together with a forfeiture of all nets, boats and other appliances used."

Closed hours during open season

Minimum size

Penalty

"2510-a. Sec. 153-a. HERRING FISHING; SIZE OF MESH; HERRING SATURDAY AFTERNOON AND SUNDAY FISHING PROHIBITED; CLOSED SEASON: It shall be unlawful for any person to catch and take, or to attempt to catch and take, from the waters aforesaid, any herring with a net of any character, the meshes of which shall be less than three inches stretched measure. It shall also be unlawful for any person to catch and take, or to attempt to catch and take, any herring from the waters aforesaid with a net of any character between the hours of two o'clock p. m. of every Saturday and twelve o'clock midnight of the Sunday next ensuing. It shall also be unlawful for any person to catch and take, or to attempt to catch and take, from the waters aforesaid, in any manner whatsoever, any herring between the tenth day of June in each year and the first day of March thence next ensuing. Any person violating any of the provisions of this section shall, upon conviction thereof, be subject to a fine of one hundred dollars together with a forfeiture of all nets, boats and other appliances used."

Devices for catching herring

Closed hours during open season

Closed season

Penalty

"2511. Sec. 154. ANCHORED NETS ACROSS OR BEFORE MOUTH OF STREAMS, PROHIBITED: It shall be unlawful for any person to catch and take, or to attempt to catch and take, fish of any kind from the waters aforesaid with a net of any character which is anchored, staked or fastened

Anchored nets unlawful except in certain localities

FISH, OYSTERS AND GAME.

down in any way; provided, however, that in that portion of the bay south of the mouth of the Smyrna Creek and on the Delaware side of the bay, stake nets may be used only where, by reason of the oyster stakes, the use of drift nets is impossible; and further provided that no net of any character whatsoever shall be placed in or remain in the waters aforesaid between the hours of two o'clock p. m. of Saturday and twelve o'clock midnight of the Sunday next ensuing. Any person violating any of the provisions of this section shall, upon conviction thereof, be subject to a fine of one hundred dollars together with a forfeiture of all nets, boats and other appliances used."

Closed hours
during open
season

Penalty

Interference
with drift or
gill nets
unlawful

"2512. Sec. 155. DRIFT OR GILL NETS; INTERFERENCE WITH UNLAWFUL: It shall be unlawful for any person by boat, anchor, dredge, or otherwise, in the waters aforesaid, to wilfully and without reasonable cause, interfere with, break, damage or destroy any drift net or gill seine being lawfully used for the taking of any fish as herein provided."

Unlawful to
use explosives, drugs
or poisoned
bait or allow
certain refuse
matter

Penalty

"2513. Sec. 156. EXPLOSIVES, DRUGS, POISONED BAIT; USE OF A MISDEMEANOR; CERTAIN DELETERIOUS SUBSTANCES; FLOW OF INTO WATERS A MISDEMEANOR; PENALTY: It shall be unlawful for any person wilfully to put or place in the waters aforesaid any explosive substance whatever, or any drug or poisoned bait for the purpose of catching and taking, killing or injuring the fish, or to allow any dye stuff, coal or gas tar, saw dust, tan bark, coculus indicus (otherwise known as fish berries), lime refuse from gas houses, oil tanks or vessels, or any other deleterious, destructive or poisonous substance to be turned into or allowed to run into any of the waters aforesaid, in quantities sufficient to destroy or impair fish life or disturb the habits of fish inhabiting the same. Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall forfeit and pay a fine of not more than five thousand dollars, or shall be imprisoned not more than one year, or both, in the discretion of the court, and the same proceedings shall be had and before the same courts as may now or hereafter be provided by the laws of this state in the trial of misdemeanors."

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"2514. Sec. 157. SUNDAY FISHING PROHIBITED: It shall ^{Sunday fishing prohibited} be unlawful for any person to catch and take, or to attempt to catch and take, fish of any kind or description from the waters aforesaid by net of any character between the hours of two o'clock p. m. of every Saturday and twelve o'clock midnight of the Sunday next ensuing. Any person violating any of the provisions of this section shall, upon conviction thereof, be subject to a fine of one hundred dollars together with a forfeiture of all nets, boats and ^{Penalty} other appliances used."

"2515. Sec. 158. EELS; SIZE: It shall be unlawful for ^{Eels} any person to catch and take, or to attempt to catch and take, from the waters aforesaid, any eel of a size less than fourteen inches in length, and any eels of a size less than ^{Minimum size} fourteen inches in length caught must be returned uninjured to the waters aforesaid. Any person violating any of the provisions of this section shall, upon conviction thereof, be subject to a fine of one hundred dollars together ^{Penalty} with a forfeiture of all nets, boats and other appliances used."

"2516. Sec. 159. SALE OR POSSESSION OF FISH CAUGHT IN VIOLATION OF LAW, UNLAWFUL: It shall be unlawful for ^{When unlawful to sell or have in possession} any person to sell, expose for sale, or have in possession, any fish caught and taken in violation of the provisions of Sections 143 to 168, inclusive, of this Chapter. Any person violating any of the provisions of this section shall, upon conviction thereof, be subject to a fine of one hundred dollars together with a forfeiture of all nets, boats and ^{Penalty} other appliances used."

"2517. Sec. 160. VIOLATION OF SECTIONS 143 TO 168, ^{Prosecutions of violations} METHOD OF PROCEDURE: All prosecutions for violations of the provisions of this act, within the State of Delaware, except as herein otherwise specifically provided, shall be in accordance with the provisions of Section 2410 of the Revised Statutes of the State of Delaware approved October nineteenth, 1914."

FISH, OYSTERS AND GAME.

Property
forfeited

Seizure

Conviction

Sale

When prop-
erty is to be
returned

"2518. Sec. 161. FORFEITURE OF BOATS, TRAPS &C.; SEIZURE AND DETAINING OF SUCH PROPERTY; JUDGMENT OF FORFEITURE; SALE; PROCEEDS HOW DISPOSED OF; RETURN OF PROPERTY ON ACQUITTAL: Any and every boat, vessel, net, trap, pot, pound, set line, fyke, weir, or other property used by any person for the unlawful taking of, or attempting to take, any fish in the waters aforesaid, in violation of the provisions of Sections 143 to 168, inclusive, of this Chapter, shall be forfeited to the State of Delaware, together with the tackle, apparel and furniture of said boat or vessel, and all other apparatus and implements so unlawfully used; and the same shall be seized and detained by the sheriff, officer, or any county constable, or authorized deputy or deputies, or by any member of the Board of Game and Fish Commissioners, Game Warden or Deputy Game Warden, until sold or discharged, as hereinafter provided. Upon the conviction of any such person, as aforesaid, the Justice of the Peace or the Court shall, in addition to the sentence pronounced against such person, enter an order and judgment of forfeiture against said property so unlawfully used and shall order the sheriff or any constable of the county to at once seize the same wheresoever it may be found, who shall, thereupon, advertise and sell the same at public auction, for cash, to the highest and best bidder for the same, after giving at least ten days notice by advertisements posted in at least ten public places of the county, of the time and place of said sale; the proceeds of said sale, after deducting all costs, charges and expenses, shall be paid by the said sheriff or constable to the Board of Game and Fish Commissioners. In the event that the said person, so charged as aforesaid, shall be acquitted, the said property shall be forthwith returned to the person in whose custody it was at the time it was so seized and taken as aforesaid."

"2519. Sec. 162. COSTS AND CHARGES; HOW PAID; ANNUAL APPROPRIATION: The costs, charges and expenses of any proceeding for the violation of the provisions of Sections 143 to 168, inclusive, of this Chapter, shall be taxed and allowed as follows:

FISH, OYSTERS AND GAME.

To any sheriff, constable, officer, game warden or deputy game warden, for each day actually engaged in seizing the said property, five dollars; ^{Costs and charges}

To every person summoned by and rendering aid to such sheriff, constable, game warden or deputy game warden, for each day actually engaged in assisting in seizing said property, two dollars;

To every Justice of the Peace, sheriff, constable, officer, game warden, deputy game warden, witness, or other person performing service under Sections 143 to 168, inclusive, of this Chapter, and not herein specifically mentioned, the same fees as are now provided by law for similar services. Said costs, charges and expenses shall be paid by the officer making the sale out of the proceeds thereof; or if the property be not so sold, then by the State Treasurer upon the certificate of the court or Justice of the Peace, or committing officer, before whom the proceedings were had. ^{Costs and charges, how paid}

The General Assembly shall appropriate at least the sum of two hundred dollars per annum for the purpose of paying the costs and charges incurred under the provisions of Sections 143 to 168, inclusive, of this Chapter." ^{Appropriation by State}

"2520. Sec. 163. SHIRRED NETS AND STEAM POWER PROHIBITED; EXCEPTIONS; MENHADEN FISHING LICENSE: It shall be unlawful for any person to catch and take, or to attempt to catch and take from the waters aforesaid, with purse or shirred nets operated by or from steam or other vessels, fish of any kind whatsoever; provided, however, that this section shall not apply to the catching and taking of menhaden, sharks, porpoises, and herring-hogs, by the crews of vessels licensed as provided for in this section. It shall be the duty of the Collector of Oyster Revenue, upon the payment to him annually of the sum of one hundred dollars for each and every vessel or boat, to issue a license to such vessel or boat to catch and take menhaden, sharks, porpoises and herring-hogs in the waters of the Delaware Bay as far north as a straight line drawn from the centre of ^{Shirred nets and steam power prohibited} ^{Proviso and exception} ^{License, by whom and to whom issued} ^{Kind of fish} ^{Limit of northern boundary}

FISH, OYSTERS AND GAME.

the mouth of Mahon's River to the nearest point opposite on the New Jersey shore. The said money so received for said licenses shall be paid over to the State Treasurer for the use of the state. Any violation of the provisions of this section shall be a misdemeanor and upon conviction thereof a fine of not less than five hundred dollars nor more than one thousand dollars shall be imposed by the court, and within the State of Delaware the same proceedings shall be had and before the same courts as may now or hereafter be provided by the laws of the said state in the trial of misdemeanors."

License
money to be
paid State
Treasurer

Penalty

Use of food
fish for
fertilizer
prohibited

Penalty

"2521. Sec. 164. EXTRACTING OIL FROM FOOD FISH; USE OF FOR FERTILIZER; PROHIBITED: It shall be unlawful for any person to have in his possession or to bring into this State any fish generally known as edible or food fish that has been caught and taken from the waters of the Delaware Bay or River within the bounds aforesaid, for the purpose of extracting oil therefrom, or of converting said fish into fertilizer; and it shall also be unlawful for any person to extract oil, or to convert, or in any manner assist in extracting oil from, or in converting such fish into fertilizer. Any violation of the provisions of this section shall be a misdemeanor and upon conviction thereof a fine of not less than five hundred dollars nor more than one thousand dollars shall be imposed by the court, and within the State of Delaware the same proceedings shall be had and before the same courts as may now or hereafter be provided by the laws of the said state in the trial of misdemeanors."

Arrest with-
out warrant

"2522. Sec. 165. ARREST WITHOUT WARRANT: Any member of the Board of Game and Fish Commissioners, game warden, deputy game warden, Collector of Oyster Revenue, sheriff, constable, or any officer may, upon view, arrest any person violating any of the provisions of Sections 143 to 168, inclusive, of this Chapter, without warrant or writ issued for such purpose."

Concurrent
jurisdiction

"2523. Sec. 166. CONCURRENT JURISDICTION AS TO OFFENSES COMMITTED BY INHABITANTS OF NEITHER STATE:

FISH, OYSTERS AND GAME.

Each of the said States of Delaware and New Jersey shall also have concurrent jurisdiction over all offenses and violations of Sections 143 to 168, inclusive, of this Chapter, committed, or attempted to be committed, by any person who is not an inhabitant of either of said States."

"2524. Sec. 167. GOVERNORS OF DELAWARE AND NEW JERSEY TO ISSUE COMMISSION; POWERS OF SUCH OFFICERS; TRIAL AND PUNISHMENT OF OFFENDERS IN STATE OF RESIDENCE; COMMISSIONS MAY BE REVOKED; COMPENSATION OF OFFICERS; POWERS OF POLICE OFFICERS NOT AFFECTED: The Governor of the State of Delaware shall, when and as requested by the Governor of the State of New Jersey, issue a commission or commissions to such person or persons as may be named to him by the Governor of the State of New Jersey, which shall authorize the person or persons to whom the same are directed to arrest the inhabitants of either the State of Delaware or the State of New Jersey for any violation of the provisions of Sections 143 to 168, inclusive, of this Chapter. The Governor of this State may, at any time, and shall, when and as requested by the Governor of the State of New Jersey, revoke the said commissions, or any of them. The compensation of the person or persons to whom such commission or commissions may be directed shall be paid wholly by the State of New Jersey.

Governors
of Delaware
and New
Jersey to
issue Com-
missions

Powers of
officers

Commission
may be
revoked
Compensa-
tion, by
whom paid

The Governor of the State of New Jersey shall, when and as requested by the Governor of the State of Delaware, issue a commission or commissions to such person or persons as may be named to him by the Governor of the State of Delaware, which shall authorize the person or persons to whom the same are directed to arrest the inhabitants of either the State of Delaware or the State of New Jersey for any violation of the provisions of Sections 143 to 168, inclusive, of this Chapter. The Governor of the State of New Jersey may, at any time, and shall, when and as requested by the Governor of the State of Delaware, revoke the said commissions, or any of them. The compensation of the person or persons to whom such commission or commissions may be directed shall be paid wholly by the State of Delaware.

FISH, OYSTERS AND GAME.

Powers of
other officers
not affected

Nothing contained in this section shall be so construed as to prevent the arrest of any inhabitant of the State of Delaware by any other officer or person having authority under the laws of the said State of Delaware to make arrests for the violation of the provisions of Sections 143 to 168, inclusive, of this Chapter."

To be effective on approval by the Governor

"2525. Sec. 168. SECTIONS 143 TO 168, INCLUSIVE; TO BECOME OPERATIVE WHEN: The provisions of Sections 143 to 168, inclusive, as hereby enacted and amended, shall go into effect upon the approval hereof by the Governor of the State of Delaware."

Approved March 16, A. D. 1915.

FISH, OYSTERS AND GAME.

CHAPTER 204.

FISH, OYSTERS AND GAME.

FISH.

AN ACT to amend Chapter 74 of the Revised Code of the State of Delaware, by providing for the taking of fish between High and Low Water mark in the Delaware River and Delaware Bay.

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

That Chapter 74 of the Revised Code of the State of Delaware be and the same is hereby amended by the insertion therein and of the following Section to be styled 2503 A. Section 146 A. Chap. 74, Revised Code, amended

2503 A. Section 146 A. It shall be lawful for any person to catch and take from the waters aforesaid, between High and Low water mark, any fish of any character (except shell fish) with any net, hook and line or other appliances; provided, however, the meshes of any net shall not be less than two inches long stretched measure, provided, however, that nothing in this section shall apply to nets used for catching eels, and provided further that it shall be unlawful for any person to catch and take fish in the manner provided for herein from the tenth day of June to the first day of July in each year. Lawful to catch fish
Proviso
Further proviso
Closed season

Approved March 8, A. D. 1915.

FISH, OYSTERS AND GAME.

CHAPTER 205.

FISH, OYSTERS AND GAME.

FISH.

AN ACT to amend Chapter 74 of the Revised Code of the State of Delaware by providing for a contingent fund for the Collector of Oyster Revenue to carry out the provision of 2519, Section 162 of the Revised Code.

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

Chap. 74,
Revised
Code,
amended

That Chapter 74 of the Revised Code of the State of Delaware be, and the same is hereby amended by the insertion therein of the following section, to be styled 2519a, Section 162a.

Contingent
fund appro-
priated to
the Oyster
Revenue
Collector

2519a, Section 162a. For the purpose of carrying out the provisions of 2519, Section 162 of the Revised Code of the State of Delaware in relation to the collection of licenses for catching and taking Menhaden sharks, porpoises and herring hogs the sum of One hundred dollars is hereby annually appropriated as a contingent fund for the Collector of Oyster Revenue to be paid out of the State Treasury according to the provisions of Sections 19 to 28 inclusive of Chapter 15 of the Revised Code of the State of Delaware.

Approved March 9, A. D. 1915.

FISH, OYSTERS AND GAME.

CHAPTER 206.

FISH, OYSTERS AND GAME.
FISH.

AN ACT to Amend Chapter 74, Title 12 of Fish, Oysters and Game,
of the Revised Code of the State of Delaware, A. D. 1914.

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

Section 1. That Chapter 74 of the Revised Code of the State of Delaware be, and the same is, hereby amended by striking out 2526, Section 169, to 2557, Section 200, inclusive, and 2559, Section 202 to 2567, Section 210, inclusive, and by inserting in lieu thereof the following:

2526 Section 169. FISHING FOR CERTAIN FISH IN ANY BODY OF WATER OTHER THAN THE DELAWARE RIVER, DELAWARE BAY AND THE ATLANTIC OCEAN; REGULATED:—It shall be unlawful to have in possession or take in any way from any body of water in the State of Delaware, other than the Delaware River, Delaware Bay and the Atlantic Ocean, any fish known as large mouth bass, small mouth bass, calico bass, pike, pickerel, wall-eyed pike, pike-perch, rainbow trout, brown trout, brook trout, (the foregoing hereafter to be known as game fish), shad, carp, sturgeon, black perch or eels, except as hereinafter in this Chapter provided.

2527 Section 170. OPEN SEASON; FISH: The open seasons on fish in the waters named in Paragraph 2526, Section 169 of this Code and Chapter, shall be as follows:—Large mouth bass, small mouth bass, and calico bass from May 25th to February 1st, next following; pike, pickerel, wall-eyed pike and pike-perch from May 25th to March 1st, next following; rainbow trout, brown trout, and brook trout

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Fish not
protected

from April 16th to August 15th next following; shad and sturgeon from March 1st to June 5th next following; carp from August 10th to June 1st next following. The above open seasons shall include the days defining them. Any fish not protected may be taken at any time and in any way except as hereinafter provided. It shall be lawful to have in possession any fish named in this section for five days after the open season of the same.

Size, unlaw-
ful to have in
possession

2528 Section 171. FISH; SIZE UNLAWFUL TO HAVE IN POSSESSION:—It shall be unlawful to have in possession any large mouth bass, small mouth bass, calico bass under eight inches, pike, pickerel, wall-eyed pike, or pike-perch under the length of ten inches; any black perch, rainbow, brown or brook trout under the length of six inches; any sturgeon under the length of four and one-half feet; any eel under the length of twelve inches. Any fish taken which is under the length prescribed for the respective species named in this section shall be returned to the water with wet hands as quickly as possible and with the least possible injury.

Shall return
to water fish
under length,
howHook and
line fishing

2529 Section 172. FISH; LAWFUL TO TAKE WITH HOOK AND LINE:—It shall be lawful to take any fish in any of the waters of this State, according to law, with hook and line, which hook and line shall always be under the immediate observation of the person using it.

Unlawful
devices and
substances
for taking
fish

2530 Section 173. USE OF SET-LINE, NET, FYKE, TRAP, EXPLOSIVES, &C.; UNLAWFUL:—It shall be unlawful to make use of any set line, net, trap, fyke, explosive, chemical, poison, device or contrivance whatever, except as provided by law, for the purpose of taking, killing or destroying any fish in any of the waters in this State. The unlawful setting or placing of any of the devices, or substances named in this section shall constitute an offense against the provisions thereof, and said devices and substances 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.

Shall be
confiscated

FISH, OYSTERS AND GAME.

2531 Section 174. POLLUTION OF STREAMS; UNLAWFUL: Pollution of streams
 —It shall be unlawful to pollute any of the waters of this State in any way by permitting the entry therein of any waste or deleterious substance in sufficient quantities to injure or destroy any fish or render same unfit for food.

2532 Section 175. NETS; SIZE OF MESH; USE OF IN TIDAL Nets, where may be used, size of mesh
 WATERS:—It shall be lawful in any of the waters in the State of Delaware, wherein the lunar tide regularly ebbs and flows and in the waters of Rehoboth, Indian River and Assawaman Bays, and Indian River and their tributaries to take according to law, fish in haul nets, fykes and pound nets of not less than two inches and gill nets of not less than three inches mesh, stretched measure while being fished. Provided that it shall be unlawful to set any net in any of the Bays of this State within one-half mile of the mouth of any tributary stream; Provided further that it shall be unlawful to obstruct the fisheries of any stream or canal in this State by the setting of any net or part thereof across the current or the channel or any part thereof. Proviso Further proviso

2533 Section 176. NETS; LAWFUL TO USE DIP-NETS, Nets, lawful to use, for what purpose
 MINNOW NETS AND EEL POTS:—It shall be lawful to take minnows for bait in minnow nets, fish in dip-nets, and eels according to law in eel baskets or pots.

2534 Section 177. CARP; MUD SHAD; GAR; LAWFUL TO Lawful to catch certain fish in nets; where
 CATCH IN NETS:—It shall be lawful to catch carp, mudshad and gar, in the ponds, lakes and fresh water streams of this State and in the Chesapeake and Delaware Canal except as before provided in nets of not less than a five inch mesh while being fished and all fish other than game fish may be taken in nets in the locks of the Chesapeake and Delaware Canal. Any game fish taken, except as before provided, in a net from any water in this State shall be returned to the water, with wet hands, as quickly as possible and with the least possible injury. Proviso

FISH, OYSTERS AND GAME.

Stakes;
length of

2535 Section 178. STAKES; LENGTH REGULATED:—It shall be unlawful in setting any gill net or eel pot in any of the waters of this State, except tidal waters, to use stakes which do not extend at least three feet out of the water at all times.

Unlawful to
fish with net
certain days
and hours

2536 Section 179. FISHING WITH NET BETWEEN SATURDAY MIDNIGHT AND MIDNIGHT SUNDAY; PROHIBITED:—It shall be unlawful to fish with nets in any of the waters of this State between the hours of twelve o'clock midnight of every Saturday and twelve o'clock midnight of the Sunday next ensuing.

Propagating
and re-
stocking
purposes

2538 Section 181. FISH; PROPOGATION; TO BE TAKEN AT ANY TIME:—It shall be lawful for the Board of Game and Fish Commissioners of this State to take any fish at any time and in any way for propagating and re-stocking purposes.

Penalty upon
conviction

2539 Section 182. VIOLATIONS OF SEC. 169 TO 181; PENALTY:—Any person violating any of the provisions of Sections 169 to 181, inclusive, of this Chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall pay a fine of not less than \$5.00 and not more than \$100.00, and costs for each offense, and failing to pay forth with such fine and costs, unless an appeal be taken, shall be committed to the Jail or Workhouse of the County where the offense was committed for thirty days, unless such fine and costs be sooner paid.

Chap. 74, of
the Revised
Code,
further
amended

Section 2. That Chapter 74 of the Revised Code of the State of Delaware be, and the same is, hereby amended by the repeal of 2537, Section 180, and by inserting in lieu thereof the following to be known as 2537, Section 180.

Game fish,
except pike,
must be
bought and
sold in
county where
taken

2537 Section 180. It shall be unlawful to buy, sell or expose for sale any game fish, except pike, provided however, that in Counties where taken such fish may be disposed of as the takers of them see fit.

Approved April 14, A. D. 1915.

FISH, OYSTERS AND GAME.

CHAPTER 207.

FISH, OYSTERS AND GAME.

FISH.

AN ACT to amend Chapter seventy-four of the Revised Code of the State of Delaware by repealing 2528 Section 171 thereof, and by substituting in lieu thereof a new section.

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

Section 1. That Chapter seventy-four of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 2528 Section 171 thereof and by substituting in lieu thereof the following section, to be styled as 2528 Section 171.

2528. Section 171. Except where otherwise specially provided it shall be unlawful for any person to fish for shad or herring in any of the rivers or creeks in Kent or Sussex Counties after the first day of June, and in any of the rivers or creeks of New Castle County after the fifteenth day of June in any year. Any person so offending shall forfeit and pay a fine of fifty dollars, one-half for the use of the informer, the other half for the use of the Board of Game and Fish Commissioners. And in addition thereto, shall forfeit any float, seine, gill-seine or net or any other contrivance, and all boats, vessels, tackle and furniture, and all implements belonging to any boat or vessel used in connection with any such fishing. The seizure, trial, condemnation and sale under this Section shall be the same as the seizure, trial, condemnation and sale under Section 169 of this Chapter.

2523, Sec. 171,
Chap. 74, of
the Revised
Code,
amended

Closed season
for catching
shad and
herring in
waters of
Kent and
Sussex, also
New Castle
Counties

Penalty and
forfeiture

Provided, however, that it shall be unlawful for any person or persons to catch and take, or to attempt to catch and take, any shad from the waters of Mispillion River

Proviso, as
to Mispillion
River

FISH, OYSTERS AND GAME.

except between the first day of March and the fifteenth day of May, inclusive, in each year, and also except between the hours of twelve o'clock noon of every Monday and twelve o'clock noon of the following Saturday. Any person or persons violating the provisions of this paragraph shall be deemed guilty of a misdemeanor, and upon conviction thereof in the Court of General Sessions shall be fined in a sum not less than fifty dollars, or imprisoned for a term not exceeding thirty days, or both fined and imprisoned, in the discretion of the Court.

Penalty

Instruction
to Revised
Code Com-
mission

Section 2. The Revised Code Commission are hereby directed to print said substituted section in the final edition of the Revised Code as 2528. Sec. 171.

Approved February 18, A. D. 1915.

FISH, OYSTERS AND GAME.

CHAPTER 208.

FISH, OYSTERS AND GAME.

FISH.

AN ACT to amend Chapter Seventy-four of the Revised Code of the State of Delaware by repealing 2531 Section 174 thereof, and by substituting in lieu thereof a new section.

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

Section 1. That Chapter Seventy-four of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 2531 Section 174 thereof, and by substituting in lieu thereof the following section, to be styled as 2531 Section 174.

2531. Section 174. Except where otherwise specially provided it shall not be lawful for any person or persons to fish for shad in any of the rivers or creeks emptying into the Delaware Bay, from one mile north of Blackbird Creek to one mile South of Mispillion River, between the hours of twelve o'clock noon of every Saturday and twelve o'clock midnight of the Sunday next ensuing. It shall also be unlawful to place or maintain any obstruction in any of said rivers or creeks to prevent the fish ascending the same.

2531, Sec. 174, Chap. 74, of the Revised Code, amended
Unlawful to fish for shad in certain rivers or creeks, on certain closed days of the week

Unlawful to prevent fish ascending rivers or creeks by placing obstructions

Section 2. The Revised Code Commission are hereby directed to print said substituted section in the final edition of the Revised Code as 2531. Sec. 174.

Direction to Revised Code Commission

Approved February 18, A. D. 1915.

FISH, OYSTERS AND GAME.

CHAPTER 209.

FISH, OYSTERS AND GAME.

FISH.

AN ACT to amend Chapter Seventy-four of the Revised Code of the State of Delaware, by repealing 2532 Section 175 thereof and by substituting in lieu thereof a new section.

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

2532, Sec. 175,
Chap. 74, of
the Revised
Code,
amended

Section 1. That Chapter Seventy-four of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 2532 Section 175 and by substituting in lieu thereof the following section, to be styled as 2532 Section 175:

Date for the
close of shad
fishing

2532. Section 175. Except where otherwise specially provided the season for fishing for shad shall close within the rivers or creeks mentioned in Section 174 of this Chapter on the tenth day of June in each year.

Revised Code
Commission
directed

Section 2. The Revised Code Commission are hereby directed to print said substituted section in the final edition of the Revised Code as 2532. Sec. 175.

Approved February 18, A. D. 1915.

TITLE THIRTEEN

Deaf, Dumb, Blind and Insane

CHAPTER 210.

INSANE.

THE STATE BOARD OF TRUSTEES OF THE DELAWARE STATE HOSPITAL AT FARNHURST.

AN ACT in relation to the erection of additional buildings and for other improvements for the Delaware State Hospital at Farnhurst, and to provide the necessary funds therefor.

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 the State Board of Trustees of The Delaware State Hospital at Farnhurst be and they are hereby authorized and empowered to erect, equip, furnish, heat and light, or cause to be erected, equipped, furnished, heated and lighted, an additional building for the care and treatment of the insane who are now, or hereafter may be, in said institution, at a cost not to exceed Sixty Thousand Dollars, to be paid by the State Treasurer of this State to the said Board of Trustees on the order of the president of the said Board out of the funds to be raised as hereinafter provided.

New building
for insane at
Farnhurst

Cost of
building

How to be
paid for

Section 2. That for the purpose of raising the funds necessary to carry into effect the provisions of Section 1 of this Act, the State Treasurer of this State is hereby authorized, required and directed, before the first day of

State bonds
to be issued

INSANE.

July next, to cause to be prepared sixty bonds of the State of Delaware of the denomination 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 one to sixty inclusive, shall be dated the first day of July, A. D. nineteen hundred and fifteen, and shall bear interest from and after that date at the rate of per centum per annum, payable semi-annually on the first days of January and July in each and every year while they remain unpaid, at the Farmers' Bank of the State of Delaware at Wilmington on presentation of the coupon representing each semi-annual installment of interest. Said bonds shall be divided into twelve classes and the principal of said bonds shall be payable at the Farmers' Bank at Wilmington on presentation and surrender of said bonds as follows:

Class and maturity of bonds	CLASS	AMOUNT	DATE OF MATURITY
	A	\$5000.00	First day of July 1918
	B	5000.00	First day of July 1920
	C	5000.00	First day of July 1922
	D	5000.00	First day of July 1924
	E	5000.00	First day of July 1926
	F	5000.00	First day of July 1928
	G	5000.00	First day of July 1930
	H	5000.00	First day of July 1932
	I	5000.00	First day of July 1934
	J	5000.00	First day of July 1936
	K	5000.00	First day of July 1938
	L	5000.00	First day of July 1940

But the said bonds or any part thereof may be redeemed at the option of the State on any first day of January or *or first day of July in or after the year nineteen hundred

*on

INSANE.

and upon thirty days' notice published in one newspaper in the City of Philadelphia, and in one newspaper in the State of Delaware, indicating by their numbers the bonds thereby called and elected to be redeemed.

The said bonds shall each be signed by the Governor, Secretary of State and State Treasurer on behalf of the State, and shall have the great seal impressed thereon or affixed thereto, and shall be known as "Delaware State Hospital Improvement Bonds, Second Series." The signature of the State Treasurer shall be engraved or printed on each coupon, and the coupons attached to each bond shall be consecutively numbered from one to sixty inclusive.

Bonds, how signed

Name of bonds

Coupons attached and numbered

Section 3. The said bonds authorized to be issued by this Act shall be in the following form, except that the blanks in the following form shall be properly filled before the said bonds, or any of them, shall be issued, to-wit:

Form of bonds

DELAWARE STATE HOSPITAL IMPROVEMENT
BOND.

THIRD SERIES.

Issued in accordance with the provisions of an Act of the General Assembly of the State of Delaware, passed at Dover, the.....day....., A. D. nineteen hundred and fifteen.

UNITED STATES OF AMERICA.

STATE OF DELAWARE.

CLASS.....

No.....

\$1000.

These presents certify and make known that the State of Delaware is held and firmly bound unto the bearer in the sum of One Thousand Dollars, lawful money of the United States of America, which the said State promises

INSANE.

and binds itself to pay to the bearer at the Farmers' Bank of the State of Delaware at Wilmington on the first day of July, A. D., nineteen hundred and with interest at the rate of Four Per Centum per annum, likewise payable at the said Farmers' Bank of the State of Delaware at Wilmington on the first days of January and July in each and every year whilst the said principal sum remains unpaid on the presentation of the coupon hereto annexed representing such semi-annual installment of interest. Provided, however, and it is expressly stipulated, that the said State reserves the right and power at its option to call in, pay and redeem this bond on the first day of January or July in or after the year A. D., nineteen hundred and pursuant to the notice in that behalf prescribed by Act of Assembly under authority of which this bond is issued. And provided further, that when this bond shall be called by the notice aforesaid, interest thereon shall cease to accrue from and after the first day of January or July (as the case may be) next succeeding the date of such notice.

Dated at Dover the first day of July, A. D., nineteen hundred and fifteen.

WITNESS the great seal of the said State and the hands of the Governor, Secretary of State and [GREAT SEAL] State Treasurer respectively, the day and year aforesaid.

.....Governor.

.....Secretary of State.

.....State Treasurer.

Form of
coupon

And the coupon shall be in the following form, to wit:

No.

The State of Delaware will pay to bearer at the Farmers' Bank of the State of Delaware at Wilmington on the first day of, A. D. the sum of Dollars for six months' interest on bond No. class

INSANE.

of Delaware State Hospital Improvement Bonds, Third Series, dated July first, nineteen hundred and fifteen.

.....State Treasurer.

Section 4. That when the said State Treasurer shall have caused to be prepared the bonds authorized by this Act, and when the blanks in the form of the said bonds and the coupons thereto attached shall have been properly filled, and when the same shall be duly signed and sealed as hereinbefore provided in that behalf, it shall be the duty of the State Treasurer on or before the first day of July, A. D., nineteen hundred and fifteen, to negotiate, sell and dispose of, either at public or private sale, all of the said bonds for the highest and best price that he may be able to obtain for the same, and to deliver the same to the purchaser or purchasers thereof upon the receipt by him of the purchase money therefor. Provided, however, that none of said bonds shall be sold or disposed of for less than the face value thereof. And provided further, that if said bonds be sold at public sale, due and proper notice of the time and place of such sale shall be given by the said State Treasurer, and the proceeds of the sale of said bonds, when received by the State Treasurer shall be deposited by him to his credit as State Treasurer in the Farmers' Bank of the State of Delaware, and shall be the fund out of which shall be paid the order or orders drawn on the State Treasurer by the President of the State Board of Trustees of The Delaware State Hospital at Farnhurst, as authorized by the first Section of this Act.

State Treasurer shall have bonds and coupons prepared

State Treasurer shall negotiate sale of bonds

Bonds shall sell for not less than par

How and where the funds shall be deposited

How paid out

Section 5. It shall be the duty of the State Treasurer to provide a record of proper size and proportions, to be retained in his office, so ruled as to afford a separate space for each coupon, and a space at the top of each page of said record for each bond when paid or redeemed, and each space at the top of said record shall bear the same number and class as the bond of which a record is intended to be therein preserved. As the said coupons are paid, it shall be the duty of the State Treasurer to mark the same in red ink across the face "Paid," cut each of them in two

A record shall be provided; where and how kept

INSANE.

Cancellation
of bonds,
when paid

length wise, and paste the pieces in the appropriate space for such coupon in the record aforesaid, and as the said bonds shall be paid or redeemed, the State Treasurer shall cause the same to be cancelled by making lines with red ink through the signatures of the Governor, Secretary of State and State Treasurer, and also by writing across the face thereof in red ink the following words: "This bond paid (or redeemed as the case may be) this....day of, A. D....., by the payment of the sum of One Thousand Dollars principal, and.....Dollars interest represented by coupon No....."

By

.....
State Treasurer."

Coupons,
when and
how can-
celled

Where re-
deemed bonds
and all
coupons shall
be placed

And all coupons unmatured and surrendered with each bond redeemed shall each likewise be endorsed "Canceled by the redemption of bond No....." in red ink. When paid or redeemed the said bonds shall be pasted in the appropriate spaces in the record aforesaid, and all coupons paid or surrendered shall likewise be pasted in their appropriate spaces in such record.

Exempt from
State Tax

Section 6. That the public faith is hereby expressly pledged for the full and complete payment of the bonds, principal and interest, by this Act authorized; and that the said bonds shall be exempt from taxation by this State for any purpose; and the State Treasurer is hereby authorized and directed to cause all blanks in the forms of the said bonds and coupons hereinbefore prescribed to be appropriately filled.

Expense, how
paid

Section 7. That all expenses of preparing, issuing, selling and delivering the bonds by this Act authorized shall be allowed to the State Treasurer and paid out of any unappropriated funds in the State Treasury, he producing and exhibiting the necessary vouchers therefor, as by law required with reference to other disbursements of public funds.

Approved March 16, A. D. 1915.

INSANE.

CHAPTER 211.

INSANE.

THE STATE BOARD OF TRUSTEES OF THE DELAWARE STATE
HOSPITAL AT FARNHURST.

AN ACT to amend Chapter 76 of the Revised Statutes of the State of Delaware, providing for the admission of insane persons 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:

That 2598 Sec. 6, Chapter 76 of the Revised Statutes of the State of Delaware, be and the same is hereby amended by striking out all of said Section and inserting in lieu thereof the following:—

2598 Sec. 6. INSANE PERSONS; HOW ADMITTED:—No person shall be received as a patient in the Delaware State Hospital, at Farnhurst, unless a certificate shall have been previously filed with the superintendent of said Hospital; which certificate shall be made and signed by at least two physicians, residents of this State, who have been actively engaged in the practice of medicine for at least five years theretofore, and who shall be residents of the same State and County as the alleged insane persons, and one of whom shall be chosen by the State Board of Trustees of the Delaware State Hospital at Farnhurst. Said certificate must state that the physicians have separately examined the person alleged to be insane, and that they have arrived at the conclusion of the insanity of such person from such personal examination and the history of the case; that the disease of the person is of such a character as requires, in their judgment, hospital care and treatment, and that said physicians, or either of them, are in

2598, Sec. 6,
Chap. 76, of
the Revised
Code,
amended

Insane persons, how
admitted

Qualifications of
physicians,
who sign
certificates

Certificate
must state

INSANE.

no way related by blood to or connected by marriage with such person, nor in any way connected with said hospital nor with any County almshouse in this State.

When certificate must be made

The certificate provided for in this Section must be made within one week after the examination of the person, as therein provided, and within two weeks of the time of the application for admission of such person to said Hospital.

Certificate shall be signed with affidavit affixed

Said certificates shall be signed by said physicians, who shall also make affidavit to the truth of the facts and statements therein contained; which affidavit may be made before any officer who by the laws of this State is authorized to administer an oath or affirmation.

Officer must certify to what

The officer before whom said affidavit is made shall certify to the genuineness of the signatures of said physicians, and also that said physicians have the qualifications as set forth in this Section.

Certificate must be accompanied by order of trustee

In all cases under this Section, the certificate and other papers must be accompanied by an order of admission, signed by one or more of the trustees of said Hospital.

Does not apply to court commitments

This Section shall not apply to or be construed to embrace commitments to said Hospital made by any Court of this State, as provided by law.

Approved February 9, A. D. 1915.

INSANE.

CHAPTER 212.

INSANE.

THE STATE BOARD OF TRUSTEES OF THE DELAWARE STATE
HOSPITAL AT FARNHURST.

AN ACT to Amend Chapter 76 of the Revised Code of the State of Delaware, relating to the powers and duties of the State Board of Trustees of the Delaware State Hospital at Farnhurst, in relation to the maintenance of Insane Persons.

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

Section 1. That Chapter 76 of the Revised Code of the State of Delaware be, and the same is, hereby amended ^{2000, Sec. 8, Chap. 76, of the Revised Code, amended} by repealing 2600, Section 8 thereof, and inserting in lieu thereof, the following, to be styled 2600, Section 8:—

“2600. Section 8. MAINTENANCE OF INSANE PERSONS:
BOARD MAY COLLECT: WHEN: COST OF EXAMINATION AND
REMOVAL OF INDIGENT INSANE PERSONS: HOW PAID:

Any insane person committed to, or placed in said Delaware State Hospital at Farnhurst, shall at all times be liable ^{Maintenance of Insane persons} for the care, maintenance and support furnished to and received by him while an inmate of said Hospital. Provided however, that nothing in this Chapter Section shall relieve from liability for the support of said insane person, any person now liable under any law of this State. The State Board of Trustees of said Hospital shall keep an account of the cost of the care, maintenance and support furnished each insane person while in said Hospital and shall credit against said account all monies received from said insane person or from any other person for or on behalf of such insane person. The said Board of Trustees ^{State Board of Trustees shall keep an account}

INSANE.

Board has
power to
collect

shall have the same power and authority to collect from an insane person, or from the trustee for said insane person or out of the property, monies and effects of such insane person, all monies necessary to discharge and pay all liability of said insane person for said care, maintenance and support, as are now, or may hereafter be given to "The Trustees of the Poor" of the several counties of this State.

Board may
bring suit
for debt

The said Board of Trustees may also proceed for the recovery of said monies necessary for said care, maintenance and support in an action of debt or assumpsit to be brought in the Superior Court of the State of Delaware in the name of "The State Board of Trustees of the Delaware State Hospital at Farnhurst" or by petition to the Chancellor if the person has been ascertained to be a lunatic by inquisition duly held.

Expense of
examination
if found in-
sane paid by
county where
party resides

The expenses of the examination of an alleged, indigent insane person and of the removal of such person, if found insane, to said Hospital, shall be paid by the County of which the insane person was a resident at the time of his or her examination and removal.

Approved March 12, A. D. 1915.

TITLE FOURTEEN

Regulations Concerning Trade

CHAPTER 213.

GENERAL PROVISIONS RESPECTING TRADE. INTEREST.

AN ACT to amend Chapter 77 of the Revised Code of the State of Delaware, being an act relating to the rate of interest for the use of money.

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

Section 1. That sections 1 and 2 of Chapter 77 of the Revised Code of the State of Delaware, being sections 2621 and 2622 of said Code, be, and the same are, hereby repealed and that the following new sections be, and the same are, hereby substituted in lieu thereof, in the words and figures following, to wit,—

"2621. Sec. 1. The lawful rate of interest for the loan or use of money, in all cases where no express contract shall have been made for a less rate, shall be six per cent. per annum; and when a rate of interest for the loan or use of money exceeding that established by law shall have been reserved or contracted for, the borrower or debtor shall not be required to pay the creditor the excess over the legal rate and it shall be lawful for such borrower or debtor, at his option, to retain and deduct such excess from the amount of any debt; and in all cases where any borrower or debtor shall heretofore, or hereafter, have voluntarily paid the whole debt or sum loaned, together with interest

2621, Sec. 1, and 2622, Sec. 2, Chap. 77, of the Revised Code, amended

Rate of interest shall be 6%

Debtor shall not pay to creditor the excess, but may retain

May recover the excess

INTEREST.

Action to recover excess must be brought within one year

Does not affect negotiable paper

When usury shall not be made a defense

Term "corporations"

Contracts subject to Sec. 1, Chap. 77.

Loans on demand for five thousand dollars and more on accepted collateral security may lawfully contract and accept any sum

exceeding the lawful rate, such borrower or debtor, or his personal representative, may recover in an action against the person who shall have taken or received such debt and interest, or his personal representative, the amount so paid which is in excess of said debt together with interest at the lawful rate, if such action be brought within one year after the time of such payment: provided that nothing in this section shall affect the holders of negotiable paper taken bona fide in the usual course of business; and that persons, firms and corporations, registered under the provisions of Article 29 of Chapter One Hundred, on loans not exceeding One Hundred Dollars, may charge the rates of interest therein provided; and that no corporation shall hereafter interpose the defense of usury in any action. The term corporation, as used in this section, shall be construed to include all associations and joint stock companies having any of the powers and privileges of corporations not possessed by individuals or partnerships."

"2622. Sec. 2. Every contract for the loan or advance of money by banking corporations, within this State, shall be subject to the provisions of Section 1 of Chapter Seventy-seven; but in any case hereafter, in which loans or advances of money, made by banking corporations or otherwise, repayable on demand, to an amount not less than Five Thousand Dollars, are made upon warehouse receipts, bills of lading, certificates of stock, certificates of deposit, bills of exchange, bonds, or other negotiable instruments, pledged as collateral security for such repayment, it shall be lawful to receive, or to contract to receive, and collect, as compensation for making such advances, any sum to be agreed upon, in writing, by the parties to such transaction."

Approved March 8, A. D. 1915.

GENERAL PROVISIONS.

CHAPTER 214.

NEGOTIABLE INSTRUMENTS.

GENERAL PROVISIONS.

AN ACT to Amend Chapter 78 of the Revised Code of the State of Delaware by making Good Friday a legal Holiday.

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

That Chapter 78 of the Revised Code of the State of Delaware be and the same is hereby amended by the insertion therein of the following Section to be styled as 2841 A. Section 197 A:—

2841 A. Section 197 A. That hereafter the day known as "Good Friday" as it annually occurs shall be a legal Holiday, and that all the provisions of Chapter 78 of the Revised Code of the State of Delaware, in so far as they apply to other legal Holidays, shall be applicable to the day known as "Good Friday."

Approved March 26, A. D. 1915.

SURETYSHIPS.

CHAPTER 215.

SURETYSHIPS.

AN ACT to Amend Chapter 81 of the Revised Statutes of the State of Delaware, Relative to the Obligation of Infant Joint Sureties or Debtors.

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

Chap. 81, of
the Revised
Code,
amended

Section 1. That Chapter 81 of the Revised Statutes of the State of Delaware, be, and the same is, hereby amended by adding a new Section thereto to be known and styled as 2904A, Section 2A, as follows:—

Joint se-
curities, joint
debtors

“2904 A, Section 2A. Where several persons are bound together in any bond, bill or other writing or judgment, as joint debtors, or as joint sureties, in any sum of money, made payable to any person or corporation, his or its executors, administrators, successors, order or assigns, and one or more of such persons was, at the time of making, signing or executing the same, or at the time of the rendition of such judgment, an infant, such fact shall be no defence in any action, proceeding or suit for the enforcement of the liability of those bound thereunder, excepting as regards the person who was an infant at the time of making, signing or executing such bond, bill or other writing, or who was an infant at the time such judgment was rendered.”

One of the
parties of a
joint obliga-
tion being an
infant, no
defense

Except to the
person who
was an infant

Approved March 12, A. D. 1915.

WEIGHTS AND MEASURES.

CHAPTER 216.

WEIGHTS AND MEASURES.

AN ACT to amend Chapter 82 of the Revised Code of the State of Delaware relative to Weights and Measures.

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

Section 1. That Chapter 82 of the Revised Code of the State of Delaware be, and the same is hereby amended by repealing 2917, Section 4, and inserting in lieu thereof the following to be styled 2917, Section 4.

Chap. 82, Re-
vised Code,
amended

2917 Section 4. KENT AND SUSSEX COUNTIES; DUTIES OF REGULATOR IN:—In Kent and Sussex Counties he shall visit, at least once during the year, every incorporated town in his county, for the purpose of regulating, by and with the duplicate standards aforesaid, without charge, any weights and measures, scales, balances, or other weighing apparatus, that may be in use; and shall stamp the same plainly with the letter "S", and the initial of his county should the same be correct.

Duties of
Regulator of
Weights and
Measures in
Kent and
Sussex
Counties

Without
charge

Section 2. That Chapter 82 of the Revised Code of the State of Delaware be, and the same is hereby amended by repealing 2918, Section 5, and inserting in lieu thereof the following to be styled 2918, Section 5.

Section 5
amended

2918 Section 5. GENERAL DUTIES OF REGULATOR; DUTY OF INQUIRY:—He shall, in like manner, at all other times, regulate such weights and measures, scales, or balances, as may be brought to him, or of which he may have knowledge. And he shall diligently inquire for all unstamped weights and measures, scales and balances, which are used within his county for buying or selling.

Further
duties of
Regulator

WEIGHTS AND MEASURES.

Powers of
Regulator

Each regulator shall have power, within his respective jurisdiction, to test all instruments and devices used in weighing or measuring anything sold or to be sold. Such test shall include all appliances connected or used with such instruments or devices. For the purpose of making such test, each regulator, at any reasonable time and without formal warrant, may enter upon any premises; and may, on any public highway, stop any vendor or dealer, or the agent or servant of such vendor or dealer, or stop any vehicle used in delivering any commodity which is weighed or measured as delivered. He may condemn and mark as condemned, or may seize, any false or illegal instrument or device used, or intended to be used, in weighing or measuring. If he shall seize any such instrument or device, he shall retain possession thereof until it shall have been used as evidence in any prosecution under the laws of this Commonwealth relating to weights and measures. After the determination of such prosecution the false or illegal instrument or device shall be destroyed, unless otherwise ordered by the proper Court.

To hold as
evidenceSection 3
amended

Section 3. That Chapter 82 of the Revised Code of the State of Delaware be, and the same is hereby amended by repealing 2919, Section 6, and inserting in lieu thereof the following to be styled 2919, Section 6.

Misdemeanor,
when

2919 Section 6. USING UNREGULATED WEIGHTS OR MEASURES; USING FALSE STAMP OR BRAND; IN KENT AND SUSSEX COUNTIES; MISDEMEANORS; PENALTY:—If any person in Kent or Sussex Counties, shall buy, sell, or barter, by any weight or measure, scale, balance, or other weighing apparatus, that has not been duly regulated and stamped, or if any person shall make, or use, a false stamp, or brand, for stamping weights, or measures, he or she shall be fined Twenty-five Dollars and pay in addition thereto the costs in the case. One-half of said fine when recovered shall be paid to the informer.

Penalty
One-half fine
to informerSection 4
amended

Section 4. That Chapter 82 of the Revised Code of the State of Delaware be, and the same is hereby amended

WEIGHTS AND MEASURES.

by repealing 2920, Section 7, and inserting in lieu thereof the following to be styled 2920, Section 7.

2920 Section 7. **COMPENSATION OF REGULATORS IN EACH COUNTY:**—The regulators shall be paid for their services, annually, Six Hundred Dollars in New Castle County and fees as hereinafter provided, Six Hundred Dollars in Kent and Sussex Counties, said stated salaries to be allowed by the Levy Court of the respective counties and paid as other County charges. Compensation of the Regulators

Section 5. That Chapter 82 of the Revised Code of the State of Delaware be, and the same is hereby amended by repealing 2921, Section 8, and inserting in lieu thereof the following to be styled 2921, Section 8. Section 8 amended

2921 Section 8. **NEW CASTLE COUNTY; DUTIES OF REGULATOR IN:**—He shall, as often as he may deem necessary, go to all stores, offices, booths, stalls or other places of business in his County where any beams, scales, weights and measures are used for the purpose of buying or selling any goods, chattels or other things, and test and adjust or cause to be tested and adjusted (if possible) all such beams, scales, weights and measures, and stamp the same plainly with the letter "S" and the initial of his County and the current year. He shall also, in like manner, at all other times, test and adjust such beams, scales, weights and measures as may be brought to him for that purpose. The said regulator shall have the same powers prescribed in 2918, Duties of Regulator in New Castle County Powers Section 5 of this Chapter.

Section 6. That Chapter 82 of the Revised Code of the State of Delaware be, and the same is hereby amended by the addition thereto of a new section to be styled 2922a, New section added Section 9a.

2922a Section 9a. **FEES; RECEIPT TO BE GIVEN; TO BE COLLECTED ONLY ONCE ANNUALLY:**—For every fee collected under the provisions of 2922, Section 9 of this Annual fees

WEIGHTS AND MEASURES.

Chapter the said regulator shall give a receipt therefor and no person, co-partnership, firm or company shall be required to pay more than one fee in any one year provided, however, the provisions of this section shall in no way be deemed to restrict the number of visits which the said regulator shall deem necessary to make during any one year.

Section 14
amended

Section 7. That Chapter 82 of the Revised Code of the State of Delaware be, and the same is hereby amended by repealing 2927, Section 14, and inserting in lieu thereof the following to be styled 2927, Section 14.

Milk can
inspection

2927 Section 14. REGULATOR; DUTY TO STAMP AND INSPECT MILK CANS; FEE FOR:—It shall be the duty of the regulator of weights and measures in each county to inspect all bottles or cans used for the shipment of milk or cream, and to stamp or mark each bottle or can so inspected by him, with a stamp of inspection showing that the same has been inspected and that the capacity is correct, according to the standard measure for milk and cream in this State at the time of such inspection. For inspecting each can and stamping, as provided in this section, the said regulator of weights and measures shall be paid by the owner or owners thereof at the time of such inspection, the sum of ten cents, provided however, the provisions of 2922a, Section 9a, of this Chapter, shall extend to the inspection provided by this section.

Fees

Approved March 12, A. D. 1915.

TITLE FIFTEEN

Domestic Relations

CHAPTER 217.

DIVORCE.

AN ACT to amend Chapter 86 of the Revised Code of the State of Delaware, being an Act relating to "Divorce."

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

Section 1. That Chapter 86 of the Revised Code of the State of Delaware be amended by striking out 3016, Section 13 and inserting in lieu thereof a new Section which shall be known as 3016, Section 13:

On a petition for divorce for the cause of adultery, if the defendant shall recriminate and prove that the plaintiff has been guilty of the like crime, or has admitted the defendant into conjugal society or embrace after knowledge of the adultery, or that the complainant, if husband, allowed of his wife's prostitution, the petition shall be dismissed. When a defendant or *particeps criminis*, or one representing an absent or uncontesting defendant, pleads recrimination by way of defense, the Court shall first hear the testimony relating to the charge of recrimination and if it shall be satisfied that said charge has been proven, the petition, without further testimony, shall be dismissed.

3016, Sec. 13,
Chap. 86, of
the Revised
Code,
amended

Petition for
divorce may
be dismissed,
when

Approved March 16, A. D. 1915.

DIVORCE.

CHAPTER 218.

DIVORCE.

AN ACT to amend Chapter 86 of the Revised Code of the State of Delaware, being an act relating to divorce.

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

3022, Sec. 19,
Chap. 86, of
the Revised
Code,
amended

Section 1. That Chapter 86 of the Revised Code of the State of Delaware be amended by striking out "3022 Sec. 19" and inserting in lieu thereof a new section which shall be known as "3022 Sec. 19", as follows:

Attorney, ap-
pointment of

In all uncontested cases, and in any other case where the Court may deem it necessary or proper, a disinterested attorney may be assigned by the Court actively to defend the case.

May appear,
who, by
whom

A relative by blood or marriage of an absent or untested defendant, may by attorney appear for said defendant and plead to the petition of the complainant.

Approved March 2, A. D. 1915.

FEMALE EMPLOYEES.

CHAPTER 219.

MASTERS, APPRENTICES AND EMPLOYEES.

FEMALE EMPLOYEES.

AN ACT to amend Chapter 90 of the Revised Code of the State of Delaware by Abolishing the office of Female Inspector 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 Chapter 90 of the Revised Code of ^{3123, Sec. 23,} the State of Delaware be and the same is hereby amended ^{and 3134, Sec. 34, of the} by repealing Sections 3123, Section 23 to 3134, Section 34, ^{Revised Code,} inclusive. ^{amended by} ^{repealing}

Approved March 8, A. D. 1915.

FEMALE EMPLOYEES.

CHAPTER 220.

MASTERS, APPRENTICES AND EMPLOYEES.
FEMALE EMPLOYEES.

AN ACT to amend Chapter 90 of the Revised Code of the State of Delaware, by providing that the Inspector of Female Labor shall be appointed by the Labor Commission of Delaware.

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

3139, Sec. 39,
Chap. 90, of
the Revised
Code,
amended

Section 1. That Chapter 90 of the Revised Code of the State of Delaware be and the same is hereby amended by the repeal of 3139, Section 39, and the insertion in lieu thereof of the following to be styled as 3139, Section 39:

Inspector,
appointment,
by whom,
salary, term
of office

3139, Section 39. The Labor Commission of Delaware is authorized and directed, on or before the first day of May, A. D. 1915, and every four years thereafter, to appoint one inspector to carry out the purposes of Sections 35 to 43, inclusive, of this Chapter, at a salary of One Thousand Dollars per annum, to be paid in quarterly installments of two hundred and fifty dollars each by the State Treasurer, out of any State funds in his hands, not otherwise appropriated. The term of office of said inspector shall be four years from the date of such appointment.

Shall be
assessment to
Child Labor
Inspector

The inspector provided for in this Section shall be an assistant to the Child Labor Inspector and shall be under the jurisdiction of the Labor Commission of Delaware as provided in 989, Section 3, Chapter 38 of the Revised Code of the State of Delaware as amended.

Approved February 19, A. D. 1915.

CHILD LABOR.

CHAPTER 221.

MASTERS, APPRENTICES AND EMPLOYEES.

CHILD LABOR.

AN ACT to amend Chapter 90 of the Revised Code of the State of Delaware relative to the Uniform Child Labor Law.

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

Section 1. That Chapter 90 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 3156 Section 56 thereof, and by inserting in lieu thereof the following section to be styled 3156 Section 56.

3156, Sec. 56,
Chap. 90, of
the Revised
Code,
amended

3156 Section 56. The blank certificates and other papers required in the issuing of employment certificates shall be formulated and printed by the Labor Commission of Delaware and furnished by the said Commission to the County Superintendents or other boards or committees requiring the same.

Blanks shall
be furnished
by Labor
Commission

Section 2. That Chapter 90 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 3167 Section 67 thereof, and by inserting in lieu thereof the following section to be styled 3167 Section 67.

3167, Sec. 67,
Chap. 90, of
the Revised
Code,
amended

3167 Section 67. Every employer shall post and keep posted in a conspicuous place in every establishment wherein any person under the age of eighteen years is employed, permitted or suffered to work, a printed copy of Sections 44 to 92 inclusive, of this Chapter, relative to the hours of labor. Such copies shall be formulated and printed by the said Labor Commission and furnished by the said Labor Commission on the application of any such employer.

Copy of the
laws regulat-
ing hours of
labor must
be posted,
where, by
whom

Formulated
and printed,
by whom,
furnished to
whom

CHILD LABOR.

3191, Sec. 91,
Chap. 90, of
the Revised
Code,
amended

Section 3. That Chapter 90 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 3191 Section 91 thereof, and by inserting in lieu thereof the following section to be styled 3191 Section 91.

Appointment
of a State
Labor
Inspector, by
whom ap-
pointed, term
of office

3191 Section 91. On or before the first day of May, A. D. 1915, and every four years thereafter, the Labor Commission of Delaware shall appoint some suitable person, being a bona fide resident of the State of Delaware who shall be known as, and be the State Child Labor Inspector, who shall serve for a term of four 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 or removal from office, or expiration of term, or otherwise, shall be filled by the said Labor Commission as herein provided.

Vacancy, how
filled

Inspector,
qualifica-
tions, salary

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 One Thousand eight hundred dollars per year, payable in equal monthly installments by the State Treasurer, out of any State funds in his hands not otherwise appropriated.

Approved February 19, A. D. 1915.

TITLE SIXTEEN

Titles to Real Property

CHAPTER 222.

CONVEYANCES.

AN ACT for the Relief of Hannah Mary Holloway.

WHEREAS, Thomas Holloway, a citizen of the State of ^{Preamble} Delaware, residing in the City of Wilmington, Delaware, died on or about the First day of June A. D. 1914, intestate and without issue, or sisters, father or mother, heirs or known kindred, but leaving to survive him his widow, Hannah Mary Holloway; and

WHEREAS, the said Thomas Holloway at the time of his ^{Preamble} death was seized and possessed of certain real estate and personal property in the City of Wilmington, County of New Castle, and State of Delaware; and

WHEREAS, the said Hannah Mary Holloway is now in ^{Preamble} possession of said real estate and personal property; and

WHEREAS, in conformity with previous legislation with ^{Preamble} respect to excheated* property, it is now the intention of the Legislature to vest the whole right, title and interest of, in and to the said real estate and personal property of the said Thomas Holloway in the said Hannah Mary Holloway, his widow.

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

*excheated

CONVEYANCES.

Title to cer-
tain real es-
tate

That all the right, title and interest of the State of Delaware, whether vested or in expectancy, of in and to all such personal property and all that certain lot of land, with the buildings thereon erected, situate in the City of Wilmington, Delaware, bounded and described as follows, to-wit:

Location of
real estate

BEGINNING at the intersection of the Easterly side of Eighth Avenue and the Northerly side of "D" Street, now called Duncan Street; thence Easterly along the said Northerly side of Duncan Street, Eighty feet to a stake; thence Northerly and parallel with Eighth Avenue, Forty feet to a stake; thence Westerly and parallel with Duncan Street, Eighty feet to the aforesaid side of Eighth Avenue; thence thereby Southerly Forty feet to the place of beginning; said property being fully described in a deed from John A. Brown and wife to the said Thomas Holloway, date the Second day of September A. D. 1871, and of record in the office of the *Recording of Deeds &c., in and for New Castle County, Delaware, in Deed Record "O", Vol. 9, Page 154; be the same is hereby granted and relinquished, remised, released and forever quit claimed unto the said Hannah Mary Holloway, 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, 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 the said real estate or personal property, or any part thereof, as against the said Hannah Mary Holloway, her heirs and assigns, is and shall be forever excluded and debarred.

Released to
whom

Approved February 9, A. D. 1915.

*Recorder

CONVEYANCES.

CHAPTER 223.

CONVEYANCES.

RECORDING OF DEEDS AND MORTGAGES.

AN ACT to amend 3224, Sec. 28, Chap. 92 of the Revised Code, approved October 19, A. D. 1914, entitled "Conveyances," relating to preferences of purchase money mortgages when duly recorded.

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

Section 1. That 3224, Sec. 28, Chap. 92 of the Revised Code, approved October 19, A. D. 1914, entitled "Conveyances," be and it is hereby amended by striking out all of said Section and by the substitution in lieu thereof the following:

"3224, Sec. 28. PURCHASE MONEY MORTGAGES. PREFERENCE OF. WHEN DULY RECORDED. TIME OF RECORDING. If lands or tenements be sold and one or more mortgages on the same, or any part thereof, be made by the purchaser to the vendor for securing the purchase money or any part thereof, and if such Mortgage or Mortgages be recorded within five days after the deed conveying such land or tenements from such vendor to such purchaser shall be recorded, the lien of said Mortgage or Mortgages on said lands or tenements or any part thereof shall have preference to and priority over any judgment against the mortgagor, or any other lien created or suffered by him, although such judgment, or lien, be of a date prior to said Mortgage or Mortgages. And as between two or more such purchase money Mortgages on the same land, they shall have priority and preference according to the times that they are severally recorded in the proper office. Two or more such mortgages, recorded at the same time, shall have no preference or priority as between themselves.

3224, Sec. 28,
Chap. 92, of
the Revised
Code,
amended

Purchase
money
Mortgages,
preference of,
when duly
recorded

Time of
recording

Priority of
mortgages

Approved March 15, A. D. 1915.

FOREIGN WILLS.

CHAPTER 224.

FOREIGN WILLS.

AN ACT to amend Chapter 93, Revised Code of the State of Delaware.

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

Chap. 93, Re-
vised Code,
amended

Section 1. That Chapter 93 of the Revised Code of the State of Delaware be, and the same is hereby, amended by striking out of said Chapter 93 all of 3246, Section 8, and inserting in lieu thereof the following:

Probate in
this State

“3246. Sec. 8. PROBATE IN THIS STATE; RECORD; COPY OF HOW VERIFIED:—Any last will and testament in writing of a person not residing in this State at the time of his death, signed by the testator, and duly admitted to probate or admitted to record without this State, and in the place of the testator's domicile, may be duly admitted to probate and recorded in this State by filing a copy of said will and a copy of the record admitting the same to probate, or if probate be not required, or cannot be had, under the law of the State of the testator's domicile, then by a copy of the record of the mere filing of the said will in conformity to the laws of such domicile, as hereinafter provided, and such will shall then have the same force and effect as if originally proved and allowed in this State. Such copy, to be duly verified, must be certified by the proper officer under his hand and seal of office, if there be a seal of office; and there must also be a certificate, either under the great seal of such State, territory, or country, or under the hand of the Chancellor, or the presiding judge of a court of record of the said State, territory, or country, that such copy is certified in due form and by the proper officer; and in case of a certificate under the hand of a Chancellor or presiding judge, there must be an attestation of the

Copy of
record

How verified

FOREIGN WILLS.

officer keeping the seal of his court, under the hand of said officer and the said seal, that the said certificate is under the hand of the said Chancellor or presiding judge and is entitled to full faith and credit: Provided, that if the will shall have been proved in a foreign country, the certificate under the hand of a Chancellor or presiding judge, as hereinbefore required, may be attested by the resident United States Consul-General, or his deputy, under the seal of the United States Consulate General."

Approved February 18, A. D. 1915.

PARTITION OF REAL ESTATE.

CHAPTER 225.

JOINT ESTATES AND PARTITION.

PARTITION OF REAL ESTATE.

AN ACT to amend Chapter 95 of the Revised Code of the State of Delaware, by repealing 3278, Section 9 thereof, and by substituting in lieu thereof a new section.

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

Chap. 95,
Revised
Code,
amended

Section 1. That Chapter 95 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 3278, Section 9 thereof, and by substituting in lieu thereof the following section, to be styled as "3278, Sec. 9":

Unanimous
petition

3278. Sec. 9. Upon the petition of all the persons of lawful age entitled to or holding lands and tenements as joint tenants, tenants in common or parceners, together with the guardians of such as are not of lawful age, the Orphans' Court shall, without the issuance of a summons, enter a decree for partition as above directed, and may order the issuance of commission for making the partition; which commission shall be proceeded in, executed and returned, and final decree entered thereon in the same manner and with the same effect as is hereinbefore provided.

Commission
of partition

Direction for
printing

Section 2. The Revised Code Commission are hereby directed to print said substituted section in the final edition of the Revised Code, as "3278. Sec. 9".

Approved February 18, A. D. 1915.

TITLE SEVENTEEN

Administration of Estates

CHAPTER 226.

SETTLEMENT OF PERSONAL ESTATES, REGISTER OF WILLS.
ACQUAINTANCE TO EXECUTORS AND ADMINISTRATORS.

AN ACT to amend Chapter 98 of the Revised Code of the State of Delaware relating to Acquittances to Executors and Administrators.

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

Section 1. That Chapter 98 of the Revised Code of the State of Delaware be and the same is hereby amended by the insertion therein of the following section to be styled 3410 A, Section 77 A.

3410 A, Sec. 77A. Whenever an executor or administrator is unable to determine between two or more creditors, the order of preference to be given to their respective demands, he or she may upon petition to the Orphans' Court have the parties in interest summonsed* to appear in said Court, and upon hearing duly had the Orphans' Court shall determine the order of preference to be given to the respective demands of the creditors who may have been made parties to said proceeding; and upon compliance with such determination the petitioner and his or her sureties shall be discharged from all further liability in respect to the preferences made by said Court.

Chap. 98,
Revised Code
amended

Order of
preference as
to creditors,
how made

Approved March 12, A. D. 1915.

*summonsed

TITLE EIGHTEEN

The General Police

CHAPTER 227.

GENERAL PROVISIONS RESPECTING THE POLICE. RAILROADS AND RAILWAYS.

AN ACT to amend Chapter 100 of the Revised Code by Providing
for the Comfort of the Travelling Public.

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

Chap. 100, of
the Revised
Code,
amended

Section 1. That Chapter 100 of the Revised Code of
the State of Delaware be, and the same is, hereby amended
by adding thereto a new section to be known as 3506 A.
Sec. 71 A, as follows:

Railways to
maintain
waiting
rooms

"3506 A. Sec. 71 A. That any railway company owning
or operating a railway, having a terminal within this State,
or any railway company owning or operating a railway
whose lines connect within this State with any other railway
company, shall maintain at said terminal or at said point
of connection a suitable waiting room for the accommoda-
tion of the travelling public, which said waiting room shall
be heated when the temperature falls below thirty degrees
Fahrenheit, provided, however, that nothing in this Section
shall apply to any terminal or connecting point which is
located within the limits of any incorporated town in this
State, and provided, that where two railways connect within
this State, such waiting room may be maintained jointly
by the companies owning or operating such railways."

Incorporated
town termi-
nals and
connections

RAILROADS AND RAILWAYS.

Section 2. That said Chapter 100 be further amended by adding thereto a new section to be known as 3506 B. Sec. 71 B, as follows: Chap. 100, Revised Code, further amended

"3506 B. Sec. 71 B. That any railway company owning or operating a railway passing through any unincorporated village or town in the State of Delaware, having a population of two hundred and fifty persons or more, shall maintain at some central and convenient point in said unincorporated town or village, a suitable waiting room for the accommodation of the travelling public, which said waiting room shall be heated when the temperature falls below thirty degrees Fahrenheit." Railway passing through incorporated towns

Section 3. That said Chapter 100 be further amended by adding thereto a new section to be known as, 3506 C. Sec. 71 C. as follows: Chap. 100, Revised Code, further amended

"3506 C. Sec. 71 C. That any railway company, owning or operating a railway in the State of Delaware, shall, upon notice in writing from the Levy Court of the County, through or in which such railway is operated, that a landing place or platform is needed at a usual place of stoppage on the line of railway for the safety and security of the travelling public in entering into or descending from the cars of such railway company, construct and maintain suitable landing places or platforms at such usual places of stoppage as to which notice shall have been given as aforesaid." Suitable landing places; how and when established

Section 4. That said Chapter 100 be further amended by adding thereto a new section to be known as 3506 D. Sec. 71 D. as follows: Chap. 100, of the Revised Code, further amended

"3506 D. Sec. 71 D. Any railway company violating the provisions of 3506 A. Sec. 71 A; 3506 B. Sec. 71 B. or 3506 C. Sec. 71 C, of Chapter 100 of the Revised Code, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of ten dollars for each and every Penalty for violations

RAILROADS AND RAILWAYS.

Effective,
when

day that the provisions of the said sections are not fully complied with, provided, that the said sections shall not become effective until the first day of July, A. D. 1915."

Chap. 100, of
the Revised
Code, further
amended

Section 5. That said Chapter 100 be, and the same is, hereby further amended by adding thereto a new section to be known as, 3506 E. Sec. 71 E. as follows:

Shall not ap-
ply to certain
lines

"3506 E. Sec. 71 E. That the provisions of 3506 A. Sec. 71 A, 3506 B. Sec. 71 B, 3506 C. Sec. 71 C., and 3506 D. Sec. 71 D, shall not apply to any railway company maintaining a schedule under which cars are operated over a line of such railway every thirty minutes or less."

Approved March 16, A. D. 1915.

CANNERY INSPECTOR.

CHAPTER 228.

GENERAL PROVISIONS RESPECTING THE POLICE.

CANNERY INSPECTOR.

AN ACT Providing for the Sanitation of Factories in which the business of Packing and Preserving Fruits, Vegetables or By-products thereof, is carried on.

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 all matters and things hereinafter set forth relating to the sanitation of factories or establishments within this State in which fruits, vegetables, or by-products thereof, are packed and preserved in tin or glass cans or jars, or other containers, to be sold as food, shall be under the supervision of a "Cannery Inspector," and said "Cannery Inspector" is hereby vested with power and authority to carry into effect the provisions hereof.

Section 2. That on or before the first day of June, A. D. 1915, and on or before the first day of June biennially thereafter, the Governor shall appoint and assign an efficient person, who shall be a citizen of this State, and one who has a thorough knowledge of the canning business, who shall be known and designated by the official title of "Cannery Inspector." He shall hold office for one year from the first day of June, or he may be dismissed and his commission revoked at any time, for cause, by the Governor.

Section 3. It shall be the duty of the "Cannery Inspector" to visit and inspect, at reasonable hours, and as often as practicable, all factories and establishments in this State in which fruits, vegetables, or by-products thereof, are packed and preserved in tin or glass cans or jars, or other containers, to be sold as food, and to enforce the

CANNERY INSPECTOR.

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.

Shall report
each viola-
tion at time
of

Shall make
annual
report

The "Cannery Inspector" shall make a written report to the Governor of each and every violation of this law immediately upon such violation being made, and he shall also make an annual report to the Governor on or before the first day of January in each and every year. The annual report shall set forth the condition of each factory as to sanitation, 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 concerning this Act, from time to time, as may be required by the Governor.

Shall furnish
annually a
certificate of
inspection,
to whom

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
regulations
governing
the office

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 affected by this Act, shall be subject to the following rules, regulations and requirements.

Smooth,
water-tight
floors

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 cleansed.

CANNERY INSPECTOR.

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.

Separate toilet rooms shall be maintained for male and female employees.

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.

Adequate drainage shall be provided to lead all waste liquids outside and away from the buildings.

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.

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.

Employees in factories affected by the provisions of this Act shall be subject to the following rules, regulations and requirements:

Employees are prohibited from smoking or spitting in any room in the cannery where foods are being prepared for canning.

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.

CANNERY INSPECTOR.

Employees
with 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.

Cannery In-
spector to
furnish
printed ab-
stracts of the
law

To be posted
in factory

Abstracts to
be printed in
different
languages

Prosecution
for offense

Providso

May close
factory

Empowered
to enforce

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, *effected 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.

Section 7. Whenever any person, firm, corporation shall violate any of the provisions of this Act the said "Cannery Inspector" shall cause the person, firm or 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 "Cannery Inspector," in his discretion, may, instead of prosecuting such person, firm or corporation, close the factory in which such violation occurs, and may cause all work therein to be discontinued, until such violations are discontinued or until such changes as may be necessary to make the factory sanitary are made, as directed by the "Cannery Inspector."

The "Cannery Inspector" is hereby authorized and empowered to enforce this provision, and if necessary, to call to his assistance the Sheriff of any County or any Constable within the State of Delaware.

*affected

CANNERY INSPECTOR.

Should any person, firm or corporation engaged in the canning business, whose factory should be ordered closed by the "Cannery Inspector," under the provisions hereof, resist the authority of the said "Cannery Inspector" or Sheriff or Constable deputized by him, such person, firm or corporation shall be deemed guilty of a misdemeanor, and upon conviction thereof, in the Court of General Sessions of the State of Delaware, be fined in a sum not less than Fifty Dollars or more than One Hundred Dollars, and imprisoned for a term not exceeding thirty days. Penalty in case of resistance

It shall be the duty of the Sheriffs and Constables of the respective Counties of the State to assist the "Cannery Inspector" in enforcing this provision whenever they shall be called upon by him. Duty of certain officials

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, 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 Twenty-five Dollars nor more than One Hundred Dollars; for the second offense not less than One Hundred Dollars nor more than One Hundred and Fifty Dollars. Penalty for refusing or neglecting

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 further order of the said Court of General Sessions. Penalty on third conviction

Section 9. That the "Cannery Inspector" provided for in this Act, be and 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 Authorized and empowered to inspect and enforce

CANNERY INSPECTOR.

Penalty for
interfering

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, when *over penalties are not provided in this Act, 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.

Salary

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 Five Hundred Dollars, to be paid to him in like quarterly installments.

Contingent
fund

The salary and contingent expenses aforesaid shall be paid by the State Treasurer out of moneys in the Treasury not otherwise appropriated.

Annual ap-
propriation

Section 11. That the sum of Fifteen Hundred 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.

Public act

Section 12. That this Act shall be deemed and taken to be a Public Act.

Section 13. That all Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved March 29, A. D. 1915.

*other

DEAD BIRDS AND ANIMALS.

CHAPTER 229.

GENERAL PROVISIONS RESPECTING THE POLICE.

DEAD BIRDS AND ANIMALS.

AN ACT to Amend Chapter 100 of the Revised Code of the State of Delaware, relating to the Disposal of Dead Animals and Birds.

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

That Chapter 100 of the Revised Code of the State of Delaware be, and the same is, hereby amended by repealing 3593, Sec. 158, Chap. 100, Revised Code amended thereof the following Section to be styled, 3593, Section 158:

"3593. Section 158. It shall be unlawful for the owner of any dead bird or animal or fish within this State which has died or been killed, (excepting such birds, animals or fish as may have been killed or taken in the regular course of trade, and also excepting such birds, animals or fish as may have been sold and disposed of for manufacturing or other lawful purposes), to leave the same unburied for more than twenty-four hours after its death; and it shall be unlawful for any person to drag out and leave unburied the body of any bird or animal which has died or been killed. Unlawful to have dead birds, fish or animals unburied longer than 24 hours, with certain exceptions

Any person who violates any of the provisions of this 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." Violation a misdemeanor Penalty

Approved March 15, A. D. 1915.

NEW CASTLE COUNTY WORKHOUSE.

CHAPTER 230.

JAILS AND WORKHOUSES.
NEW CASTLE COUNTY WORKHOUSE.

AN ACT to Amend Chapter 101 of the Revised Code of the State of Delaware in relation to the New Castle County Workhouse.

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 concurring therein):

Chap. 101,
Revised Code
amended

Section 1. That Chapter 101 of the Revised Code of the State of Delaware, be, and the same is hereby amended by the insertion therein of the following Sections to be styled 3612 A. Section 16 A. and 3612 B. Section 16 B.

To purchase
additional
land for New
Castle
County
Workhouse,
when

3612 A. Section 16 A. In order to increase the efficiency of the New Castle County Workhouse and to secure further means of employment to certain classes of the inmates thereof, the Board of Trustees of said New Castle County Workhouse is hereby authorized and empowered whenever a majority of the said Board of Trustees shall deem it expedient and necessary, to purchase additional land, not exceeding five hundred acres, for farm purposes; and the said Board of Trustees is hereby authorized and empowered to use in the payment for said land, or any portion thereof, any excess in the earnings that is now or may come into its hands until the whole of the amount of the purchase price of said land so purchased is paid. And the said Board of Trustees is hereby authorized and empowered in case it should find it necessary to pay for the land so purchased as aforesaid, an amount greater than the excess of the earnings in its hands, to give a Mortgage or Mortgages for the same under the hand of the President of the

How said
land is to be
paid for

Board of
Trustees
may give a
mortgage

NEW CASTLE COUNTY WORKHOUSE.

said Board if* Trustees and the common or corporate seal duly attested by the Secretary of said Board of Trustees. The interest on said Mortgage or Mortgages to be paid by the said Board of Trustees.

Interest to
be paid by
Board of
Trustees

3612 B. Section 16 B. In case of the purchase of said additional land, the said Board of Trustees should deem it necessary to give a Mortgage or Mortgages in payment thereof, any excess in the earnings in each year shall be by them applied for the liquidation of said Mortgage or Mortgages until the whole of said Mortgage or Mortgages is paid, and while such Mortgage shall remain unpaid the provision in relation to the application of any excess of the earnings in the hands of said Board of Trustees as directed by Section 16 of Chapter 101 of the Revised Code, shall be suspended.

Excess earn-
ings to be
applied to
liquidation
of mortgage

Approved March 16, A. D. 1915.

*of

MILLS.

CHAPTER 231.

MILLS.

AN ACT to amend Chapter 106, of the Revised Code of the State of Delaware by Providing for the Protection of Owners of land above Mill Ponds.

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

3672, Sec. 7,
Chap. 106,
Revised
Code,
amended

Section 1. That Chapter 106 of the Revised Code of the State of Delaware be, and the same is, hereby amended by repealing 3672, Sec. 7 thereof, and inserting in lieu thereof, the following section, to be styled, 3672, Sec. 7:—

Owners of
mill dams
shall not
force water
back to in-
jury of
adjoining
landowners

“3672. Sec. 7. Every person or persons, firm or corporation who shall own, lease or control any mill-dam or mill-pond, now or hereafter lawfully established, upon or across any stream of water, shall construct and maintain the dam across such stream in such manner and with such gates and appliances that the waters of said stream shall not at any time be thrown, held or forced back upon the land of any other owner or owners above such mill-pond to the injury or damage of such other owner or owners; and every violation of the provisions of this Act, upon the complaint of the owner or owners of land injured or damaged thereby shall be deemed a nuisance and shall be punished by a fine not exceeding ten dollars for each day such nuisance continues. Every such person or persons, firm or corporation so offending shall also be liable in pecuniary damages to the owner or owners of land injured by any violation of this Act, to be recovered in an action at law, provided that this Act shall not apply to the flooding of lands by back-water occasioned by rains or freshets. This Section shall apply within the limits of Kent and Sussex Counties only.

Violation

Nuisance

Penalty

Offending
party liable
for damage

Proviso

Approved March 15, A. D. 1915.

TITLE NINETEEN

Courts

CHAPTER 232.

GENERAL PROVISIONS CONCERNING COURTS.

GENERAL PROVISIONS.

AN ACT to Amend Section 3685, being Section 3, Chapter 108 of the Revised Code of the State of Delaware, by providing for special terms of the Supreme Court in Certain Cases.

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

Section 1. That Section 3685, being Section 3, Chapter 108, of the Revised Code of the State of Delaware, be and the same is hereby amended by repealing all of said Section and substituting in lieu thereof the following:

"3685. Sec. 3. SPECIAL TERMS OF SUPREME COURT; WHEN HELD; HOW CALLED; BUSINESS AT:—The Chancellor may, whenever a majority of the members of the Supreme Court shall deem it expedient, call a special session of said Court, to meet at Dover, upon such notice as he shall prescribe. Such call shall be in writing, and shall be filed with the Clerk of said Court and by him entered of record, and a copy thereof shall be thereupon immediately transmitted by the said Clerk to each of the Judges of said Court. At such special session the said Court shall have the power to transact any and all business which it might lawfully entertain at any regular session thereof.

3685, Sec. 3.
Chap. 108,
Revised Code,
amended

Call special
session of
the Supreme
Court

Power to
transact any
and all regu-
lar business

GENERAL PROVISIONS CONCERNING COURTS.

Other
special
sessions

A special session of said Court may also be called and held for considering and determining writs of Prohibition of Mandamus directed to Courts of original jurisdiction, as provided in Chapter One Hundred and Ten.

Time limit
for applica-
tion for writ
of error

In all cases of which the Court of Oyer and Terminer has jurisdiction the accused, if he desires to apply to the Supreme Court for a writ of error to the Court of Oyer and Terminer shall make application within two weeks after conviction and sentence, and said writ of error shall not issue from said Supreme Court to said Court of Oyer and Terminer unless application therefor be made within said time, and, in the absence of such application within said time, the conviction and sentence shall be final and not subject to review.

Special ses-
sion, how
called

Whenever a writ of error is issued in cases provided for in the foregoing paragraph of this Section, the Chancellor, or any Judge of the Supreme Court authorized to sit in the particular case, shall call a special session of said Supreme Court to meet at Dover, upon such notice as he shall prescribe, at which said special session such writ of error shall be heard and disposed of as fully and effectually as if the said Court were sitting in regular session. Such call shall be in writing, and shall be filed with the Clerk of said Court and by him entered of record, and a copy thereof shall be thereupon immediately transmitted by the said Clerk to each of the Judges of said Court. Provided, that if the said writ of error is issued within one month prior to a regular session of the Supreme Court, such special term of said Court need not be called, and the writ of error in such event shall take the usual course. Whenever such special session of the Supreme Court is called as in the said foregoing paragraph provided, the Supreme Court shall have power to make such orders and rules as to the Court may seem best, and such orders or rules may be general with respect to all such special terms, or special with respect to the particular circumstances of any particular case."

Powers of
Supreme
Court

Approved March 12, A. D. 1915.

GENERAL PROVISIONS CONCERNING COURTS.

CHAPTER 233.

GENERAL PROVISIONS CONCERNING COURTS.

AN ACT Authorizing the Chancellor of the State of Delaware, and the Superior Court of the said State, to Codify and have printed the Rules of the Several Courts.

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

Section 1: That the Chancellor of the State of Delaware, together with the Superior Court of said State, are hereby authorized and empowered to collect and to codify the Rules of the Court of Chancery, Supreme Court, Superior Court, Court of General Sessions and Orphans' Court, and to have the same printed and properly indexed.

To codify
rules of the
courts, by
whom

Section 2: The sum of Five Hundred Dollars is hereby appropriated for the expense of the work provided for herein and payments shall be made upon order of the Chancellor and Chief Justice.

Appropriation for
expense

Section 3: The Secretary of State is hereby authorized to determine the selling price of the bound volumes which shall be a sum which will be equivalent to the cost of the same to the State of Delaware.

To determine
selling price

Section 4: The Secretary of State is hereby authorized to deliver to the State Librarian not more than twenty-five copies of the bound volumes of the Rules of Court for the purpose of exchange by the said State Librarian with other State Libraries.

State
Librarian
is custodian

Approved March 16, A. D. 1915.

JUDICIAL REPORTS.

CHAPTER 234.

JUDICIAL REPORTS.

AN ACT to provide the Municipal Court for the City of Wilmington with the State Judicial Reports, amending 3705, Sec. 4 of Chap. 109, Revised Code.

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

3705, Sec. 4,
Chap. 109,
Revised
Code,
amended

Sec. 1. That the following Section be and the same is hereby added to and inserted in Chap. 109, Revised Code, after 3705, Sec. 4 of said Chapter, to-wit:

State Li-
brarian au-
thorized and
directed to
furnish
copies of
reports to
Municipal
Court for
Wilmington

"3705 A. Sec. 4 A. That the State Librarian be and he is hereby authorized and directed to furnish and transmit to The Municipal Court for the City of Wilmington, copies of all the State Judicial Reports and also copies of all the State Chancery Reports now in his office or hereafter to be received in his office; said books to be and remain the Library of said Court and not be removed therefrom."

Approved March 18, A. D. 1915.

COURT OF GENERAL SESSIONS.

CHAPTER 235.

COURT OF GENERAL SESSIONS.

AN ACT to Amend Chapter 115 of the Revised Statutes of the State of Delaware, being an Act concerning the Disposition of the Moneys recovered upon Bail Bonds and Recognizances taken for the Appearance of Persons in the Court of General Sessions of the State of Delaware, in and for New Castle County, or in the Court of Oyer and Terminer of the State of Delaware, in and for New Castle County, and concerning the Disposition of a portion of the moneys paid as fines by Persons Convicted of Crime in either of said Courts, by Extending the Provision thereof to Sussex County.

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

Section 1. That Chapter 115 of the Revised Statutes of the State of Delaware be and the same hereby is amended by striking out of said Chapter 115 all of Section 5 (Code Section 3802) and inserting in lieu thereof the following:

3802, Sec. 5,
Chap. 115,
Revised
Code,
amended

"3802. Sec. 5. BAIL BONDS AND RECOGNIZANCES IN NEW CASTLE AND SUSSEX COUNTIES; JUDGES' LIBRARY; PROCEEDS OF BAIL BONDS AND ONE HALF OF FINES IN CRIMINAL CASES IN NEW CASTLE AND SUSSEX COUNTIES, DEVOTED TO; FUNDS SO CREATED; PROTHONOTARIES; CUSTODIANS; BY WHOM EXPENDED; SUPERVISION OF LIBRARIES:—All moneys recovered upon forfeited bail bonds and recognizances taken for appearance in the Court of General Sessions of the State of Delaware, in and for New Castle and Sussex Counties and in the Court of Oyer and Terminer of the State of Delaware, in and for New Castle and Sussex Counties, and fifty per cent. of all moneys paid as fines by persons sentenced for crime in either of said Courts, shall be set apart and kept in a fund which shall be used from time to time to acquire, maintain and care for law libraries for the use of

Bail bonds
and recogniz-
ances in New
Castle and
Sussex
Counties

COURT OF GENERAL SESSIONS.

Judges
Library

the Judges of the Courts in New Castle and Sussex Counties respectively.

Prothono-
taries
custodian
of funds

The Prothonotary of New Castle County and the Prothonotary of Sussex County shall be the custodians of said funds in their respective counties; and every officer of this State, or of New Castle and Sussex Counties, respectively, to whom shall be paid any moneys by this Section made a part of either of said funds, shall pay the same, when and as received, to said respective Prothonotaries of New Castle and Sussex Counties as said custodians.

Funds sub-
ject to con-
trol of Chan-
cellor, Chief
Justice and
Associate
Judges

Said Prothonotaries shall keep such funds subject to the order and control of the Chancellor, Chief Justice and Associate Judges of the State of Delaware, who shall use and expend such funds from time to time for the acquisition and maintenance of the law libraries provided for in this Section.

Judges have
control of
law li-
braries

Said Judges shall have entire control and supervision over said law libraries, with full power to purchase books and to do any and all acts necessary or desirable for the acquisition, maintenance and care of said law libraries, and may use said funds for such purpose.

Funds ex-
pended by
Prothono-
taries on
order of
Judges

Said funds shall be expended by the respective Prothonotaries, for the purpose aforesaid, upon the written order or orders of any two of said Judges, and such order or orders shall be his sufficient warrant in this belief."

Approved March 2, A. D. 1915.

JUVENILE COURT.

CHAPTER 236.

JUVENILE DELINQUENTS AND PROBATION.
JUVENILE COURT.

AN ACT to amend Chapter 116 of the Revised Code of the State of Delaware in relation to application of the fines and costs heretofore or hereafter collected by the Clerk of the Juvenile Court for 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 Chapter 116 of the Revised Code of the State of Delaware, be, and the same is hereby amended by inserting the following section to be styled 3840 A. Section 25 A. Chap. 116, of the Revised Code, amended

"3840 A. Section 25 A. That all fines and costs heretofore, or hereafter, collected by the Clerk of the Juvenile Court for the city of Wilmington shall be paid, in equal portions, to The Mayor and Council of Wilmington and to the County Treasurer of New Castle County, on or before the fifteenth day in each and every month hereafter." Fines, how distributed
Monthly distribution

Approved March 12, A. D. 1915.

COURT OF CHANCERY.

CHAPTER 237.

COURT OF CHANCERY.

AN ACT to amend Chapter One Hundred Seventeen of the Revised Code of the State of Delaware, by repealing 3847 Section 4, and 3851 Section 8, and by substituting in lieu thereof new sections.

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

3847, Sec. 4,
Chap. 117,
Revised
Code,
amended

Section 1. That Chapter One Hundred Seventeen of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 3847 Section 4 thereof, and by substituting in lieu thereof the following section, to be styled as 3847, Section 4.

Time and
place of re-
turn of all
writs of
subpoena
upon bills or
petitions

3847. Section 4: All writs of subpoena upon bills or petitions filed shall, unless otherwise specially ordered, be returnable into the office of the Register in Chancery on the first Monday of the next month, or of the next month but one (at the election of the complainant) occurring after twenty days from the time of the issuing thereof.

Appearance
day

The appearance day of the defendant shall be the rule day to which the subpoena is made returnable, provided he has been served with the process twenty days before that day, otherwise his appearance day shall be the first Monday of the month next succeeding the rule day when the process is returnable.

Date of
answer

Upon the return of the subpoena upon bill filed, the defendant or defendants shall, unless otherwise ordered, answer on the first Monday of the month following the return of the subpoenas.

Chap. 117,
3851, Sec. 8,
Revised Code,
amended

Section 2. That Chapter One Hundred Seventeen of the Revised Code of the State of Delaware be and the same

COURT OF CHANCERY.

is hereby further amended by repealing 3851 Section 8 thereof, and by substituting in lieu thereof the following section, to be styled as 3851. Section 8.

3851. Section 8. If a defendant brought into Court by service of process shall not appear therein according to the rules of the court by a solicitor, the court may proceed to hear and determine the cause as if he had actually appeared.

But if any such defendant be in custody, or within the County, a copy of any decree, made in the case, shall be served upon him before any process shall issue in execution, or for the performance thereof.

Section 3. The Revised Code Commission are hereby directed to print said substituted sections in the final edition of the Revised Code as 3847. Sec. 4, and 3851. Sec. 8 respectively.

Approved March 2, A. D. 1915.

COURT OF CHANCERY.

CHAPTER 238.

COURT OF CHANCERY.

AN ACT for the relief of the heirs of James P. Walls, deceased.

Preamble Whereas, Thomas P. Walls, Trustee named and appointed in an Act of the General Assembly of the State of Delaware, passed at Dover March 16, A. D. 1881, did, pursuant to the provisions of said Act, sell the real estate of James P. Walls, deceased, and after said sale made return of such sale to the Court of Chancery of the State of Delaware, in and for Sussex County, on September 20th, A. D. 1882, and deposited in The Farmers' Bank of the State of Delaware at Georgetown to the credit of the Court of Chancery the proceeds of said sale after deducting costs and expenses, as by said Act required; and

Preamble Whereas, the said amount, to wit, the sum of Four Hundred and Ninety Dollars and Twenty-five Cents (\$490.25), so as aforesaid deposited in the said The Farmers' Bank of the State of Delaware at Georgetown to the credit of the Court of Chancery, remains on deposit in said bank; and

Preamble Whereas, the parties entitled to said fund are desirous of receiving their shares and proportions therein, and by reason of said Act of Assembly passed at Dover March 16th, 1881 not conferring sufficient authority upon the Court of Chancery to make distribution of said fund; and

Preamble Whereas, the parties entitled to said fund should not longer be deprived thereof; now therefore

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

Petition to
the Chan-
cellor

Section 1. That upon petition preferred to the Chancellor of the State of Delaware by any person entitled to a share

COURT OF CHANCERY.

of the fund of Four Hundred and Ninety Dollars and Twenty-five Cents (\$490.25) deposited in The Farmers' Bank of the State of Delaware at Georgetown, to the credit of the Court of Chancery by Thomas P. Walls, Trustee under the provisions of an Act of the General Assembly of the State of Delaware, passed at Dover March 16th, A. D. 1881, as appears by the return of said Trustee made to the Court of Chancery in and for Sussex County and the Certificate of Deposit of said Bank now of record in the office of Register in Chancery in and for Sussex County, in Chancery Partition Docket F. page 339, &c and Chancery Ledger page 26, praying for distribution of said fund, said petition setting forth the shares and interests of those entitled thereto, the Chancellor of the State of Delaware shall make a decree directing the Register in Chancery in and for Sussex County to draw checks on The Farmers' Bank of the State of Delaware at Georgetown, under the seal of the Court of Chancery, payable to the order of the several persons entitled to said fund, for the amounts belonging to said persons, respectively, first deducting the costs and expenses of the proceeding; and the Chancellor shall allow such counsel fee as, in his judgment, shall be reasonable and just for the services rendered in the proceedings necessary to secure said fund to those entitled, which said counsel fee shall be included in and be a part of the costs and expenses of the proceeding; and said costs and expenses shall be paid out of said fund by a check drawn on The Farmers' Bank of the State of Delaware at Georgetown, under the seal of the court of Chancery, payable to the Register in Chancery.

Shall make a
decree direct-
ing the
Register to
pay out
funds, how,
to whom

Costs, ex-
penses, fees,
how paid

Approved March 2, A. D. 1915.

TITLE TWENTY

Justices of the Peace

CHAPTER 239.

GENERAL POWERS, DUTIES AND JURISDICTION IN CRIMINAL CASES.

AN ACT to amend Chapter 119 of the Revised Code of the State of Delaware in Relation to Fee Books of Justices of the Peace and Constables.

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

3963, Sec. 15,
Chap. 119,
Revised Code,
amended

Section 1. That Chapter 119 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 3963, Section 15 thereof, and inserting in lieu thereof the following to be styled 3963, Section 15.

Justices of
Peace and
Constables
to keep a
criminal
docket and
fee book to
be provided
by the
county

To keep an
itemized
account of

3963 Section 15. The justices of the peace and constables, in each of the Counties of this State, are authorized, directed and required to keep a criminal docket and 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 the monies received by him in his official capacity, showing the amount received in each case, the date when received, the particular case in which the same was received, the services or particular purposes for which the same was received or charged, the name of the person paying the same, and a full and complete itemized statement of each and every criminal case or proceeding coming before such justice in his official capacity, or in which such

GENERAL POWERS, DUTIES AND JURISDICTION IN CRIMINAL CASES.

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 of* 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. 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 monies 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 criminal docket and 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 section, he shall be deemed guilty of perjury, and shall, upon conviction thereof, be subject to the penalties for perjury provided by the laws of this State.

Justice of
the Peace
and Con-
stable shall
file monthly
itemized
accounts

Penalty for
false state-
ment

The criminal docket and fee books mentioned in this section and proper sheets or blank statements to be used by the justices of the peace and constable, in filing the monthly accounts or statements, as provided for in this section, shall be prepared by the Levy Court of the re-

Docket and
fee books
and blanks
to be fur-
nished by
the Levy
Court of each
county, and
shall be the
property of
the county

*or

GENERAL POWERS, DUTIES AND JURISDICTION IN CRIMINAL CASES.

Books shall
be open to
the public

Books to be
delivered to
Levy Court
on expiration
of office

Levy Court
to keep and
preserve
books

spective 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 criminal docket and 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 criminal docket and 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. 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 criminal docket and fee book to the Levy Court of the County wherein he resides; and the said Levy Court shall keep and preserve the said criminal dockets and fee books as the other public books and documents of the County are kept and preserved.

Penalty for
overcharg-
ing and col-
lecting fees,
for failure to
keep criminal
and fee books
correctly, or to
file monthly
account, or
damage or
destroy
docket or fee
book, or
neglect to
turn over
books to
Levy Court

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 criminal docket and fee book as required by this section, 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 this section, 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 criminal docket and fee book, or shall damage, mutilate, secrete or destroy his said criminal docket and fee book, or shall violate or fail to comply with any of the provisions of this section, he shall 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 with-

GENERAL POWERS, DUTIES AND JURISDICTION IN CRIMINAL
CASES.

held, 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.

Approved March 8, A. D. 1915.

TITLE TWENTY-ONE

Civil Actions, Pleading and Practice

CHAPTER 240.

JURIES.

AN ACT to Amend Chapter 131 of the Revised Code of the State of Delaware by providing for the exemption from Jury duty of licensed practitioners of Veterinary Medicine.

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

4252, Sec. 1,
Chap. 131, of
the Revised
Code,
amended

That Chapter 131 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 4252 Section 1 thereof and inserting in lieu thereof the following Section to be styled "4252 Section 1":—

Who quali-
fied to serve

Who exempt

4252 Section 1. All persons qualified to vote at the general election shall be liable to serve as jurors; except public officers of this State, or of the United States, Attorneys-at-Law, ordained ministers of the Gospel, officers of colleges and teachers of public schools, practicing physicians and surgeons regularly licensed, licensed pharmacists and assistant pharmacists, licensed practitioners of Veterinary Medicine, cashiers of incorporated Banks, registration officers and inspectors of election, and all persons who are more than seventy years of age.

No public officer, above mentioned, shall be exempt or excused from Jury duty by reason of being such public officer, except when he is in the actual discharge of the duties of his office.

Approved March 12, A. D. 1915.

JURIES.

CHAPTER 241.

JURIES.

AN ACT to amend paragraph 4277, section 26 of Chapter 131 of the Revised Code of the State of Delaware as published in 1915, for the purpose of increasing the number of challenges allowed, without cause, of jurors.

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

Section 1. That paragraph 4277, section 26 of Chapter 131 of the Revised Code of the State of Delaware as published in 1915 be hereby amended by striking out all of said paragraph 4277, section 26 of Chapter 131 of the Revised Code of the State of Delaware as published in 1915, and inserting in lieu thereof the following section, to be styled as

4277, Sec. 26,
Chap. 131, of
the Revised
Code,
amended

"4277. Sec. 26. Challenges; Number of; Places How Filled:—In all civil suits each party may, by himself, or attorney, challenge, without cause, any juror, or jurors, drawn for the trial of the cause, not exceeding six in number, and the deficiency so created, shall be supplied by drawing as many additional names as are necessary to make up a full jury to try the cause."

Challenges,
number of,
places how
filled

Approved March 8, A. D. 1915.

TITLE TWENTY-FOUR

Crimes and Punishments

CHAPTER 242.

OFFENSES AGAINST PRIVATE PROPERTY.

AN ACT to amend Chapter 150 of the Revised Code of the State of Delaware, providing for the punishment of persons issuing worthless checks.

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

4758, Sec. 38,
Chap. 150, of
the Revised
Code,
amended

Section 1. That paragraph 4758 Section 38 of the Revised Code of the State of Delaware, be, and the same is hereby repealed and the following new section is substituted therefor:—

Giving or
issuing a
check, draft
or order,
with no ac-
count to meet
same, a mis-
demeanor

“4758 Section 38. Whoever shall knowingly issue, give or put forth any check, draft or order, on an overdrawn account upon a 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, or on any such Bank, Banking Association, Partnership or Trust Company, or other place where deposits of money are generally kept, located in this State or elsewhere, with or in which such person has, at the time of issuing, giving or putting forth such check, draft or order, no account, in payment of settlement of any debt, obligation, account or for any valuable consideration what-

OFFENSES AGAINST PRIVATE PROPERTY.

ever, 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; provided, that ^{Penalty upon conviction} this Section shall not apply to the bona fide overdrawing ^{Provido} of any such account."

Approved March 9, A. D. 1915.

OFFENSES AGAINST RELIGION, MORALITY AND DECENCY.

CHAPTER 243.

OFFENSES AGAINST RELIGION, MORALITY AND DECENCY.

AN ACT to amend Chapter One Hundred Fifty-Three of the Revised Code of the State of Delaware by repealing 4788 Section 8 thereof, and by substituting in lieu thereof a new section.

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

4788, Sec. 8,
Chap. 153, of
the Revised
Code,
amended

Section 1. That Chapter One Hundred Fifty three of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 4788 Section 8 thereof and by substituting in lieu thereof the following section, to be styled as 4788 Section 8.

To commit
incestuous
fornication
or adultery
within the
degrees of
consanguin-
ity and af-
finity, a
misdemeanor
Penalty upon
conviction

4788. Section 8. Whoever shall commit incestuous fornication or adultery within the degrees of consanguinity or affinity, according to the following table, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding five hundred dollars, and shall be imprisoned for a term not exceeding seven years.

The table of degrees of consanguinity and affinity is as follows:

DEGREES OF CONSANGUINITY.

- A man and his mother.
- A man and his father's sister.
- A man and his mother's sister.
- A man and his sister.
- A man and his daughter.

OFFENSES AGAINST RELIGION, MORALITY AND DECENCY.

A man and his granddaughter.

A woman and her father.

A woman and her father's brother.

A woman and her mother's brother.

A woman and her brother.

A woman and her son.

A woman and her grandson.

DEGREES OF AFFINITY.

A man and his father's wife.

A man and his son's wife.

A man and his wife's daughter.

A man and the daughter of his wife's son or daughter.

A woman and her mother's husband.

A woman and her daughter's husband.

A woman and her husband's son.

A woman and the son of her husband's son or daughter.*

Section 2. The Revised Code Commission are hereby directed to print said substituted section in the final edition of the Revised Code, as 4788. Sec. 8.

Directions
to Revised
Code Com-
mission

Approved February 24, A. D. 1915.

*daughter

OFFENSES AGAINST PUBLIC POLICY.

CHAPTER 244.

OFFENSES AGAINST PUBLIC POLICY.

AN ACT to Amend Chapter 154 of the Revised Code of the State of Delaware in relation to the carrying of concealed deadly weapons.

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

4799, Sec. 6,
Chap. 154,
Revised Code,
amended

Section 1. That Chapter 154 of the Revised Code of the State of Delaware, be, and the same is hereby amended by repealing 4799 Section 6 thereof and inserting in lieu thereof the following Section to be styled 4799 Section 6.

Carrying
concealed
deadly
weapons

Penalty

"4799 Section 6. Whoever shall carry concealed a deadly weapon upon or about his person, other than an ordinary pocket knife, shall be deemed guilty of a misdemeanor and shall be fined, not less than Twenty-five nor more than Two Thousand Dollars, or imprisoned in the County Jail or Workhouse, for not less than twenty days nor more than seven years, or both, at the discretion of the Court.

Selling to
minors

Penalty

Whosoever shall knowingly sell a deadly weapon to a minor, other than an ordinary pocket knife, shall upon conviction thereof be fined not less than twenty-five, nor more than Two Hundred Dollars, or shall be imprisoned in the County Jail, or Workhouse, for not less than ten days, nor more than six months, or both, at the discretion of the Court.

Right to
search

Limit of
search

Any peace officer of the State or of any Municipality or of the United States stationed in this State shall have the right to make a search of any person who is suspected of having concealed upon his or her person a deadly weapon. Such search of a person so suspected shall be limited to the search for concealed deadly weapons only, and shall be conducted in such fashion as to determine solely the presence of such a weapon."

Approved March 16, A. D. 1915.

OFFENSES AGAINST PUBLIC POLICY.

CHAPTER 245.

OFFENSES AGAINST PUBLIC POLICY.

AN ACT to amend Chapter 154 of the Revised Code of the State of Delaware, making it unlawful to use a facsimile of the Great Seal of the State or the State Coat of Arms as an advertisement or upon the stationery or papers of any corporation, firm or individual.

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

That Chapter 154 of the Revised Code of the State of Delaware be, and the same is hereby amended by adding thereto the following sections which shall be styled 4805A, Section 12A and 4805B, Section 12B.

4805A, Section 12A. It shall be unlawful for any person or persons, firm, corporation or association to use a facsimile of the Great Seal of the State of Delaware or a facsimile of the Coat of Arms of the State of Delaware as for an advertisement or upon the stationery, letterheads, checks or other papers of said person or persons, firm, corporation or association.

4805B, Section 12B. Any person or persons, firm, corporation or association who shall violate the provisions of 4805A, Section 12A shall, on conviction, pay a penalty of not less than Twenty-five Dollars for each violation thereof and such penalty shall be recovered by an action of debt in the name of the State of Delaware which shall sue for it against any person or persons, firm, corporation or association violating 4805A, Section 12A, said suit to be instituted in any court of this State having competent jurisdiction.

Approved February 9, A. D. 1915.

GENERAL PROVISIONS CONCERNING CRIMES AND
PUNISHMENTS.

CHAPTER 246.

GENERAL PROVISIONS CONCERNING CRIMES AND
PUNISHMENTS.

AN ACT to amend Chapter 155 of the Revised Code of the State of Delaware, by the repeal of 4809, Section 4.

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

4809, Sec. 4,
Chap. 155,
Revised Code,
repealed

Section 1. That Chapter 155 of the Revised Code of the State of Delaware be and the same is hereby amended by repealing 4809, Section 4 thereof.

Instruction
to Revised
Code Com-
mission

Section 2. The Revised Code Commission are hereby directed to omit said repealed section from the final printed edition of said Revised Code.

Approved February 18, A. D. 1915.

GENERAL PROVISIONS CONCERNING CRIMES AND
PUNISHMENTS.

CHAPTER 247.

GENERAL PROVISIONS CONCERNING CRIMES AND
PUNISHMENTS.

AN ACT to Provide for bringing into Court Corporations Defendant in Criminal Cases, amending Chapter 155 of the Revised Code 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. That Chapter 155 of the Revised Code of the State of Delaware be, and the same is hereby amended by adding thereto the following section, to be styled 4805* A, Chap. 155, of the Revised Code, amended
Section 13.

4818 A. Section 13. Whenever a corporation is indicted or informed against in a criminal proceeding a capias shall be issued against such corporation in the usual form and said capias shall be served upon such corporation in the same manner as process is served upon corporations in civil cases, and a corporation so served with a capias shall appear by an attorney in the Court out of which such capias has been issued by the time of the return of such writ or upon motion of the Attorney General, final judgment shall be given against it upon the indictment or information. Indictment of corporation in criminal proceeding, process same as in civil

Approved March 12, A. D. 1915.

TITLE TWENTY-FIVE

Fees of Public Officers

CHAPTER 248.

FEES OF PUBLIC OFFICERS.

AN ACT to amend Chapter 156 of the Revised Code of the State of Delaware.

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

Chap. 156, of
the Revised
Code,
amended

That Chapter 156 of the Revised Code of the State of Delaware be and the same is hereby amended by the insertion of the following section, to be styled 4865, Section 18.

Mileage of
constables
south of the
canal

4865 Section 18. All constables appointed or hereafter to be appointed outside of the City of Wilmington and south of the Chesapeake and Delaware Canal in the State of Delaware shall be paid mileage at the rate of five cents per mile both going and coming in all cases where constables now receive mileage.

Approved March 12, A. D. 1915.

RESOLUTIONS

CHAPTER 249.

A Joint Resolution giving the assent of the State of Delaware to the Act of Congress of May 8, 1914.

WHEREAS, The Congress of the United States has passed ^{Preamble} an Act approved by the President, May 8, 1914, entitled "An Act to Provide for Co-operative Agricultural Extension Work between the Agricultural Colleges in the several States, receiving the benefits of the Act of Congress approved July 2, 1862, and of Acts of supplementary thereto, and the United States Department of Agriculture," and

WHEREAS, it is provided in Section 3 of the Act afore- ^{Preamble} said, that the Grants of Money authorized by this Act shall be paid annually "to each State which by action of its Legislature assent to the provisions of this Act;" therefore,

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

That the assent of the Legislature of the State of Delaware be and is hereby given to the provisions and requirements of said Act, and that the Trustees of Delaware College, located at Newark, Delaware, be and they are hereby authorized and empowered to receive the Grants of Money appropriated under said Act, and to organize and conduct Agricultural Extension work which shall be carried on in connection with the College of Agriculture of said Delaware College, in accordance with the terms and conditions expressed in the Act of Congress aforesaid. ^{Resolution granting certain privileges to Trustees of Delaware College}

Approved February 9, A. D. 1915.

RESOLUTIONS.

CHAPTER 250.

JOINT RESOLUTION regarding the war in Europe.

Preamble WHEREAS these United States are blessed with peace, while Great Britain and Europe are in the throes of war;

Preamble AND WHEREAS, it is meet that they who are favored by providence be mindful of them that suffer misfortune;

Now therefore be it resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:

Deplore the world tragedy First. That we, the representatives of the people of Delaware, do deeply deplore the world tragedy which is being enacted in Europe;

Request to the President of the U. S. Second. That we request President Woodrow Wilson to proffer to the belligerents at such time as he shall deem proper the good offices of the American Government in the cause of peace, believing that his record and reputation single him out as pre-eminently qualified for so momentous a task.

Approved March 16, A. D. 1915.

RESOLUTIONS.

CHAPTER 251.

SENATE CONCURRENT RESOLUTION.

WHEREAS, The Governor, Honorable Charles R. Miller, ^{Preamble concerning the erection of a tablet in the State House to the memory of James Ash-ton Bayard, elder} has communicated to the General Assembly a request made by the National Society U. S. Daughters of 1812—State of Delaware, for permission to erect a tablet in the State House to the memory of James Asheton Bayard, elder, a signer of the Treaty of Peace between Great Britain and the United States, War of 1812, and extending an invitation to the General Assembly to be present at the exercises in connection with the unveiling thereof on Thursday, February 18, 1915, being the one hundredth anniversary of the ratification of said Treaty of Peace: Therefore

Be it resolved by the Senate of the State of Delaware the House of Representatives concurring therein:

That permission is hereby given the National Society U. S. Daughters of 1812—State of Delaware, to erect a tablet in the wall of the main hallway of the State House opposite the MacDonough tablet already erected, and that the said Society be given permission to hold such exercises as they may arrange in the hall of the House of Representatives on Thursday, February 18, 1915, at one o'clock P. M., the said exercises to be presided over by his Excellency Governor Charles R. Miller, and the General Assembly accepts the invitation of said Society to be present at the exercises, and be it further ^{Permission to the National Society U. S. Daughters of 1812 Exercises, when}

RESOLVED That the following committee be appointed ^{Committee appointed} to act with a committee from the said Society to carry

RESOLUTIONS.

the intent of this resolution into effect, namely, the Honorable Lieutenant Governor, the Speaker Pro Tempore of the Senate, the Speaker of the House, and two members of the Senate, to be appointed by the President Pro Tempore thereof and three members of the House to be appointed by the Speaker thereof.

Approved February 3, A. D. 1915.

RESOLUTIONS.

CHAPTER 252.

SENATE CONCURRENT RESOLUTION.

Whereas, a law was passed by the Congress of the United States of America, known as The Federal Migratory Bird Act; and

Whereas, this Act seriously interferes with the laws of this State, not in harmony therewith.

Therefore be it resolved by the Senate, the House of Representatives of the State of Delaware concurring therein:

That it is the sense of the people of the State of Delaware, expressed through the General Assembly now in session, that The Federal Migratory Bird Act should not be recognized as applying to birds while within the boundaries of this State;

Be it further resolved that the legislative power of the State of Delaware, has full, absolute and supreme control in such matters, within the State of Delaware;

Be it further resolved that the Attorney General of the State of Delaware be authorized and he is hereby directed to take such steps as he may deem necessary to take this matter to the Courts in the event of a necessity arising therefor.

Approved February 3, A. D. 1915.

RESOLUTIONS.

CHAPTER 253.

SENATE CONCURRENT RESOLUTION.

Preamble WHEREAS, The State House Portrait Commission has acquired by gift and purchase (mainly by gift) quite a collection of Portraits of Colonial, State and Government officials; and

Preamble WHEREAS, The said Commission desires to hold an exhibition of the Portraits it has acquired, in Wilmington, from February 16th to February 20th, 1915; and

Preamble WHEREAS, There are several Portraits, Engravings, etc. now in the State House which the Commission would like to exhibit in Wilmington along with the newly acquired Portraits; therefore

Be it resolved by the Senate of the State of Delaware the House of Representatives concurring therein, that permission is hereby granted the State House Portrait Commission to remove any Pictures, Portraits, etc. from the State House and take the same to Wilmington to be shown in the exhibition mentioned in the preamble of this Resolution; and

Permission granted for removal of portraits, to whom

BE IT FURTHER RESOLVED, That if at any future time the said State House Portrait Commission desires to remove any Picture from the State House for the purpose of repair, exhibition or using the same as a copy for a new painting, permission is hereby given for such temporary removal, and the Custodian of the State House will take a receipt for any Pictures, etc. so removed and said receipt to be signed by the Chairman or Secretary of said Commission. On the return of such Pictures, or upon the deposit of new Pictures, etc. by the said Commission the Custodian will give a receipt to the said Commission for such Picture or Pictures.

Further permission granted, conditions

Approved February 12, A. D. 1915.

RESOLUTIONS.

CHAPTER 254.

SENATE JOINT RESOLUTION authorizing the Governor to appoint a Commission to investigate the sale of Milk in the State of Delaware.

WHEREAS, it is deemed of the utmost importance that the milk supply to the inhabitants of the State of Delaware should be pure and unadulterated, 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 be and he is hereby authorized and directed to appoint a Commission of five persons to serve without compensation to investigate the milk supply in the State of Delaware, and to report back to the next General Assembly the result of their investigation, together with any recommendations they may deem fit and proper to make, in respect to Laws, Rules or Regulations, regarding the sale of milk in the State of Delaware.

Preamble
Governor to
appoint a
State Milk
Investigating
Committee.
To report,
when

Approved March 12, A. D. 1915.

RESOLUTIONS.

CHAPTER 255.

HOUSE JOINT RESOLUTION authorizing the Governor of the State of Delaware to appoint a Commission to meet with a like Commission from the State of New Jersey and draft modifications of the laws regulating the taking of fish in the Delaware River and Bay and report same to the General Assembly of the State of Delaware.

Preamble WHEREAS, it is desirable to modify the laws regulating the taking of fish in the waters of the Delaware River and Bay between the States of New Jersey and Delaware, and

Preamble WHEREAS, under the terms of the compact now existing between the State of New Jersey and the State of Delaware such modifications can be made only by concurrent legislation of the said two States, therefore

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

A commission to be appointed by the Governor to confer with a like commission of the State of New Jersey regulating the taking of fish from the Delaware Bay and River

Section 1. That the Governor of the State of Delaware is hereby authorized to appoint a Commission consisting of three members to confer with a like Commission of the State of New Jersey and draft modifications of the laws regulating the taking of fish in the aforesaid waters and to report the same to the General Assembly of the State of Delaware, now in session.

Approved February 3, A. D. 1915.

RESOLUTIONS.

CHAPTER 256.

JOINT RESOLUTION to establish a Commission to inquire into the Question of Vocational Education.

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

Section 1. That the Governor shall within thirty days after this Resolution takes effect appoint a suitable commission of five persons representing the manufacturing, commercial, labor, agricultural and educational interests of the State, to be known as the Commission on Vocational Education.

Governor to
appoint
commission

The Commission shall investigate the need of education in the agricultural, industrial, home and commercial occupations of Delaware, and shall consider what new forms of educational effort may be advisable and shall make such investigation as may be practicable through printed reports, and the testimony of expert and interested persons as to similar educational work done by other States, or by the United States Government, or in foreign countries.

Commission
to investigate
the needs

The Commission shall make a report to the General Assembly of 1917, and shall present at such time recommendations for such legislation as the Commission may find necessary, proper and advisable.

Shall report
Shall
recommend
legislation

The members of the Commission shall serve without compensation, but shall be allowed their actual and necessary expenses incurred in the performance of their duties as members of such Commission.

Shall serve
without
compensa-
tion
Expenses
allowed

The Commission shall organize within thirty days after their appointment by electing a President and a Secretary.

Shall
organize

RESOLUTIONS.

Power to
employ as-
sistants

The Commission shall have power to employ such clerical and other assistance as it shall deem necessary.

Appropriations for
expenses

Section 2. The sum of one hundred dollars, or such part thereof as may be necessary, is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, to defray the expenses of the Commission, such sum to be paid out by the State Treasurer upon warrants signed by the President and Secretary of the Commission.

Approved March 16, A. D. 1915.

RESOLUTIONS.

CHAPTER 257.

JOINT RESOLUTION Appointing Directors for the Farmers' Bank of the State of Delaware for the Branch at Wilmington.

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

That Joshua Ernest Smith, David Snellenburg and Ezekiel Cooper 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 Wilmington. Farmers' Bank Directors at Wilmington

Approved February 9, A. D. 1915.

RESOLUTIONS.

CHAPTER 258.

JOINT RESOLUTION Appointing Directors on the Part of the State
for the Farmers' Bank of the State of Delaware at Dover.

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

Farmers'
Bank
Directors at
Dover

That James H. Wilson, George H. Murray and William
Watson Harrington 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.

Approved February 9, A. D. 1915.

RESOLUTIONS.

CHAPTER 259.

JOINT RESOLUTION appointing Directors on the part of the State
for the Farmers' Bank of the State of Delaware at Georgetown.

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

That William J. Thoroughgood, John G. Townsend, Jr. Farmers' Bank
and Walter B. Hilyard be and they are hereby appointed Directors at Georgetown
Directors on the part of the State of the Farmers' Bank
of the State of Delaware for the branch at Georgetown.

Approved February 9, A. D. 1915.

RESOLUTIONS.

CHAPTER 260.

SENATE CONCURRENT RESOLUTION. 4

Be it resolved by the Senate of the State of Delaware in General Assembly met, the House of Representatives concurring therein:

State Treasurer directed to pay certain appropriations

That the State Treasurer is hereby authorized and directed to pay such approved 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 11th, 1915, and the passage of the General Appropriation Bill.

Approved January 19, A. D. 1915.

RESOLUTIONS.

CHAPTER 261.

HOUSE JOINT RESOLUTION.

Whereas, Charles Warner Company of Wilmington, Delaware, have furnished the Board of State Supplies with one hundred tons of coal for use in heating the State House, therefore:

Be It Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met:

That the State Treasurer be, and he is hereby authorized to pay the said firm of Charles Warner Company the sum of Six Hundred Eighty-six Dollars and Ten Cents being payment in full for the one hundred tons of coal aforementioned and in accordance with the bid of said firm transmitted to the Board of State Supplies.

State Treasurer authorized to pay Chas. Warner Co. for coal

Approved January 29, A. D. 1915.

RESOLUTIONS.

CHAPTER 262.

HOUSE JOINT RESOLUTION No. 4.

Preamble

Whereas, Starling and Wise of Dover, Delaware, have furnished the Board of State Supplies with merchandise for the use of the members of the present General Assembly to the extent of over Eighteen Hundred Dollars, therefore:

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

Authority to
State Treas-
urer to pay
Starling and
Wise

That the State Treasurer be, and he is hereby authorized to pay to the said firm of Starling and Wise the sum of One Thousand Dollars, to be applied to the payment of the above stated account.

Approved January 29, A. D. 1915.

RESOLUTIONS.

CHAPTER 263.

CONCURRENT RESOLUTION.

Be it Resolved by the Senate, the House concurring therein, that the Committee on Accounts of the Senate and the Committee on Accounts of the House of Representatives, be and they are, hereby constituted a committee to audit the accounts of the State Treasurer, the Secretary of State, and other State Officers and State Institutions; and they are hereby authorized to employ expert assistance and are directed to report their findings to the General Assembly on or before the first day of March 1915.

Joint Audit-
ing Com-
mittee
named

Report,
when

Approved January 14, A. D. 1915.

RESOLUTIONS.

CHAPTER 264.

SENATE JOINT RESOLUTION authorizing the State Librarian to procure a new State Flag.

Preamble WHEREAS, the present State Flag over the State House has become greatly worn, and whereas said Flag by reason of its present condition will not last until the next session of the General Assembly, therefore;

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

State
Librarian to
procure a
State Flag

Section 1. That the State Librarian be and he is hereby authorized and directed to procure a new State Flag, conformably to the provisions of Chapter 306, Volume 27, Laws of Delaware.

Cost of flag,
how paid

Section 2. That the State Treasurer be and he is hereby authorized and directed to pay for the said Flag, out of any money remaining in his hands not otherwise appropriated.

Approved March 8, A. D. 1915.

RESOLUTIONS.

CHAPTER 265.

HOUSE JOINT RESOLUTION Providing for the Due Accounting for
Legislative Appropriations for Charitable or Like Public Purposes.

WHEREAS it appears that large sums of money have here- Preamble
tofore been appropriated by the Legislature for certain
charitable institutions and no satisfactory reports have
been given of the manner in which said monies have been
expended, therefore,

*Be it resolved by the Senate and House of Representa-
tives of the State of Delaware in General Assembly met:*

That hereafter no appropriation of State funds for the All appropri-
ations must
carry an
accounting
clause
use of any charitable institution, or for any other purpose
wherein the law does not already require a due accounting
of all such monies, shall be made unless it be expressly
stipulated and required in such appropriations that the
monies thus granted shall be duly accounted for by itemized
reports in writing showing how the same were expended,
by whom and for what purposes.

Approved March 18, A. D. 1915.

RESOLUTIONS.

CHAPTER 266.

HOUSE JOINT RESOLUTION.

Preamble WHEREAS there are approximately eight thousand corporations on the books in the office of the Secretary of State, a considerable number of which have ceased to have corporate existence, due to their non-compliance with the corporation laws of this State

Preamble AND WHEREAS the books, records and files in the office of the Secretary of State have not been revised since the enactment of the general corporation law in 1899

Preamble AND WHEREAS the records of the void corporations are no longer of any use and it is essential that the records and files relative to the void corporations be cleared out and revised

Be it Resolved by the House of Representatives, the Senate concurring therein:

Secretary of
State author-
ized and
directed to
revise the
records and
files, etc., as
to corpora-
tions

Section 1. That the Secretary of State is hereby authorized and directed to remove from his records and files the certificates of incorporation and other papers relating to all corporations whose charters have been forfeited up to and including the year 1914, and the Secretary of State is further authorized and directed to revise the corporation record books accordingly.

Approved March 12, A. D. 1915.

RESOLUTIONS.

CHAPTER 267.

HOUSE JOINT RESOLUTION authorizing and requiring the Secretary of State to furnish to each member of the Ninety-fifth General Assembly a permanently bound copy of the Revised Code 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 the Secretary of State be and is hereby authorized and required to furnish and deliver to each member of the Ninety-fifth General Assembly a copy of the Revised Code of the State of Delaware when the same is permanently bound and indexed.

A bound
copy of the
Revised Code
to be fur-
nished to
members of
Ninety-fifth
General
Assembly

Approved March 12, A. D. 1915.

RESOLUTIONS.

CHAPTER 266.

HOUSE JOINT RESOLUTION.

Preamble WHEREAS there are approximately eight thousand corporations on the books in the office of the Secretary of State, a considerable number of which have ceased to have corporate existence, due to their non-compliance with the corporation laws of this State

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Preamble AND WHEREAS the records of the void corporations are no longer of any use and it is essential that the records and files relative to the void corporations be cleared out and revised

Be it Resolved by the House of Representatives, the Senate concurring therein:

Secretary of
State author-
ized and
directed to
revise the
records and
files, etc., as
to corpora-
tions

Section 1. That the Secretary of State is hereby authorized and directed to remove from his records and files the certificates of incorporation and other papers relating to all corporations whose charters have been forfeited up to and including the year 1914, and the Secretary of State is further authorized and directed to revise the corporation record books accordingly.

Approved March 12, A. D. 1915.

RESOLUTIONS.

CHAPTER 267.

HOUSE JOINT RESOLUTION authorizing and requiring the Secretary of State to furnish to each member of the Ninety-fifth General Assembly a permanently bound copy of the Revised Code 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 the Secretary of State be and is hereby authorized and required to furnish and deliver to each member of the Ninety-fifth General Assembly a copy of the Revised Code of the State of Delaware when the same is permanently bound and indexed.

A bound copy of the Revised Code to be furnished to members of Ninety-fifth General Assembly

Approved March 12, A. D. 1915.

RESOLUTIONS.

CHAPTER 268.

SENATE 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
General Cor-
poration Law

That the Secretary of State is hereby authorized to have printed in pamphlet form, with a proper index thereto, four thousand copies of the General Corporation Law, as amended for public distribution in order to further the interests of the State.

Approved March 8, A. D. 1915.

RESOLUTIONS.

CHAPTER 269.

SENATE 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, one thousand 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 8, A. D. 1915.

RESOLUTIONS.

CHAPTER 270.

SENATE 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 Election and Registration Laws, together with certain sections of the Constitution

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, and the Secretary of State is hereby directed and authorized to print as a part of said pamphlet Sections one, two and three of Article Five of the Constitution of the State of Delaware.

Approved March 8, A. D. 1915.

RESOLUTIONS.

CHAPTER 271.

SENATE JOINT RESOLUTION authorizing the Commissioner of Education to have printed the School Laws 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 Commissioner of Education is hereby authorized to have printed in pamphlet form, with a proper index thereto, two thousand copies of the School Laws of the State of Delaware, as amended, for distribution among the people of the State.

Approved March 8, A. D. 1915.

RESOLUTIONS.

CHAPTER 272.

HOUSE CONCURRENT RESOLUTION.

Be it Resolved by the House of Representatives, the Senate Concurring therein:

Committee
for Visiting
Public Insti-
tutions

That a Committee on Visitation, consisting of three members of the House and two members of the Senate, be appointed for the purpose of making arrangements for visiting the several State Institutions and such other Institutions as the Committee may deem necessary.

Approved January 12, A. D. 1915.

RESOLUTIONS.

CHAPTER 273.

HOUSE CONCURRENT RESOLUTION.

WHEREAS, There is much public interest in the recent Preamble action of the Child Labor Commission, and

WHEREAS, the public and the General Assembly should be Preamble fully informed else the future usefulness of said Commission will be greatly impaired, therefore,

Be it Resolved by the House of Representatives, the Senate concurring therein:

That a Committee, consisting of three members of the House, to be appointed by the Speaker, and two members of the Senate, to be appointed by the President Pro Tempore, be appointed to make such investigation of the Child Labor Commission as they may deem proper, and report their findings and recommendations to the General Assembly, and authority is hereby given said Committee to summon witnesses and compel their attendance.

Committee,
how appointed

Power to
investigate

To report to
General
Assembly

Authority to
summon
witnesses

Approved January 12, A. D. 1915.

RESOLUTIONS.

CHAPTER 274.

Preamble

WHEREAS, It has been customary in the past for the Members of the General Assembly to meet in reunion at some convenient time, therefore,

A committee
to arrange
for a
reunion

Be it Resolved By the House of Representatives, the Senate concurring therein, that a Committee of three members on the part of the House and two members on the part of the Senate, be appointed by the Presiding Officers of the respective Branches to arrange, if they deem it expedient, a reunion of the Members of this Ninety-fifth General Assembly.

Approved March 18, A. D. 1915.

RESOLUTIONS.

CHAPTER 275.

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:

Appoint-
ment of Bill
Clerks for
House and
Senate

That Mr. Homer C. Simmons be and is hereby selected, appointed and authorized to act and serve as Bill Clerk of the House and Mr. Harry Prettyman be and is hereby selected, appointed and authorized to act and serve as Bill Clerk of the Senate.

Approved January 7, A. D. 1915.

RESOLUTIONS.

CHAPTER 276.

HOUSE CONCURRENT RESOLUTION.

Preamble

WHEREAS, It is provided by Chapter 13, Volume 27, Laws of Delaware, that the General Assembly at each regular session shall select by Concurrent Resolution of both Houses, a Document Clerk, who shall serve the General Assembly during the period of its regular session; therefore,

Be it Resolved by the House of Representatives, the Senate concurring therein:

William
Ramsey as
Document
Clerk

That William Ramsey be and is hereby selected Document Clerk for the regular session of the Ninety-fifth General Assembly.

Approved January 14, A. D. 1915.

RESOLUTIONS.

CHAPTER 277.

HOUSE CONCURRENT RESOLUTION No. 6.

Be It Resolved by the House of Representatives of the State of Delaware, the Senate concurring therein, that we extend to Senator John A. Barnard our thanks for the Apples which he so kindly distributed to members of the General Assembly, and we do further congratulate him upon producing such delicious fruit.

Thanks to
Senator John
A. Barnard
for apples

Approved February 3, A. D. 1915.

RESOLUTIONS.

CHAPTER 278.

HOUSE CONCURRENT RESOLUTION.

Be it Resolved by the House of Representatives, the Senate concurring therein:

The limit of
date for new
business

That no new bills, other than the Omnibus Appropriation Bills, and no new Resolutions to which the concurrence of both Houses of the General Assembly may be necessary, other than the Claims Resolutions or of Adjournment or of joint-session, shall be received at the present session of the Ninety-fifth General Assembly after Monday, February 1st, A. D. 1915.

Approved January 13, A. D. 1915.

RESOLUTIONS.

CHAPTER 279.

HOUSE CONCURRENT RESOLUTION.

Be it Resolved by the House of Representatives of the State of Delaware the Senate concurring therein:

That both Houses of the General Assembly adjourn at the close of the Legislative day of March the Twelfth to twelve o'clock noon on the Fifteenth day of March, after which time no other business requiring the approval of the Governor shall be considered excepting the Omnibus Appropriation Bills and the General Claims Resolution, and

Recess of
General
Assembly
Restricting
the consid-
eration of
business

Be it further resolved, That the hour of three o'clock on the afternoon of the Sixteenth day of March, A. D. 1915, be and is hereby fixed as the time for the adjournment sine die of both Houses of the Ninety-fifth General Assembly of the State of Delaware.

Adjourn-
ment, sine
die

Approved February 17, A. D. 1915.

TITLES OF PRIVATE ACTS

Excluded from Publication

CHAPTER 280.

AN ACT to Incorporate the "Fidelity Trust and Savings Bank."

Approved March 6, A. D. 1915.

CHAPTER 281.

AN ACT to further amend "An Act to confer Banking Powers on the Liberty Trust Company, a corporation of the State of Delaware,"
Approved March 29, A. D. 1907.

Approved March 16, A. D. 1915.

CHAPTER 282.

AN ACT to Incorporate "West Dover Trust Company."

Approved March 16, A. D. 1915.

PROCLAMATIONS OF THE GOVERNOR

PRINTED IN ACCORDANCE WITH PROVISIONS OF CHAPTER 10
OF THE REVISED STATUTES OF 1915.

THANKSGIVING DAY PROCLAMATION.

Another year has passed in which the hand of Almighty God has been manifest by the numerous blessings bestowed upon the people of our State.

The toiler has had his labors amply rewarded in that the harvests have yielded their increase; the industries of the State have prospered, and the commercial interests of our Commonwealth have advanced.

We have been vouchsafed the blessing of peace and prosperity, and neither calamities nor the scourge of disease have entered our borders.

THEREFORE, in order that the people of our State may be fully sensible of these many blessings, as well as in conformity with the Proclamation of the President of the United States of America, I, Charles R. Miller, Governor of the State of Delaware, do designate

THURSDAY,

The Twenty-seventh day of November,
as a Day of Thanksgiving and Prayer, and recommend that a due observance of the day be made in our churches and places of worship.

PROCLAMATIONS.

IN TESTIMONY WHEREOF, I, Charles R. Miller, Governor of the State of Delaware, have hereunto set my hand and caused the Great Seal to be affixed, at Dover, this Tenth day of November, 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-eighth.

[GREAT SEAL]

By the Governor:

CHAS. R. MILLER.

THOMAS W. MILLER,
Secretary of State.

PROCLAMATIONS.

PROCLAMATION.

STATE OF DELAWARE,

EXECUTIVE DEPARTMENT.

Whereas, Charles A. Hastings, 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, therefore, I, Charles R. Miller, 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:

Absorbent Linen Manufacturing Co., Acme Lubricator Co., Accomack Trust Co., The Advisory Educational League, Inc., Airomobile Co. of America, Aldine Canning and Preserving Co., Alabama Central Oil and Gas Co., Alaska Consolidated Co., Alhambra Silk Co., Altamont Poultry Co., Aluminum Reduction Co., Amies Asphalt Co. of Delaware, Amusement Co. of America, Amusement Commercial Co., American Aeroplane Manufacturing and Exhibition Co., The American Banking and Trust Co., American Cloth Manufacturing Co., American Crossing Rail Co., American Dress Form Co., American Electrolytic Co., American Engineering and Construction Co., American Engineering

PROCLAMATIONS.

and Manufacturing Co., American Engine and Motor Co., American Finance Co., American Liquid Fire Proofing Co. Inc., American Mercantile Corporation, American Metallurgy Co., The American Nut and Fruit Co., American Onyx Co., American Paint and Varnish Co., American Paper Cup Co., American Pecan Co., American Resort Hotel Co., American Ringless Piston Co., Ltd., American Rust Proof Gun Barrel Brass Lining & Gun Mfg. Co., American Sandless Casting Co., American Typewriter Importing Co., American Union Cordial Co., Anthracite Finance Co., Ansonia Lead and Zinc Co., Arbutus Oil and Gas Co., Appalachian Products Co., Archbald Silk Manufacturing Co., Arizona United Mining Co., Associated Mines Corporation, Association of Planters of Bluefields, Inc., Association of Western Engineers, Atlantic Cement and Clinker Co., Atlantic and Gulf Tie Co., Automatic Box Machine Co., Auto Central Co., Automatic Deep Well Pump Co., Auxilliary Fender Co., Automobile Owners' Co-operative Co., Aurora Oil and Gas Co., Au-Ric-U-Lar Co., Auto Roll Printing Press Co., Austin Run Mining Co., Automatic Soap Co., Auto Storage Co., Avenue Theatre Co.

B. A. B. Manufacturing Co., Baldton Land and Improvement Co., Balsas Power and Irrigation Co., Baltimore Underwriters Agency, Baltimore and Washington Concrete Co., Bangor Hardy Slate Co., Barton Paper Novelty Co., Bay State Investment Co., The Bear Pond Lumber, Coal and Coke Co., Bear River Paper and Bag Co., Berks Cooler Co., Big Gunpowder River Recreation Club, Inc., Big Moose Mining Co., Blaine and Co. Inc., Blackstaff Engineering Co., Blackfoot Placer Mining Co., Bonnie Doone Gold Mining Co., Bond and Share Investment Co., Boston Aeronautical Manufacturing Co., Boston Canaan Mica Co., Borrowers Co-operative Loan Society, Boston Exchange Co., Boston Honduras Metals Co., Brains Publishing Co., Bradley Realty Co., Brazilian Timber, Rubber and Minerals Co., "Britelite" Co., British Columbia Metals Co., Bristol Storage Co., Broadway Amusement Co., Brown Underwriting Co., Brunswick Carpet Mills, Inc., Bryan Mining Co., Ltd., Buckeye Building Association, Builders Brick Manufac-

PROCLAMATIONS.

turing Co., The Burgoyne Co., Bureau of National Industries, Inc., Burns and Co., Burnida Manufacturing Co., Business Mens Syndicate, Butler County Coal and Iron Co.

California National Oil Co., California Preserving Jar Co., Campeche Lumber and Development Co., Campbell Paper Bottle Co., Capital Brick Co., Candalaria Development Co., The Canton Iron and Steel Co., Can-U-Til-Lo-Herb Co., Carl Miller Co., Cariboo Mining Co., Carbo Oil Co., Carlisle Silk Co., Carrodus Bath Co., Casperson Brown Drug Co., Caswell Hotel Co., Cement Bag Co., Centralia Brick and Tile Co., Cellu Enamel Co., Central Home Telephone Co., Cedral Lajuela Mining Co., The Central Securities Co., Central Texas Traction Co., Central Trust Co., C. E. Wootten Co., Champion Bottle Closer Co., Charles A. Sims and Co., Inc., Charles L. Wood Co., Chesapeake Bay Navigation Co., Chase Fillet and Supplies Co., The Chemical Oil Co., The Chemical Reduction Co., Chinese Importing and Trading Co., Chihuahua Mines Co., Christopher Koch, Inc., Citizens Underwriters, Inc., Clark Engineering Co., Clear Lake Oil Co., Cleveland Whipple Co., Club Car Co. of America, Clifford and Corbett Combination Horse Shoe and Pad Co., Cohn Co., Cobham Corporation, Co-Industrial Co., Coal and Minerals Land Co., College of Investments, Inc., College of United States Midwifery, Inc., Columbian Concrete Steel Bar Co. of New York, Colonial Construction Co., Colonial Laundry Co., Columbia Trading and Exploration Co., Colonial Trust Co., Commercial Chemical Co., Commonwealth Securities Co. of Pittsburgh, Conrad Co., Consolidated Apartment House Co., Consolidated Development Co., Consolidated Jobbers and Mfg. Agents Co., Consolidated Pioche Mining Co., Consumers Mutual Ice Co., Consolidated Securities Co., Co-operative Automobile Co., Co-operative Franco American Products Co., Co-operative Trading Syndicate, Corporation Finance and Securities Co., Corporation Funding Co., Corporation Underwriting Syndicate, Cosmo Products Co., Crumlish La Point Co., Crystal Water Co. of Philadelphia, Cuban-American Asphaltum and Developing Co., Cuban-American Development Co., Culm Furnace Co., Cumberland Lead and Oil Co., The Cusick Co., Cushing Medical Supply Co.,

PROCLAMATIONS.

Dakin and Co., Inc., Dallas Creamery and Dairy Co., Dauphin County Stock and Bond Co., Daniels Furniture Co., Davis and Reeder, Inc., Dawson Gas Generator Co., Dawson Hardened Copper Co., Delaware Barytes and Chemical Co., Delaware Charter Co. and Registration Agency, Delaware Commercial Co., Delaware Commissary Co., The Delaware Fidelity Trust Co., Delaware Gravity Transportation Co., Delaware Telegraph Co., Delaware Yatch Club, Diamond State Building and Loan Association, Distributing Co. of America of Baltimore, Md., Dilliard Remedy Co., Discount and Securities Co. of New York, Dodson Co., Domestic Alcohol Heat and Light Co., Domestic Dish Washer Co., Dominican Land and Title Co., Dover Furnace Ore Co., Doylestown Ice Mfg. and Cold Storage Co., Dr. Auld Co., Dreamland Rosebud Mining Co., Duplex Roller Carding Gin Co., Dunn Strigel, Relliher and Co., Dutch Guina Mining Co.

E. Herford Co., Eccles Advertising Co., Economy Gas Regulator Co., Ecuadorian Industrial Co., Electric Automatic Machine Co. of Pittsburgh, Pa., Electro-Metallic Arts Co., Elevated Mono Railway Co., Electric Press Bulletin Co., Electric Tool Steel Co. of America, Electrical Utilities Co., Empire Construction and Finance Co., Empire Commercial Corporation, Enterprise Development Corp., Engineering and Development Co., Employers Protective Association, Equitable Real Estate Co., Empire Realty Co., Enameled Steel Cooperage Co., Energy Townsite Co., European American Protective Co-operative Co., Etna Development Co., Eureka Furniture Co., Excelsior Fruit Co., Export Iron Concentrating Co., Excelsior Leather Co., Everlasting Perfume Co., Eygabroat-Ryan Co., Excelsior Slate Construction Co.

Fackler Hat and Hat-Fastner Co., Farmers Canning and Preserving Co., Farm Products Co., Farmers Protective Association, Fayette Coal and Iron Co., Federal Biscuit Co., Federal Engineering and Construction Co., Federated Industries, Inc., The Fidelity Co., Fidelity Corporation and Trust Co., Fidelity Credit Bureau, Inc., Fidelity Finance

PROCLAMATIONS.

and Securities Co., Fikes-Lum and Co., Inc., Fibrtan Manufacturing Co., Fidelity Securities Co., Finance Co. of America, Fire Securities Co., Flagler-duRand Land and Irrigation Co., Florida General Phosphate Co., Florida and St. Johns River Realty Co., Folsom Realty Co., Folger Soap and Perfume Co., Fort Pitt Copper Co., Franco-American Importing and Manufacturing Co., Frank A. Rose and Co., Franklin Bond and Security Co., Franklin K. Wills Co., Franklin Lumber Co., Freedom Oil Co., Fulton Enterprises Co.

Gem Consolidated Mining Co., General Construction Loan and Savings Co., George H. Hall Co., George H. Lum, Inc., Geo. W. Goddard & Co., Gem Window Ventilating Co., Gilbert Mexico Land and Development Co., Gilliams Photo Engraving Co., Gilliams Press Syndicate, Girard Real Estate and Finance Corporation, Goddard Telegraph Transmitter Co., Goldfield Annex Mining Co., Golden Eagle Tea Co., Gold Placer Mining Co., Gooch Brothers Clothing Co., Goodenough Paper Co., Great American Automobile Co., Great American Automatic Vending Machine Co., Green Mountain Marble Co., Green Mountain Talc and Soapstone Co., Gresham Investment Co., Grimm Novelty Co., Inc., Guaranteed Bond Corporation, The Guise Brick and Stone Co., Gulf Coast Tie Co., Guarantee Hemorrhoidal Cure Co., Guyton Oil and Gas Co., Gull Sanitary Garbage Wagon and Can Co.

Haag Aireze Co., Haddington Quarry and Construction Co., Hagmayer Chemical Co., Hanff-McCarthy Press, Inc., Hanover Manufacturing Co., Harford Loan and Trust Co., Havana Products Co., H. D. Miller Co., Hayes-Wilrich Soap Co., Henry K. Fort Co., Hendricks Quarry Co., Hermetic Sealing Co., Holland Medicine Co., Holly Oil and Gas Co., Holbeck Riverside Gas Power Co., Horton Law Corporation, Horn Products Co., Hoskins Rail Chair Co., H. S. M. Auto Switch Co., Hudson Taxicab Co., Hummer and Yorks Lumber Co., Hunt Launching Device Co., Hunterstown Mining Co., Hyrox Corporation, Hydro Engraving Co. of Wilmington, Del., U. S. A., Hyland Manufacturing Co., Hygienic Preparation Co., Hydraulic Pressed Stone Co.

PROCLAMATIONS.

Ideal Auto Tire Co., Impervine Co., Ice Manufacturing Syndicate, Imperial Oil and Refining Co., Investment Corporation, Industrial Equipment Co., Insurance Finance Co., Industrial Stock Exchange, Inc., Industrial Underwriting Co., International Bureau of Commerce, Inc., International Casualty Co., Inter City Realty Co., Interurban Construction Co., Inter State Drug Co., International Economic Corporation, International Electric Furnace Co., International Elevated Railway Co., International Exploration Co., Interstate Finance Corporation, Inter-State Funding Co., International Gas Plant Co., Interstate Incorporating Co., International Investment and Development Co., Inter-State Investment Co., Interstate Iron and Steel Co., International Land Investment and Development Co., International Machinery and Engineering Co., International Mailing Machine Co., International Mexican Development Co., International Pneumatic Auto Wheel Co., Interstate Powder Co., International Pressed Fuel Co., Interstate Realty Co., International Studios, Inc., Interstate Surety and Bond Co., International Surface Contract Co., International Trust Co., Iron Concentrating Co., Irrigation Securities Co.

James A. Phillips and Co., James E. Pepper Distilling Co., John Fritz Co., The John H. Morgan Co., John Mulholland, Inc., Jahn Train Pipe Coupler Co., Johnson, Warren and Nygaard, Inc., J. R. Richardson Auto Co., Julian Hawthorne Co., Juneau Water, Light and Power Co.

Kanawaha Chemical Fire Engine Manufacturing Co., Katahdin Co., Kant-Refill Bottling Co., Kearns Manufacturing Co., Kearney Manufacturing Co., The Kent Exploration Co., Keystone Chapman Slate Co., Keystone Electric Co., Keystone Fountain Co., Kero Light Co., Kermont Lighting Co., Keystone-New York Building and Construction Co., Keystone Optical Co., Keystone Paving and Construction Co., Keystone Tube Works, Inc., Kilroy Piston Ring Co., King 'Phone Distributing Co., Klensall Manufacturing Co., Knipe Manufacturing Co., Knickerbocker Plate Ice Co., Knickerbocker Plate Ice and Ice Cream Co., Knickerbocker Typewriter Export Co., The Kohlus Cut Glass Co., Koch Paper Toy Co., Kraft-Rothchild Co.

PROCLAMATIONS.

L. A. Burnett Co., La Montezuma Gold Mining Co., Landis Lithograph and Manufacturing Co., Lancaster Publishing Co., Lappe Grain Co., Lapin Manufacturing Co., Latin-America Export Co., The Laurel-Seaford Electric Light Co., Leary's Birch Beer Co. Inc., Lens Co., Liberty Manufacturing Co., The Lingo Box Co., Lincoln Memorial Building Co., Lincoln National Holding Corporation of America, Lord Baltimore Corporation of Baltimore City, Lubin Co. of Baltimore.

McCord Machine Co., McCadden Manufacturing Co., McClellan Mountain Mining and Tunnel Co., McCrander Oil Co., McArthur Wrench Co. Ltd., McHenry and Clay, Inc., McKinley Locknut Co.

Maine and Hamlet Mines Corporation, Majestic Hotel & Hall Co., Manufacturers Agency Co., Man's Magazine Co., Manhattan Oil Co., Manchester Toboggan Co., Manufacturers and Traders Association, Marino Consolidated Mining Co., Marine Ice Machinery Co., Marpadel Chemical Co., The Marlborough Land and Improvement Co., Marquitos Mines Co., Maryland Beach Improvement Co., Maryland Crate and Lumber Co., Maryland and Columbia Dredging and Mining Co., Maryland Ice Co., Martin and White Co., The Maxim Co., Merchandise Supply Co., Metropolitan Artificial Stone Works, Inc., Metropolitan Bureau of Representation, Inc., Metropolitan Money Loan Co., Midland Coal & Coke Corp., Middlesex Exchange Co., The Milford Chemical Co., Military Manufacturing Co., Mills Rotary Engine Co., Military Supply Co., Mellenium Manufacturing Co., Mississippi Valley Transportation Co., Mitchell Bevers Co., Mitkof Fish Co., M. J. Leisenring Co., Mitla Mining Co., State of Oaxaca, Mexico, Modern Auto Supply Co. Inc., Modern Cleansing Process Co., Mogul Drilling Co., Monoplastic Flooring Co., Monitor and Merri-mac Co., Monica Mines Co., Monarch Paper Bottle Co., Monitor Paper Co., Montross Supply Co., Morris Loan and Investment Co., Morris Mountain Mining Co., Morgan Portland Cement Co., Morning Star Mining Co., Motor

PROCLAMATIONS.

Parcel Delivery Co., Motion Picture Advertising Co., Motor Truck Co., Mount Cuba Mining and Smelting Co., Moxahala Brick Co., Mutual Brokerage Co.,

Nakinto Co., National Advertising and Development Co., National Advertising and Sales Co., National Art League, Inc., National Association of Automobile Owners, National Candy Pulling Machine Co., National Democratic Publishing Co., National Development Co., National Engineering & Construction Co., National Fuel Gas and Oil Co., National Gas Turbine Co., National Hygienic Engineering Co., National Ice Corporation, National Improved Steam Cooker Co., National Manufacturing and Aerial Exhibition Co., National Metallic Box Co., National Peat Products Co., National Pictorial Co., National Promoting Co. Inc., Fredericksburg, Va., National Public Utilities Corporation, National Shoe Shining Machine Co., National Soap Manufacturing Co., National Steel Recovery and Reduction Co., National Telephone Co., National Worsted Mills Co., Never-slip Punctureproof Tire Co., New Berry Artificial Ice, Cold Storage and Green House Co., New Bern Pulp & Paper Co., New Knickerbocker Ice Co., New Method Art Glass Co., New Process Gas Co., Newstetter Electric System Co., New System Labeling Machine Co., New York Cloak and Fur Co., New York Metalurgical Co., New York State Wireless Telephone & Telegraph Co., New York & Surburban Securities Co., North American Timber Corporation, North Eastern Pennsylvania Motor Co., Northern Illinois Industrial Co., North Investment Co., North and South Inter Oceania Railroad Co. of the Republic Honduras, North-West Washington Co., Novelty Carriage Co., Novelty Co., Noyes Manufacturing Co., Nyberg Automobile Works, Inc., Nueces Construction Co.

Oakridge Investment Co., Odessa Construction Co., Oil City Fruit and Truck Producing Co., Okey Royalty Co., Ohio Valley Enamel Co., O. P. Brick Co., O. U. K. Bottle Manufacturing Co., Otto Wicke Co., Oxford Institute, Inc.

Pacific Coast Town Site Co., Pan-American Mining Co., Park Amusement Co., The Park Heights Sewerage Co.,

PROCLAMATIONS.

Peerless Compound Co., Peerless Horse Shoe Co., Peall, Klier Construction Co., Peerless Machine Co., Peerless Manufacturing and Sales Co., Pennsylvania Contracting and Producing Co., Pennsylvania Corporate Tax Adjustment Co., Pennsylvania Finance and Securities Co., Penn Indian Oil Co., Penn Motor Car Co., Pennsylvania Motor Car Co., Pennsylvania Rubber Paint Co., Penn Sewing Machine Co., Penn Sales Co. Inc., Peninsula Trust Co., Perfect Lacing Hook Co., Peoples Securities Co., Perfect Shape Textile Co., Perry Side Bearing Co., Petro Remedy Co., Philadelphia Aeroplane Co., Phillips Automatic Air-Brake Coupler Co., Philadelphia Exploration Leasing & Mining Co., Philadelphia-Lees Gas Governor Co., The Philadelphia Lubricator and Manufacturing Co., Philadelphia Metallic Gasket Manufacturing Co., Physicians Sales Co., Philadelphia Sanitarium, Inc., Phoenix Securities Co., Pierce-Walton Co., Pittsburg Automatic Air Pump Co., Pittsburg Auto Owners Association, Pittsburg Dental Manufacturing Co., The Pittsburg Ink and Chemical Co., Pittsburg Journal Bearing Co., Pittsburg Realty and Trading Co., Pittsburgh-Rockerville Mining Co., Pinnacle Coal Co., Pine Hill Springs Realty Co., Poldavis Mines, Ltd., Port Brownsville Sugar Lands Co., Porcupine Gold Milling Co., Porter Metal Manufacturing Co., Porto Rico Hotels and Springs and Development Co., Port Said Chemical Co. Inc., Power and Reclamation Co., Powhattan Rosebud Mining Co., Premier Engineering and Manufacturing Co., Pressed Steel Novelty Manufacturing Co., Premier Subscription Corporation, Princess Beauty Culture Co., Progress Co., P.-T. Electrical Supply Co., Protective Investment Securities Co., Provident Medical and Dental Association, Professional Service Society, Inc., Public Health Supply Co., Py-Ko Pharmaceutical Co., Puncture Proof Spring Tire Co., Publicity Publishing Co., Public Safety Co., Public Service Corporation, Puritan Supply Co., The Pure Water Co.,

Quaker City Commercial Co., Quickanshur Water Purifying Co.,

PROCLAMATIONS.

Railway Brake Shoe & Manufacturing Co., Radiumite Compounds Co., Randolph Publishing Co., R. B. Parrott & Co. Inc., Reading Finance and Securities Co., Redeemable Investment Co., Records Lumber Co., R. E. Moore Co., Red Oak Spring Water Co., Realty Realization Co., Repetti Co., Reger One-Piece Split Pulley Manufacturing Co., Retail Advertisers Auxiliary, Inc., Reservation Oil Co., Richard A. Morely Land & Investment Co., Ridley Terra Cotta Works, Inc., Rising Sun Knitting Co., Roberts & Company, Robert E. Clark Thread Co., Roberts Manufacturing Jewellery Co., Rogers Construction Co., Roswell Distributing Co., Row and Co. Inc., Royal Motor Works, Inc., Rural District Distributing Co. of Baltimore, Md.

Safety Device Co., Sales Co. of America, Salvage Manufacturing and General Supply Co., Sante Co., Santa Loma Fruit and Cotton Co., Saxonia Drug Co., Savoie Optical Co., Schrugham & Burkhead, Coal Oil and Gas Co., Scoll-Millman Co., Scully's 50 Stores-in-One Co., Seacliffe Cement Brick Co., Securities Co. of America, Security Real Estate and Finance Co., Seminole-Cypress Laboratory, Inc., Servis Railway Appliance Co., Selkow Shoe Co., Sharptown Yacht Building Club, Shipley Surety and Trust Co., Sierra de Oro Mining and Development Co., Siche Gas Co., Silent Motor Car Co., Simplicia Automobile Co., Simmons Motor & Truck Co., Sirena Manufacturing Co., Smyrna Automobile Co., Smyrna and Kent County Manufacturing Co., Societe Credit Foncier Americain, Somerset Construction Co., Sombrio Mining Co., Southern Citrus Fruit Co., Southern Cloth Co., Southern Development Co., Southern Farms Association, Southern Farm Land Co., South Farm Springs, Inc., Southern Finance & Security Co., Southern Floral & Nursery Co., Southern Freezing Co., Southern-Lester Co., Southern Lumber Securities Co., Southern Traction and Electric Co., Sphinx Paint and Color Co., Spar Products Co., Standard Banking Securities Co., Standard Brick Co., Standard Carbon Co., Standard Cleanser Co., The Standard Coal Co., Standard Hospital Co., Standard Labeling Machine Co., Standard Mercantile Co., Standard Oil, Gas and Asphalt Co., Standard Paving Corporation,

PROCLAMATIONS.

Standard Pressed Steel Co., Standard Sanitary Couch and Chair Co., Standard Woollen Mills Co., Star Glass Co., Star Realty Co., State Trust Co., Stencil Art Co., Stereomatigraph Co., Sterling Manufacturing Co., Sterling Sales Co., Stengle-Taylor Co., Sterling-Worth Corporation, Stroud-Wilfong Co., Suburban Development Co., Success Syndicate, Svea Caloric Engine Co., Sutliff Co., Surinam Dredging Co., Sussex Lumber Co., Sweden-American Match Co., Swaab Film Service Co.

Tampa and Atlantic Construction Co., Tatnall Trust Co., T. E. Baxter Co., Texas Bridge and Equipment Co., Temple Iron & Steel Co., Tennessee Petroleum Co., Temple Place Silk Store Inc., Texas Sugar Refining Co., The 16 Hour Egg Co., Thume-Haberbush Co., The Thomas National Advertising Corporation, Thos. W. Greer & Co., Tidewater Fuel Co., The Tiregraph Co., T. J. Stahl Tobacco Co., Tom's Run Coal Co., Towanda Automobile and Novelty Manufacturing Co., Transformetal Co. of America, Travelers Garage and Auto Club, Transit Realty Co., Transformetal Tool-Steel Co., Trustee Co. of North America, Turkey Hill Poultry Co., Tuscarora-Nevada Consolidated Mines Co., The Tyson Chemical Co., T. W. Spinks Co.

Universal Carbon Co., Underwriters Development Co., Universal Electric Storage Battery Co., Universal Engineering Co., Uneek Havana Cigar Co., Universal Motors Co., Universal Security Co., Universal Stoker Co., Universal Underwriting Co., Union Agency Co., United Bearings Co., United Brick Co., Union Coal Realty Co. of Pittsburg, Pa., United Development Co., United Film Co. of America, United Industries Corporation, Union Land Improvement Co., United Leatherite Co., United Life Funding Co., Union Metallic Co., United Pocahontas Collieries, Inc., United Press Syndicate, United Railroad Equipment Co., United Realty Sales Co., Union Securities and Registry Co., United Skylight and Cornice Co., United Southern Appalachian Coal Fields, Inc., United States Agricultural and Industrial Exposition Co., United States Baseball League Asso., United States Land and Development Co., United States

PROCLAMATIONS.

Postal Card Advertising Co., United States Stoker Co., United States Trust Co., United Theatres Co., Detroit, Mich., Union Trust Co., United Water Improvement Co., United Water Powers Co., United Water Power Improvement Co., United Western Development Co., Utility Manufacturing Co., Utah and Nevada Railway Co.

Vacuum Ice Machine Co., Veta Madre Mining Co., Vermillion Paint Clay Co., "Vim" Health System, Inc., Virginia Construction Co.

Wall Street Finance Co., New York, Walter Construction Co., Warren Iron and Specialty Mfg. Co., Washington El Placer Development Co., Washington Motor Transfer Co., Wawaset Drug and Chemical Co., Waynesburg Security Co., W. D. Spring Cushion Tire Co., Watt, Wilson Co., Weigel Manufacturing Co., Wells Bay Mining Co. of Alaska, Wessels Incorporated, The West Indian Securities Corporation, Western Pennsylvania Fuel Co., West Penn Oil and Gas Co., West Philadelphia Finance Co., Weston Zaring Co., Wheel Tire Tightener Co. of America, Whites Laboratories, Inc., Wholesale Merchandise Co., Williard Brown Co., William Croft Co., Wiley, Harker and Camp Co., William H. Van Kirk Co., Inc., William Kimmerling Manufacturing Co., William S. Power & Bro. Inc., Wilmington Charter Co., Wilmington Colonial Club, Wilmington Oil Co., Winter Laboratory Co., The Wood-ol Chemical Co., The World Signal Co., Wyopo Securities Co.

Yellowstone Valley Land Co., Yuba River Gold Mining Co.

Zinzi Manufacturing Co., Zackey Talking Machine Co.

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 twenty second day of January, in the year of our Lord one thousand nine hundred and fourteen, and

[GREAT SEAL]

PROCLAMATIONS.

of the Independence of the United States
of America, the one hundred and thirty-
eighth.

By the Governor:

CHAS. R. MILLER.

THOMAS W. MILLER,

Secretary of State.

PROCLAMATIONS.

PROCLAMATION.

STATE OF DELAWARE,

EXECUTIVE CHAMBER.

With the coming of the springtime, one of the fairest seasons of the year, and the return of our feathered friends from their winter homes in the far Southland it is but proper that we should give expression to our appreciation of the many blessings vouchsafed to us by a benevolent Providence, by doing our part to beautify the landscape of our State, thereby assisting nature in rendering it more attractive and beautiful.

Therefore by virtue of the authority vested in the Governor by the laws of the State,

I, CHARLES R. MILLER, Governor of the State of Delaware, do designate

FRIDAY, APRIL 17, 1914,

AS

ARBOR AND BIRD DAY

and request that all citizens of the State of Delaware practice a due and proper observance of this day by the planting of trees, flowers and shrubbery and especially is it requested that the day be celebrated with appropriate exercises by the teachers and students of all the Public and Private Schools and Institutions, where the youth of the State are being educated with the view of stimulating an interest in the extension of Arbor Culture and the Conservation of our plant and bird life.

PROCLAMATIONS.

[GREAT SEAL] 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 third day of April
in the year of our Lord one thousand
nine hundred and fourteen, and of the
Independence of the United States of
America the one hundred and thirty-
eighth.

By the Governor:

CHAS. R. MILLER.

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, Leander DeShields and Edward Nickerson, prisoners sentenced to terms of imprisonment in the New Castle County Workhouse, did on or about noon of Sunday, June seventh, escape from said Workhouse and are still at large.

Whereas, it is necessary for the proper enforcement of the laws of this State to have said prisoners returned to the Workhouse and that a reward should be offered for their apprehension 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

TWO HUNDRED AND FIFTY DOLLARS

each for the apprehension or capture of said Leander DeShields and Edward Nickerson and the delivery of either one of said prisoners to the Warden of the New Castle County Workhouse, 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 tenth day of June, in the year of our Lord one thousand nine hundred and fourteen, and of the Independence of the United States of America the one hundred and thirty-eighth.

[GREAT SEAL]

By the Governor:

CHAS. R. MILLER.

THOMAS W. MILLER,

Secretary of State.

PROCLAMATIONS.

PROCLAMATION.

STATE OF DELAWARE,

EXECUTIVE DEPARTMENT.

CHARLES R. MILLER,

Governor of the said State.

To all Persons to whom these Presents shall come, Greeting:

Whereas, An election was held in the State of Delaware, on Tuesday, the third day of November, in the year of our Lord one thousand nine hundred and fourteen that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution of the United States and the Constitution and Laws of the State of Delaware, in that behalf, for the election of a Representative for the people of the said State, in the Sixty-fourth CONGRESS OF THE UNITED STATES.

And whereas, The official certificates or returns, of the said election, held in the several counties of the said State, having been duly received and examined by the Governor, it appears from them that the votes in the said counties respectively for such representative were cast as follows, to wit:

NEW CASTLE COUNTY.

Franklin Brockson	11,238
Thomas W. Miller	14,237
James Hall Anderson.....	953
William H. Conner.....	463

KENT COUNTY.

Franklin Brockson.....	4,147
Thomas W. Miller.....	3,384
James Hall Anderson	237

PROCLAMATIONS.

SUSSEX COUNTY.

Franklin Brockson.....	5,296
Thomas W. Miller.....	5,301
James Hall Anderson.....	463

And whereas, The said returns of the election for the choice of a Representative of and for the said State in the Sixty-fourth Congress of the United States, as aforesaid, duly made out, signed and executed, having been duly delivered to the Governor by the Superior Court of said counties, and the Governor having examined said returns as aforesaid, and enumerated and ascertained the number of votes for each and every candidate or person voted for, for such Representative, the result appears as follows, to wit:

Whole number of votes for Franklin Brockson....	20,681
Whole number of votes for Thomas W. Miller.....	22,922
Whole number of votes for James Hall Anderson...	1,653
Whole number of votes for William H. Conner....	463

NOW, THEREFORE, I, Charles R. Miller, Governor of the State of Delaware, do hereby declare that THOMAS W. MILLER has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected the Representative of and for the State of Delaware in the Sixty-fourth Congress of the United States.

GIVEN UNDER MY HAND and the Great Seal
of the said State, at Dover, the Ninth day
of November in the year of our Lord one
[GREAT SEAL] thousand nine hundred and fourteen
and of the Independence of the said State
the one hundred and thirty-ninth.

By the Governor:

CHAS. R. MILLER.

THOMAS W. MILLER,

Secretary of State.

PROCLAMATIONS.

PROCLAMATION.

STATE OF DELAWARE,

EXECUTIVE DEPARTMENT.

CHARLES R. MILLER,

Governor of the said State.

To all Persons to whom these Presents shall come, Greeting:

Whereas, An election was held in the State of Delaware, on Tuesday, the third day of November, in the year of our Lord one thousand nine hundred and fourteen that being the Tuesday next after the first Monday in said Month, in pursuance of the Constitution and Laws of the State of Delaware, in that behalf, for the election of a State Treasurer OF THE STATE OF DELAWARE.

And whereas, The official certificates or returns, of the said election, held in the several counties of the said State, having been duly received and examined by the Governor, it appears from them that the votes in said county respectively for such State Treasurer were cast as follows, to wit:

NEW CASTLE COUNTY.

Charles A. Hastings.....	10,799
William J. Swain.....	14,228
James T. Lank.....	1,043
Arthur N. Andrews.....	469

KENT COUNTY.

Charles A. Hastings.....	4,107
William J. Swain.....	3,332
James T. Lank.....	189

PROCLAMATIONS.

SUSSEX COUNTY.

Charles A. Hastings.....	5,262
William J. Swain.....	5,248
James T. Lank.....	486

And whereas, The said returns of the election as aforesaid, duly made out, signed and executed, having been duly delivered to the Governor by the Superior Court of said counties, and the Governor having examined said returns as aforesaid, and enumerated and ascertained the number of votes for each and every candidate or person voted, for, for such State Treasurer the result appears as follows, to wit:

Whole number of votes for Charles A. Hastings....	20,168
Whole number of votes for William J. Swain.....	22,803
Whole number of votes for James T. Lank.....	1,718
Whole number of votes for Arthur N. Andrews....	469

NOW, THEREFORE, I, Charles R. Miller, Governor of the State of Delaware, do hereby declare that WILLIAM J. SWAIN has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected the State Treasurer of and for the State of Delaware.

GIVEN UNDER MY HAND and the Great Seal of the said State, at Dover, the Ninth day of November in the year of our Lord one thousand nine hundred and fourteen and of the Independence of the said State the one hundred and thirty-ninth.

[GREAT SEAL]

By the Governor:

CHAS. R. MILLER.

THOMAS W. MILLER,

Secretary of State.

PROCLAMATIONS.

PROCLAMATION.

STATE OF DELAWARE,

EXECUTIVE DEPARTMENT.

CHARLES R. MILLER,

Governor of the said State.

To all Persons to whom these Presents shall come, Greeting:

Whereas, An election was held in the State of Delaware, on Tuesday, the third day of November, in the year of our Lord one thousand nine hundred and fourteen, that being the Tuesday next after the first Monday in said Month, in pursuance of the Constitution and Laws of the State of Delaware, in that behalf, for the election of an Auditor of Accounts OF THE STATE OF DELAWARE.

And whereas, The official certificates or returns, of the said election, held in the several counties of the said State, having been duly received and examined by the Governor, it appears from them that the votes in said county respectively for such Auditor of Accounts were cast as follows, to wit:

NEW CASTLE COUNTY.

Walter Poole Prettyman.....	10,763
Charles J. Luff.....	14,244
Pennell Emerson.....	1,038
Frederick Miller.....	467

KENT COUNTY.

Walter Poole Prettyman.....	4,058
Charles J. Luff.....	3,366
Pennell Emerson.....	206

PROCLAMATIONS.

SUSSEX COUNTY.

Walter Poole Prettyman.....	5,228
Charles J. Luff.....	5,297
Pennell Emerson	464

And whereas, The said returns of the election as aforesaid, duly made out, signed and executed, having been duly delivered to the Governor by the Superior Court of said counties, and the Governor having examined said returns as aforesaid, and enumerated and ascertained the number of votes for each and every candidate or person voted, for, for such Auditor of Accounts the result appears as follows, to wit:

Whole number of votes for Walter Poole Prettyman	20,049
Whole number of votes for Charles J. Luff.....	22,907
Whole number of votes for Pennell Emerson.....	1,708
Whole number of votes for Frederick Miller.....	467

NOW, THEREFORE, I, Charles R. Miller, Governor of the State of Delaware, do hereby declare that CHARLES J. LUFF has received the highest vote at the election aforesaid, and therefore has been and is duly and legally elected the Auditor of Accounts of and for the State of Delaware.

GIVEN UNDER MY HAND and the Great Seal
of the said State, at Dover, the Ninth day
of November in the year of our Lord
[GREAT SEAL] one thousand nine hundred and fourteen
and of the Independence of the said State
the one hundred and thirty-ninth.

By the Governor:

CHAS. R. MILLER.

THOMAS W. MILLER,

Secretary of State.

PROCLAMATIONS.

THANKSGIVING DAY

PROCLAMATION.

The blessings which Almighty God has bestowed upon us during the year now drawing to a close, should incline our hearts and minds to the proper observance of a day of grateful thanksgiving.

While other nations throughout the world have experienced the terrible afflictions of war, pestilence and famine more dreadful in effect than has ever been heretofore witnessed by mankind the people of these United States have been permitted to preserve their integrity, their institutions and their peaceful attitude toward the world at large.

Our lands have been made to produce abundant harvests and the yield of our fruit has been more than plentiful—to this extent our country has enjoyed the comforts of prosperity.

THEREFORE,—in order that the people of our State may not fail to appreciate the blessings which they have received from a benevolent Providence and in conformity with the Proclamation of the President of the United States of America, I, Charles R. Miller, Governor of the State of Delaware, do hereby designate

THURSDAY

THE TWENTY-SIXTH DAY OF NOVEMBER

as a Day of

THANKSGIVING AND PRAYER

PROCLAMATIONS.

IN TESTIMONY WHEREOF,—I, Charles R. Miller, Governor of the State of Delaware, have hereunto set my hand and caused the great seal to be affixed, at Dover this Twelfth day of November, in the year of our Lord one thousand nine hundred and fourteen, and in the year of the Independence of the United States of America, the one hundred and thirty-ninth.

[GREAT SEAL]

By the Governor:

CHAS. R. MILLER.

THOMAS W. MILLER,

Secretary of State.

PROCLAMATIONS.

PROCLAMATION.

STATE OF DELAWARE,

EXECUTIVE DEPARTMENT.

Whereas, William J. Swain, 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, therefore, I, Charles R. Miller, 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:

Acme Unrefillable Bottle Co., Adirondack Amusement Co., Advertisers Distributing Co., Advance Motor Car Co., Advance Oil Co., Aero-Development Co., The Ajax Production Co., The Aero Publishing Co., Alaska Ore Reduction Co., Allied Annunciator Co., The Alpha Bottling Machine Co., Alto Mining Co., The Aluminum Steam Cooker and Manufacturing Co., American Alcohol Co., American Aerocar Holding Corporation, American Bankers Assurance Co., American Barrel Co., American-Bohemian Mining & Exploring Co., American Bond, Share & Exchange Association, American Brick & Cement Co., The American Consumers Association, American Electric Fire Alarm and Manufacturing Co., American Exchange Co., American Farm Tractor Co., American Fibre Reed Co., American Fuel Co., The American Furnace Device Company of Delaware, American Handle Co., American Industrial Development Corporation, American Lumber & Wood Co., American Manufacturing & Sales Co., American Metalizing Co.,

PROCLAMATIONS.

American Organizing and Financing Co., American Para-Plane Co., American-Porto Rico Co., American Pulp and Cordage Co., American Pure Milk Co., The American Rubber and Fabric Co., American Safety Aerocar Corporation, American Supply Co., American Timber & Coal Co., American Tire & Rubber Manufacturing Co., The American Trading Co., American Wines: Limited, Inc.; The Anchor Coal Co., Anchor Mining Co., Inc.; Andrew B. Spencer Co., The Anterior Coal & Coke Co., Anthracite Fuel Co., Anderson Ore Milling Machine Company of Mexico, Anthracite Securities Co., Ariston Marble Co., Artesian Well Drilling Co., Asher-Black Vaudeville-Moving Picture Corporation, Atlas Engineering and Construction Co., Atlantic Hardwood Timber Co., The Atlas Manufacturing Co., The Atlas Tool and Implement Works, Incorporated, Atlas Underwriters Co., The Auditorium Amusement Corporation, Aunt Annie's Remedy Co., Automatic Brush Machinery Co., The Automatic Calendar Clock Co., Automatic Free Directory Company of America, Automatic Gravity Boiler Feeder Co., Automobile Credit Clearing House Asso., Aztec-Guerrero Mining Co., Automatic Hat Cleaning Machine Co., The Auto Necessities Co., Auto Novelty Co., Auto Outlook Publishing Co., Automobile Owners Association, Inc.

B. B. Funston Co., Batavia Plantation Co., The Baltimore Co-operative Stores Co., Baltimore Ferro-Concrete Co., Bankers Corporation Co., Banner Oil and Gas Company of Pittsburgh, Pa., Barnette Brothers and Co., The Bates-Tyler Co., Inc., The Bears Manufacturing Co., The Belle-Pre Bottle Company of Washington, D. C., Belstone Standard Real Estate Company, Bendle Meat-Pork Company, Bentonville Mining Company, The Berger-Eynon Co., Berkebile Lumber Co., Bestyet Hosiery Co., Big Belt Copper Range and Smelting Co., Big Bend Manufacturing Co., Bieber and Kindig Co., Bilger Piano Truck Co., Blanton Patent Lock Nut Co., Blossburg Briquetting Co., Blue Grass Horse Exchange Co., Boston Aero Co., Boston & New York Telephone & Telegraph Co., The Boston Underwriting Syndicate, Boyd Clothing & Suit Co., The Boyson Envelope and Stationery Manufacturing Co., The Boyle

PROCLAMATIONS.

Health Culture Corporation, The Boynton Machine Co., Brake Liners Co., The Brazilian Land, Lumber and Improvement Co., Brazil Rubber, Timber and Land Co., Breech-Block Demountable Rim Co., Breckenridge Nebergall Gilbert Mfg. Co., The Briggs Co., the Brighton Oil and Gas Co., Bridgeville Printing Co., British American Light, Heat and Power Co., British-American Purchasing Company of the United States, British Columbia Railway and Development Co., Broctabis Co., Brockton Shoe Co., Incorporated, Brown Engineering and Equipment Co., Brown, Hull and Co., The Brown Implement Co., The Brytalite Manufacturing Co., Buck's Chemical Co., Buffalo Bridge Co., Business Service Co., Business Service Company of Minnesota, Business Service Company of Ohio, Byrne Glass Co.

The Camp and Den Novelty Manufacturing Co., Capitol Suction Co., The Carey Brace Spike Co., Carnegie University, Inc., Cassada-Cartmell Manufacturing Co., Casale Railway Signal Co., Casey Produce Co., The Cavanal Co., The C. E. Dittman Oil and Gas Co., Cataract Dredging Co., Cauca Dredging Co., Cedarhurst Gold Development Co., Central Investment Co., Cavac Motor Car Co., Central Oil and Gas Co., Cauca River Concession Corporation, Central Sales and Development Co., The Charles Christeson Co., The Charles C. Och Co., Charles E. Brown Co., Chapman Engineering Co., Chestertown Automobile and Garage Co., Chelsea Coal and Coke Co., The Chemical Manufacturing Co. of New York, Chicago Aeroplane Manufacturing Co., Choloma Estates Corporation, Chihuahua Fuel Co., Chicago Rail Chair Co., City Laundry Co. (Inc.), The Citizens' Merchandise & Trading Co., Clayton Incorporating Co., Cleveland-McClain-Ferguson Co., Cleveland Rector Gas Light and Heat Co., Cline Manufacturing Co., Collins Gear & Motor Co., Columbia Consolidated Goldfields, Incorporated, Columbia Construction Co., Columbia Co. Coal Co., The Columbia Horse Shoe Manufacturing Co., Columbian Magazine Publishing Co., Columbus Mining, Oil and Development Co., The Columbia National Steamship Co., The Colonial Securities Co., The Columbia Timber & Mining Co.,

PROCLAMATIONS.

Commercial Bond and Investment Co., Compostone Co., Commonwealth Construction Company of Delaware, Commonwealth Merchandising Co., Concrete Building Materials Company of New York, Concealed Door Check Co., The Confectionery Products Co., Inc.; Consolidated Coal and Timber Co., The Conservative Co., Consolidated Palo Amarillo Rubber Co., Consumers and Producers Co-operative Association, Incorporated, Continental Coal Co., Continental Construction Co., Continental Specialty Co., Continental Underwriters' Co., The Cooked Rolled Oats Co., The Corning Construction Co., Corporation Funding and Finance Co., Cornelia Mining Co., Cotter Wilson Manufacturing Co., The Cresaseptic Co., Crown Commercial Co., The C. S. Godwin Co., The Crowder, Jr., Co., C. W. Lord Real Estate Co.

D. Maurer and Son Co., Dannenhauer Leather Co., Incorporated, Dark Springs Mines Co., Davis Manufacturing Co., Davis Motor Car Co., The Dawn Publishing Co., De La Spado Co., The De Launty Motor Co., Decker Manufacturing Co., Delevan Motors Co., Delmarvia Public Service Corporation, Delaware Button Co., Delaware Candy Co., Delaware Clothing Association, The Delaware Coal & Fuel Co., Delaware Garage Co., The Delaware Grocery Co., Delaware Iron and Steel Co., Delaware Mercantile Brokerage Co., Delaware Mills Co., Delaware and New Jersey Transportation Co., Delaware Railroad Construction Co., The Delaware Stamp Machine Co., Delaware Storage Co., Delaware Transit Co., Detroit Auto Rim Co., Detroit McClain-Ferguson Co., D. and H. Cost System Co., The Dewson Manufacturing Co., Diana Aeroplane Co., The Diffenbaugh Construction Co., Inc., The Diamond State Rubber Co., The Dixie Coal Co., Dixie IV Co., Doctor Albert's Sales Co., Donham Oil Co., Double Branch Gold Mining Co., Dora Construction Co., The Doremus Holding Co., Dougherty & McGillen, Incorporated, The Double Values Trading Stamp Co., Double Value Vending Co., Dr. Acker Chemical Co., The Dr. Reigel Sanitarium Co., Du Mont & Co., Duquesne Underwriters, Incorporated, Dyett Machine Co.

PROCLAMATIONS.

The Eastern Cement Burial Vault Co., Eastern Match Co., Eagles Nest Mining Co., The Eastern Pocohontas Coal Co., Inc., E. Willard Free Co., Earnscliffe Worsted Company (Inc.), Economy Electric Sign Co., Ector and Huson Co., Economy Iron Works, Inc., The E. B. McAbee Oil and Powder Co., Eclipse Oil Co., Eisenbrey Manufacturing Co., Electro-Automatic Display Co., Elkhorn Coal and Lumber Co., Electric Couch Co., The Elda Mining & Manufacturing Co., El Nuevo Rosario Mining Co., The Electric Processing Co., Electric Saw Co., Eleventh Street Opera House Co., The Ellis Co., Ely Central Copper Co., Ellwood Coal, Oil and Gas Co., Emerson Arms Co., The Enterprise Grocery Co., The Equitable Guaranty Co., Equity Investment Co., Empire Machinery Co., English Mahogany Co., Enduro Metals & Development Corporation, The Empire Security Company of Pittsburgh, Pa., Eureka Anthracite Coal Co., The E. & S. Combination Beer Cooler Co., Eureka Enameling Co., Eureka Powder Co., Eze-Klean Co., Excello Paint and Oil Co., Everlasting Steel Co.

The Farm Chemical Co., Farnham & Sues (Inc.), Fast Color Tip Sales Co., The Federal Film Co., Federal Heater Co., Federal Motors Co., The Federal Optical Co., Federal Sales Corporation, The Fernloc Co., Ferrin & Co., Incorporated, F. H. Starling Co., Fernandes Trading Co., The Fiduciary Co., The Fidelity Laundry Co., Fidelity Loan Co., Fidelity Medical Institute, Filbert Paving and Construction Co., Fire Insurance Buyers Protective Association, First Mortgage and Securities Corporation, F. K. Mining Co., Farmers and Mechanics Mutual Life Insurance Co., The F. L. Smith Manufacturing Co., Florence Villa Fruit Co., Folsom-Thurston Co., Forward Coal Co., The Forestine Co., The Franklin Lime Co., Francis Piano Co., Franklin Sales Corporation, Fraternal Service Union, Fred C. Patten Piano Co., Fromite Laboratories Co., Fromite Laboratories, Incorporated.

The Gaines Co., Gallagher and Co., Incorporated, General Acetylene Gas and Appliance Co., General Construction Company of Philadelphia, General Electric Ozone Company

PROCLAMATIONS.

of America, Gunnison Gold Mining Co., General Investment Co., Gem Kinetograph Co., The German Knitting Mills, Incorporated, Germania Oil Co., General Publicity Co., General Sales Agency, Incorporated, Georgia Underwriters Co., George W. Gibbons & Sons Co., George W. McCaulley & Son Co., The Girard Company Pharmaceutical Chemists, Gilman and Grant Co., G. M. Bowen & Co., Incorporated, Globe Coupon & Premium Co., Golden Age Mining Company of Porcupine, Goldacres Mining Co., Gold Saving Machinery and Mining Co., Gold-Wiley Hosiery Co., Good Clothes Shop Co., The Gordon, Rees and Hirsch Co., Graham Instantaneous Water Heater Co., Graves Plumbing and Heating Co., Great Eastern Trade School Co., The Greenwood Horse Association, Green Lane Ice and Stone Co., Green Mountain Consolidated Mines Co., Great Northern Underwriters Co., The Griffith Railway Crossing Co., The Grover Manufacturing Co., The Guild Advertising Co., Guarantee Mines Corporation, Gunnison Oil Co., Gulf States Development Co., Guaranty Warehousing Co.

H. Angus Conners Aviation Co., The Hahnemann Co., Hammond Coal Co., Hampton's Magazine, Incorporated, The Handy Index Co., Handy Manufacturing Co., The Harlan Mining & Manufacturing Co., The H. D. Best Dental Manufacturing Co., Hebe's Boudoir Corporation, The H. E. Moore Co., Henry Pharmacal Co., Hercules Tire & Rubber Co., The Highland Heights Co., The Hills of Maryland Orchard Co., The Hillside Press Incorporated, Holman Suitcase and Bag Co., Hopper, Erb & Co., Incorporated, Honduras Railway Co., Horter Banana & Rubber Co., Hoskins & Howell Co., The H. R. Langslow Co., The Howell Publishing Co., Huizopa Consolidated Mines Co., Hugo Lederer, Incorporated, Hume School, Incorporated, Hungarian Consumers' Corporation, Hurricane Gold Mining Co., The H. W. Davis Printing Co., Hygienic Liquid Package Co., The Hydraulic Oil Storage Company of Maryland, Hygienic Package Manufacturing Co.

The Imperishable Casket Co., Imperial Drug Co., Ideal Magazine Co., Idaho Mining and Smelting Corporation,

PROCLAMATIONS.

Imperial Musicphone Co., I. Nostri Tempi Publishing & Printing Co., Ideal Printing Press Co., Illinois Refining Co., Ideal Trading Co., Insurers Agency Corporation, Industrial & Historical Pageant Corporation, The Independence Manufacturing Co., The Ingham Specialty Co., Indiana Steel and Iron Co., International Automobile & Engine Co., International Bond & Share Corporation, The International Cable Railway Co., Interstate Cereal Co., Investors Collateral and Discount Co., Inter-City Real Estate Corporation, Interstate Collateral Corporation, International Engineering Co., The Interstate Engineering Co., Inter-State Engineering & Development Co., International Exploitation Co., The International Finance Corporation, The International Investment Corporation, Interstate Land and Improvement Co., The International Leather Retanning and Waterproofing Co., Interstate Lumber Co., International Non-Refillable Bottle Co., International Oyster and Manufacturing Co., International Pleasure and Touring Co., International Sporting Goods Manufacturing Co., The Interstate Telephone and Telegraph Co., International Underwriting Co., The Iola Manufacturing Co., I. O. O. F. Hall Co., Irene Oil Co., Industrial Development Corp.

Jane Atwood, Incorporated, The J. A. Berryman Box and Shook Co., The J. Frank Siegel Co., James Holdsworth Co., J. C. Parker and Son Co., J. C. Parker & Sons Fibre Co., James S. Catherson & Son Co., J. G. Littlefield Manufacturing Co., J. J. Rungee Co., The John F. Cummings Manufacturing Co., John J. Habecker Co., J. O. Tune Candy Co., J. O. Walsh & Co., Josephine Iron Mining Co., Jones Realty Co., Julian O. Ellinger (Incorporated), The Julian P. Thomas, M. D., Natural Food Co.

Kay's Exhibition Aviators Co., Katharine Oil Co., Kentucky Consolidated Coal Co., Kendel Motor Car Co., Kent Publishing Co., Kentucky Rapid Transit Co., Keystone Anchor Co., Keystone Saddlery and Hardware Co., Keystone Wire Bound Box Co., Killgore Realty Co., Kiski Steel Casting Co., King Edward Park Amusement Co., Kingston Gold Mining Co., Kirk's Klubs, Inc., The Knickerbocker

PROCLAMATIONS.

Construction Co., Knight Manufacturing Co., Komposit Metal Co., Krall-Brubaker Manufacturing Co., The Krupp Motors Co., Kutz Auto Tire Co.

Lafayette Land Co., The La Mont Power Producer and Economizing Device Co., La Plata Mining Corporation, Lackawanna Securities Co., The Lamar Engineering Co., Lancaster Steel and Mines Co., Lang Tuttle Co., The Lawyers Incorporation Co., The Leech Automobile Co., Lee Express and Contracting Co., The Lehigh Engineering Contracting Co., Lehigh Funding Co., Lehigh Investment Co., Leon E. Craig and Co., Leon W. Pullen Co. Lettervelup Co., Lewes Gas Co., Lexington Hotel Co., Lignum Chemical Co., Liberty Match Co., The Lions Film Manufacturing Co., Lindmore Improvement Co., The Literary Bureau, Incorporated, The Livingston Co., Louisville and Memphis Coal Co., Lott Milk Bottle Corporation, Luna Park Co., Lumber Securities Corporation, Lyric Amusement Co.

MacArthur Brothers Co., McCabe Carrier and Telephone Co., McCarthy Engineering Corporation. The McBride Magazine Publishing Co., McCoy's United Secret Service, Incorporated, McLaughlin Brothers, Incorporated, McMahon Brothers, Incorporated.

Madden and Eichenlaub Co., Maine and Hamlet Gold Mining Co., Manahawkin Development Co., Manufacturer's Purifying and Reclaiming Company, Incorporated, Marble Products Co., Marlborough Co., Maryland Construction Co., Missillon-Mahanoy Mining Co., The Maureo Tobacco Co., The Mead Co., Merchants and Mechanics Assurance Co., Merchants Mercantile Bureau (Incorporated), Merchants Motor Truck Co., Merrick Security & Trust Co., Metropolitan Securities Co., Mexico Latex Company of Delaware, Mexican Oil Co., Mexican Petroleum & Land Co., Mexican Tropical Planters Co., Mexico and United States Land Company, Middletown, Garage and Repair Co., Michigan Realty and Fruit Corporation, Miller Commercial Car Co., The Milton Merchandise Co., Mineral Adventure Corporation, The Mines Corporation of America,

PROCLAMATIONS.

Miners and Mechanics Assurance Co., Missouri, Arkansas and Gulf Railway Co., Monongahela Chemical Co., Monarch Securities Co., Monumental Sugar Refining Company of Baltimore, Maryland, Moore Electrical and Automobile Co., The Mortgage Bank of North America, Inc., Mortgage and Securities Co., Mortgage Security Co., Motor Commercial Delivery Co., Motor Cycle Sales Co., Motor Owners Tire Co., Motion Poster Company of America, Motor Starting Co., Mt. Minsi Park and Hotel Co., Multiple Spring Wheel Co., Munyon & Co., Muncy Paint and Filler Co., Mussel Shell Valley Exploration Co., The Mutual Chemical and Drug Co., The Mutual Hat Co.

Naica Exploration Co., Nameless III Co., The National Brazing and Manufacturing Co., National Cartridge Company, Inc., National Concrete Machinery Co., National Distributing Corporation, The National Film Distributing Co., National Fly Cone Co., National Furniture Exchange of Chicago, Incorporated, National Gas Improvement Co., National Glide-Proof Co., National Industrial Development Co., National Leather Co., National Lumber Securities Co., The National Motor Delivery Co., National Public Service Corporation, National Pulp and Paper Co., National Retail Grocers Co-operative Association, National Salvage Co., Nation Savings and Loan Association, The National Smoke Cleansing Co., National Specialty Co., National Turpentine Co., National Wagon Co., Neal Institute Corporation, Nevius Castings Co., New Amstel Magazine Co., The New Century Zinc & Lead Mining Co., New England Coal Co., New Era Mining and Milling Co., The New Securities Co., Newark Water and Electric Co., New York, Alabama Oil Co., New York Bond & Finance Co., New York City Oil Co., New York Cloak and Suit Co., Niagara Falls Turpentine Company of Georgia, Niagara Porcupine Mining Co., Nielson Breweries Supply Co., The Nipple Cover and Novelty Manufacturing Co., Night-Hawk Lake of Porcupine Gold Mining Co., The North American Bank and Trust Co., Nortonville Coal and Coke Co., North Dakota Heat & Power Co., Nortonville Oil & Gas Co., Northern Produce Co., North Thompson Mining Co., Nortonville Traction Co., Neura Medicine Co.

PROCLAMATIONS.

Ocean Fisheries Co., The Ohio Bankers Organization and Assets Realization Co., Oil City Foundry Co., The Ohio Land Co., The Oklahoma National Granite Co., Ogden Porcupine Gold Mines (Inc.), Old Homestead Fruit Co., The Olympia, Incorporated, The Olympia, Incorporated, Old Spanish Mine & Development Company, Limited, Organic Chemical Manufacturing Co., Oregon Irrigation Co., Osage Oil Co., Otto Motor Car Sales Co., Ozark Gas Co.

Pan American Iron Corporation, The Panama Exposition Advertising and Amusement Co., Pacific Note Co., Park Amusements and Patents Co.; Paris Shoe Store Co., Paragon Street Sweeper Co., Peerless Coal & Coke Co., The Pee Dee River Lumber Company of South Carolina, Peerless 5 & 10 Cent Wall Paper Co., Peerless Tire Filler Co., Penn Art Metal Co., The Pennsylvania Asbestos Company of Pittsburg, Pennvir Coal, Oil and Gas Co., Peninsula Cut Stone Co., Pennsylvania Electrical Construction Co., Peninsula Electric Co., Penn Finance Co., Penn Law Co., Penn Lumber and Mill Work Co., Penn Metalizing Co., Pennsylvania Mineral Co., Pennsylvania School of Telegraphy, Incorporated, The Pennsylvania Storage Battery Co., Pennsylvania & Western Coal Co., The Perfection Brick & Tile Co., Peoples' Co-operative Stores Co., The Peoples' Co-operative Union, Peoples Ferry Co., Perfection Flat Iron Co., Petterson Construction Co., Peter Holscher Cut Stone Construction Co., Petroleum Industries Syndicate, Limited, Peter Pan Mining Co., Philippine Embroidery Co., Philadelphia Embroidery Co., Phifer Engine Manufacturing Co., Philadelphia Fritchle Co., Philadelphia McClain-Ferguson Co., Phoenix Mills, Inc., The Philadelphia Motor Co., Philadelphia Securities Co., Phoenix Sprinkler Head and Fire Prevention Co., The Pittsburg Bond and Realty Co., Pittsburg Concrete Meter Fire Plug and Valve Box Co., The Pittsburgh Development Co., Pittsburg Hotel Co., Pittsburgh Live Stock Co., Pittsburgh Mineral Co., Pittsburgh Rock Drill and Manufacturing Co., The Pinellas Lumber and Development Co., Pioneer Water Co., The Porcupine Imperial Gold Mining Co., Porcupine-Keystone Mining Co., Porterware Milk Bottle Co., Porter-Pearson

PROCLAMATIONS.

Bakery Co., Porcupine Western Mining Co., Potomac Bowling Club, Incorporated, Potomac Island Oyster Co., Poultry & Pigeon Review Publishing Co., Potomac Refining Co., Potter The Florist, Incorporated, Prentice-Sturges Engineering and Construction Co., The Premium System Cigar Co., Progressive Motor Sales Co., Pryor Water Motor Co., Puritan Coal Co., Pure Food Package Co., Puritan Laundry Company, Incorporated, Puebla and Pacific Railroad Company of Mexico, The Public Water Co.

Radcliffe Candy Co., The Radium Development Co., Rappa-Wan Apple Orchard Co., Red Dragon Seltzer Co., Real Estate Holding & Investment Co., Realty Holding Co., Reading Life Insurance Co., Reading Mutual Life Insurance Co., The Reading Sanitarium Co., Reo Automobile Co., The Reliance Brick Co., Reliance Fibre Co., Reliable Hosiery Co., Reidy, Sage & Company, Incorporated, The Rogers-Shear Co., R. H. Enoch Co., Rex Smith Aeroplane Co., Richey Telephone Lock and Call Register Co., Ridgeville Lumber Co., The Ringwalt Linoleum Works, Inc., The Riverside Malleable Iron & Steel Works, Incorporated, The Rittenhouse Press Incorporated, The Robertson Engineering Co., The Rocky Mountain Powder Co., Rossland Development Co., Roth Elevator Safety Co., Roth Realty Co., Royal Packing Co., Royal Porcupine Gold Mines Co., The Rx Chemical Co., R. V. Kazian Co., R. W. Whitehurst Co.

S. & S. Shock Absorber Co., Safety Train Control Co., St. Louis Coal & Coke Co., The Sagax Wood Co., Salt Lake Southern Railway Co., Sampson Measuring and Folding Device Co., The Sanitaria Co., The San Domingo Co., Sanitary Drinking Fountain Co., Sanitary Folding Feed Box Co., Sanitary Gas Heating Co., San-knit-Ary Bleachery, Incorporated, The Santiago River Power Co., Sansom Tire and Rubber Co., Sauer Manufacturing Co., Schanken Brothers Manufacturing Co., Schubert Marine Sounder Co., Scott and Company, Incorporated, Securities Finance Co., Security Loan Society, Securities Selling Co., Sea-side Home Co., Seeley Wilson Co., Seidelinger Aeroplane Co., Selbyville Fruit Association, Selbyville Produce Exchange,

PROCLAMATIONS.

Incorporated, The Sells-Swam-Co., Sheehan-Waite Construction Co., Shepherd & Mann, Incorporated, The Shoppers Guild, Inc., Silver Theatrical Co., Simplex Moving Picture Machine Co., Simmons Remedy Co., The Smithfield Land Co., Smithfield Marl, Clay & Transportation Co., The Smokeless Stoker Co., The Solid Construction Co., The Somerset County Dairy Co., Somerton Hills Cemetery Sales Co., South Bay Estates Corporation, Southern Cotton Gin Co., Southern Farm Sales Co., Southern Gas Co., Southern Lumber Corporation, Southern Only Motor Car Co., Southern Sales and Development Co., The Southern Turpentine and Wood Pulp Co., Spring Creek Oil Co., Square Deal Co., Spring Motor Fan Co., Stafford Real Estate Co., Standard Agricultural Phosphate Co., Standard Arms Co., Standard Boiler Water Purifier Co., Standard Box and Lumber Co., The Standard Collieries Co., Standard Cotton Compress Co., Standard Egg Co., Standard Engineering Corporation, Standard Fruit Association, Standard Glass Co., Standard Heater Manufacturing Co., Standard Oil-Engine Company of America, Standard Steel Casting Co., Standard Steel Tie Co., Standard Tie Co., State Loan Co., Star Starter Co., Steuben Gold Mining Co., Stein & Leonard, Incorporated, The Stineman Stoker Co., Stotts Park Realty Co., The Success Co., Suffolk Exchange Co., Suffolk Lead & Zinc Co., The Sussex Manufacturing Co., The Sunflower Mill Co., Susquehanna Underwriters Co., Swastika Consolidated Co., Syndicate Finance Co., Symphony Publishing Co., Swastika Superior Mines Co., Swanson Supply Co.

The T. A. Barrett Publishing Co., The Taylor and Dittes Company, Incorporated, Tampico Fiber Industries Co., Taraza Mining Co., Tenax Chemical Co., Telepose Company of Delaware, Telephone Investment Co., The Tennessee Oil & Gas Co., Thiry Cleaning and Dyeing Co., Thymole Chemical Co., The Thomas Davies Co., Thomas E. Cherry Pump Co., Three Eds Oil and Gas Co., The Thompson Line Co., Thomson N. Sims & Co., Incorporated, Thompson Resort Co., Tide Water Coal Co., The Tire Shop, Incorporated, Time-test Tire Filling Company of Penn-

PROCLAMATIONS.

sylvania, Tobaclets, Incorporated, The Trialax Co., Treasury Development Corporation, The Travelers Guild, Inc., Tiripitio Land and Lumber Co., T. R. Mills Lime & Brick Co., Treasure Vault Mining Co., Tropical Beverage Co., Truss and Bond Railway Joint Co., The Tru-Flex Shoe Co., True Food Manufacturing Co., Turner Porcupine Syndicate, Tyrone Finance Co., True Eggs Manufacturing Co.

Universal Auto Bureau and Supply Co., Underwriters Bond and Share Co., The Underwriters Co., Unique Fixture and Novelty Co., The Universal Machine Manufacturing Co., Universal Mfg. Co., The Universal Mercantile Co., The Universal Paint Co., Unity Publishing Co., Universal Shoe, Heel and Machine Co., Universal Smoke Separating Co., The Universal Utilities Corporation, The Universal Vanadium Co., The Unit Weighing and Packing System, (Incorporated), United Aeroplane Manufacturing Co., United American Construction Co., Union Amusement Co., Union Construction Company of Delaware, The United Construction Co., The United Drug Stores Co., United Electric Co. of Cuba, United Food Co., United Garage Co., United Gas Light & Manufacturing Co., Union Mercantile Co., United Motograph Theatres Co., The United Publishing Co., United Purchasing Co., Union Rendering Company of Wilmington, Delaware, Union Saw Manufacturing Co., United Securities Co. of America, United Securities & Registry Co., United Shoe Repairing Co., Union Silica Sand Co., United Stores Company of America, United States Aeroplane Exhibition Co., United States Audit and Registration Co., U. S. Barrel Machine Co., United States Coal Exchange, Incorporated, United States Electric Rock Drill Co., United States Engineering and Manufacturing Co., The United States Finance and Securities Co., U. S. Motor Truck Sale Co., United States Positive Brake Co., United States Printing and Novelty Co., United States Salesthy Chemical Co., United States Savings and Purchasing Co., United Theatres Securities Co., United West Indies Corporation, The United Woolen Mills Co.

PROCLAMATIONS.

The Valley Hard Vein Slate Co., Vanada Co., Vanadium Copper Alloys Co., The Van-Guard Co., Vapor Light and Power Co., Vernice Fruit Co., Vermont Garage Co., The Virginia Oil and Gas Co., The Voegtle Brothers Co.

The Walk Auto Tire Co., Waldo Consolidated Gold Mining Company of Oregon, The Wales Engineering Co., Walsh Sanitary Devices Co., Warren Power System, Inc., Washington and Adirondack Reduction Co., Washington Mining & Milling Co., Washington Pecan Groves Co., Water and Sewerage Purification Co., Wayne Contracting Co., Wawaset Gun Club, Webb Manufacturing Co., Weir Furniture Company of Altoona, Blair County, Penna., Werner Radiator Co., Western Aero Co., The Western Concentrator Co., Western Durango Mining & Development Co., The West End Stock Club, Incorporated, Western Magazine Publishing Co., Western and Mexican Smelting and Refining Co., West Penn Construction Co., West Philadelphia Herald Publishing Co., The West Side Garage, Incorporated, White Silica Sand & Cement Brick Co., Wicker Electric Linotype Pot Co., Williamsport Building Corporation, Wilbak Chemical Co., The Williams Co., Williams Oil & Gas Co., Wilmington Aero Club, Wilmington Bleachery Co., Wilmington Investment Co., Wilmington Iron Co., Wilmington Motor Service Co., Wilmington Theatre Co., The Wirt Electric Company, Incorporated, Witthoefft Collapsible Concrete Forms Co., W. J. Greene and Co., Wonder System Corporation, Woodoleum Flooring Co., W. S. Lord & Sons, Incorporated, Wyoming Electric Company.

The "Yankee Flyer" Aerial Exhibit Co., Yabazon Mines Co., York Construction Co., Your Magazine Co., The Yonkers Retail Grocers Association.

Zalmon G. Sholes Typewriter Co., Zodiac Sky Advertising Co.

IN TESTIMONY WHEREOF, I, Charles R. Miller,
Governor of the State of Delaware, have
hereunto set my hand and caused the

PROCLAMATIONS.

[GREAT SEAL]

Great Seal of this State to be hereunto affixed this twenty-first day of January, in the year of our Lord, one thousand nine hundred and fifteen, and of the Independence of the United States of America, the one hundred and thirty-ninth.

By the Governor:

CHAS. R. MILLER.

THOMAS W. MILLER,

Secretary of State.

PROCLAMATIONS.

PROCLAMATION.

STATE OF DELAWARE,

EXECUTIVE DEPARTMENT.

Whereas, the State Treasurer of the State of Delaware, reported to me on the fifth day of January, A. D. 1915, a list of the companies that were two years in arrears for taxes, having refused, failed or neglected to pay the taxes assessed against them;

And whereas, one of the companies so reported was "THE ROGERS-SHEAR COMPANY," as having failed, refused or neglected to pay the taxes aforesaid;

Now, therefore, I, Charles R. Miller, Governor of the State of Delaware, do hereby proclaim that "THE ROGERS-SHEAR COMPANY," a corporation incorporated under the laws of the State of Delaware June 19, 1905, it having been established to my satisfaction that said company has not neglected or refused to pay the annual franchise taxes assessed against said corporation heretofore reported by the State Treasurer aforesaid, due from said company, and that said company was inadvertently reported to me by said State Treasurer as failing, refusing or neglecting to pay said taxes as aforesaid; that pursuant to the authority vested in me by virtue of Section 15, of the Act entitled "An Act to Raise Revenue for the State by taxing certain corporations," approved March 10, A. D. 1899, and all acts amendatory and supplemental thereto, to correct such mistake, I hereby make the same known by filing this proclamation to that effect in the office of the Secretary of State.

PROCLAMATIONS.

[GREAT SEAL] 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 fifteenth day of February, in the year of our Lord one thousand nine hundred and fifteen, and of the Independence of the United States of America, the one hundred and thirty-ninth.

By the Governor:

CHAS. R. MILLER.

THOMAS W. MILLER,

Secretary of State.

SECRETARY OF STATE'S OFFICE.

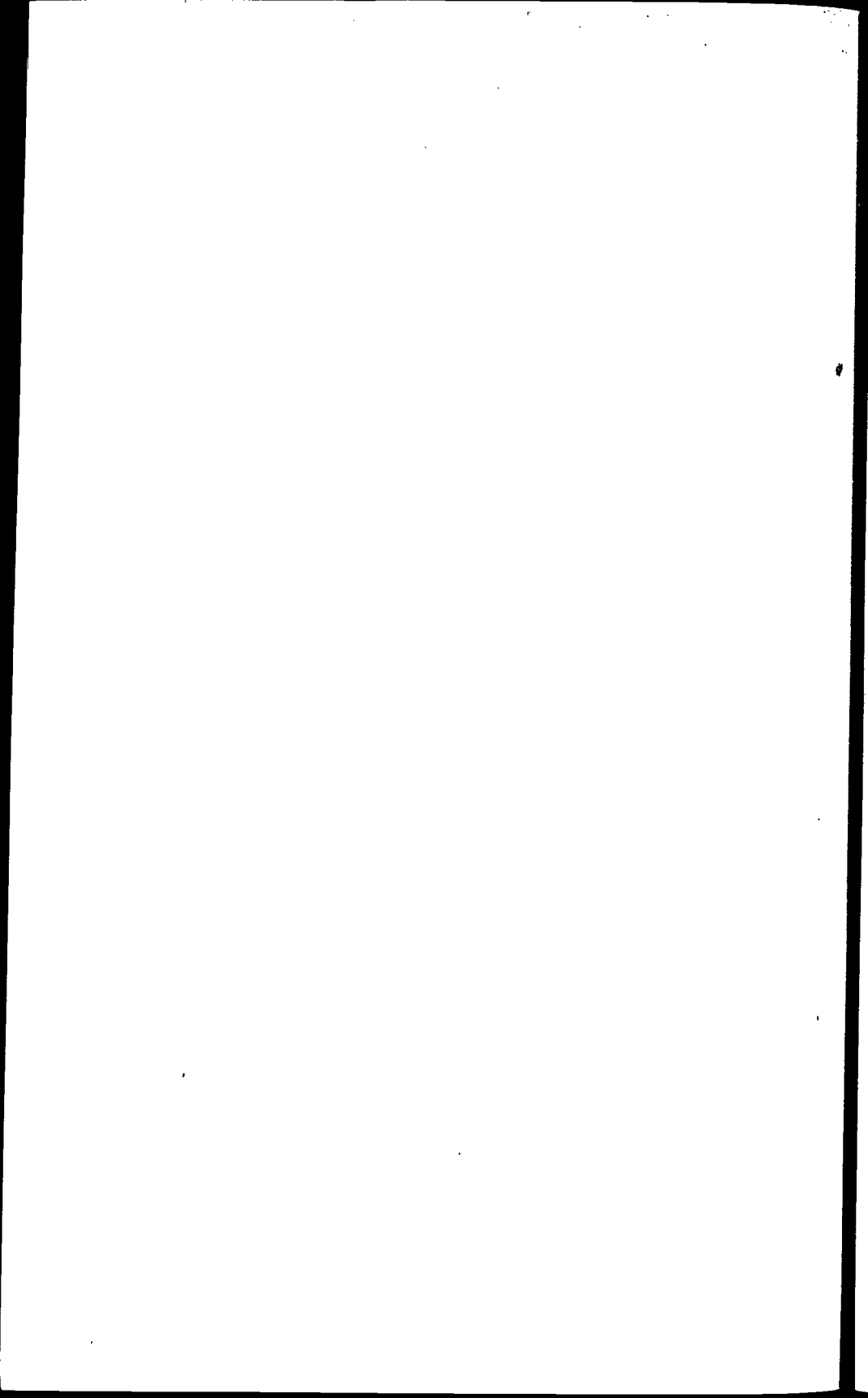
DOVER, DELAWARE, June 1st, 1915.

In obedience to the provisions and directions of Section 3, Chapter 10 of the Revised Statutes of the State of Delaware, approved October 19, A. D. 1914, and as amended by Chapter 30, Volume 28, Laws of Delaware, 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 fifth day of January, A. D. 1915, and ended on the sixteenth day of March, A. D. 1915, and approved by the Governor.

Words and sentences marked with asterisks are printed as they appear on the original bills.

GEO. H. HALL,

Secretary of State.



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